



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on October 07, 2013 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on September 12, 2013, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on October 07, 2013.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **OCTOBER 07, 2013** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Mr. Michael Thompson, Councillor & Vice-Chair
Mr. Michael Del Grande, Councillor & Member
Ms. Marie Moliner, Member
Ms. Frances Nunziata, Councillor & Member
Mr. Andrew Pringle, Member

ABSENT:

Dr. Dhun Noria, Member

ALSO PRESENT:

Mr. William Blair, Chief of Police
Mr. Albert Cohen, 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 OCTOBER 07, 2013**

**#P236. PARKING ENFORCEMENT - ROLES OF THE TORONTO POLICE
SERVICE AND THE CITY OF TORONTO**

The Board was in receipt of the following report May 21, 2013 from William Blair, Chief of Police:

Subject: PARKING PRESENTATION – ROLES OF THE TPS AND THE CITY

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting of February 19, 2013, the Board approved a motion that the Chief provide a presentation on the manner in which parking tags are issued, distinguishing between the role of the Toronto Police Service and that of the City of Toronto for the Board's May 2013 meeting (Min. No. P35/2013 refers). The presentation was subsequently deferred to the Board's June 20, 2013 meeting.

Discussion:

A PowerPoint slideshow will be presented at the public Board meeting to clarify the roles of the Toronto Police Service which is responsible for the enforcement of Municipal Parking Bylaws and the City of Toronto, who establishes the bylaws, and handles the customer service element, processing, cancellations, collections and court scheduling.

The presentation will also include a discussion on customer service, collections, cancellations and strategies for 2013 and beyond and the necessary collaborative efforts that are employed to achieve a successful parking program in the City of Toronto.

The presentation will be delivered by Ms. Kimberly Rossi, Manager, Toronto Police Service, Parking Enforcement Unit and Mr. Anthony Fabrizi, Manager, Utility Billing and Parking Ticket Operations, City of Toronto.

Conclusion:

This report provides the Board with the information that will be presented regarding the roles and responsibilities associated with the parking program in Toronto.

Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

Ms. Kimberly Rossi, Manager, Toronto Police Service, Parking Enforcement Unit, and Mr. Anthony Fabrizi, Manager, Utility Billing and Parking Ticket Operations, City of Toronto, were in attendance and delivered a presentation to the Board. A copy of the presentation is on file in the Board office.

Following the presentation, Ms. Rossi and Mr. Fabrizi responded to questions by the Board.

The Board received the presentation and the foregoing report and requested that a copy of the presentation be provided to the City's Public Works and Infrastructure Committee for information.

Moved by: M. Del Grande

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P237. CITY OF TORONTO “BRINGING COMMON SENSE TO PARKING
ENFORCEMENT”**

The Board was in receipt of the following report September 13, 2013 from William Blair, Chief of Police:

Subject: CITY OF TORONTO COUNCIL MEMBER MOTION – BRINGING
COMMON SENSE TO PARKING ENFORCEMENT

Recommendations:

It is recommended that:

1. the Board receive this report; and
2. the Board forward a copy of this report to the City Public Works and Infrastructure Committee for information.

Financial Implications:

If City of Toronto Council amends parking by-laws according to the rationale presented in the Motion, the Service will need to review potential program impacts and any associated financial impacts that may result from aligning operational practice and resources with amended by-laws.

Background/Purpose:

At its meeting of July 16, 17, 18 and 19, 2013, City Council adopted Member Motion MM37.11, “Bringing Common Sense to Parking Enforcement” as follows:

1. *City Council request the Chair, Toronto Police Services Board to report to the Public Works and Infrastructure Committee on:*
 - a. *existing policies in place to prioritize City of Toronto resources with respect to the activities of Parking Enforcement staff; and*
 - b. *developing a policy to prioritize the use of Parking Enforcement to emphasize the important City goals including keeping traffic moving, encouraging paid-parking turnover in high demand areas, and responding to complaints while reallocating resources from low-demand priorities such as residential streets with abundant unoccupied parking spaces at mid-day.*

City Council forwarded the request to the Toronto Police Services Board and the Board requested that a report be submitted for the October meeting. This report will be considered in conjunction with the Board Report requested on 2012 Parking Ticket Activity report (Min. No. P177/13 refers) and the presentation on parking enforcement and operations that will be delivered jointly by the Service and the City.

Discussion:

City Council Recommendation #1(a)

- a) existing policies in place to prioritize City of Toronto resources with respect to the activities of Parking Enforcement staff;*

The Toronto Police Service (Service) is aware of the challenges of gridlock and the importance of maintaining traffic flow on major traffic arteries at peak times through compliance of the City's parking by-laws. The Service also acknowledges the disproportionate impact that one unlawfully parked vehicle imposes upon other users of the City's roads.

The Parking Enforcement Unit enforces the established City of Toronto municipal parking by-laws. The Parking Enforcement Unit's operational practices and deployment of resources places a high priority upon maintaining the safe and orderly flow of traffic, providing response to the parking concerns of the community and ensuring paid parking turnover in areas designated by parking machine and meter by-laws. Directed enforcement focuses on clearing rush hour routes, safety-related parking offences and obstructions to the flow of traffic during times of peak traffic volumes to support this strategy.

The Parking Enforcement Unit incorporates a community based policing model that addresses local community parking issues and the needs of various stakeholders. This is achieved through liaison with the local police divisions, City staff from various operational departments, City Councillors, BIA's, schools, and other various community stakeholders.

City Council Recommendation # 1(b)

- b) developing a policy to prioritize the use of Parking Enforcement to emphasize the important City goals including keeping traffic moving, encouraging paid-parking turnover in high-demand areas, and responding to complaints while reallocating resources from low-demand priorities such as residential streets with abundant unoccupied parking spaces at midday.*

The Parking Enforcement Unit prioritizes its efforts in relation to the requirement for enforcement and the response to calls for service. The Parking Enforcement Unit responded to approximately 136,000 calls for service in 2012 which are primarily associated with calls from local residential areas. The Unit continually analyses enforcement data to ensure appropriate alignment of resources. The Parking Enforcement Unit's service delivery balances the demands of ensuring traffic flow on busy arterial routes with the public expectation of patrol and response to complaints on local roads. Concerns on local roads include enforcement of by-laws to ensure: safe motorist and pedestrian sightlines at intersections, school zones, and pedestrian crossovers;

fire hydrant clearances; overtime parking regulations and areas where commuter parking has displaced neighbourhood residents possessing residential parking permits.

The City by-laws establish what constitutes a parking offence. The degree of enforcement is based upon the requirement for traffic safety, traffic flow, compliance and turnover of the City's programs and the calls for service to community stakeholders.

As this was presented as a Member Motion unsupported by any staff report, the City Council decision is unclear in identifying which parking by-laws are perceived as "low priority" or lack the necessity for enforcement.

Conclusion:

A collaborative review of enforcement priorities would ensure that City Council's direction would be implemented through the applicable by-law amendments in a manner that is safe and effective. This not only ensures clarity, fairness and certainty of the law to the public, but would also ensure alignment of the law and enforcement practices.

Should Council wish to have further input or discussions with respect to operational concerns, traffic safety and/or enforcement, the Service would be pleased to participate in such discussions with the designated City staff.

In the event that City Council amends parking bylaws, the Service will ensure that enforcement practices and operational deployment is aligned accordingly.

Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

The Board approved the foregoing report.

Moved by: M. Del Grande

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P238. RESPONSE TO CITY OF TORONTO MOTION: PARKING
ENFORCEMENT – GRACE PERIODS**

The Board was in receipt of the following report September 13, 2013 from William Blair, Chief of Police:

Subject: CITY OF TORONTO COUNCIL MOTION: PARKING TICKET ACTIVITY -
2012

Recommendations:

It is recommended that:

1. the Board receive this report; and
2. the Board forward a copy of this report to City Council for information.

Financial Implications:

If City of Toronto Council amends parking by-laws according to the rationale presented in the Motion, the Service will need to review potential program impacts and any associated financial impacts that may result from aligning operational practice and resources with amended by-laws.

Background/Purpose:

At its meeting of June 20, 2013, (Min. No. P177/13 refers), the Board received an item pertaining to Parking Ticket Activity which was considered by City Council at its meeting of May 7, 8 and 9, 2013.

The Board approved the report and the following recommendations:

- 1) Request the Chief to review the item on Parking Ticket Activity considered by City Council at its meeting on May 7, 8 and 9, 2013 and report to the Board as to what by-law changes would be required to implement Council's direction; and
- 2) Forward a copy of this report to City Council for information.

Discussion:

City Council, at its meeting of May 7, 8, 9, considered *Government Management Committee Item 21.6 – Parking Ticket Activity - 2012* and adopted the following motion:

Decision Advice and Other Information:

- 1. City Council request the Toronto Police Services Board to amend the Parking Enforcement Unit Guidelines to allow for no parking tickets to be issued until a period of 10 minutes has elapsed from the expiry of a paid parking time, excluding rush hour.*
- 2. City Council direct the City of Toronto Municipal Law Enforcement Officers (MLEOs) not to issue parking tickets until a period of 10 minutes has elapsed from the expiry of a paid parking time.*
- 3. City Council amend the City of Toronto Parking Ticket Cancellation Guidelines with respect to residential permit parking to provide for a grace period between 9:00 p.m. of one day to 12:01 p.m. of the next day when parking alternates from one side of the street to the other pursuant to by-law provisions and when on-street permit parking is in effect.*

At the June 20, 2013, Police Service Board meeting, it was the Board's position that, City Council's request would require the Board to become involved in an operational issue; one that would require it to direct enforcement as well as potentially fetter officer discretion. Under the *Police Services Act*, this is prohibited. (Min. No. P177/13 refers) The Board therefore directed this item to the Chief of Police and requested that the Chief review the item and report to the Board as to what by-law changes would be required to implement Council's direction.

The Council Decisions contained within this report came about as a result of Council receiving the Parking Ticket Activity report for 2012. This staff report addressed general 2012 parking ticket activity only; the specific recommendations discussed in this report have not been scrutinized by the City departments. There has been no opportunity for formal input or consultation in regards to the viability and impact of the Council Decision.

The issue of Municipal parking by-laws, the Service's operating practices and the Council approved parking ticket cancellation guidelines has been a topic of frequent discussion as of late. The established Municipal by-laws do not address the grace periods referred in this item. Rather, grace periods are addressed by the Service's operational practice and now through the Council approved parking ticket cancellation guidelines. The two protocols differ.

The Chief's goal in developing operational practice is to balance the needs of communities and support effective prosecution for matters which escalate to Court. When practices are misaligned this can lead to public uncertainty.

This report will discuss each of the items referenced in the Council Decision and will provide an overview of which by-laws are associated with each individual matter. It is important to note that the Service is not responsible for establishing the Municipal by-laws.

City Council Recommendation # 1

City Council request the Toronto Police Services Board to amend the Parking Enforcement Unit Guidelines to allow for no parking tickets to be issued until a period of 10 minutes has elapsed from the expiry of a paid parking time, excluding rush hour.

This item relates to on-street parking in permitted parking areas governed by pay and display machines and at single space parking meters. Paid time-limited parking allowances are in place to ensure the availability of short-term parking and vehicle turnover which supports the local business environment. Under Municipal by-law, this offence occurs at the expiry time of the pay and display receipt or the parking meter. The Service has traditionally established an operating practice that allows for a five (5) minute grace period prior to the issuance of a Parking Infraction Notice. The five minute grace period is provided to ensure that any time discrepancies between the machines and individual time keeping are considered up front to avoid questions or doubt should matters move forward to prosecution.

By-laws do not deal with grace period issues. The Service has operational concerns with respect to a ten minute grace period, as five minutes satisfies the intent of the bylaw with respect to parking turnover and the operational requirements associated to effective prosecution, potential discrepancies on time keeping and overall service delivery.

City Council Recommendation # 2

City Council direct the City of Toronto Municipal Law Enforcement Officers (MLEOs) not to issue parking tickets until a period of 10 minutes has elapsed from the expiry of a paid parking time.

This item relates to pay and display parking and metered parking at off-street private and municipal lots. Municipal Law Enforcement Officers (MLEOs) fall within a number categories and legal distinctions under by-law. MLEOs may be municipal employees or employees of private companies depending upon their classification. Pursuant to by-law, in all cases, MLEOs are trained and certified by the Chief of Police, and are appointed under Toronto Municipal Code Chapter 150 to enforce bylaws on municipal paid parking lots and/or private property parking lots. The Service does not direct the operational practice of MLEO's in regards to grace periods.

In order to implement Council's direction, a review of the by-laws associated with private and municipal property would be required. As this item has the potential to dictate operations on private and municipal property and may impact private property owners and paid parking lot operations, jurisdiction needs to be clearly identified.

City Council Recommendation # 3

City Council amend the City of Toronto Parking Ticket Cancellation Guidelines with respect to residential permit parking to provide for a grace period between 9:00 p.m. of one day to 12:01 p.m. of the next day when parking alternates from

one side of the street to the other pursuant to by-law provisions and when on-street permit parking is in effect.

City Council recommended that the City parking ticket cancellation guidelines be amended to provide for a grace period for Alternate side parking, from 9 pm on the evening of the changeover until 12:01 pm on the day of the changeover. The City's guidelines have been updated to incorporate the recommendation. The Service has operational concerns with this recommendation.

This item relates to Alternate Side Parking. Alternate Side Parking is in effect in neighbourhoods which are governed by residential on-street permit parking regulations. Residents are required to have a residential parking permit and are directed to alternately park on one side of the street to the other, typically on the 1st and the 16th of each month from April until December. The existing by-law requires members of the public to relocate their vehicles to the other side of the road at 12:01 am on scheduled dates. The by-laws governing permit and alternate side parking do not currently address grace periods.

In order to balance the absolute requirements of the by-law, the issues associated with parking on two sides of a street, traffic flow patterns and the fair and safe opportunity for residents to relocate their vehicles to the other side of the street, the Service has traditionally used discretion in enforcing this by-law through development of operating practice. The operating practice is for specific and limited periods of time (9 pm on the evening of the changeover until 9 am on the day of the changeover), and is granted only in situations where traffic flow, safety and hazards are not a concern. This has effectively provided for a balanced approach and accommodates both early and later risers as opposed to expecting members of the public to move their vehicles at 12:01 am.

Council's direction would extend parking on both sides of the affected streets on changeover days, until 12:01 pm. This would include times of peak vehicular and pedestrian traffic volumes and increased presence of vehicles providing municipal and private services.

The Service's current operational practice of discretion between 9 pm and 9 am, to facilitate the safe and orderly movement of vehicles, has been reviewed and is deemed appropriate and reasonable, considering the various operational objectives.

Conclusion:

The Police Services Act (PSA) provides that the duties of the Chief of Police include: administering the police force and overseeing its operation in accordance with the objectives, priorities and policies established by the Board and ensuring that members of the police force carry out their duties in accordance with the PSA and the regulations, in a manner that reflects the needs of the community.

The City parking by-laws are in the process of consolidation at this time, there is an abundance of by-laws related to these decisions that would require review. Due to the state of administrative change, and since the Service is not the governing body of Municipal by-laws, the

Service is unable to provide specific by-law references. City staff, would be better positioned to identify and conduct a thorough review of the by-laws governing these matters and review the viability, impact and process of change, while taking into account the objectives of all stakeholders.

The Service's current operating practices will continue in absence of amendments to the Municipal by-laws. Should Council wish to have further input or discussions with respect to operational concerns, traffic flow, safety and enforcement, the Service would be pleased to participate in stakeholder discussions with the designated City staff. This would ensure clarity and alignment of the law, enforcement practices and the City of Toronto parking ticket cancellation guidelines.

In the event that City Council amends parking by-laws, the Service will ensure that enforcement practices and operational deployment is modified.

Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

The Board approved the foregoing report and the following Motion:

THAT the Chair emphasize to the City that if the City wishes to make changes to current enforcement processes it should consider amending appropriate By-Laws to reflect those changes.

Moved by: M. Del Grande

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P239. STREET CHECK SUB-COMMITTEE – COMMUNITY INQUIRY
PROCESS AND INTERIM RECEIPT**

The Board was in receipt of a copy of Minute No. P220/13 from the Meeting held on September 12, 2013 which contained the following:

- copy of report dated July 18, 2013 from Marie Moliner, Chair of the Street Check Sub-Committee, regarding the community inquiry process and interim receipt.

A copy of Minute No. P220/13 is appended to this Minute for information.

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

- **John Sewell, Toronto Police Accountability Coalition***; and
- **Roger Love, African Canadian Legal Clinic.**

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

The Board approved the following Motions:

- 1. THAT the Board receive the report dated July 18, 2013 from Ms. Moliner;**
- 2. THAT the Board receive the deputations and Mr. Sewell's written submission;**
- 3. THAT the Board schedule a special Board meeting at City Hall on a date and time to be determined in the month of November 2013 to receive public response to the Board's and the TPS's proposals related to the issue of street checks in order to assist the Board in establishing an effective policy; and**
- 4. THAT the work of the Street Check Subcommittee be concluded and that the Board assume responsibility for further work on this matter.**

Moved by: M. Thompson

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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 12, 2013**

**#P220. STREET CHECK SUB-COMMITTEE – COMMUNITY INQUIRY
PROCESS AND INTERIM RECEIPT**

The Board was in receipt of a copy of Minute No. P209/13 from the August 13, 2013 meeting which contained the following:

- copy of report dated July 18, 2013 from Marie Moliner, Chair of the Street Check Sub-Committee, regarding the community inquiry process and interim receipt; and
- copy of correspondence dated July 10, 2013 from John Sewell, Toronto Police Accountability Coalition, containing a request for a copy of Form 306.

The foregoing documents were deferred by the Board to its September 12, 2013 meeting for consideration. A copy of Minute No. P209/13 is appended to this Minute for information.

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

- **John Sewell, Toronto Police Accountability Coalition**
- **Roger Love, African Canadian Legal Clinic ***

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

The Board was also in receipt of a written submission from Irwin Elman, Provincial Advocate, Office of the Provincial Advocate for Children and Youth. A copy of Mr. Elman's written submission is on file in the Board office.

The Board approved the following Motions:

- 1. THAT the Board receive Mr. Sewell's deputation and his correspondence dated July 10, 2013;**
- 2. THAT the Board receive Mr. Love's deputation and his written submission; and**
- 3. THAT the Board defer consideration of Ms. Moliner's report dated July 18, 2013 to its October 07, 2013 meeting.**

Moved by: M. Moliner

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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON AUGUST 13, 2013**

#P209. COMMUNITY INQUIRY PROCESS AND INTERIM RECEIPT

The Board was in receipt of the following report July 18, 2013 from Marie Moliner, Member and Chair, Street Check Sub-Committee:

Subject: COMMUNITY INQUIRY PROCESS AND INTERIM RECEIPT

Recommendations:

It is recommended:

1. THAT the Chief of Police provide to the Board at its public meetings brief, written monthly progress reports on the ongoing development of the Community Inquiry process and the implementation of the receipting process beginning at the Board's meeting on September 12, 2013; and,
2. THAT the Chief of Police provide the Board with a comprehensive written report detailing all aspects of the development and implementation of the new community inquiry process and providing an evaluation of the interim receipt for the Board's December 12, 2013 public meeting.

Financial Implications:

There are no financial implications arising from receipt of this report.

Background/Purpose:

At its meeting on June 20, 2013, the Board received an update report from the Street Check Sub-Committee, considered a report from the Auditor General indicating that his review of community contacts would be deferred pending implementation of the new community inquiry process, and received a presentation with respect to the July 1 implementation of the interim receipt (Form 307) which is to be provided as an outcome of certain community contacts (Min. P160/13 refers).

Discussion:

During the June 20th meeting, the Board considered the presentation from the Chief on the interim Community Inquiry receipt process and made a number of motions. However, it did not address the on-going need for the Board to be informed and updated on the Community Inquiry receipting process as it evolves over the next few months.

During a subsequent meeting of the Street Check Sub-Committee, held on July 3, 2013, a need for on-going reporting was identified in order to assess the success of the implementation of the interim receipt. A need for clarification also arose between the TPS work to implement the interim receipt and the TPS work on the broader Community Inquiry work (revised Form 208).

As a result, the Street-check subcommittee recommends a framework for on-going reporting to the Board during the implementation of both the Community Inquiry Process and the interim receipt. The request is for reports on receipting as well as the rest of the changes that the Service is working on respecting the Community Inquiry process. In particular, the Committee seeks a monthly brief written progress report, beginning in September 2013, and a comprehensive written report, to be provided for the Board's December 2013 public meeting.

This comprehensive report should include:

1. an assessment of the FIR/208 process and the rationale for both retaining the practice of street checks and for contemplating changes to this process;
2. synopses of any research conducted into the practices of other jurisdictions, including the practices of other large Canadian police services;
3. details of stakeholder consultations conducted by the Service and a synopsis of the issues arising from those consultations;
4. an assessment of the utility and application of the interim receipt;
5. details of the proposed new community inquiry process and the procedures that will implement the process as well as plans for officer training, communication to the community, retention of data and access to data;
6. an evaluation of the interim receipt process.

Conclusion:

Monthly updates will help provide the public with timely information in response to a subject that is very much in the public interest. The time-frame proposed for the detailed progress report should allow the Service sufficient time to present a substantive and meaningful report while giving sufficient advance notice of the report to the community.

The Board was also in receipt of the following correspondence dated July 10, 2013 from John Sewell, Toronto Police Accountability Coalition:

Subject: Carding, Form 306

We request that this letter be placed on the agenda for the July 18 Board meeting.

At the June Board meeting, Deputy Chief Sloly made a presentation about the ways in which a new Form 307 would be given as a 'receipt' in some cases where police and community members interact. He talked at some length about how the police were trying to be more transparent in what they were doing. He then indicated that

Form 208, which is the documentation of information gathered by police, is being replaced by a new Form 306.

We have requested to see copy of Form 306 but were told “A copy of this report is not publicly available.”

The new form is obviously different from the old one. Form 208 was called ‘Field Information Report’, whereas Form 306 is called ‘Community Inquiry Report’. What information does Form 306 record?

If any headway is to be made regarding carding or street checks, it will start with the Police Service being clear and open about the kind of information officers are gathering on people they stop to question. We request the Board to ensure Form 306 is made public without delay.

Mr. Miguel Avila was in attendance and delivered a deputation to the Board. Mr. Avila also provided a written submission in support of his deputation; copy on file in the Board office.

The Board approved the following Motions:

- 1. THAT the Board receive Mr. Avila’s deputation and forward a copy of his written submission to the Street Check Sub-Committee for consideration; and**
- 2. THAT the Board defer consideration of the foregoing report and Mr. Sewell’s correspondence to its September 2013 meeting.**

Moved by: A. Pringle

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P240. TORONTO POLICE SERVICE 2014-2023 CAPITAL PROGRAM
REQUEST - REVISED**

The Board was in receipt of the following report September 25, 2013 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE – 2014-2023 CAPITAL PROGRAM REQUEST
– REVISED

Recommendations:

It is recommended that:

- (1) the Board approve a revised 2014-2023 capital program with a 2014 net request of \$16.1 Million (excluding cash flow carry forwards from 2013), and a net total of \$253.6 Million for 2014-2023, as detailed in Attachment A; and
- (2) the Board forward a copy of this report to the City of Toronto Budget Committee for approval, and to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

The Toronto Police Service's (Service's) revised 2014-2023 Capital Program request is below the City's affordability debt target by \$6.4 Million (M) for the first five years of the program, and \$8.4M for the full ten-year program. Table 1 provides a summary of the revised 2014-2023 Capital Program request compared to the City of Toronto's ten-year debt affordability target. Additional detail on debt-funded and Reserve-funded projects can be found in Attachments A and B respectively.

Table 1. Summary of 2014-2023 Capital Program Request (\$Ms)

	2014	2015	2016	2017	2018	5-Year Total	2019-2023 Total	2014-2023 Total
Total On-Going and New Projects	17.7	20.8	39.9	49.4	41.6	169.3	118.6	287.9
Reserve-funded projects	21.4	17.8	18.6	24.9	30.0	112.7	118.5	231.2
Total gross projects:	39.0	38.7	58.5	74.3	71.6	282.0	237.1	519.1
Other-than-debt funding	-23.0	-17.8	-22.2	-36.2	-34.2	-133.4	-132.2	-265.6
NET DEBT FUNDING:	16.1	20.8	36.3	38.1	37.3	148.6	105.0	253.6
CITY DEBT TARGET:	23.9	30.1	36.3	31.1	33.5	155.0	107.0	262.0
Variance to target	7.9	9.3	0.0	-6.9	-3.8	6.4	2.1	8.4

Attachment C provides a summary of the estimated operating impacts that result from projects included in the 2014-2023 capital program request. The 2014 incremental operating impact is \$1M. Approval of the 2014-2023 program, as requested, will result in an estimated annualized pressure to the Service's operating budget of \$5.9M by 2023, mainly due to increased system maintenance and building operational requirements. These operating impacts will be included in future operating budget requests, as required.

Background/Purpose:

At its September 12, 2013 meeting, the Toronto Police Services Board (Board) considered the Service's 2014-2023 capital program at a net request of \$19.9M for 2014 (excluding cashflow carry forwards from 2013) and a net total of \$253.6M for 2014-2023. The Board approved the following motions (Min. No. P224/13 refers):

1. *THAT the Board request the Chief to provide a report for its November 7, 2013 meeting containing all the steps, including training, that the TPS is undertaking with respect to the potential expansion of the deployment of CEWs; and*
2. *THAT the Board receive the foregoing report regarding the TPS 2014-2023 Capital Program Request and refer it to the Board's Budget Subcommittee for further review and to determine an appropriate time to submit it for or prior to the next Board meeting.*

As directed by the Board, a meeting of the Board's Budget Sub-Committee (BSC) was held on September 23, 2013 to reconsider the 2014-2023 capital program. Additional information was provided to the BSC in response to questions raised at the September 12, 2013 Board meeting. Following the review at the BSC, this report provides the Board with a revised capital program for approval.

Attachments A and B provide the details of the revised program, including annual cash flow adjustments. Attachment C provides information regarding the revised operating impact.

The Service's original capital program request report (provided to the September 12, 2013 Board meeting) is included as Attachment D to this report, for the Board's reference.

Discussion:

The following provides details on the items raised at the Board and BSC meetings, as well as the revised 2014-2023 capital program.

City Debt Target:

Corporate targets for Agencies, Boards, Commissions and Departments are allocated by the City's Deputy City Manager and Chief Financial Officer (City CFO). The current year's debt target is equal to last year's approved debt level. For example, year 2014 in the 2013-2022 program was approved at \$23.9M; therefore, this year's debt target for 2014 is \$23.9M, and the Service is required to provide a program that is at or below this debt target.

The Service's 2014-2023 Capital Program is \$7.9M below the City's debt target for 2014. It is also below target cumulatively for the first five years in total, and for the ten-year program (\$8.4M).

Due to the nature of capital projects and cash flow requirements, it is not feasible to meet annual debt targets precisely. The Service strives to ensure that debt targets are met for the first year and for the full program. City Finance has accepted this approach in past years.

Revised 2014-2023 Capital Program

The revised 2014-2023 Capital Program that is being recommended for approval has changed in the following areas:

New 54 Division Facility

This project provides funding for the construction of a new 54 Division. The current facility was retrofitted for police use and occupied by the Service in 1973. There are both physical and operational issues with the existing site and building, including issues of size and design of space, state of repair for the facility and location. A business case for this facility was provided to the Board's BSC in August 2013.

One of the Chief's Internal Organization Review initiatives considered the potential closing or consolidation of 54 Division. The review concluded that this division should not be closed, and the Board had been updated on this matter.

After some deliberation, the BSC indicated that this project should remain in the program, but that construction be delayed one year, so that the Board can consider the Service's divisional structure, particularly as it pertains to the 54 and 13 Divisional facilities.

The revised capital program reflects this change.

Peer-to-Peer Data Centre

The Service has a primary data centre as well as a secondary site, and is experiencing several issues with the secondary site. The current location is too close to the primary site, and is limited with respect to space and power supply.

The cash flow for this project reflects the introduction of consulting and engineering services in 2014, to conduct a feasibility study to determine the best solution regarding site and sharing potential, as well as the design of the facility. Land acquisition and construction costs start in 2015. This does not preclude consideration of other alternatives such as co-location with the City and or other police services. Discussions on these and other options are currently underway.

The Board's BSC indicated that this project should remain unchanged in the 2014-2023 program, with the understanding that no commitments would be undertaken until the results of the feasibility study are communicated to the Board.

Business Intelligence (BI) Technologies

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

After a preliminary review, City Finance staff have indicated that the City Analyst Notes, provided to the City's Budget Committee, will likely recommend this project be moved to "below the line," which effectively removes the project from the Service's capital program.

The Board's BSC reconfirmed its support of this project, and has indicated that it should remain within the Service's 2014-2023 program.

Electronic Document Management (EDM)

The primary goal of an EDM system is to store, control, monitor, and report on a repository of electronic document files. These documents come from various sources, including office productivity suites, document workflow applications, and other applications that create, edit, update, or delete documents.

As with the BI project, City Finance staff have indicated this project will likely be recommended to be moved to "below the line", for the City Manager's review and approval.

The Board's BSC reconfirmed its support of this project, and has indicated that it should remain within the Service's 2014-2023 program.

Placeholder Project – Next Generation 911 (NG911)

The current system for 911 calls works on an analog platform and can only receive voice calls. Next Generation 911 (NG911) will upgrade existing systems to accept digital Internet Protocol (IP) information. This will enable Public Safety Answering Points (PSAP) to accept text and other digital mediums. All PSAPs will need to upgrade their call centre technology to ensure continued service for the new platform.

There is some urgency with this project, in that it is anticipated that preliminary implementation will begin in 2014. However, due to the many unknowns related to this project, it is difficult to provide the estimated funding requirements at this time. The Board is aware of this emerging requirement, and the BSC has indicated this project should remain in the program, albeit without any estimated funding. The Board will be kept apprised of any developments as they become known.

Revenue from Development Charges

Development charges (DC) are fees that are collected from developers at the time a building permit is issued. DCs are governed by a City Council-approved by-law. These fees help pay for the cost of infrastructure required to provide municipal services to new development, such as roads, transit, water and sewer infrastructure, community centres and fire and police facilities. Any facility-related capital project that has a growth component is eligible for DC funding. This funding is used to reduce the Service's reliance on debt.

The amount of DC revenue that can be applied in any given year to any given project is governed by a complex formula. Amounts are confirmed by City Finance staff. City policies determine what percentage of available funding should be applied to projects. The Service was notified in May 2013 that, for the 2014 budget cycle, the percentage of available funding that can be applied has been increased, resulting in additional DC funding available within the capital program. It is City Finance staff's expectation that this additional funding be used to reduce the Service's reliance on debt, and not to increase gross expenditures.

The one-year deferral of 54 Division results in changes to cash flow with respect to DC revenue, as the use of DC revenue is governed by the amount spent for each facility in any given year. DC revenue has also been optimized to ensure that DC funding is maximized while debt targets are met as closely as possible.

Conclusion:

A detailed review of all projects in the Service's 2014-2023 capital program request has been conducted to ensure the capital program reflects the Service's priorities and strategic objectives, and is in line with City-provided debt targets.

The revised 2014-2023 capital program reflects changes as directed by the Board's BSC.

The capital program is \$7.9M below the City's debt target in 2014 and \$8.4M below for the full ten years of the program. The program does not achieve the City's annual debt target for each year, due to the fact that there is limited flexibility to adjust cash flows to meet the annual City targets, as the funds required for each project vary and are tied to a construction or other schedule.

This Capital Program request has been reviewed with the Board's BSC and is being tabled with the Board for approval and submission to the City.

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

Mr. Tony Veneziano, Chief Administrative Officer, was in attendance and responded to questions by the Board about the revised 2014-2023 Capital Program request.

The Board approved the foregoing report.

Moved by: F. Nunziata

REVISED 2014-2023 CAPITAL PROGRAM REQUEST (\$000s)

Attachment A

Project Name	Plan to end of 2013	2014	2015	2016	2017	2018	Total 2014-2018 Request	2019	2020	2021	2022	2023	Total 2019-2023 Forecast	Total 2014-2023 Program	Total Project Cost
Projects In Progress															
State-of-Good-Repair - Police	0	4,594	4,469	4,601	4,600	4,200	22,464	4,200	4,200	4,200	4,200	4,200	21,000	43,464	43,464
Parking East	4,358	4,642	0	0	0	0	4,642	0	0	0	0	0	0	4,642	9,000
IRIS - Integrated Records and Information System	18,493	4,866	0	0	0	0	4,866	0	0	0	0	0	0	4,866	23,359
Total, Projects In Progress	22,851	14,102	4,469	4,601	4,600	4,200	31,972	4,200	4,200	4,200	4,200	4,200	21,000	52,972	75,823
Upcoming projects															
54 Division (includes land)	0	0	6,966	7,884	17,825	3,622	36,296	0	0	0	0	0	0	36,296	36,296
HRMS Upgrade	0	360	761	0	0	0	1,121	0	378	799	0	0	1,177	2,298	2,298
TRMS Upgrade	0	0	600	3,522	0	0	4,122	0	0	0	630	3,698	4,328	8,450	8,450
Peer to Peer Site	0	250	2,295	8,650	6,455	1,100	18,750	0	0	0	0	0	0	18,750	18,750
52 Division - Renovation	0	2,948	5,352	0	0	0	8,300	0	0	0	0	0	0	8,300	8,300
41 Division (includes land)	0	0	0	372	9,282	19,050	28,705	10,224	0	0	0	0	10,224	38,929	38,929
Expansion of Fibre Optics Network	0	0	0	0	0	0	0	881	4,785	6,385	0	0	12,051	12,051	12,051
Radio Replacement	0	0	0	13,913	2,713	3,542	20,168	2,478	4,093	5,304	4,480	0	16,354	36,523	36,523
TPS Archiving	0	0	0	0	750	0	750	0	0	0	0	0	0	750	750
32 Division - Renovation	0	0	0	0	4,990	1,997	6,987	0	0	0	0	0	0	6,987	6,987
13 Division (includes land)	0	0	0	0	0	372	372	8,645	19,753	10,159	0	0	38,556	38,928	38,928
AFIS (next replacement)	0	0	0	0	0	3,053	3,053	0	0	0	0	0	0	3,053	3,053
Business Intelligence Technology	0	0	336	500	2,741	4,623	8,200	0	0	0	0	0	0	8,200	8,200
Electronic Document Management	0	0	50	450	0	0	500	0	0	0	0	0	0	500	500
Next Generation 911	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
55 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	8,300
22 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	8,300
Relocation of PSU	0	0	0	0	0	0	0	0	0	0	500	7,400	7,900	7,900	13,048
Relocation of FIS	0	0	0	0	0	0	0	0	0	0	0	1,000	1,000	1,000	60,525
Total, Upcoming Capital Projects:	0	3,558	16,360	35,292	44,755	37,359	137,324	22,227	29,009	22,647	5,610	18,098	97,591	234,915	310,188
Total Debt Funded Capital Projects:	22,851	17,660	20,829	39,893	49,355	41,559	169,296	26,427	33,209	26,847	9,810	22,298	118,591	287,887	386,010
Total Reserve Projects:	161,400	21,357	17,845	18,594	24,899	30,013	112,708	22,499	19,496	21,293	22,850	32,388	118,526	231,234	392,633
Total Gross Projects	184,251	39,017	38,674	58,487	74,254	71,571	282,003	48,926	52,705	48,140	32,660	54,686	237,117	519,121	778,644
Funding Sources:															
Vehicle and Equipment Reserve	(161,400)	(21,357)	(17,845)	(18,594)	(24,899)	(30,013)	(112,708)	(22,499)	(19,496)	(21,293)	(22,850)	(32,388)	(118,526)	(231,234)	(392,633)
Recoverable Debt	(2,800)	(1,598)	0	0	0	0	(1,598)	0	0	0	0	0	0	(1,598)	(4,398)
Funding from Development Charges	(13,751)	0	0	(3,572)	(11,290)	(4,230)	(19,092)	0	(8,985)	(4,655)	0	0	(13,640)	(32,732)	(46,483)
Total Funding Sources:	(177,951)	(22,955)	(17,845)	(22,166)	(36,189)	(34,243)	(133,398)	(22,499)	(28,481)	(25,948)	(22,850)	(32,388)	(132,166)	(265,564)	(443,514)
Total Net Debt-Funding Request:	6,300	16,062	20,829	36,321	38,065	37,329	148,606	26,427	24,224	22,192	9,810	22,298	104,951	253,557	335,129
5-year Average:							29,721						20,990	25,356	
City Target:		23,922	30,105	36,321	31,143	33,487	154,978	26,691	23,083	18,036	19,606	19,606	107,022	262,000	
City Target - 5-year Average:							30,996						21,404	26,200	
Variance to Target:		7,860	9,276	0	(6,922)	(3,842)	6,372	264	(1,141)	(4,156)	9,796	(2,692)	2,071	8,443	
Cumulative Variance to Target			17,136	17,136	10,214	6,372		6,636	5,495	1,339	11,135	8,443			
Variance to Target - 5-year Average:							1,274						414	844	

2014-2023 CAPITAL PROGRAM REQUEST (\$000s) - DETAIL ON RESERVE-FUNDED PROJECTS

Attachment B

Project Name	Plan to end of 2013	2014	2015	2016	2017	2018	Total 2014-2018 Request	2019	2020	2021	2022	2023	Total 2019-2023 Forecast	Total 2014-2023 Program	Total Project Cost
Other than debt expenditure (Draw from Reserve)															
Vehicle and Equipment (LR)	52,632	4,422	5,320	5,320	5,320	5,320	25,702	6,320	5,320	5,320	5,320	5,320	27,600	53,302	105,934
Workstation, Laptop, Printer (LR)	30,342	5,000	2,400	2,300	2,600	4,100	16,400	2,500	2,400	2,700	5,150	2,550	15,300	31,700	62,042
Servers (LR)	21,395	4,515	4,515	3,045	2,499	4,203	18,777	4,741	4,741	3,197	2,624	4,807	20,110	38,887	60,281
IT Business Resumption (LR)	13,391	1,701	1,281	1,407	1,365	1,235	6,989	1,786	1,345	1,477	1,433	1,775	7,816	14,805	28,195
Mobile Workstations (LR)	15,684	1,000	0	0	300	8,920	10,220	1,000	0	0	300	9,420	10,720	20,940	36,624
Network Equipment (LR)	7,248	1,110	998	1,200	2,900	2,800	9,008	2,400	1,500	2,400	2,900	3,000	12,200	21,208	28,456
Locker Replacement (LR)	2,967	350	350	500	350	48	1,598	198	48	198	48	48	540	2,138	5,105
Furniture Replacement (LR)	4,389	713	713	1,455	727	727	4,335	727	1,484	742	742	727	4,422	8,757	13,146
AVL (LR)	1,498	22	0	0	1,500	0	1,522	0	0	1,500	0	0	1,500	3,022	4,520
In - Car Camera (LR)	444	0	0	2,104	2,113	0	4,217	0	0	2,104	2,113	0	4,217	8,434	8,878
Voice Logging (LR)	1,127	0	0	0	0	300	300	0	0	0	0	300	300	600	1,727
Electronic Surveillance (LR)	1,070	0	0	0	1,069	0	1,069	0	0	0	1,091	0	1,091	2,160	3,230
Digital Photography (LR)	253	0	128	129	0	0	257	0	122	128	0	0	250	507	760
DVAM I (LR)	1,109	0	949	0	0	0	949	0	949	0	0	0	949	1,898	3,007
Voicemail / Call Centre (LR)	315	169	0	0	500	0	669	0	0	0	0	500	500	1,169	1,484
DVAM II (LR)	0	1,203	0	0	0	0	1,203	1,263	0	0	0	0	1,263	2,466	2,466
Asset and Inventory Mgmt.System (LR)	123	72	0	0	0	72	144	0	0	0	72	0	72	216	339
Property & Evidence Scanners (LR)	117	0	0	117	0	0	117	0	0	119	0	0	119	236	353
DPLN (LR)	500	0	0	0	0	700	700	0	0	0	0	700	700	1,400	1,900
Small Equipment (e.g. telephone handset) (LR)	1,120	0	0	0	0	0	0	750	750	0	0	0	1,500	1,500	2,620
Small Equipment - test analyzers (LR)	870	0	0	0	640	213	853	0	0	640	213	0	853	1,706	2,576
Radar Unit Replacement	0	353	364	43	305	193	1,258	5	11	5	5	21	21	1,279	1,279
Video Recording Equipment (LR)	356	92	92	92	92	92	460	92	92	92	92	92	460	920	1,276
Livescan Machines (LR)	423	0	0	0	0	540	540	0	0	0	0	540	540	1,080	1,503
Wireless Parking System (LR)	2,976	0	0	0	1,974	0	1,974	0	0	0	0	1,974	1,974	3,948	6,924
EDU/CBRN Explosive Containment (LR)	474	0	0	0	0	0	0	0	0	0	0	0	0	0	474
CCTV	182	70	0	182	70	0	322	182	70	0	182	70	504	826	1,008
AEDs	195	0	0	100	0	0	100	0	0	100	0	0	100	200	395
Fleet Equipment	200	100	100	100	100	100	500	100	100	100	100	100	500	1,000	1,200
Security System (LR)	0	465	635	500	475	450	2,525	440	570	465	465	465	2,405	4,930	4,930
Total Reserve Projects:	161,400	21,357	17,845	18,594	24,899	30,013	112,708	22,499	19,496	21,293	22,850	32,388	118,526	231,234	392,633
Total Gross Projects	184,251	39,017	38,674	58,487	74,254	71,571	282,003	48,926	52,705	48,140	32,660	54,686	237,117	519,121	778,644
Funding Sources:															
Vehicle and Equipment Reserve	(161,400)	(21,357)	(17,845)	(18,594)	(24,899)	(30,013)	(112,708)	(22,499)	(19,496)	(21,293)	(22,850)	(32,388)	(118,526)	(231,234)	(392,633)
Recoverable Debt	(2,800)	(1,598)	0	0	0	0	(1,598)	0	0	0	0	0	0	(1,598)	(4,398)
Funding from Development Charges	(13,751)	0	0	(3,572)	(11,290)	(4,230)	(19,092)	0	(8,985)	(4,655)	0	0	(13,640)	(32,732)	(46,483)
Total Funding Sources:	(177,951)	(22,955)	(17,845)	(22,166)	(36,189)	(34,243)	(133,398)	(22,499)	(28,481)	(25,948)	(22,850)	(32,388)	(132,166)	(265,564)	(443,514)
Total Net Debt-Funding Request:	6,300	16,062	20,829	36,321	38,065	37,329	148,606	26,427	24,224	22,192	9,810	22,298	104,951	253,557	335,129
5-year Average:							29,721						20,990	25,356	
City Target:		23,922	30,105	36,321	31,143	33,487	154,978	26,691	23,083	18,036	19,606	19,606	107,022	262,000	
City Target - 5-year Average:							30,996						21,404	26,200	
Variance to Target:		7,860	9,276	0	(6,922)	(3,842)	6,372	264	(1,141)	(4,156)	9,796	(2,692)	2,071	8,443	
Cumulative Variance to Target			17,136	17,136	10,214	6,372		6,636	5,495	1,339	11,135	8,443			
Variance to Target - 5-year Average:							1,274						414	844	

REVISED 2014-2023 - CAPITAL BUDGET REQUEST (\$000s)
OPERATING IMPACT FROM CAPITAL

Attachment C

Project Name	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Comments
Radio Infrastructure	230.6	930.8	939.3	947.9	956.6	965.3	974.2	983.1	992.2	1,001.3	Operating impact provided by the City
Property and Evidence Management Facility	420.8	429.2	437.8	446.5	455.5	464.6	473.9	483.3	493.0	502.9	Building Operations, Service Contracts and Utilities. Included estimated increase of 2% per year
14 Division - Central Lockup	272.0	277.4	283.0	288.6	294.4	300.3	306.3	312.4	318.7	325.1	Building Operations, Service Contracts and Utilities - Included estimated increase of 2%
eTicketing Solution	290.9	290.9	290.9	290.9	290.9	290.9	290.9	290.9	290.9	290.9	Operating cost and reduction of 4 staff in Document Services
IRIS - Integrated Records and Information System	395.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	Maintenance costs; lifecycle contribution
54 Division	0.0	0.0	0.0	0.0	72.0	144.0	146.9	149.8	152.8	155.9	Building Operations, Service Contracts and Utilities; starting half a year 2018. Included estimated increase of 2% per year
HRMS Upgrade	0.0	0.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	Incremental maintenance cost of \$22K per year from 2016
TRMS Upgrade	0.0	0.0	0.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	Incremental maintenance cost of \$22K per year from 2017
Peer to Peer Site	0.0	0.0	0.0	175.0	350.0	350.0	350.0	350.0	350.0	350.0	Building Operations, Service Contracts and Utilities; starting mid-2017
41 Division	0.0	0.0	0.0	0.0	0.0	72.0	144.0	144.0	144.0	144.0	Building Operations, Service Contracts and Utilities; starting half a year 2019
Radio Replacement	88.1	282.2	608.2	198.5	224.5	199.0	296.6	282.5	161.1	161.0	Additional support cost - Extend life from 7 years to 10 years
13 Division	0.0	0.0	0.0	0.0	0.0	0.0	0.0	72.0	144.0	146.9	Building Operations, Service Contracts and Utilities; starting 2021
Business Intelligence Technology	0.0	0.0	0.0	0.0	0.0	528.0	1,056.0	1,056.0	1,056.0	1,056.0	\$0.6M for salaries for 5 people; \$0.5M for maintenance
Electronic Document Management	0.0	0.0	0.0	-100.0	-100.0	-100.0	-100.0	-100.0	-100.0	-100.0	System Maint Fee for \$100K plus an estimated \$200K savings in Stationary and Office Supplies
Total Projects Operating Impact	1,697.4	4,037.5	4,408.1	4,118.5	4,414.9	5,085.1	5,809.8	5,895.1	5,873.7	5,904.9	
Total Projects - Incremental Operating Impact	965.7	2,340.1	370.6	-289.6	296.4	670.2	724.7	85.3	-21.4	31.2	
Total Reserve Operating Impact	6,000.0	7,000.0	8,000.0	9,000.0	10,000.0	10,000.0	10,000.0	10,000.0	10,000.0	10,000.0	Based on current assumptions; under review
Total Operating Impact from Capital	7,697.4	11,037.5	12,408.1	13,118.5	14,414.9	15,085.1	15,809.8	15,895.1	15,873.7		

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 12, 2013**

**#P224. TORONTO POLICE SERVICE: 2014-2023 CAPITAL PROGRAM
REQUEST**

The Board was in receipt of the following report August 29, 2013 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE 2014-2023 CAPITAL PROGRAM REQUEST

Recommendations:

It is recommended that:

- (1) the Board approve the 2014-2023 capital program with a 2014 net request of \$19.9 Million (excluding cash flow carry forwards from 2013), and a net total of \$253.6 Million for 2014-2023, as detailed in Attachment A; and
- (2) the Board forward a copy of this report to the City Budget Committee for approval and to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

Table 1 below provides a summary of the Toronto Police Service's (Service) 2014-2023 Capital Program request compared to the City of Toronto's ten-year affordability debt target.

The Service's 2014-2023 Capital Program request is below the City's affordability debt target by \$4.8 Million (M) for the first five years of the program, and \$8.4M for the full ten-year program. Additional detail on debt-funded and Reserve-funded projects can be found in Attachments A and B respectively.

Table 1. Summary of 2014-2023 Capital Program Request (\$Ms)

	2014	2015	2016	2017	2018	5-Year Total	2019-2023 Total	2014-2023 Total
Total On-Going and New Projects	24.6	21.7	49.8	35.2	37.9	169.3	118.6	287.9
Reserve-funded projects	21.4	17.8	18.6	24.9	30.0	112.7	118.5	231.2
Total gross projects:	46.0	39.6	68.4	60.1	67.9	282.0	237.1	519.1
Other-than-debt funding	-26.0	-21.2	-23.0	-29.0	-32.7	-131.8	-133.7	-265.6
NET DEBT FUNDING:	19.9	18.4	45.5	31.0	35.3	150.2	103.4	253.6
CITY DEBT TARGET:	23.9	30.1	36.3	31.1	33.5	155.0	107.0	262.0
Variance to target	4.0	11.7	-9.2	0.1	-1.8	4.8	3.6	8.4

The implementation of capital projects can have an impact on the Service's on-going operating budget requirements. In addition, the Service is continuing its strategy to properly fund the replacement of vehicles, technology and other equipment through contributions to the Vehicle and Equipment Reserve (Reserve). Attachment C provides a summary of the estimated operating impact from capital excluding Reserve-funded projects. The 2014 incremental operating impact is \$1.7M. Approval of the 2014-2023 program, as requested, will result in an estimated annualized pressure to the Service's operating budget of \$5.9M by 2023, mainly due to increased system maintenance and building operational requirements. These operating impacts will be included in future operating budget requests, as required.

Background/Purpose:

The purpose of this report is to provide the Board with details of the Service's 2014-2023 Capital Program request. The recommended Capital Program has been reviewed by the Board's Budget Sub-Committee (BSC) and is now being presented to the Board for consideration and approval. Attachment A to this report provides a detailed project listing of debt-funded projects, and Attachment B provides a detailed listing of projects funded from the Vehicle and Equipment Reserve. Attachment C provides a summary of the estimated operating impact from capital, excluding Reserve-funded projects in the 2014-2023 program.

Discussion:

Capital projects, by their nature, require significant financial investments and result in longer-term organizational benefits and impacts. An organization's capital program should therefore be consistent with and enable the achievement of the organization's strategic objectives.

Strategic Direction:

The Service's 2014-2023 Capital Program request continues to focus on improving and updating the Service's ageing facility infrastructure, and ensures our key information and technology needs are appropriately addressed. The program also reflects strategies to maximize the use of existing Service facilities by relocating units in leased locations or consolidating Service units so that the sites they currently occupy can be returned to the City for whatever use it deems appropriate.

The projects in the capital program will:

- ensure our facilities are in a reasonable state of good repair and replaced/renovated, as necessary;
- enable operational effectiveness/efficiency and service enhancement;
- result in improved information for decision making and to better meet operational requirements;
- help enhance officer and public safety;
- contribute to environmental protection/energy efficiency; and
- ensure our fleet and equipment are properly replaced.

Development of Cost Estimates and Project Management:

Due to the large cost and complexity of capital projects, the Service has developed and has been following a formal project management framework since 2006. This framework requires the submission of a project charter for each approved project request, and the establishment of a steering committee to oversee the project during its lifecycle.

The cost estimate for each project in the recommended Capital Program has been reviewed to ensure the estimate and annual cash flows are still valid, taking into consideration key project milestones, procurement requirements, any third-party actions/approvals required, as well as other applicable assumptions and information. It is important to note that the Service does its best to develop accurate cost estimates. However, these estimates are developed based on assumptions at the time, often without full information and more importantly, before going through a procurement process for the various requirements. Consequently, the estimates could change as the project progresses through the project lifecycle.

The Board and City are kept apprised of any changes as soon as they become known. Any required transfers from other projects in the program are fully justified and reported to the Board and City Budget Committee for approval. The Service has done a relatively good job at delivering projects on or below budget. However, even with the best planning and management, there are times when additional funds are required for certain projects, due to unanticipated events or higher than anticipated market prices. The Service is also mindful of operating budget impacts and so, some projects not yet started are being revisited to ensure they are still viable from an overall budget perspective.

2013 Accomplishments:

Key accomplishments and developments related to the implementation and management of the capital program in 2013 are as follows:

- The renovation of the Service's new Property and Evidence Management facility has been achieved, with a move-in date of September 2013;
- The Integrated Records and Information System (IRIS) project is currently under budget and is expected to go live in November 2013;
- The eTicketing solution (closely linked with IRIS) is also anticipated to be completed in November 2013, and on budget;
- The upgrade to Microsoft 7 is complete;
- The Radio Replacement and 14 Division projects, with small carry forwards to 2013, are complete.

The Service currently anticipates that 81% of net debt funding will be spent in 2013, resulting in a carry forward amount of \$4.5M to 2014. The majority of the carry forward amount relates to the Property and Evidence Management Facility (\$2.2M) and IRIS (\$1.1M). Updates on the status of projects will continue to be provided in the 2013 quarterly capital variance reports.

City Debt Affordability Targets:

Corporate targets for Agencies, Boards, Commissions and Departments (ABCDs) are allocated by the City's Deputy City Manager and Chief Financial Officer (City CFO). The Service's 2014-2023 Capital Program is below the City's debt target for the five-year and ten-year program; however, in some years it does not meet the debt target (see Table 1).

2014-2023 Capital Program:

The 2014-2023 capital program is segregated into four categories for presentation purposes:

- A. On-Going Projects
- B. Projects beginning in 2014-2018
- C. Projects beginning in 2019-2023
- D. Projects funded through Reserves

- **On-Going Projects**

There are three projects in progress in the 2014-2023 capital program:

1. *State-of-Good-Repair (SOGR) – ongoing*

This project provides funding for the SOGR requirements that the Service is responsible for. A detailed SOGR backlog list and ten-year plan has been provided to City Finance staff.

2. *Parking East – anticipated 2014 completion*

This project provides funding to relocate the Parking Enforcement East (PKE) and Parking Headquarters Management (PHQ) operations to the Progress Avenue site, after required renovations are completed at that facility. The current PKE and PHQ lease has a five-year term, expiring June 30, 2014.

Moving PKE and PHQ to the Progress Avenue site will realize annualized savings of approximately \$0.6M. This has allowed the Service to partially fund this project from recoverable debt.

The move from leased facilities to the City-owned Progress Avenue site will also make better use and get a greater return on the investment in the Progress site and avoid potential large lease rate increases as well as the uncertainty of being in a leased facility for the PKE and PHQ operation.

3. *Integrated Records and Information System (IRIS) – anticipated 2014 completion*

This project provides funding for the implementation of Versadex, a commercial off-the-shelf integrated records and information system. This is the core operations system for the Service. eJust is an Electronic Disclosure System (EDS) that is part of the IRIS project. When implemented, the eJust system will reduce time spent on manual/paper preparation of court disclosure and increases efficiencies envisioned as an outcome of the IRIS project.

The full implementation for Versadex and eJust is scheduled to start in November 2013, with a minimum three-month stabilization/production support period ending February 2014. The Board has been kept updated on the status of this large and complex project through the quarterly capital variance reports.

• **Projects Beginning in 2014-2018**

New 54 Division Facility (\$36.3M, beginning in 2014)

This project provides funding for the construction of a new 54 Division. A business case for this facility was provided to the Board's Budget Sub-Committee (BSC) in August 2013. The current facility was built in 1951 as a light industrial building and subsequently was retrofitted for police use and occupied by the Service in 1973. The project has been in the Service's capital program for the last several years based on the long-term facilities plan.

There are both physical and operational issues with the existing site and building:

- Space for members occupying this facility is insufficient;
- The building is in a general state of disrepair. Both the Service and the City of Toronto perform ongoing maintenance and repair. However, due to the age and condition of the building, there are issues with respect to the heating, ventilation and air condition system,

the electrical system, plumbing, and the fire protection and alarm system. The building and site are prone to flooding, and the building does not meet current Accessibility for Ontarians with Disabilities Act (AODA) accessibility standards;

- The site is not easily accessed by visitors and members, as there is no direct access to public transit, and there are limited parking spaces; and
- There are issues with respect to locker room facilities, firearms storage, front counter security, detention cells, investigative and response areas.

One of the Chief's Internal Organization Review initiatives considered the potential closing or consolidation of 54 Division. The review concluded that this division should not be closed, and the Board has been updated on this matter. Consequently, the project remains in the Service's capital program.

The budget includes funding for land acquisition, construction and other costs. Service staff are working with City Real Estate to acquire a suitable property. The budget assumes the construction of a 55,000 square foot facility built to LEEDS Silver standards, although the Service no longer seeks LEEDS Silver certification. Costing assumptions are based on construction costs of previous divisional projects, updated for a construction inflation rate. The project cash flow assumes the acquisition of land would begin in 2014 with construction starting in 2015.

It should be noted that the project cost could change as a result of several factors, including the cost of the site ultimately acquired, the size and design of the facility as well as market conditions with respect to the construction services required. The facility size and design will be reviewed and confirmed to identify any potential reductions, once the site is selected. The Board will be kept apprised through the quarterly capital variance reporting process.

An operating cost impact of \$144,000 per year is estimated for additional building operations and utilities costs, beginning in mid-2017.

Human Resource Management System Upgrades (\$1.1M, beginning in 2014)

Human resources information and payroll administration for the Service is managed using the PeopleSoft Human Resource Management System (HRMS).

This project provides funding for an anticipated upgrade to HRMS beginning in 2014. This upgrade is necessary to reduce the risk associated with relying on outdated software and avoids the risk of losing vendor support. This is particularly important with a payroll system which needs to be able to implement annual (or more frequent) tax updates and HR regulations.

Estimates are based on the costs incurred during the last HRMS upgrade, and future project costs will be refined as more information becomes available with respect to requirements at that time (e.g., will the system require upgrading or replacement, will there be any changes to the Service's architecture, etc.).

The operating budget impact is an estimate for incremental maintenance costs of \$22,000 annually, beginning in 2016. Funding for further upgrade or replacement for this product has been added to 2020 and 2021, at an estimated cost of \$1.2M.

Time Resource Management System (TRMS) Upgrade (\$4.1M, beginning in 2015)

The Service uses TRMS, which went live in August 2003, to collect and process time and attendance-specific data, administer accrual bank data, assist in paid duty administration, and in the deployment of members. From August 2006 to May 2008, the Service was engaged in upgrading TRMS to upgrade the existing functionality and de-customize the application to reduce and avoid maintenance costs.

This project provides funding to upgrade TRMS beginning in 2015, to ensure continued vendor support, as well as to examine additional functionality that can assist the Service in achieving further efficiencies in its business processes. The Service's involvement in the PanAm Games in 2015 precludes the Service from implementing this project sooner.

Estimates are based on the costs incurred during the last upgrade, and future project costs will be refined as more information becomes available with respect to requirements at that time (e.g., will the system require upgrading or replacement).

However, prior to committing to the upgrade, the Service will also determine whether it is more beneficial and cost-effective to replace, rather than upgrade, TRMS. The City of Toronto is looking at an enterprise-wide time and attendance system, and Service staff will continue to communicate with City staff to ensure any potential collaborative efforts with the City are considered and pursued, if feasible. To this end, the Board will be kept apprised through the quarterly variance reporting process.

The annual operating budget impact for incremental maintenance costs is estimated at \$22,000 beginning in 2017. Funding for further upgrade or replacement for this product has been added to 2022 and 2023, at an estimated cost of \$4.3M.

Peer-to-Peer Data Centre (\$18.8M, beginning in 2014)

This project was formerly referred to as "Disaster Recovery (DR) Site." A DR data centre is set up as a duplicate of a primary data centre with full computer systems and near-complete backups of all data. It is not used unless primary systems fail. A Peer-to-Peer data centre is a model where each site has the same capabilities; both sites are used and each site backs up the other in the event of a disaster. The project has been renamed to more clearly identify that the new site would be completely Peer-to-Peer.

The Service has a primary data centre as well as a secondary site, and is experiencing several issues with the secondary site:

- The secondary site, which provides backup to the primary site, in the event of a disaster or disruption is too close to the primary site. Best practice standards require that the secondary site be a minimum of 25 km away from the primary site, and ideally at least 40 km away. The current secondary site is only 7 km from our primary site.
- The current secondary site is limited with respect to UPS (uninterruptible power supply) and space: The current site is co-located with the City of Toronto's data centre operations, and there are competing demands for available power and cooling. The Service has had to negotiate extra power, and there is concern that future requirements will not be accommodated or will be costly, as both City and Service requirements increase.

As a result of these challenges, the Service commissioned an assessment of our Data Centre in 2011. That report identified numerous shortcomings at our secondary site, and identified the basic principles for the selection of a facility that would satisfy the Service's need to have distinctly isolated and dedicated information technology infrastructure that does not rely on non-Service systems for continuity. The report also identified a design that allows the Service to maintain control over its own security.

The Service and City Real Estate are looking for a suitable location. The current budget is based on the estimated cost of acquiring a property and building a new Peer-to-Peer site. The Service is concurrently exploring other options for its Peer-to-Peer site – sharing with the City or with other police services; establishing a modular, portable site; colocation with other sites, and outsourcing (although the latter two have security issues that may render them impractical).

The cash flow for this project reflects the introduction of consulting and engineering services in 2014, to conduct a feasibility study for, and to design, the best solution regarding site and sharing potential. Land acquisition and construction costs start in 2015. The estimated cost of the project could change depending on what possible solutions are identified as well as market and other conditions at the time. The project cost could also change as a result of several factors, including the cost of the site ultimately acquired and the size and design of the facility. The facility size and design will be reviewed and confirmed to identify any potential reductions, once the site is selected. The Board will be kept apprised accordingly.

An operating cost impact of \$350,000 per year is estimated for building operations and utilities costs, beginning in mid-2017.

52 Division Renovation (\$8.3M, beginning in 2014)

This project requests funding for the renovation of 52 Division. Initially, this facility was scheduled to be renovated after the construction of all required new facilities. The initial schedule for replacement and renovation has been deferred for many years, due in part to budget pressures and in part to site identification and acquisition issues for other facility projects. The many problems with the current 52 Division dictate renovation occur sooner rather than later.

A sample of the issues surrounding 52 Division include: an inadequate HVAC system; AODA non-compliance; and occupational health and safety issues related to accessibility. A key issue is related to officer and prisoner safety, whereby prisoners must be escorted through administrative areas when being moved. The budget is based on an initial feasibility study, and will be refined once the exact scope of work is identified.

New 41 Division Facility (\$38.9M, beginning in 2016)

This project provides funding for the land acquisition and construction for a new 41 Division. Land costs could change significantly based on the actual location chosen and market values at the time of purchase. The Service will also explore the feasibility of constructing a new facility on the current 41 Division site. This could reduce the cost estimate for this project significantly, as there would be no land-acquisition cost. However, it would also make the project more complicated in terms of relocating existing staff during construction of the new facility and will add to the time required to complete the project. Some of the land savings would be re-directed to the costs of temporary re-locating 41 Division staff during the construction process. The project cash flow assumes the acquisition of land would begin in 2017 with construction beginning in 2018.

The budget assumes the construction of a 55,000 square foot facility built to LEEDS Silver standards, although the Service no longer seeks LEEDS Silver certification. Costing assumptions are based on construction costs of previous divisional projects, updated for the construction inflation rate. The project cost could change as a result of several factors, including the cost of the site (if one is acquired) as well as the size and design of the facility. The facility size and design will be reviewed and confirmed to identify any potential reductions, once the site is selected. The Board will be kept apprised through future capital budget processes.

The additional operating cost impact of \$144,000 per year is a high-level estimate for building operations and utilities commencing from mid-2019.

Radio Replacement (\$36.5M, beginning in 2016)

The Service's current communication radios were replaced over the period of 2006 to 2012. Although the lifecycle for these radios is ideally seven years, the Service has decided to replace these radios every ten years to reduce costs. However, the extension of this lifecycle to 10 years has resulted in some incremental operating costs. This project provides funding for the replacement of radios beginning in 2016 (for radios purchased in 2006) to 2022.

TPS Archiving (\$0.8M in 2017)

This project requests funding for the establishment of Archiving at the Service's Progress Avenue site. Legislation requires the Service to store "cold case" files for a minimum of 25 years. Memo books are also stored for a lengthy period. The relatively new requirement of

video storage is also increasing. Service staff are endeavouring to reduce current holdings, but based on retention periods, the Service is faced with increasing storage requirements.

The Service currently stores its archival records and files at City Archives. However, the City of Toronto is experiencing space issues within its storage facility. In 2011, City Archives indicated also that there would be a newly introduced charge for storing and retrieving boxes. The Service has not yet been required to begin paying this fee. However, based on initial discussions and assuming a ten-percent growth annually (based on 2011-2013 estimates), storage costs would grow to \$300,000 or more annually, within five years.

There is no on-going operating impact currently assumed as a result of this project. Future analysis will be required to determine if any additional resources will be required, and an update will be provided in future capital programs.

32 Division Renovation (\$7.0M, beginning in 2017)

This project requests funding for the renovation of 32 Division as per the Service's long-term facility plan for replacement and renovation of facilities. An amount for required renovations has been estimated, but a feasibility study will be conducted as we come closer to the project start date, to determine a more precise budget.

New 13 Division Facility (\$38.9M, beginning in 2018)

This project provides funding for the land acquisition and construction of a new 13 Division facility. Land costs could change significantly based on actual location chosen and market values at the time of purchase. The project cash flow assumes planning in 2018, acquisition of land in 2019 and construction beginning in 2020.

The budget assumes the construction of a 55,000 square foot facility built to LEEDS Silver standards, although the Service no longer seeks LEEDS Silver certification. Costing assumptions are based on construction costs of previous divisional projects, updated for the construction inflation rate. The project cost could change as a result of several factors, including the cost of the site (if one is acquired), the size and design of the facility, and construction market conditions at the time. The facility size and design will be reviewed and confirmed to identify any potential reductions, once the site is selected. The Board will be kept apprised through future capital budget processes.

- The additional operating cost impact of \$144,000 per year is a high-level estimate for building operations and utilities commencing from mid-2021.

Automated Fingerprint Identification System – AFIS (next replacement - \$3.1M in 2018)

The current AFIS system was purchased and implemented in late 2012. The system has an estimated lifecycle replacement of five years. It will therefore be due for replacement in early 2018. There is no operating impact from this project.

Business Intelligence (BI) Technologies (\$8.2M, beginning in 2015)- project formerly identified as Data Warehouse

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

The objectives of this project include developing a strategy and architecture for building and maintaining a data warehouse environment, and provide appropriate query tools, interfaces and data mining tools. In turn, this will provide an environment where users will be able to make more effective business decisions, provide improved customer service, spend less time on searching, acquiring and understanding data. In a policing environment, improved data management can lead to improved crime analysis, based on identification of unrecognized data relationships and trends; improved deployment of resources; ability to better prioritize investigation of crimes or incidents; etc.

It is necessary for the Service to begin exploring these technologies, but additional investigation is required to refine project costs, benefits and plans. In particular, the Service has been conducting research to better define and articulate the operational value associated with business intelligence. Furthermore, in our review of our capital program with the City's Director, Financial Planning, the Director indicated that a meeting would occur to determine if a solution can be developed in cooperation with the City. An update will be provided in the capital variance reports as more information becomes known, as well as in the 2015-2024 capital program.

Electronic Document Management(EDM) (\$0.5M, beginning in 2015)

An enormous collection of paper-based information exists throughout the Service. It is expensive to create, collect, file, archive, retrieve, reproduce and transport the information. The primary goal of an EDM system is to store, control, monitor, and report on a repository of electronic document files. These documents come from various sources, including office productivity suites, document workflow applications, and other applications that create, edit, update, or delete documents.

In its simplest form, an EDM system represents a group of files as a folder or directory. However, given the size and diversity of large enterprises, and of the documents that they produce, EDM systems provide sophisticated capabilities to manage large repositories of documents through the use of metadata and rules that determine what content can be created, read, updated, or deleted and any workflows associated with these activities.” EDM provides a range of benefits, including improved efficiency, productivity, information access and customer service. Reduced operating costs are anticipated through the reduced use of paper and printing, and reduced physical storage space.

The scope of the project includes conducting a high-level assessment of today's paper-based information across the entire Service, evaluating potential electronic document management and workflow solutions, establishing electronic document standards, conducting a pilot and planning for a Corporate-wide solution. The Service has been conducting research to better define and articulate the operational value and savings associated with EDM. Furthermore, Service and City IT staff are working together to determine if a solution could be developed in cooperation with the City.

The latter two projects (BI Technologies and EDM) were previously included in the Service's capital programs, but removed during the 2013-2022 program because of lack of detail. The Service has identified a need to proceed with these projects, and has therefore reintroduced them in the 2014-2023 program. The Service's Chief Administrative Officer (CAO) will be discussing this approach with the City Manager, in keeping with City guidelines.

Placeholder Project – Next Generation 911 (NG911) – cost to be determined

The current system for 911 calls works on an analog platform and can only receive voice calls. Bell Canada owns the 911 telecom infrastructure for Toronto. Next Generation 911 (NG911) will upgrade existing systems to accept digital Internet Protocol (IP) information instead of analog information. This will enable Public Safety Answering Points (PSAP) to accept text and other digital mediums. All PSAPs will need to upgrade their call centre technology to ensure continued service for the new platform.

Three main phases of enhanced functionality are predicted: replacement of the current 911 system; change from voice to IP format; and, acceptance of multimedia formats. This is an emerging issue that staff continue to investigate, together with other police services in Ontario. Staff are also engaging City of Toronto staff on this subject, as NG911 is an issue for Toronto Fire and Emergency Medical Services as well.

Due to the many unknowns related to this project, no funding can be estimated at this time. However, the project has been included in the 2014-2023 program to ensure the Board is aware of this emerging requirement. It is anticipated that movement on this project will be required in 2014. The Board will be kept apprised of any developments as they become known.

Conductive Energy Weapons (CEWs)

On August 27, 2013, Community Safety and Correctional Services Minister Madeleine Meilleur announced a change to the Ontario government's rules regarding the use of CEWs. Effective immediately, the province is allowing police services to put CEWs in the hands of frontline officers if the police services choose to increase the deployment of these units.

There would be both capital and operating cost impacts if the Service were to begin equipping frontline officers with CEWs. The cost per unit, including ancillary equipment such as holsters, cartridges, etc. is estimated at \$1,500 per unit (or approximately \$1.5M per

1,000 officers). There are also related operating costs for annual training of officers that are equipped with CEWs as well as replacement of cartridges, maintenance and subsequent replacing of the units. A detailed assessment would be required to determine exactly how many officers would be equipped and what the training and on-going operating requirements would be. The capital program does not include a budget for CEWs at this time. However, the Service's current capital program is below the City's debt targets. As such, there is an opportunity to include the increased deployment of CEWs as a project within the program.

Projects beginning in 2019-2023

There are six projects beginning during the 2019-2023 period. The majority of these projects relate to the continuation of the Service's long-term facility plan for replacement and renovation of facilities.

- **Reserve-Funded Projects**

All projects listed in this category are funded from the Reserve, and have no impact on debt financing. Using the Reserve for the lifecycle replacement of vehicles and equipment avoids having to debt-finance these purchases. This approach has and continues to be supported by City Finance. It should be noted, however, that this strategy of funding equipment replacements from the Reserve results in an impact on the operating budget, as it is necessary to make regular annual contributions to replenish the Reserve.

Every effort has been made to reduce expenditures in this Reserve in 2013, in order to address the \$5M reduction to reserve contributions made by the Board at its December 10, 2012 meeting, when it approved the Service's 2013 operating budget. Expenditure deferrals have been identified for the workstations/laptops/printers, server replacement and information technology/business resumption equipment projects. The replacement of in-car cameras system has been deferred from 2013 to 2016. The Service has done a detailed review of its lifecycle projects and extended lifecycles, wherever it is possible and without increasing risks and/or adversely impacting operations. For example, the Mobile Workstations (MWS) lifecycle replacement has been extended from four to five years. The Service has also completed a computer equipment review and has been able to reduce the number of standard computer workstations by approximately 10%.

The impact of these deferrals and reductions have been reflected in planned expenditures in the Reserve. Estimates for all projects are revised annually based on up-to-date information, and new replacement plans are included as they become known. Attachment B identifies all of the currently identified Reserve-funded projects.

It is important to note, however, that deferrals of expenditures create pressures in future years. Furthermore, the \$5M reduction to contributions in 2013 has created a significant pressure on the Reserve, in terms of its ability to meet future year requirements. In order to begin relieving these pressures, the 2014 operating budget request, to be reviewed with the Board's Budget Sub-committee (BSC), will include a \$6M increase to contributions for this Reserve. This is comprised of the reinstatement of the \$5M reduction in 2013, and a \$1M

increase to begin recovering from the deferral and to reflect previously planned increases. Contributions will continue to grow by \$1M annually over the next several years.

Even with these planned contributions, current planned spending would leave the Reserve in an overdrawn position in 2014, 2018-2020 and 2023. It is anticipated that the 2014 pressure can be addressed through further in-year deferrals, and Service staff will continue to review all projects' planned expenditures to address the 2018 and future pressures.

Table 2, below, provides a summary of anticipated Reserve activity for 2014-2023:

Table 2. 2014-2023 Reserve Activity (\$Ms)

	2014	2015	2016	2017	2018	...	2023
Opening balance:*	(\$0.2)	(\$2.2)	\$0.4	\$3.3	\$0.8		\$1.9
Contributions:**	\$19.4	\$20.4	\$21.4	\$22.4	\$23.4		\$23.4
Draws:***	\$21.4	\$17.8	\$18.6	\$24.9	\$30.0		\$32.4
Year-end Balance:	(\$2.2)	\$0.4	\$3.3	\$0.8	(\$5.7)		(\$7.1)
Incremental operating impact	\$6.0	\$1.0	\$1.0	\$1.0	\$1.0		\$23.4

Conclusion:

A detailed review of all projects in the Service's 2014-2023 capital program request has been conducted, to ensure the capital program reflects the priorities of the Service, is consistent with the Service's strategic objectives, and is in line with City provided debt targets. The 2014-2023 capital program has a 2014 net request of \$19.9M (excluding cash flow carry forwards from 2013), and a net total of \$253.6M for the ten-year period. The 2014-2023 Capital Program request is below the City's total debt affordability target for the five-year and ten-year program. However, the program does not achieve the City's annual debt target for each year. This is due to the fact that there is limited flexibility to adjust cash flows to meet the annual City targets, as the funds required for each project vary and are tied to a construction or other schedule.

The Service will continue to review some of the projects in the program that have not yet started to ensure the business case for moving forward on these projects is strong, justified and can be accommodated within the City's debt envelope.

This Capital Program request has been reviewed with the Board's BSC and is being tabled with the Board for approval and submission to the City.

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

Mr. Tony Veneziano, Chief Administrative Officer, and Ms. Sandra Califaretti, Director, Finance and Administration, were in attendance and delivered a presentation to the Board on the 2014-2023 capital program request. A paper copy of the presentation is on file in the Board office.

Chief Blair responded to questions by the Board about the placeholder project for Conducted Energy Weapons (CEWs).

The Board approved the following Motions:

- 1. THAT the Board request the Chief to provide a report for its November 7, 2013 meeting containing all the steps, including training, that the TPS is undertaking with respect to the potential expansion of the deployment of CEWs; and**
- 2. THAT the Board receive the foregoing report regarding the TPS 2014-2023 Capital Program Request and refer it to the Board's Budget Subcommittee for further review and to determine an appropriate time to submit it for or prior to the next Board meeting.**

Moved by: D. Noria

2014-2023 CAPITAL PROGRAM REQUEST (\$000s)

Attachment A

Project Name	Plan to end of 2013	2014	2015	2016	2017	2018	Total 2014-2018 Request	2019	2020	2021	2022	2023	Total 2019-2023 Forecast	Total 2014-2023 Program	Total Project Cost
On-Going Projects															
State-of-Good-Repair - Police	0	4,594	4,469	4,601	4,600	4,200	22,464	4,200	4,200	4,200	4,200	4,200	21,000	43,464	43,464
Parking East	4,358	4,642	0	0	0	0	4,642	0	0	0	0	0	0	4,642	9,000
IRIS - Integrated Records and Information System	18,493	4,866	0	0	0	0	4,866	0	0	0	0	0	0	4,866	23,359
Total, On-Going Capital Projects	22,851	14,102	4,469	4,601	4,600	4,200	31,972	4,200	4,200	4,200	4,200	4,200	21,000	52,972	75,823
Upcoming projects															
54 Division (includes land)	0	6,966	7,884	17,825	3,622	0	36,296	0	0	0	0	0	0	36,296	36,296
HRMS Upgrade	0	360	761	0	0	0	1,121	0	378	799	0	0	1,177	2,298	2,298
TRMS Upgrade	0	0	600	3,522	0	0	4,122	0	0	0	630	3,698	4,328	8,450	8,450
Peer to Peer Site	0	250	2,295	8,650	6,455	1,100	18,750	0	0	0	0	0	0	18,750	18,750
52 Division - Renovation	0	2,948	5,352	0	0	0	8,300	0	0	0	0	0	0	8,300	8,300
41 Division (includes land)	0	0	0	372	9,282	19,050	28,705	10,224	0	0	0	0	10,224	38,929	38,929
Expansion of Fibre Optics Network	0	0	0	0	0	0	0	881	4,785	6,385	0	0	12,051	12,051	12,051
Radio Replacement	0	0	0	13,913	2,713	3,542	20,168	2,478	4,093	5,304	4,480	0	16,354	36,523	36,523
TPS Archiving	0	0	0	0	750	0	750	0	0	0	0	0	0	750	750
32 Division - Renovation	0	0	0	0	4,990	1,997	6,987	0	0	0	0	0	0	6,987	6,987
13 Division (includes land)	0	0	0	0	0	372	372	8,645	19,753	10,159	0	0	38,556	38,928	38,928
AFIS (next replacement)	0	0	0	0	0	3,053	3,053	0	0	0	0	0	0	3,053	3,053
Business Intelligence Technology	0	0	336	500	2,741	4,623	8,200	0	0	0	0	0	0	8,200	8,200
Electronic Document Management	0	0	50	450	0	0	500	0	0	0	0	0	0	500	500
Next Generation 911	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8,300
55 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	8,300
22 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	8,300
Relocation of PSU	0	0	0	0	0	0	0	0	0	0	500	7,400	7,900	7,900	13,048
Relocation of FIS	0	0	0	0	0	0	0	0	0	0	0	1,000	1,000	1,000	60,525
Total, Upcoming Capital Projects:	0	10,524	17,278	45,232	30,552	33,737	137,324	22,227	29,009	22,647	5,610	18,098	97,591	234,915	318,488
Total Debt Funded Capital Projects:	22,851	24,626	21,747	49,833	35,152	37,937	169,296	26,427	33,209	26,847	9,810	22,298	118,591	287,887	394,310
Total Reserve Projects:	161,400	21,357	17,845	18,594	24,899	30,013	112,708	22,499	19,496	21,293	22,850	32,388	118,526	231,234	392,633
Total Gross Projects	184,251	45,983	39,592	68,427	60,051	67,950	282,003	48,926	52,705	48,140	32,660	54,686	237,117	519,121	786,944
Funding Sources:															
Vehicle and Equipment Reserve	(161,400)	(21,357)	(17,845)	(18,594)	(24,899)	(30,013)	(112,708)	(22,499)	(19,496)	(21,293)	(22,850)	(32,388)	(118,526)	(231,234)	(392,633)
Recoverable Debt	(2,800)	(1,598)	0	0	0	0	(1,598)	0	0	0	0	0	0	(1,598)	(4,398)
Funding from Development Charges	(13,751)	(3,088)	(3,305)	(4,360)	(4,109)	(2,660)	(17,522)	(6,010)	(4,545)	(4,655)	0	0	(15,210)	(32,732)	(46,483)
Total Funding Sources:	(177,951)	(26,043)	(21,150)	(22,954)	(29,008)	(32,673)	(131,828)	(28,509)	(24,041)	(25,948)	(22,850)	(32,388)	(133,736)	(265,564)	(443,514)
Total Net Debt-Funding Request:	6,300	19,940	18,442	45,473	31,043	35,277	150,176	20,417	28,664	22,192	9,810	22,298	103,381	253,557	343,429
5-year Average:							30,035							20,676	25,356
City Target:		23,922	30,105	36,321	31,143	33,487	154,978	26,691	23,083	18,036	19,606	19,606	107,022	262,000	
City Target - 5-year Average:							30,996						21,404	26,200	
Variance to Target:		3,982	11,663	(9,152)	100	(1,790)	4,802	6,274	(5,581)	(4,156)	9,796	(2,692)	3,641	8,443	
Cumulative Variance to Target			15,645	6,493	6,592	4,802		11,076	5,495	1,339	11,135	8,443			
Variance to Target - 5-year Average:							960						728	844	

2014-2023 CAPITAL PROGRAM REQUEST (\$000s)

Attachment B

Project Name	Plan to end of 2013	2014	2015	2016	2017	2018	Total 2014-2018 Request	2019	2020	2021	2022	2023	Total 2019-2023 Forecast	Total 2014-2023 Program	Total Project Cost	
Other than debt expenditure (Draw from Reserve)																
Vehicle and Equipment (LR)	52,632	4,422	5,320	5,320	5,320	5,320	25,702	6,320	5,320	5,320	5,320	5,320	27,600	53,302	105,934	
Workstation, Laptop, Printer (LR)	30,342	5,000	2,400	2,300	2,600	4,100	16,400	2,500	2,400	2,700	5,150	2,550	15,300	31,700	62,042	
Servers (LR)	21,395	4,515	4,515	3,045	2,499	4,203	18,777	4,741	4,741	3,197	2,624	4,807	20,110	38,887	60,281	
IT Business Resumption (LR)	13,391	1,701	1,281	1,407	1,365	1,235	6,989	1,786	1,345	1,477	1,433	1,775	7,816	14,805	28,195	
Mobile Workstations (LR)	15,684	1,000	0	0	300	8,920	10,220	1,000	0	0	300	9,420	10,720	20,940	36,624	
Network Equipment (LR)	7,248	1,110	998	1,200	2,900	2,800	9,008	2,400	1,500	2,400	2,900	3,000	12,200	21,208	28,456	
Locker Replacement (LR)	2,967	350	350	500	350	48	1,598	198	48	198	48	48	540	2,138	5,105	
Furniture Replacement (LR)	4,389	713	713	1,455	727	727	4,335	727	1,484	742	742	727	4,422	8,757	13,146	
AVL (LR)	1,498	22	0	0	1,500	0	1,522	0	0	1,500	0	0	1,500	3,022	4,520	
In - Car Camera (LR)	444	0	0	2,104	2,113	0	4,217	0	0	2,104	2,113	0	4,217	8,434	8,878	
Voice Logging (LR)	1,127	0	0	0	0	300	300	0	0	0	0	300	300	600	1,727	
Electronic Surveillance (LR)	1,070	0	0	0	1,069	0	1,069	0	0	0	1,091	0	1,091	2,160	3,230	
Digital Photography (LR)	253	0	128	129	0	0	257	0	122	128	0	0	250	507	760	
DVAM I (LR)	1,109	0	949	0	0	0	949	0	949	0	0	0	949	1,898	3,007	
Voicemail / Call Centre (LR)	315	169	0	0	500	0	669	0	0	0	0	500	500	1,169	1,484	
DVAM II (LR)	0	1,203	0	0	0	0	1,203	1,263	0	0	0	0	1,263	2,466	2,466	
Asset and Inventory Mgmt.System (LR)	123	72	0	0	0	72	144	0	0	0	72	0	72	216	339	
Property & Evidence Scanners (LR)	117	0	0	117	0	0	117	0	0	119	0	0	119	236	353	
DPLN (LR)	500	0	0	0	0	700	700	0	0	0	0	700	700	1,400	1,900	
Small Equipment (e.g. telephone handset) (LR)	1,120	0	0	0	0	0	0	750	750	0	0	0	1,500	1,500	2,620	
Small Equipment - test analyzers (LR)	870	0	0	0	640	213	853	0	0	640	213	0	853	1,706	2,576	
Radar Unit Replacement	0	353	364	43	305	193	1,258	5	11	5	5	21	21	1,279	1,279	
Video Recording Equipment (LR)	356	92	92	92	92	92	460	92	92	92	92	92	460	920	1,276	
Livescan Machines (LR)	423	0	0	0	0	540	540	0	0	0	0	540	540	1,080	1,503	
Wireless Parking System (LR)	2,976	0	0	0	1,974	0	1,974	0	0	0	0	1,974	1,974	3,948	6,924	
EDU/CBRN Explosive Containment (LR)	474	0	0	0	0	0	0	0	0	0	0	0	0	0	474	
CCTV	182	70	0	182	70	0	322	182	70	0	182	70	504	826	1,008	
AEDs	195	0	0	100	0	0	100	0	0	100	0	0	100	200	395	
Fleet Equipment	200	100	100	100	100	100	500	100	100	100	100	100	500	1,000	1,200	
Security System (LR)	0	465	635	500	475	450	2,525	440	570	465	465	465	2,405	4,930	4,930	
Total Reserve Projects:	161,400	21,357	17,845	18,594	24,899	30,013	112,708	22,499	19,496	21,293	22,850	32,388	118,526	231,234	392,633	

PRELIMINARY 2014-2023 - CAPITAL BUDGET REQUEST (\$000s) OPERATING IMPACT FROM CAPITAL

Attachment C

Project Name	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Comments
Radio Infrastructure	922.4	930.8	939.3	947.9	956.6	965.3	974.2	983.1	992.2	1,001.3	Operating impact provided by the City
Property and Evidence Management Facility	420.8	429.2	437.8	446.5	455.5	464.6	473.9	483.3	493.0	502.9	Building Operations, Service Contracts and Utilities. Included estimated increase of 2% per year
14 Division - Central Lockup	272.0	277.4	283.0	288.6	294.4	300.3	306.3	312.4	318.7	325.1	Building Operations, Service Contracts and Utilities - Included estimated increase of 2%
eTicketing Solution	290.9	290.9	290.9	290.9	290.9	290.9	290.9	290.9	290.9	290.9	Operating cost and reduction of 4 staff in Document Services
IRIS - Integrated Records and Information System	395.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	1,827.0	Maintenance costs; lifecycle contribution
54 Division	0.0	0.0	0.0	72.0	144.0	146.9	149.8	152.8	155.9	159.0	Building Operations, Service Contracts and Utilities; starting half a year 2017. Included estimated increase of 2% per year
HRMS Upgrade	0.0	0.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	Incremental maintenance cost of \$22K per year from 2016
TRMS Upgrade	0.0	0.0	0.0	22.0	22.0	22.0	22.0	22.0	22.0	22.0	Incremental maintenance cost of \$22K per year from 2017
Peer to Peer Site	0.0	0.0	0.0	175.0	350.0	350.0	350.0	350.0	350.0	350.0	Building Operations, Service Contracts and Utilities; starting mid-2017
41 Division	0.0	0.0	0.0	0.0	0.0	72.0	144.0	144.0	144.0	144.0	Building Operations, Service Contracts and Utilities; starting half a year 2019
Radio Replacement	88.1	282.2	608.2	198.5	224.5	199.0	296.6	282.5	161.1	161.0	Additional support cost - Extend life from 7 years to 10 years
13 Division	0.0	0.0	0.0	0.0	0.0	0.0	0.0	72.0	144.0	146.9	Building Operations, Service Contracts and Utilities; starting 2021
Business Intelligence Technology	0.0	0.0	0.0	0.0	0.0	528.0	1,056.0	1,056.0	1,056.0	1,056.0	\$0.6M for salaries for 5 people; \$0.5M for maintenance
Electronic Document Management	0.0	0.0	0.0	-100.0	-100.0	-100.0	-100.0	-100.0	-100.0	-100.0	System Maint Fee for \$100K plus an estimated \$200K savings in Stationary and Office Supplies
Total Projects Operating Impact	2,389.2	4,037.5	4,408.1	4,190.5	4,486.9	5,088.0	5,812.7	5,898.1	5,876.7	5,908.0	
Total Projects Operating Impact	1,657.5	1,648.3	370.6	-217.6	296.4	601.1	724.7	85.4	-21.3	31.3	
Total Reserve Operating Impact	6,000.0	7,000.0	8,000.0	9,000.0	10,000.0	10,000.0	10,000.0	10,000.0	10,000.0	10,000.0	Based on current assumptions; under review
Total Operating Impact from Capital	8,389.2	11,037.5	12,408.1	13,190.5	14,486.9	15,088.0	15,812.7	15,898.1	15,876.7		

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

#P241. REVIEW OF PARKS PLAN 2013 - 2017

The Board was in receipt of the following report September 19, 2013 from William Blair, Chief of Police:

Subject: REVIEW OF PARKS PLAN 2013-2017

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

City Council at its meeting of May 7, 8 and 9, 2013, requested that the Chief of Police review item entitled *Parks Plan 2013-2017* and report on the current initiatives in place with respect to park safety and indicate what if any changes are required at this time (Min. No. P178/13 refers).

Discussion:

The Board at its meeting of June 20, 2013, approved a motion that the Chief provide a report regarding park safety and initiatives currently in place throughout the Service.

Although the *Parks Plan 2013 - 2017* does not specifically encompass any involvement of the Service in their plan, the Service has had and continues to have a strong working relationship with the City of Toronto's Parks, Forestry and Recreation department.

The Service through the 17 Divisions and their Community Response Units (CRUs) continually monitor, patrol and interact with the citizens of Toronto in our parkland.

The City of Toronto has over 1,600 parks, which cover over 8000 hectares of land. The Service patrols these parks on a regular basis using CRU officers on bikes, foot patrol, auxiliary officers, mounted unit officers and officers on all-terrain vehicles.

Officers patrolling this parkland engage the community and address issues that arise, such as fire permits, drinking and illegal drug activity, which hampers the lawful enjoyment of the parks for our citizens.

The City of Toronto Parks, Forestry and Recreation personnel have a strong working relationship with the Service. Whenever there are special events within the parks, the Service enhances their presence to ensure that the patrons of the events have a safe and enjoyable venue.

A review of the *Parks Plan 2013 - 2017* references the work being done between the police and community groups, working with the Parks, Forestry and Recreation department to reduce crime while making the parks safer through environmental design. Further the *Parks Plan* articulates the efforts of parks enforcement officers (by-law officers) conducting routine patrols to deal with issues such as illegal dumping and animal-related issues.

The Service continues an open dialogue and ongoing working relationship with the Parks, Forestry and Recreation department to assist and enhance the quality of park locations that the residence of and visitors to the City of Toronto have come to enjoy.

Conclusion:

The *Parks Plan 2013 - 2017* builds on a strong and continuous effort to enhance the green space in the City, through maintenance and programs for its visitors. The Service, in partnership with the Parks, Forestry and Recreation department, continues to build on its presence and support of the programs with the Parks department in an effort to protect, restore and enhance the continued growth of the Toronto's parkland.

Deputy Chief Peter Sloly, Divisional Policing Command, will be in attendance to answer any questions that the Board may have.

The Board received the foregoing report.

Moved by: M. Thompson

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P242. ANNUAL REPORT: DOMESTIC VIOLENCE STATISTICS
JULY 2011 – DECEMBER 2012**

The Board was in receipt of the following report September 17, 2013 from William Blair, Chief of Police:

Subject: DOMESTIC VIOLENCE REPORT: JULY 1, 2011 - DECEMBER 31, 2012

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting of October 20, 2011, the Board approved a recommendation to revise the reporting schedule for Domestic Violence Quality Control Reports to be provided annually (Min. No. P259/11 refers).

On February 7, 2013, the Ministry of Community Safety and Correctional Services (MCSCS) advised the Service that the requirement to submit domestic violence quality control reports is no longer mandated.

The Service continues to compile yearly domestic violence statistics provided by the Business Intelligence Unit. This data will be reviewed on a yearly basis to identify emerging trends as they relate to domestic violence.

Discussion:

Focusing on violence against women remains a Service priority. The goals in relation to domestic violence of improving the support, follow-up information, referrals to victims, as well as to increase reporting by victims, remain fundamental in developing a victim based support strategy. The Service's procedure that governs our response to domestic violence reflects legislative requirements and also the input of community based consultations.

The Service relationship with the community continues to be forged by corporate and locally lead initiatives. The Toronto Police Domestic Violence Advisory Committee is presently represented by thirty external agencies and twenty internal members. This committee through cooperative and collaborative engagement continues to develop appropriate corporate initiatives

to assist those affected by domestic violence. Historical initiatives include a corporate outreach with the community to educate youth about healthy relationships.

The eight year partnership with domestic violence shelters involved with the Toronto Recreational Outtripping Outreach Program (TROOP) is an example of an established and proven initiative. This experience allows for children currently residing in domestic violence shelters to enjoy the outdoors with police, community members and youth who find themselves in similar life circumstances as a result of domestic violence.

The Service continues to partner with post-secondary education institutions such as the faculty of Communication Arts and Design at Seneca College. Police officers, students and community partners developed awareness campaigns focused on the education of young people who witness domestic violence within multicultural and Aboriginal communities. These illustrations were designed to encourage the reporting of domestic violence and to heighten intervention awareness in the hopes of preventing the escalation to violence.

At present, we are engaged in several new initiatives that are led at the corporate level and implemented by divisions in cooperation with external agencies. The present day Written and Revocable Consent (WRC) pilot project identified that domestic violence victims may, when deemed appropriate, choose to contact the offending party and may later decide to revoke their consent. Toronto West Courts, Victim Witness Assistance Program, Probation and Parole, Ministry of the Attorney General and the Service collectively developed an administrative process to formalize WRC and in turn empower victims. This collaboration developed practical guidelines to implement the WRC process to assist victims, the courts and police. The feasibility expansion report for this initiative is currently before the working group committee.

A further example of a corporate led initiative with direct participation by divisions can be found in the Scarborough Family Justice Initiative operating out of 41 Division. This initiative has brought Victim Services Toronto, the Service, and twenty external agencies together to work collaboratively to address domestic violence and to support victims. This initiative enables police to focus on core policing responsibilities when investigating domestic violence and allows for a victim services advocate to engage victims on support and needs assessment. The advocate then coordinates the appropriate resources with external agencies to assist victims and their families as required.

A second resource that is available to investigators at 41 Division is the Community Response Program (CRP) which is an officer initiated referral program for domestic offenders to the John Howard Society of Toronto (JHST). The JHST case worker will engage and assist male offenders who are not eligible for the Partner Assault Response Program (PAR). Both strategies are supported by two independent external research groups who will analyze the findings of these initiatives.

This holistic and collaborative based model to assist those affected by domestic violence is the forward thinking that is required to effectively reduce dynamic risk for victims and their families.

Divisions continue to engage communities by way of town hall forums, community gatherings and information sessions to discuss domestic violence and how to effectively address this social issue.

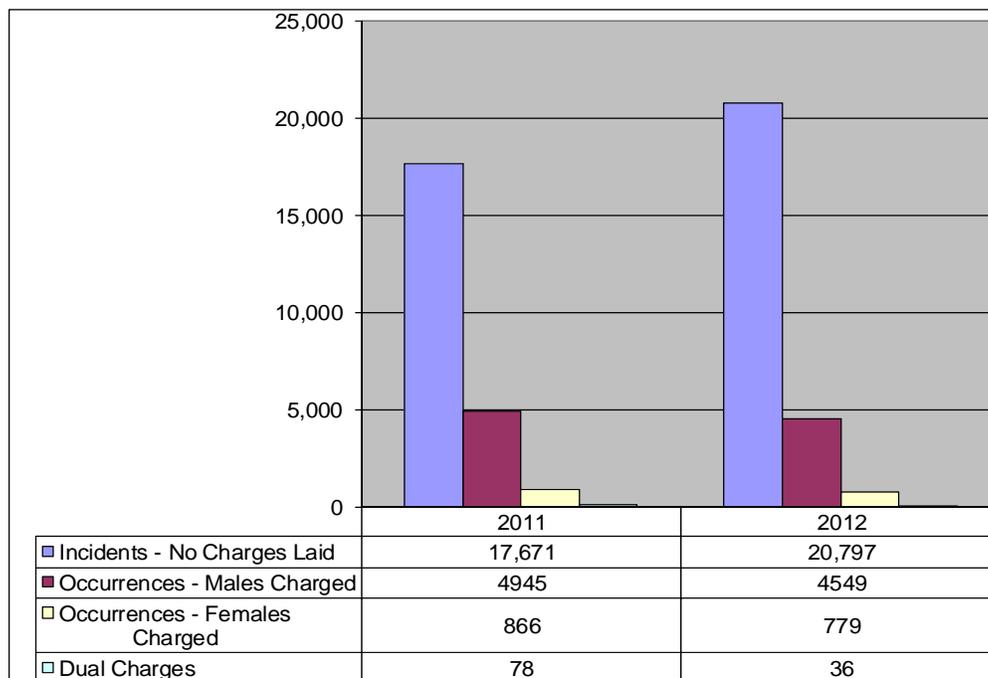
From January 1, 2011 to December 31, 2012, the Service engaged numerous diverse communities in relation to domestic violence education and awareness campaigns. Divisional Policing Support Unit (DPSU) along with members of Divisional Policing Command (DPC) participated in the following activities:

- Sixty-one multi-cultural lectures with an average attendance of approximately fifty people throughout the seventeen divisions
- Twenty-one lectures for newcomers and English as a Second Language (ESL) students in Division Nos. 22, 23,33,51,53 and 55
- Nine information sessions to local faith groups in Division Nos. 14, 23, 41,42, 43 and 53 addressing the following communities - Somali, South Asian, Francophone, African and Muslim
- One town hall domestic violence forum organized by 51 Division with approximately ninety-five attendees.
- Forty-nine lectures addressing youth and domestic violence throughout the seventeen divisions
- 22 Division delivered a domestic violence seminar with forty participants and community partners in attendance
- 33 Division developed the Social Transformative Committee in conjunction with Humber College. This committee held a conference at Humber College with seventy-five high school youth to discuss domestic, family and youth violence
- 33 Division also hosted an information session for the North York General Hospital staff on domestic violence and approximately one hundred persons were in attendance

The DPSU - Family Services Section remains the central resource for divisions seeking presentations and reference material to address communities and their specific needs on domestic violence matters.

The following representation gives a comparison of the core statistical Domestic Violence data for 2011 and 2012.

DOMESTIC VIOLENCE OCCURRENCES	2011	2012
Incidents - No Charges laid	17,671	20,797
Occurrences - Males Charged	4945	4549
Occurrences - Females Charged	866	779
Dual Charges	78	36
Homicide	5	5



The data reflects an increase in 2012 in the reporting of domestic incidents where no criminal allegation was evident and no charges were laid. This increase may in part be attributed to community outreach and awareness campaigns initiated by the Service.

A reduction in dual charging is identified in 2012. This comes following adjustments to training and procedures which may have contributed to this significant reduction.

The incidents of males and females charged for domestic related violence declined in 2012. This downward trend encourages both the Service as well as community partners that delivered education and intervention initiatives which may have contributed to this reduction.

The rates of homicide remain constant in 2011 - 2012 and are our most tragic result of domestic violence.

In part as result of the domestic homicides that have occurred throughout the Province of Ontario the MCSCS has introduced the Domestic Violence Risk Management Form (DVRM). This assessment document provides information to assist officers, supervisors and crown attorneys in managing domestic violence investigations and identifying risk factors that may exist in a domestic violence case. It is foreseen that the DVRM will assist in determining dynamic risk for victims and their children and in turn may reduce the rate of domestic homicide.

Conclusion:

The Service is committed to community mobilization strategies that actively engage Violence Against Women (VAW) service providers and also the community.

The social issue of domestic violence cannot be addressed successfully through enforcement measures alone. Continued collaboration between law enforcement, VAW service providers, education officials and corporate support is critical to the success of domestic violence prevention and awareness initiatives. Through continued research, education, community engagement and progressive partnerships, dynamic risk can be reduced for those affected by domestic violence.

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

The Board received the foregoing report.

Moved by: M. Moliner

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P243. SEMI-ANNUAL REPORT: PUBLICATION OF EXPENSES:
JANUARY – JUNE 2013**

The Board was in receipt of the following report September 26, 2013 from William Blair, Chief of Police:

Subject: SEMI-ANNUAL REPORT: PUBLICATION OF EXPENSES – JANUARY TO
JUNE 2013

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

The Board, at its meeting on February 1, 2012 passed a motion requiring the expenses of Board Members, the Chief, the Deputy Chiefs and Chief Administrative Officer (CAO), excluded members at the level of X40 and above and Service members at the level of Staff Superintendent and Director, to be reported to the Board on a bi-annual basis. The expenses to be published are in three areas: business travel, conferences and training and hospitality and protocol (Min. No. P18/12 refers).

The purpose of this report is to advise the Board of the expenses incurred by Board and Service members during the period January 1 to June 30, 2013.

Discussion:

Attached to this report as Appendix “A” are the expenses, for the first half of 2013, for Service and Board Members included in the Board’s motion. Publication of this information on the Board’s and Service’s internet sites is anticipated to occur by October 31, 2013.

Conclusion:

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

The Board received the foregoing report.

Moved by: M. Thompson

Appendix A

Toronto Police Service and Toronto Police Services Board
Expense Publication Summary
Period: January to June 2013

Member	Expenses reported
Ashman, Aileen - Retired March 3, 2013	\$6.08
Blair, William	\$9,044.18
Campbell, Joanne	\$1,296.40
Delgrande, Mike	\$203.52
Farahbakhsh (May), Jeanette	\$572.29
Federico, Michael	\$399.11
Giannotta, Celestino	\$0.00
Greenwood, Kimberley - Retired March 25, 2013	\$231.34
Kijewski, Kristine	\$987.89
Moliner, Marie	\$171.83
Mukherjee, Alok	\$2,552.23
Noria, Dhun	\$0.00
Nunziata, Frances	\$0.00
Pringle, Andrew	\$0.00
Pugash, Mark	\$82.62
Saunders, Mark	\$10,495.08
Sloly, Peter	\$9,083.67
Stubbings, Richard	\$3,343.76
Thompson, Michael	\$0.00
Veneziano, Tony	\$1,152.51
Wilcox, Jane	\$2,793.10
Total expenditures reported	<u><u>\$42,415.61</u></u>



**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Human Resources Management
Member: Ashman, Aileen - Retired March 3, 2013
Job Title/Rank: Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No Conference/training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 20	Toronto Police Service Chaplain Dinner	\$6.08
		\$6.08

Member Total	\$6.08
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Chief's Office
Member: Blair, William
Job Title/Rank: Chief of Police

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 17 - 19	Re-inventing Criminal Justice: The Fifth National Symposium in Montreal, Quebec	\$1,174.41
January 27 - 29	Major Cities Chiefs 2013 Winter Meeting in Washington, D.C.	\$1,227.17
January 30	Speaker at EDP Course at the Canadian Police College in Ottawa, Ontario. Airfare and Ground Transportation reimburse by RCMP	\$30.64
April 8 - 9	Speaker at the British Columbia Association of Chiefs of Police Leadership Conference in Vancouver, British Columbia. BCACP paid for Accommodation and reimburse cost for Airfare and Ground Transportation.	\$34.27
April 22 - 24	OACP Board of Directors Meeting in Fenelon Falls, Ontario. Accommodation paid by OACP	\$202.61
May 1 - 3	PERF Board & Annual Meeting in Milwaukee, Wisconsin.	\$1,653.82
May 28 - 29	Major Cities Chief /FBI NEIA Meeting in Grapevine, Texas	\$1,442.64
		\$5,765.56

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 7 - 12	Pearl in Policing Conference in Amsterdam, The Netherlands. Accommodation paid by Pearl	\$2,099.51
June 23 - 27	OACP Annual Conference in Peterborough, Ontario	\$980.82
		\$3,080.33

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 10	2013 World Police and Fire Games fundraising dinner in Toronto, Ontario	\$90.00
January 24	Business Luncheon in Toronto, Ontario	\$108.29
		\$198.29

Member Total	\$9,044.18
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Toronto Police Service Board
Member: Campbell, Joanne
Job Title/Rank: Executive Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 16 - 17	Executive Seminar on National Police Compensation in Ottawa, Ontario	\$736.72
May 29 - June 1	Ontario Association of Police Services Boards 2013 Conference in Toronto	\$559.68
		\$1,296.40

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period	\$0.00
		\$0.00

Member Total	\$1,296.40
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Toronto Police Service Board
Member: Delgrande, Mike
Job Title/Rank: Toronto Police Service Board Member

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 30	Ontario Association of Police Services Boards (OAPSB) 2013 Conference in Toronto	\$203.52
		\$203.52

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Member Total	\$203.52
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Labour Relations
Member: Farahbakhsh (May), Jeanette
Job Title/Rank: Manager

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 3 - 5	Police Association of Ontario's 22nd Annual Police Labour Conference	\$559.68
		\$559.68

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 6	Escalating Emergency Services Labour Forum in Toronto	\$12.61
		\$12.61

Member Total	\$572.29
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Corporate Command
Member: Federico, Michael
Job Title/Rank: Deputy Chief

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 26 - 27	Public Safety Canada Plenary Panel meeting in Ottawa, Ontario. Airfare, Accommodation and Ground Transportation reimburse by the Department of Public Safety	-\$28.52
April 30	SOO Contract Arbitration Hearing in Toronto	\$25.19
May 17	Management Meeting at Ryerson in Toronto	\$15.76
May 12 - 13	NJC Ontario Region Meeting in Kingston, Ontario. Accommodation reimburse by the Department of Public Safety	\$121.70
May 22 - 24	National Joint Committee Regional Meeting in Vancouver, BC. Airfare, Accommodation and Ground Transportation reimburse by the Department of Public Safety	\$108.41
		\$242.54

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conference and training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 3	TPS Communion Mass/Breakfast in Toronto	\$5.41
March 5	Greater Toronto East Prayer Breakfast, Scarborough	\$35.00
March 17	St Patrick's Day Event in Toronto	\$5.40
April 21	Special Olympics Event in Toronto	\$4.50
April 24	Cops for Cancer Event in Toronto	\$10.80
April 29	Community Consultation Event in Toronto	\$10.13
June 5	46th Annual Police officer of the Year Awards Event in Toronto	\$85.33
		\$156.57

Member Total	\$399.11
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Information Technology Services
Member: Giannotta, Celestino
Job Title/Rank: Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses incurred during this period.	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conference and training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period	\$0.00
		\$0.00

Member Total	\$0.00
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Central Field Command
Member: Greenwood, Kimberley - Retired March 25, 2013
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 9	2015 Toronto Pan-American Games Meeting in Toronto	\$6.08
		\$6.08

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 8 to 27	Exchange rate difference on refunded conference fee due to member's separation	\$207.20
		\$207.20

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
Jan 17	Hosting Cyber Bullying Meeting at TPS Head Quarters	\$18.06
		\$18.06

Member Total	\$231.34
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Corporate Services
Member: Kijewski, Kristine
Job Title/Rank: Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
April 10 - 11	CACP Police Information and Statistics Committee Meeting in Ottawa, Ontario	\$837.71
		\$837.71

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 3	Canadian Club of Toronto Lunchtime Speaking Event in Toronto	\$67.54
		\$67.54

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 5	46th Annual Police officer of the Year Awards Event in Toronto	\$82.64
		\$82.64

Member Total	\$987.89
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Toronto Police Service Board
Member: Moliner, Marie
Job Title/Rank: Toronto Police Service Board Member

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 11	Board's Street Check Subcommittee meeting	\$9.01
January - June	TTC tokens for various Toronto Police Service Board meetings and other Toronto Police Service Board mandated meetings - 50 tokens x 2.50	\$125.00
May 28	Service's FIRR and Train the trainer day at the Toronto Police College	\$37.82
		\$171.83

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conference and training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expense for this period	\$0.00
		\$0.00

Member Total	\$171.83
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Toronto Police Service Board
Member: Mukherjee, Alok
Job Title/Rank: Toronto Police Service Board, Chair

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 7	Event at Bay Adelaide Centre from Bathurst & St Clair in Toronto.	22.51
April 6	Meeting 2100 Queen Street re Morden Report in Toronto.	40.52
March 19 - 22	CAPB Board of Directors Board of Directors Meeting; Annual Parliamentary Advocacy Days; Joint Meeting of the CACP, CPA & CAPB	\$588.28
May 17	OAPSB meeting in Hawkesbury, Ontario	\$52.55
June 21	Meeting with Board member (CAPB)	\$0.00
July 8	CAPB Meeting (Coalition on Sustainable Policing)	\$0.00
		\$703.86

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 14 - 15	Executive Seminar on National Police Compensation and its Challenges in Ottawa, Ontario	\$484.55
January 16 - 17	Summit on the Economics of Policing: Strengthening Canada's Policing Advantage in Ottawa, Ontario	\$499.76
May 23 - 24	FNCPA Conference in Ottawa. Accomodation paid by First Nations Chief's of Police Association. Airfare paid by CACP	\$155.34
May 29 - June 1	Ontario Association of Police Services Boards (OAPSB) 2013 Conference in Toronto	\$580.39
		\$1,720.04

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 5	Business lunch in Toronto	\$15.04
May 15	Business lunch in Toronto	\$85.70
June 14	Business lunch in Toronto	\$27.59
		\$128.33

Member Total	\$2,552.23
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Toronto Police Service Board
Member: Noria, Dhun
Job Title/Rank: Toronto Police Service Board Member

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST)
	No conference and training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST)
	No hospitality and protocol expenses for this period	\$0.00
		\$0.00

Member Total	\$0.00
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Toronto Police Service Board
Member: Nunziata, Frances
Job Title/Rank: Toronto Police Service Board Member

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Member Total	\$0.00
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Toronto Police Service Board
Member: Pringle, Andrew
Job Title/Rank: Toronto Police Service Board Member

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expense for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conference and training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expense for this period	\$0.00
		\$0.00

Member Total	\$0.00
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Corporate Communication
Member: Pugash, Mark
Job Title/Rank: Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 1	Meeting with York University Communication Director in Toronto	\$6.30
		\$6.30

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conference and training expense for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 5	46th Annual Police Officer of the Year Award	\$76.32
		\$76.32

Member Total	\$82.62
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Specialized Operations Command

Member: Saunders, Mark

Job Title/Rank: Deputy Chief

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 16 - 17	Guest of Honour and Speaker at The National Black Coalition of Canada Society Edmonton Chapter Awards Ceremony in Edmonton, Alberta. Accommodation and Air transportation expenses were reimbursed by the organization.	\$79.52
April 8 - 10	CIROC Meeting in Montreal	\$858.01
April 11 - 13	CACP Organized Crime Committee Meeting in Montreal	\$485.33
May 16 - 17	Visit to New York Police Department to see their Real Time Crime Centre and their Intelligence Services In New York City	\$1,440.37
May 21 - 23	Chiefs of Police and Partners Meeting in Ottawa	\$865.13
		\$3,728.36

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 24 - 29	Microsoft Worldwide Public Sector Advisory Council Conference in Redmond, Washington	\$3,498.04
June 3 - 8	LinCT & National Homeland Security Conference in Los Angeles, CA	\$2,596.86
		\$6,094.90

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 26	Business Luncheon	\$92.26
March 13	Consultation Luncheon at University of Toronto in Toronto	\$105.18
April 16	Hosting Luncheon in Toronto	\$269.71
April 27	Harry Jerome Awards in Toronto	\$19.81
May 1	CISO Meeting in Toronto	\$12.61
May 8	Crime Stoppers Gala in Toronto	\$9.90
May 31	Luncheon in Toronto	\$80.63
June 5	46th Annual Police officer of the Year Awards Event in Toronto	\$76.32
June 28	Combined Forces Special Enforcement Unit meeting in Toronto	\$5.40
		\$671.82

Member Total	\$10,495.08
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Toronto Police Service
Senior Staff Expenses
 For the period of January to June 30, 2013

Unit: Divisional Policing Command
 Member: Sloj, Peter
 Job Title/Rank: Deputy Chief

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 4	TCHC meeting at TTC Head Quarters in Toronto	\$2.71
January 8	Visiting a member from Division 43 at Centenary Hospital in Toronto	\$3.59
January 18 - 20	Red Cross Board Meeting in Ottawa, Ontario. Travel and Hotel paid by Red Cross	\$312.93
January 21 - 24	Social Media and Policing Training in Minneapolis, USA. Airfare and Accommodation paid by Minneapolis Police Department	\$441.28
February 5	Parking for Business in Ottawa at City Airport in Toronto	\$40.44
February 5 - 6	Reception for the Black History Month on Immigration and Multiculturalism in Ottawa	\$959.89
February 14	Meeting with Board member in Toronto	\$8.10
February 21	CACP ICT Committee Meeting in Toronto	\$75.61
February 26	9th Annual Celebrity Sports Mixer in Toronto	\$9.01
February 25 - 27	OACP Board of Directors Meeting in Waterloo, Ontario	\$202.61
March 21	African Canadian Crisis in the African Canadian Community Meeting in Toronto	\$9.01
April 3	Leacock Debate Meeting at Arcadian Court in Toronto	\$5.40
April 4	Civil Action Board Meeting at Arcadian Court in Toronto	\$6.31
April 10	Merry-Go Round Board Meeting in Toronto	\$8.10
April 12 - 13	Red Cross Board of Directors Meeting in Ottawa, Ontario	\$267.71
April 17	Civic Action Forum in Toronto	\$12.61
April 20	The Chang School Breakfast Club Meeting in Toronto	\$7.20
April 23	CSIS Meeting in Toronto	\$6.50
April 24	The Focus Hub United Way Meeting in Toronto	\$5.15
May 11	The Red Cross Camp Board Meeting in Toronto	\$24.31
May 13	FRR TPSB Meeting with Board member in Toronto	\$17.11
May 15 - 17	Visit to New York Police Department to see their Real Time Crime Centre and their Intelligence Services in New York City	\$1072.58
June 7 - 8	Guest Speaker at the Cross Cultural Roundtable on Security in Nova Scotia. Airfare, Accommodation, Ground Transportation and portion of Per Diem reimburse by Public Safety	\$43.08
May 1 - 3	Attending PERF Annual Meeting in Milwaukee, Wisconsin	\$1877.94
May 29 - 31	Presenting at the Major City Chiefs FB INEMA Conference in Dallas, Texas	\$1350.76
		\$6,767.74

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 25 - 26	OACP Annual Conference in Winnipeg, Manitoba	\$1298.80
		\$1298.80

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 10	IDIF Friendship Dinner in Toronto	\$9.01
February 11	Annual African Achievement Awards in Toronto	\$88.01
February 11	Parking for Meeting at CF TD Warehouse in Toronto	\$9.03
February 22	Black History Month Event in Toronto	\$22.52
February 26	Swearing-In Ceremony for Justice in Toronto	\$8.11
May 8	Crime Stoppers Reception and Dinner in Toronto	\$9.90
May 14	Meeting about Youth Violence at Ryerson in Toronto	\$5.40
May 17	Chang School Meeting at Ryerson in Toronto	\$9.01
May 21	Hosting College Training Session at T&E	\$57.63
May 25	Meeting in Toronto	\$4.50
May 25	Meeting in Toronto	\$2.70
May 27	Jamaican Canadian Initiatives meeting Toronto	\$14.41
May 28	Hosting Street check Meeting at TPS Head Quarters	\$170.93
June 4	Hosting Community Consultative Meeting at 850 Cowan Avenue in Toronto	\$513.37
June 5	Police Officers of the Year Awards Event in Toronto	\$89.82
June 15 - 18	Red Cross AGM meeting in Toronto	\$36.02
June 17	Civic Action meeting in Toronto	\$6.76
June 21	United Way General Annual Luncheon in Toronto	\$30.00
		\$1017.13

Member Total	\$9,083.67
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Professional Standards
Member: Stubbings, Richard
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 14	Guest Speaker at the 15th National Metropolis Conference on Human Rights in Ottawa, Ontario. Airfare reimburse by Ryerson	\$7.58
April 2 - 4	CACP Professional Standards Committee Meeting in Montreal	\$1,054.32
April 29	Police Service Board Meeting at City Hall in Toronto	\$12.16
		\$1,074.06

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 26 - 26	International Conference for the Police & Law Enforcement Executives in Toronto	\$884.29
Jun 23 - 26	OACP Annual Conference in Peterborough, Ontario	\$1,194.76
		\$2,079.05

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 16	Hosting Special Olympics Transition Luncheon Meeting in Toronto	\$81.91
Jan 31	United Way Awards Ceremony at Metro Convention Centre in Toronto	\$23.41
June 5	46th Annual Police officer of the Year Awards Event in Toronto	\$85.33
		\$190.65

Member Total	\$3,343.76
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Toronto Police Service Board
Member: Thompson, Michael
Job Title/Rank: Toronto Police Service Board Vice-Chair

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conference and training expenses for this period	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period	\$0.00
		\$0.00

Member Total	\$0.00
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**Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013**

Unit: Administrative Command
Member: Veneziano, Tony
Job Title/Rank: Chief Administrative Officer

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No Business travel expense for this period	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 23 - 24	CGA Public Sector Rising to Challenges Conference in Ottawa, Ontario	\$1,076.19
		\$1,076.19

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
June 5	46th Annual Police officer of the Year Awards Event in Toronto	\$76.32
		\$76.32

Member Total	\$1,152.51
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Toronto Police Service
Senior Staff Expenses
For the period of January to June 30, 2013

Unit: Operational Services
Member: Wilcox, Jane
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 19 - 21	Canadian Association of Chiefs of Police and Council and Board of Directors Meetings in Ottawa. One Night accommodation was reimbursed by Canadian Association of Chiefs of Police	\$601.12
Apr. 13	TEMPC Meeting at City Hall	\$10.13
May 23 - 24	Order of Merit of Police Forces Investiture Meeting in Ottawa, Ontario	\$774.23
		\$1,385.48

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 26 - 28	International Conference for Police and Law Enforcement Executive in Toronto	\$782.54
		\$782.54

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 12 & 18	Hosting Asia Pacific Consultative Committee Meeting in Toronto	\$173.07
February 18	Hosting OACP Emergency Preparedness Committee Meeting in Toronto	\$82.62
April 10	Hosting Asia Pacific Consultative Committee Meeting in Toronto	\$58.00
April 29	Women of Influence Senior Executive Dinner in Toronto	\$237.38
June 12	Filipino Independence Day Event in Toronto	\$9.01
June 25	Ambassador of Japan Dinner in Toronto	\$65.00
		\$625.08

Member Total	\$2,793.10
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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

#P244. POLICE AND COMMUNITY ENGAGEMENT REVIEW (P.A.C.E.R.)

The Board was in receipt of the following report October 4, 2013 from William Blair, Chief of Police:

Subject: POLICE AND COMMUNITY ENGAGEMENT REVIEW (P.A.C.E.R.)

Recommendation:

It is recommended that the Board receive this report and presentation on the Police and Community Engagement Review.

Financial Implications:

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

Background/Purpose:

The Police and Community Engagement Review (P.A.C.E.R.) was initially directed by the Chief of Police in 2012 to evaluate the practices and procedures related to the Field Information Report (TPS 208). The Review focused on continuous improvement of all the processes, procedures and practices relating to in-person interactions between police officers and members of the community. As a result of the extensive feedback from both member and community consultations, the scope and magnitude of this Review grew to encompass all of the ways in which police engage with the community and the social costs stemming from these interactions.

Discussion:

On August 1, 2013, the P.A.C.E.R. report was provided to the Command for their approval. After review, the report's 31 recommendations were approved for implementation. These recommendations will improve service effectiveness, public safety and public trust and are categorized under the following 11 sub-headings:

- Service Governance
- Community Consultation
- Professional Standards
- Human Resources
- Performance Management
- Information Management
- Operational Improvements
- Intelligence Led Policing
- Corporate Communications
- Public Accountability
- Project Management

These recommendations, when implemented, will significantly improve existing procedures and practices governing police and community engagements. They will also improve the quality of information collected, record retention policies, officer training, and performance evaluations as they relate to these engagements.

The presentation will be delivered by members of the P.A.C.E.R. Team, Inspector Myron Demkiw, Sergeant Aly Virji and Constable Ali Moosvi.

The P.A.C.E.R Report will be available on the Service's internet site, <http://www.torontopolice.on.ca>, immediately following the Board meeting.

Conclusion:

This report and presentation will provide the Board with an overview of the review teams process and findings.

Deputy Chief Peter Sloly, Divisional Policing Command, will be in attendance to answer any questions that the Board may have.

The following members of the P.A.C.E.R. Team were in attendance and delivered a presentation to the Board:

- **Insp. Myron Demkiw**
- **Sgt. Aly Virji**
- **P.C. Ali Moosvi**

A paper copy of the presentation is on file in the Board office. A list of the 31 recommendations that was provided to the Board during the presentation is also on file in the Board office.

Chief Blair and Deputy Chief Peter Sloly discussed this report with the Board and responded to questions.

The Board received the foregoing report.

The Board also noted that a special meeting would be held in the month of November 2013 to receive public response to the Board's and the TPS's proposals related to the issue of street checks in order to assist the Board in establishing an effective policy (Min. No. P239/13 refers).

Moved by: F. Nunziata

A copy of the P.A.C.E.R. Report Executive Summary is appended to this Minute for information. A copy of the complete report is on file in the Board office.

Executive Summary

THE POLICE AND COMMUNITY ENGAGEMENT REVIEW (THE PACER REPORT)

INTRODUCTION

Toronto is one of the safest large cities in the world, and has experienced a reduction in crime every year for the last seven years. This success is achieved in large part due to the efforts of its 2.6 million residents working in partnership, based on mutual trust and respect, with the 7,700 service-oriented Toronto Police Service (Service) members (Members). The Service relies on the trust and cooperation of Torontonians to “co-produce” public safety in the city. In order to preserve and enhance the level of public trust and police legitimacy currently experienced, the Service must constantly adapt to the needs of the community by acknowledging and addressing concerns that are raised. This sentiment is embodied in the Service *Mission Statement*, “We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.”

The Service has established several *Service Priorities* including, delivering inclusive police services and focusing on service delivery. These priorities highlight the importance of guaranteeing that there is a fair balance between the need for ensuring public safety and the protection of an individual’s legal rights. In addition to these goals, the Service also seeks to minimize the potential negative social cost resulting from community engagements while maximizing the quality and value of the information obtained during these encounters. It is important to acknowledge that both the police and the community recognize that community engagements effectively enhance public safety.

For the purposes of this report, the term *community engagement* refers to in-person communications between a police officer and a member of the community. This encompasses both *Community Inquiries*¹ and *Informal Interactions*².

The Service risks losing public trust when operational practises result, intentionally or unintentionally, in the alienation of individuals or groups within society. One of the most important practices impacting the relationship between the police and the community is the manner in which officers engage with the community and how those interactions are documented. Specifically, the process of recording these interactions, referred to in the community as “carding”³ has been at the centre of this debate.

¹ An in-person communication between an Officer and a community member wherein the Officer, for the purposes of preserving the peace and/or preventing crimes or other offences, makes inquiry of a community member.

² A simple “meet-and-greet” communication between an Officer and a community member, wherein a limited exchange of information may occur. An Informal Interaction concludes with no formal process or documentation submitted.

³ While not adopted as official Service terminology, for the exclusive purposes of this publication and in order to provide consistency of context with references external to the Service, the term “contact card” may refer to the actual TPS 208, TPS 306, FIR or CIR while the terms “carding” and “carded” will be used to refer to the practice of an Officer using a contact card to document an interaction with a community member.

In March of 2012, Police Chief William Blair directed the Chief's Internal Organizational Review (CIOR) to examine all aspects of the Service related to community engagement and specifically the Field Information Report (FIR) process. This review was the foundation for Phase II of the Police and Community Engagement Review (PACER).

The initial CIOR addressed the issues raised by the community about community engagements as they related to Field Information Reports (now called Community Inquiry Reports). The review team recognized the need to address the issues of systemic bias and racial profiling at every level of the organization and Chief Blair accordingly expanded the scope of this Review. The goal was to improve community engagements and address the root causes of the community's concerns by making improvements to every relevant aspect of the organization. In July of 2012, as a result of the broader scope of the review, the PACER Team was established.

The entire review has been conducted under the direction and leadership of Chief Blair and guided by the *Vision Statement* of the Service, "We are committed to deliver police services which are sensitive to the needs of our communities, involving collaborative partnerships and teamwork to overcome all challenges." The *Vision Statement* has been operationalized through collaborative Member and community consultations. These consultations helped the PACER Team identify areas of the Service where enhancements could be made to improve service delivery, as it relates to community engagement.

Effectively addressing and eliminating bias in policing has arguably been one of the most challenging and important undertakings in the history of the Service. With full support from Chief Blair, the PACER Team took on this challenge to improve community engagements and eliminate bias-based policing. A comprehensive review of Service governance, business processes, and the culture of policing has been conducted and will be summarized below.

The Service is continuously striving to find the right combination of strategies that protect the public and promote human rights. There are communities in Toronto who believe they have experienced biased-based policing during their interactions with police. This is especially prominent in the Black community, and particularly among Black youth, based upon some of their community engagement experiences. An unintended consequence of a performance management system that focused on quantitative measurements rather than qualitative value, potentially contributed to the community's experience. Furthermore, it is important to recognize the community's concerns may also be the result of the unintentional application of an Officer's personal biases. Decisions based on the intentional application of bias or racism have never been, and will never be, tolerated by the Service.

The Service does not deny its imperfections and this report is intended to provide a comprehensive and transparent strategy for the continued prevention of systemic bias-based policing including in relation to community engagements.

TERMS OF REFERENCE

The PACER Team

In March of 2012, Police Chief William Blair directed the Chief's Internal Organizational Review (CIOR) to examine all aspects of the Toronto Police Service (Service) related to community engagement and specifically the Field Information Report (FIR) process. Deputy Chief Peter Soly was assigned as the project's Executive Sponsor. During Phase II of the review, in July of 2012, the scope of the review expanded and the Police and Community Engagement Review (PACER) Team was established. The PACER Team included the following Service Members:

- Deputy Chief Mark Saunders
- Superintendent David McLeod
- Staff Inspector Heinz Kuck
- Inspector Myron Demkiw
- Andre Goh (Manager, Diversity Management Unit)
- Meaghan Gray (Corporate Communications, Section Head)
- Detective Stacy Clarke
- Sergeant Aly Virji
- Detective Constable Deanna Gagliardi
- Police Constable Syed Moosvi
- Police Constable Ilana Gavaller

PACER Vision

*The Toronto Police Service will be a world leader
in bias-free police service delivery and
Toronto will be one of the safest urban centres in the world.*

PACER Mission

*To review and continually improve all Toronto Police Service
procedures and practices relating to in-person interactions
between police officers and members of the community.*

PACER Scope

This Review includes the following five phases:

Phase I – Research, Analysis & Best Practice Review (March - December 2012)

Phase II – Internal/Community Consultations & Report Recommendations (January-July 2013)

Phase III – Implementation Planning & Corporate Communications (August-December 2013)

Phase IV – Implementation & Evaluation (January 2014-December 2016)

Phase V – Continuous Improvement (January 2017 and forward)

The Police and Community Engagement Review (PACER) goals are:

- 1) To establish the purpose, legality, and governance framework for community engagements and information obtained therein.
- 2) To assess and address issues of racial profiling and bias in community engagements (at both the individual and systemic levels) to enable the delivery of bias-free police services.
- 3) To collaborate with the community in a process of continuous improvement for the effectiveness and equity of community engagements.
- 4) To improve Officer training and performance related to community engagements.
- 5) To improve the public safety value of community engagements while reducing the social costs associated with the process.

The expected outcomes of the Police and Community Engagement Review (PACER) are:

- 1) The Service will establish relevant Service Governance and training to provide guidance and support to Officers regarding community engagements.
- 2) The Service will be a world leader in bias-free police service delivery and the city of Toronto will be the safest major urban centre in the world.
- 3) The Service will be more transparent and accountable to the community while earning an increased level of public trust.
- 4) Officers will be better able to safely reduce crime while also being better trusted and respected by the community they are sworn to serve and protect.
- 5) Officers will have enhanced cultural competence improving their capacity to engage Toronto residents, particularly racial minority community members and specifically Black youth, in a professional, ethical and customer service oriented approach.

Toronto Police Services Board Interim Receipt Process

It should be noted the Toronto Police Services Board (Board) created a Street Check Sub-Committee (SCSC) in 2012. The Board SCSC's examination of "street checks" was separate from, and completely outside of, the PACER Terms of Reference. The Board SCSC directed the Chief introduce an interim receipt process for community engagements effective July 1st, 2013. The Service fully implemented this interim receipt process as directed.

SIGNIFICANT FINDINGS

The purpose of examining each of the following sections was to provide context, verification and further substantiation to Phase II Final Recommendations.

Research & Analysis

Data Collection

Analysis indicated from 2009 to 2011, there were 1,104,561 persons entered into the FIR database. The top three categories (Nature of Contacts) selected most frequently by Officers to indicate why the Officer had engaged with a member of the community represented nearly seven out of ten, or 69.2 percent, of all FIR cards collected during this time (person based). The “General Investigation” category was the most frequently selected entry, with approximately one in three, or 32.2 percent of all FIRs in the database submitted under this category. Radio Calls represented one in five or 21.2 percent of all FIR submissions and Traffic Stops represent more than one in ten or 15.8 percent.

“General Investigation” terminology is a non-specific category used to define the reason for an interaction and may require individual review of the information to determine its inherent value. Some “Traffic Stop” and “Radio Call” FIRs were submitted due to the fact there were no other applications or forms better suited to record the details. Additional analysis examined traditional intelligence led nature of contacts and determined fewer than one in ten FIR cards collected since 2009 had been assigned a nature of contact which flagged the card as being directly related to an intelligence led policing strategy. It was feasible a substantial number of FIRs collected on persons within the category of General Investigation were collected for the purpose of intelligence led policing. However, without indicating the specific categorization at the time of collection it was not possible to ascertain estimates of these cards.

Defined Purpose

Phase I affirmed the purpose of collecting data was to ensure public safety. Significant investigations, successfully concluded as a result of information captured on a contact card, were collected and categorized. One hundred and ten significant examples, submitted by 70 Officers, representing three command pillars were selected for this collection. Various submissions pertained to recent events while other examples were historical in nature. These findings substantiated the value of intelligence in regards to criminal investigations, covert operations, security and intelligence, frontline policing functions and ultimately, ensuring community safety.

Best Practices

Canadian police services with outlined procedures and practices similar to the Service were consulted with respect to contact cards and maintained their purpose for gathering information was to ensure public safety. Canadian police agencies currently operating and submitting within the Versadex[®] application had an integrated quality control process that reviewed each document upon submission. Furthermore, all of the external agencies retained the information garnered through contact card interactions indefinitely. None of the agencies issued a community-based receipt.

International police agencies such as the Metropolitan Police Service (MPS) and Greater Manchester Police (GMP) were required by law to provide receipts to the community from 2003 to 2011. After 2011, the laws were amended and agencies were granted jurisdictional discretion. GMP opted to negate issuing receipts, whereas the MPS has continued the practice. GMP determined the receipting process did not achieve the desired effect for which it was intended. In fact, further consultations with community members from the Greater Manchester area indicated the receipt accomplished very little to improve the quality of the service provided by officers, nor did it reduce the frequency or arbitrariness of the engagements.

Legal Foundations

Policing is a high-risk business. There will always be a stress between the need for enforcement and an individual's legal rights. The balance between operational requirements and public trust and accountability is where the legal risks arise. These risks ultimately need to be managed and mitigated. The Service's Legal Services section was consulted extensively throughout this process. Direction was clear from the onset:

- 1) What is the purpose of interacting with the community?
- 2) Why do officers gather information?
- 3) How is this activity carried out?

Legal Services, consulted with three eminent lawyers, all representing different legal scope and interests. All three opinions were unanimous in stating police officers may, for recognized policing reasons, approach members of the community and seek their voluntary cooperation in responding to questions and that such police conduct does not violate an individual's rights under the *Canadian Charter of Rights and Freedoms (Charter)*.

The declaration of principles to the *Police Services Act* makes it clear police services are required to conduct their affairs in accordance with the law, having respect for the *Charter* and the *Ontario Human Right Code (Code)*. Practices and procedures must be carried out in a respectful manner and free of bias or racism. Data collection should be purposeful and the corresponding use of the data should lawfully relate to the purpose for which it was collected. There is an expectation the police will proactively collect the information they need to keep the community safe. Information gathering is a necessary adjunct to the statutory duties of a police officer⁴ to preserve the peace, prevent crime, and protect the public.

Legal Services submitted ten guidelines concerning the purpose, method and means in which officers should collect information from the community. The most significant guidelines placed emphasis on training in relation to investigative detention with a focus on collecting and articulating grounds. Legal Services also provided very clear direction with respect to the use of data in regards to employment purposes. A stringent review of the content and use of the data was recommended in relation to employment and vulnerable sector records checks. Furthermore, Legal Services advocates a seven-year retention period to allow for prosecutions and appeals to be completed, allow for limitation periods in civil litigation to expire and to allow sufficient time for any complaint investigations or internal discipline process.

⁴ *Police Services Act*, R.S.O. 1990, c. P-15., s. 42 "Duties of a Police Officer"

SUMMARY OF RECOMMENDATIONS

Recommendations

The Police and Community Engagement Review (PACER) examined the following 11 areas of the Service:

- 1) Service Governance
- 2) Community Consultation
- 3) Professional Standards
- 4) Human Resources
- 5) Performance Management
- 6) Information Management
- 7) Operational Improvements
- 8) Intelligence Led Policing
- 9) Corporate Communications
- 10) Public Accountability
- 11) Project Management

Here, in the Phase II report, the PACER Team submits a series of recommendations for consideration and, subject to approval by Chief Blair, implementation by the Service.

Service Governance

RECOMMENDATION

- 1) That the Service create a new *Core Value* articulating the Service's explicit, continued commitment to delivering bias-free police services, and that a new values statement reflecting the new *Core Value* is embedded in all related Service Governance.

SUMMARY OF RATIONALE

Police officers, as part of being human, hold bias-based beliefs in the same manner as members of the community. The Service continues to strive to mitigate inappropriate application of such bias through training, adherence to *Core Values*, supervision and disciplinary sanctions where applicable. An appropriate phraseology should be developed by the Service which consists of a concise sentence to be adopted under a new *Core Value*. This new *Core Value* should speak to the concept of "Bias-Free" as a complement to the existing principles of Honesty, Integrity, Fairness, Reliability, Respect, Teamwork and Positive Attitude. The newly constructed tenet becomes an ever present reminder of the continued commitment the Service has made to delivering bias-free police services and should be utilized in the rationale section of Procedure 04-14 and all related Service Governance.

RECOMMENDATION

- 2) That Procedure 04-14 be revised to reflect new terminology concerning Community Safety Notes (CSN) and that the Procedure be rewritten to include and define: the operational purpose of ensuring public safety, a legal and human rights framework, information management and retention requirements, new quality control processes and introduces heightened supervision standards.

SUMMARY OF RATIONALE

The purpose of community engagements is community safety and the documentation is done using memobook notes. Thus, the Procedure regarding the practice should be aptly rebranded as, “Community Safety Note”.

The Field Information Report Procedure (Procedure 04-14) (Toronto Police Service, 2009) provides direction to Officers as to their roles and responsibilities during a community engagement. This Procedure has been reviewed with consideration to continual improvement, best practices, risk management, customer service, and a legal and human rights context. As a result of the review it has been determined the procedure can be enhanced to better reflect the purpose of recording a community engagement, provide clear direction of Officer roles, including supervisory review, and best practices.

RECOMMENDATION

- 3) That the Service discontinue use of the physical hard copy card (currently the Community Inquiry Report or TPS 306 Form) and, as a replacement, direct Officers to enter the information captured during such community engagements directly into their memobook for subsequent input into the electronic application.

SUMMARY OF RATIONALE

As technology continues to evolve, the practice of using the cardstock 306s to record information has become redundant. Using a hardcopy 306 means the Officer records the information in three different places (on the 306, in their memobook, and into the FIR database). Access to a Mobile Work Station eliminates the need for a hard copy Community Inquiry Report card because the information can be transferred directly from the Officer’s notes to the database, without eradicating any value. Elimination of the physical cardstock 306 and training Officers to make notes directly in their memobooks will eliminate duplication and ensure Officers have original notes should the information be subsequently required for court purposes.

Community Consultation

RECOMMENDATION

- 4) That the Service create a standing community advisory committee to work continuously with the Service, in order to assess and address the issue of racial profiling, and through this partnership assist the Service in the delivery of bias-free police services.

SUMMARY OF RATIONALE

Many participants in the community consultations, conducted as part of this review, were encouraged by the consultation process and expressed a feeling of cautious optimism. They suggested a joint committee, comprised of police and community representatives, would act as a resource to provide input and feedback as well as to facilitate the dissemination of information on its progress internally and externally.

RECOMMENDATION

- 5) That the Service conduct community surveys to proactively evaluate and address issues relating to public trust, police legitimacy, customer service, racial profiling and bias in police services.

SUMMARY OF RATIONALE

The participants acknowledged input from the community is essential for the Service to improve customer service and increase public trust. In order to ensure the broader community has the ability to provide ongoing feedback to improve the delivery of police services, the Service should conduct surveys within the community. A recommendation of this nature and scope will have a positive impact with Members of the Service as well as members of the community.

Professional Standards

RECOMMENDATION

- 6) That the Professional Standards Unit develop new risk thresholds specifically designed and implemented with respect to bias and racial profiling and create a new dimension with respect to an early detection and intervention alert system to support Officers working in high-risk assignments.

SUMMARY OF RATIONALE

Currently, the Professional Standards (PRS) Analysis and Assessment Group utilizes a “table of thresholds” to trigger an alert regarding an Officer’s conduct. Although ‘human rights’ is included as a threshold, there is a need to have a more focused approach towards identifying an Officer’s potential application of bias or racial profiling during the course of his or her duties.

The early detection and intervention alert system is not punitive and there is recognized value to expanding the use of the database and mechanisms to support identifying issues related to an Officer’s well-being, especially for those involved in high-risk assignments. Given the inherent stress of police work, there is a necessity for the Service to proactively manage the health and wellness of Members. Utilizing the PRS database for early detection and intervention is an opportunity for the Service to leverage technology and become more efficient and effective in the management of its most valuable asset: the Members.

RECOMMENDATION

- 7) That the Service design and conduct reviews at both the Unit and Professional Standards Unit level, examining all ranks of the Service to proactively assess and address Officer performance trends and indicators that may relate to bias, prejudices and/or racial profiling.

SUMMARY OF RATIONALE

Within the scope of the PRS mandate it is a responsibility to proactively manage risk. A component of this function could be supported by the design and utilization of unit level reviews of performance trends and indicators that may relate to systemic and/or individual bias, prejudices and/or racial profiling. This may be accomplished by co-comparator analysis of Officers and unit performance. Recognizing such analysis does not in itself indicate bias-based policing, the trend indicator should be utilized as part of a more comprehensive analysis of the individual or unit level performance to ensure consistency with the unit and Service priorities.

RECOMMENDATION

- 8) That all internal or external complaints involving allegations of discrimination and/or racism are assigned to Professional Standards, and that the investigation will assume a case conference process involving Labour Relations, Legal Services, Toronto Police College and the Diversity Management Unit. The final dispositions of all such investigations will be entered in the Professional Standards Information System.

SUMMARY OF RATIONALE

PRS Conduct Investigations Section should be mandated to investigate and take carriage of all internal or external complaints which contain allegations of discrimination and/or racism. All such investigations should assume the case conference process involving Labour Relations, Legal Services, Toronto Police College and the Diversity Management Unit. This reinforces the Service's commitment to bias-free service delivery while enhancing public trust. This process enhancement will provide investigative consistency while ensuring an appropriate method for Service-wide coordination of required resources. To ensure consistent tracking all dispositions should be entered into the Professional Standards Information System (PSIS).

RECOMMENDATION

- 9) That all Professional Standards investigations concluded with a final disposition indicating Officer misconduct concerning discrimination or racism are subject to a Tribunal Hearing.

SUMMARY OF RATIONALE

Consistent with the Service's commitment to address racially biased policing, any investigations substantiating an allegation of discrimination or racism must be directed to Tribunal for prosecution and adjudication to ensure fair and consistent dispositions.

RECOMMENDATION

- 10) That the Service continue to collaborate with the Office of the Independent Police Review Director (OIPRD) for implementation of the OIPRD "Informal Resolutions" program.

SUMMARY OF RATIONALE

Currently the Office of the Independent Police Review Director (OIPRD) has proposed a new practice in order to deal with minor complaints prior to the activation of Part V of the *Police Services Act*. This proposal is known as the “Customer Service Resolution” and is designed only to deal with matters submitted directly to the OIPRD. Once reviewed as a conduct, policy, or service issue, the police service involved is contacted and offered the “Customer Service Resolution”. If the police service wishes to pursue this informal resolution process then the OIPRD, subject Officer and complainant are assembled for resolution discussions. If the “Customer Service Resolution” is successful, the OIPRD will close the file. If unsuccessful, the matter will return to the OIPRD roster for further screening of the matter.

RECOMMENDATION

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

SUMMARY OF RATIONALE

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

Human Resources

RECOMMENDATION

- 12) That the Service continue to ensure all uniform Officers and investigators receive training that includes, but is not limited to:
 - *Canadian Charter of Rights and Freedoms*;
 - *Ontario Human Rights Code*;
 - articulable cause, reasonable suspicion & investigative detention;
 - police note-taking, case disclosure and court testimony;
 - customer service;
 - tactical communication, strategic disengagement & conflict de-escalation, mediation and resolution; and
 - prevention of discrimination, racism and Black racism.

This training should incorporate role-play and scenario-based training in relation to the Community Safety Note Procedure 04-14. All training will involve community participation in training design, delivery and evaluation.

SUMMARY OF RATIONALE

The training of Officers is an essential part of ensuring the Service achieves its organizational aspirations of treating everyone in an impartial, equitable, sensitive and ethical manner. In the context of a pro-active community engagement, an Officer’s reason and explanation for what

they are doing should be rooted in their duties, as described in Section 42 of the *Police Services Act*. The course of action they select should also be consistent and within the laws and legislation created to govern their actions. In order to address the concerns raised by the community it has become clear the Service should continue to improve and enhance the formal training Officers receive in relation to community engagements.

While Officers continuously receive extensive training, the appropriate street-level application and articulation of this training may be improved through the incorporation of scenario-driven learning modules accompanied by constructive feedback. This type of training should be created, in consultation with community stakeholders, to identify relevant scenarios. This training should include the following topics: the *Canadian Charter of Rights and Freedoms*; the *Ontario Human Rights Code*; reasonable suspicion, investigative detention; note-taking; case disclosure and court testimony; customer service; tactical communication; strategic disengagement; conflict de-escalation/mediation/resolution and anti-racism including role play/scenario-based training for community and youth engagement; and the updated Community Safety Note (CSN) procedure.

RECOMMENDATION

- 13) That the Service's recruiting and hiring process is strengthened to include an evaluation of all potential candidates for evidence of discriminatory and/or racist behaviour, including an examination of related social media content.

SUMMARY OF RATIONALE

In order to ensure Officers value the diverse communities that make up Toronto, all recruitment and hiring strategies must address bias by ensuring the people hired by the Service are able to recognize their own biases and prevent them from influencing their professional responsibilities as members of a police service.

RECOMMENDATION

- 14) That the Service continue to review the weight given to Community Safety Notes (CSN) in the recruitment and hiring process and ensure a supervisor is responsible for content validation and evaluation of any CSN submissions considered in the process, including making every reasonable effort to ensure the original submitting Officer clarifies the context in which the CSN was submitted.

SUMMARY OF RATIONALE

Given the Service reviews FIRs/CIRs as part of the recruitment and hiring process, the accuracy and validity of the content of any such data should continue to be appropriately qualified by the submitting Officer. Supervisory oversight is required to determine the relevance of FIR/CIR data that may be used in 'screening out' a job applicant.

RECOMMENDATION

- 15) That all Probationary Constables (including the May 2013 constable graduation class) successfully complete a minimum of two Compressed Work Week Cycles, within their probationary period, assigned to the divisional Community Response Unit.

SUMMARY OF RATIONALE

Community Response Unit (CRU) assignments afford Officers exposure to diverse communities. The development of an Officer's interpersonal skills benefits them in all aspects of their career and should be considered a priority.

RECOMMENDATION

16) That the Service develop and implement an intercultural development program.

SUMMARY OF RATIONALE

Intercultural competence is the ability to communicate effectively and appropriately with people of other cultures (Messner & Schafer, 2012). Intercultural competence development will assist Officers with navigating the unique cultural nuances of Toronto's diverse communities.

RECOMMENDATION

17) That a specific and individualized program is designed for Officers requiring improvement in the areas of valuing diversity or bias-free service delivery, which would include participation in the intercultural development program.

SUMMARY OF RATIONALE

Opportunities to improve development of intercultural competencies should be available for Officers as needed. Officers should have individualized programs designed to help them in their continued development regarding valuing cultural diversity and the impacts of bias in policing.

RECOMMENDATION

18) That the Service mandate an intercultural development assessment of all persons making application for employment with, or for promotion within, the Service.

SUMMARY OF RATIONALE

Officers should be encouraged to continually improve their intercultural competence. Furthermore, those seeking promotion should be required to demonstrate a commitment to intercultural development. Persons seeking employment with the Service should be able to similarly demonstrate their level of cultural competency. This will develop individuals and emphasize the Service's commitment to the importance of hiring and promoting people who have demonstrated awareness and appreciation for intercultural development.

Performance Management

RECOMMENDATION

19) That Officers continue to conduct Community Safety Note (CSN) related activities and will be evaluated primarily on the professional quality of such engagements and the intelligence quality of any CSN submissions.

SUMMARY OF RATIONALE

As a result of the internal and external consultations, it was determined that qualitative analysis as pertained to Community Safety Notes (CSN) are a better measure of an Officer's work performance as opposed to a simplified quantitative measures. With a reduced focus on quantitative measurement of FIRs/CIRs on the Officer Performance Review, supervisors will be required to consider other factors of Officer performance. How Officers engage with members

of the community and the value of those engagements to local crime management strategies will have to be considered.

RECOMMENDATION

- 20) That the Service create and implement an informal recognition program that fosters high quality Officer performance in the areas of intercultural competence, customer service, intelligence led policing and bias-free service delivery.

SUMMARY OF RATIONALE

An alternate recognition program would serve to notify Officers if a FIR/CIR they submitted resulted in a notable achievement. The acknowledgment of effective community engagements, even by a simple email, provides positive reinforcement for Officers and when applied consistently encourages continued good work.

It has been identified that an informal system of recognition should be developed in an effort to encourage and recognize Officers who demonstrate skills pertaining to cultural competence and the ability to effectively interact with members of the community while producing positive public safety outcomes.

Information Management

RECOMMENDATION

- 21) That the Service retain all Community Safety Note submissions for a maximum of seven years while continuing to explore industry best practices for information management, retention, privacy and access.

SUMMARY OF RATIONALE

The Information and Privacy Commissioner (IPC) of Ontario states that an organization's retention needs will vary on a case by case basis and cannot be uniformly designated. The community has expressed concerns pertaining to three main areas of information management regarding Community Safety Notes (CSN); their content, usage, and retention. Recognizing the Service needs to have access to records for an extended period and in order to address the community's concerns about retention, an interim seven year retention period should be set for all CSNs. During this time, the Service can research the best practices for information management and retention, which may include implementing a Role Based Security Access format.

Operational Improvements

RECOMMENDATION

- 22) That the Divisional Policing Support Unit (DPSU) ensure all DPSU deployments are done in collaboration with the Divisional Crime Management Team, aligned to the Division's crime management processes, priorities and projects, providing professional, high quality, bias-free service delivery to all members of the community.

SUMMARY OF RATIONALE

Each division has its own unique needs that are constantly evolving. To ensure that DPSU initiatives continue to succeed, and address the current priorities in the communities they serve, there should be continued enhancements to the collaboration with the Divisional Crime Management Team, prior to deployment, so that DPSU Officers are policing in the most effective manner possible. This will ensure community engagement is aligned to the division's crime management processes, priorities and projects.

RECOMMENDATION

- 23) That Divisional Policing Command (DPC) conduct a comprehensive review to assess the Divisional Policing Support Unit's recruitment, selection, training, supervision, deployment and performance management systems to more effectively align with DPC priorities.

SUMMARY OF RATIONALE

Due to the impact that DPSU has on the Service's continued commitment to reduce violence and ensure community safety while maintaining public trust, it is relevant to seek ways to continually enhance performance management systems, training, selection, recruitment, and supervision. A comprehensive review will assist in ensuring deployments and strategies are in line with Divisional Policing Command (DPC) priorities and address community needs.

RECOMMENDATION

- 24) That all officers assigned to Divisional Policing Support Units must have successfully completed the staff development program at a Divisional Policing Command division prior to an assignment with the Unit.

SUMMARY OF RATIONALE

Completing a term in the Community Response Unit (CRU) helps to develop an Officer's interpersonal skills and increase their intercultural competency. The CRU's mandate requires them to engage with the community in all aspects of policing, including community based programs and crime prevention. Similarly, an Officer who has completed an investigative component to their staff development program has a better understanding of lawful authorities and articulation as it relates to engaging the community. Once both investigative and community training has been completed, Officers are better prepared to provide professional, high quality and bias-free service delivery. These qualities are essential to deployment in a DPSU assignment. Therefore, Officers selected for a DPSU secondment should have completed their staff development program in full.

RECOMMENDATION

- 25) That the Unit Commander assigned to Divisional Policing Support Unit hold the rank of Superintendent, supported by an Inspector as the second-in-command.

SUMMARY OF RATIONALE

Due to the size, scope and impact of DPSU, the unit should be managed by a Superintendent and supported by an Inspector. This will ensure consistent leadership, transparency and accountability to the community and Service Members.

Intelligence Led Policing

RECOMMENDATION

- 26) That the Service review and evaluate the current capacity of intelligence led policing practices and adopt appropriate means by which to increase Officer awareness, training and competency with respect to all existing intelligence gathering and dissemination methods.

SUMMARY OF RATIONALE

It is important to ensure all Officers are aware of the various intelligence gathering and dissemination methods within the Service. This includes, but is not limited to, the cultivation and management of confidential sources and how this information is collected, analysed, and disseminated via various police reports. Any information collected by an Officer needs to be entered into the intelligence cycle, in order to be corroborated, so it can be utilized to inform deployments such as; 'Directed Patrols', 'Intelligence Led Policing' initiatives, and other crime management processes.

Corporate Communications

RECOMMENDATION

- 27) That the Service create and implement a corporate communications strategy to continuously educate, inform and engage the community with respect to the implementation of the PACER Report recommendations, Service public safety and public trust programs, the *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms* civil liberties and responsibilities. The communication strategy will involve direct community input into the design and delivery of the medium, embracing multiple languages and will be delivered across a full spectrum of avenues, including but not limited to mainstream, ethnic and social media, Community Police Liaison Committees meetings, focus groups and virtual town halls.

SUMMARY OF RATIONALE

Through consultations, the community commented they *want* to understand a police officer's roles and responsibilities. They want to be aware of their rights and responsibilities when approached by an officer. They want to understand why an officer is speaking with them and not someone else; why their information is being recorded; and for what purpose that information will be used. The community's lack of understanding regarding these issues can be improved through a comprehensive and consistent corporate communications strategy.

RECOMMENDATION

- 28) That the Service design, implement and prepare a public report of Community Safety Note related procedures and practices including the use of demographic and race-based data.

SUMMARY OF RATIONALE

The Business Intelligence Unit (BIU) currently publishes an Annual Year-End Executive Dashboard report, which includes a section devoted to FIRs/CIRs. Additionally, the BIU should also publish a report that includes an in-depth analysis of all CSNs. This will provide transparency and accountability for the public in regards to the procedures and practices surrounding CSNs. Furthermore, this report should include raw data as well as an in-depth analysis of the CSN information. It is important to ensure the analysis is presented in a format that recognizes and highlights variables that may impact when and where CSNs are completed. For example, a geo-spatial analysis of violent calls for service may help explain why there is a significant increase in police presence in a certain area and a related increase in CSNs for a given time period. In addition to the equity-tracking capabilities of this report, it should also be capable of tracking the effectiveness of the CSN process, in order to demonstrate its success in producing intended and desired results.

Public Accountability

RECOMMENDATION

- 29) That the Community Inquiry Report Receipt (Form 307) be redesigned to a Service business card format, which will be offered to any community member who is the subject of a Community Safety Note submission.

SUMMARY OF RATIONALE

As a result of feedback received during both internal and external consultations, the Service should consider redesigning the current interim receipt to a business card format with an area for Officers to record information regarding interactions with a community member. This revised business card could be provided to members of the public when a CSN is being entered into the Service database.

Project Management

RECOMMENDATION

- 30) That the Service enter into a partnership with an external person or organization for the purpose of conducting an evaluation of the implementation phase of the PACER Report recommendations, encompassing January 1st, 2014 to December 31st, 2016.

SUMMARY OF RATIONALE

Ensuring the recommendations are implemented effectively, and are achieving the desired outcome(s), will require on-going assessment and evaluation. This will require sound project management and should include a process of formal oversight. The oversight of the implementation should be conducted by an independent third party with experience in managing complex and multifaceted projects.

By creating a continuous process of review of the implementation the evaluators will be positioned to adjust the implementation and course of action to help the Service reach the desired outcomes. A three year period of evaluation, commencing January 1st, 2014 and concluding December 31st, 2016, allows for adequate time to accurately assess the implementation and establish an effective methodology to ensure continuous improvement during Phase V.

RECOMMENDATION

- 31) That the Service invite the City of Toronto Auditor General to conduct an external compliance audit of Procedure 04-14.

SUMMARY OF RATIONALE

Independent oversight of compliance with Procedure 04-14 may assist with ensuring accountability, integrity, and transparency which in turn increases public trust and confidence in the process.

CONCLUSION

Toronto is the safest major city in Canada and one of the safest most inclusive cities in the world. The level of public safety and the quality of life experienced in Toronto has been accomplished in large part because of the mutual trust and respect between the community and the Service.

Community engagement is one of the most important ways for the Service to reduce crime and build relationships. It is also one of the most controversial and least understood police practices. These encounters have raised general community concerns about police accountability and transparency – it has also resulted in longstanding specific concerns from the Black community about racial profiling. Clearly, community engagement is a high-volume, high-risk activity that has produced both high-value public safety results and high social cost outcomes.

The Service continues to acknowledge that racial profiling is illegal, immoral, and intolerable. Chief William Blair, over the course of his tenure, has consistently created corporate strategies designed to address and eliminate racial profiling. The Service and the community both recognize the need for continued vigilance regarding the potential of bias and racial profiling in policing.

Chief Blair directed the Police and Community Engagement Review (PACER) to identify ways to improve the public safety value and reduce the social costs of community engagements. The implementation of the PACER recommendations will help establish the Toronto Police Service as a world leader in bias-free police service delivery and assist the city of Toronto with becoming one of the safest major urban centres in the world.

End.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P245. REQUEST TO REVIEW A COMPLAINT INVESTIGATION
PERTAINING TO SERVICES PROVIDED BY THE TORONTO POLICE
SERVICE – CASE NO. PRS-051013**

The Board was in receipt of the following report August 14, 2013 from William Blair, Chief of Police:

Subject: REQUEST FOR A REVIEW OF A COMPLAINT INVESTIGATION
PERTAINING TO SERVICE PROVIDED BY THE TORONTO POLICE
SERVICE - PROFESSIONAL STANDARDS CASE NUMBER PRS-051013

Recommendations:

It is recommended that:

- (1) the Board receive the complaint summarized in this report;
- (2) the Board determine whether to concur with the decision that no further action be taken with respect to the complaint; and
- (3) the complainant, the Independent Police Review Director and I be advised, in writing, of the disposition of the complaint, with reasons.

Financial Implications:

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

Background/Purpose:

The Toronto Police Services Board has received a request to review the disposition of a complaint about service provided by the Toronto Police Service (TPS).

Legislative Requirements:

Section 63 of the *Police Service Act (PSA)* directs the Chief of Police to review every complaint about the policies of or services provided by a municipal police force that is referred to him or her by the Independent Police Review Director.

The Chief of Police shall, within 60 days of the referral of the complaint to him or her, notify the complainant in writing of his or her disposition of the complaint, with reasons, and of the complainant's right to request that the Board review the complaint if the complainant is not satisfied with the disposition. A complainant may, within 30 days after receiving the notice, request that the board review the complaint by serving a written request to that effect on the board.

Review by Board:

Upon receiving a written request for a review of a complaint previously dealt with by the Chief of Police, the Board shall:

- (a) advise the chief of police of the request;
- (b) subject to subsection (7), review the complaint and take any action, or no action, in response to the complaint, as it considers appropriate; and
- (c) notify the complainant, the Chief of Police and the Independent Police review Director in writing of its disposition of the complaint, with reasons

Nature of Complaint and Discussion:

On January 4, 2013, the Office of the Independent Police Review Director (OIPRD) received a complaint from the complainant reporting that on July 3, 2012, he was illegally evicted from the shelter where he was residing and that police officers and security officers were involved.

The complainant further advises that on July 9, 2012, he was arrested and abused by security officers and then taken to a local hospital by Police. The complainant alleges that once at the hospital he was abused and beaten by the staff and then 'dumped' outside. The complainant was located by passers-by and 9-1-1 was called and he was again admitted to the same local hospital. The complainant states that the police should also have attended.

On July 18, 2012, the complainant was residing with a friend and contacted Police about this earlier incident. Officers attended and he is alleging that they did not take any action. As a result, in mid-September 2012, they attended Toronto Police Headquarters and spoke to the Staff Sergeant in charge of the Duty Desk and reports that he was denied access to the concerned authority there. The complainant subsequently contacted the OIPRD.

The OIPRD classified the matter as a service complaint and returned it to the Toronto Police Service where it was assigned to 51 Division for investigation.

The matter was investigated as a service complaint. The complaint was concluded as unsubstantiated and on June 20, 2013, the complaint was sent a copy of the Report of Investigation. On July 31, 2013, the Toronto Police Services Board received a request for a review of this matter. This request contained multiple attachments including a 4-page response to the report of Investigation, a 4-page statement from the complainant describing the events and a copy of his medical records. These documents will be included in a separate confidential report.

The Chief's Decision

The complainant's initial complaint and subsequent follow up statement differ slightly but he appears to be reporting four allegations about the Toronto Police Service, as follows:

1. On July 3, 2012, police and security officers evicted him from the shelter where he was residing.

2. On July 9, 2012, he was arrested by security officers at the same shelter. Police then attended and took him to a local hospital. He reports that the police did not stay long and that he spent the night there and in the morning he was abused by the hospital staff, repeatedly beaten and then dumped outside in a wheel chair. Passers-by contacted a friend of the complainant and the friend called 9-1-1 and the complainant was again taken into the same hospital where he remained until the next day. The complainant reports that paramedics attended but the Police did not.
3. Upon being released from the hospital the complainant resided with a friend where on July 18, 2012, he re-contacted Police to report the above incidents. He reports that Police attended and recorded his statement but took no further action.
4. The complainant attended the Duty Desk but was denied access to whom he refers to as the concerned authority or Professional Standards.

Allegation 1

The 51 Division investigator was able to locate only one call for Police to attend the shelter on this date and that call was for an unrelated matter.

The investigator also spoke with the Executive Director of the shelter who advised that that on July 3, 2012, staff had requested that the complainant move from one section of their facility to another. The complainant initially refused but did eventually move voluntarily. The Executive Director advises that security personnel were on scene during the move but Police were not.

Allegation 2

On July 10, 2012, at 12:58 a.m. Toronto Police received a call from the shelter where the complainant had been residing advising that security had the complainant in custody as he had been refusing to leave a room within the premises which he was not allowed to enter.

Officers from 51 Division were dispatched and determined that the complainant had been arrested under the *Trespass to Property Act* and upon speaking with the complainant determined that they were continuing the arrest under the *Mental Health Act*. The officers took the complainant to a local hospital where they remained with him for approximately 2 ½ hours before the hospital staff took charge of him. The officers then completed the required occurrence regarding the apprehension.

In the complainant's statement he writes that the 'good' officers took him to the hospital after agreeing to have the security officers handcuffs loosened as they were hurting his hands.

At approximately 07:49 a.m. Police received a call back to the hospital as the complainant was refusing to leave after being discharged. Officers attended and assisted in removing the complainant from hospital property.

In the complainant's statement he advises that he was repeatedly beaten by hospital staff prior to being removed from the hospital. There is no complaint that Police were involved.

The complainant reports that a friend of his called 9-1-1 to report this Assault and that 51 Division officers did not show up as was their obligation to do so. A review of the Toronto Police Service's I/CAD system does not reveal any calls for service to this area for the complainant or any calls made by the friend's name or from the friend's cellular phone number as the complainant advises.

In his correspondence to the Board requesting a review, the complainant included his medical records. A review of these records does not support the allegation that he was repeatedly beaten. The complainant reports that he received injuries to his right knee, left leg, back, shoulder, arm and both wrists, however, none of the medical records included observed any injury.

Allegation 3

On July 18, 2012, Police received a call at 10:43 a.m. to attend an address in the 13 Division area to see the complainant regarding an Assault. Officers attended and spoke with the complainant and misinterpreted what was being reported. They made the determination that he was referring to the previous incident on July 10, 2012, where the complainant had been apprehended under the *Mental Health Act*. The officers spoke with the complainant and completed a Field Information Report. They did not complete an occurrence for the Assault.

Service Governance 2.14.1 directs Constables to thoroughly and properly investigate all matters of a criminal nature assigned to them and Service Governance 2.14.2 directs Constables, upon receiving information of an incident occurring within the boundaries of the City of Toronto which requires the submission of an occurrence report, to submit such report to a supervisory officer.

The service provided in this matter was not sufficient. The officers received a radio call for an Assault and this is reflected in their memorandum book notes. The officers, however, did not conduct a thorough enough inquiry to determine if an Assault investigation was required but completed a Field Information Report which makes no mention of the Assault.

This was revealed during the preparation of this Board report and Professional Standards has referred the Assault complaint back to 51 Division for investigation.

Allegation 4

The complainant reports that he attended the Duty Desk and requested to speak to someone in authority about his matter. The complainant provided the badge number of the officer he spoke with and it was the Duty Desk Staff Sergeant, who as the Officer-in-Charge, has the authority to respond to these types of walk-in inquiries.

Chief's Decision

I am not satisfied with the investigator's findings and the review by Professional Standards, however, I am not recommending any further action in regards to this service complaint as Staff Superintendent Richard Stubbings of Professional Standards has identified the shortcomings in this investigation and has taken steps to address them.

Staff Superintendent Stubbings has spoken with those at Professional Standards who completed the initial review and has reinforced what is required to ensure that their review is thorough and that all allegations are addressed and if they are not, the file is to be returned to the investigator. He has also had Professional Standards prepare a guide for complaint investigators which details what is required of them during their investigation and he will ensure that this topic is introduced into future Unit Complaint Coordinator training.

Conclusion

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

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

In reviewing a policy or service complaint, the Board may:

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

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

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

The Board approved the following Motions:

- 1. THAT the Board receive the foregoing report;**
- 2. THAT the Board concur with the Chief's decision that no further action be taken with respect to the complaint for the reasons set out in the Chief's report; and**
- 3. THAT the Board advise the complainant, the Independent Police Review Director and the Chief of the Board's decision.**

The Board noted that additional information regarding the review of the complaint was also considered during the *in camera* meeting (Min. No. C216/13 refers).

Moved by: A. Mukherjee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P246. SPECIAL CONSTABLE DESIGNATION FOR TRANSIT
ENFORCEMENT OFFICERS AT THE TTC – BUSINESS PLAN**

The Board was in receipt of correspondence dated September 26, 2013 from Vincent Rodo, Chief Financial and Administration Officer, Toronto Transit Commission, containing a request to initiate a new special constable agreement between the Toronto Police Services Board and the Toronto Transit Commission. A copy of Mr. Rodo's correspondence is appended to this Minute for information.

Mr. Andy Byford, Chief Executive Officer, and Mr. Paul Manherz, Acting Manager, Transit Enforcement, Toronto Transit Commission, were in attendance and made deputations to the Board.

Following their deputations Mr. Byford and Mr. Manherz responded to questions by the Board.

In response to an inquiry by the Board, Chief Blair said that Mr. Byford has assured him that concerns about the work performed by some of the previous special constables had been addressed and that he supports the new special constable initiative proposed by Mr. Byford.

The following Motion was submitted to the Board:

THAT the Board receive the foregoing correspondence and refer it to the City Solicitor to prepare a report, in consultation with the Chief of Police, which contains the necessary agreement governing a special constable program for the TTC.

A request for a recorded vote on the foregoing Motion was submitted in accordance with section 22 of the Board's Procedural By-Law No. 107.

The voting was recorded as follows:

For

**Chair Mukherjee
Mr. Pringle
Councillor Thompson
Councillor Del Grande
Councillor Nunziata**

Opposed

Ms. Moliner

The foregoing Motion was approved.

Moved by: M. Thompson



TORONTO TRANSIT COMMISSION

KAREN STINTZ
CHAIR
MALUREEN ADAMSON
VICE-CHAIR
ANDY BYFORD
CHIEF EXECUTIVE OFFICER

MARIA AUGIMERI
RAYMOND CHO
JOSH COLLE
GLENN DE BAEREMAEKER
NICK DI DONATO

ALAN HEISEY
PETER MILCZYN
JOHN PARKER
ANJU VIRMANI



September 26, 2013

Chair Alok Mukherjee
Toronto Police Services Board
7th Floor, Police Headquarters
40 College Street
Toronto, Ontario
M5G 2J3

Dear Chair Mukherjee:

At its meeting on Wednesday, September 25, 2013 the TTC Board considered the attached report entitled, "Special Constable Designation for Transit Enforcement Officers at the TTC".

The Board approved the recommendation in the staff report, as follows:

"It is recommended that the Board receive, approve and forward the attached business case to the Toronto Police Services Board (TPSB) to initiate a new Special Constable agreement between the two agencies".

The foregoing is forwarded for your consideration.

Sincerely,

(*for*) Vincent Rodo
Chief Financial & Administration Officer

1-11
Attachment



1900 Yonge Street, Toronto, Canada M4S 1Z2 Telephone: 416-393-4000 Web Site: www.ttc.ca



TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: September 25, 2013

SUBJECT: SPECIAL CONSTABLE DESIGNATION FOR
TRANSIT ENFORCEMENT OFFICERS AT THE TTC

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission receive, approve and forward the attached business case to the Toronto Police Services Board (Board) to initiate a new Special Constable agreement between the two agencies.

FUNDING

There are no new or additional financial implications resulting from the implementation of this policy.

BACKGROUND

Since July of 1987 the TTC has employed staff with Provincial Offences Officer status. These officers: provide a visible presence, enforce TTC by-laws, respond to calls for service in order to help preserve the peace, protect the safety of TTC customers and employees and protect TTC assets.

In June 1997, at the request of the TTC and with the approval of the then Provincial Solicitor General, the Toronto Police Services Board (Board) designated certain employees of the TTC responsible for providing safety and security services to the transit system, as Special Constables. These Transit Special Constables were conferred with limited law enforcement powers and authorities in accordance with Section 53 of the *Police Services Act*. This designation was governed by a contractual agreement between the Board and the TTC. Since that time the TTC and the Toronto Police Service (the Service) relied on a partnership to deliver policing and security services to the TTC's employees and patrons.

In 2009, the Service created a Transit Patrol Unit (TPU) to take a more proactive role in policing the subway system. The TPU became operational in May of that year. From the unit's inception, the TPU provided direction and assistance to the TTC Special Constables.

In February 2011, the aforementioned agreement relating to Special Constables between the Board and the TTC was terminated.

Since February 2011, the TTC has undergone many changes with respect to its transit enforcement function in order to address previous concerns raised by the Board and Service. In September 2011, the TTC reorganized the Transit Enforcement Unit (TEU – previously known as Transit Enforcement

and Security Services) to streamline the reporting structure, better align business functions and ensure greater accountability. Prior to September 2011, the department was comprised of three sections: (1) the Transit Enforcement Unit, (2) Investigative Services, and (3) System Security. As part of the departmental reorganization, the TEU only provides a transit enforcement function. The TEU now reports within a separate department from the Investigative Services and System Security sections. The changes were made, in part, to support the TTC in meeting all its new roles and responsibilities as part of the new model for transit policing and security.

A new agreement which provides Special Constable status to a number of TTC employees would be limited to the TEU and would be used as an additional tool with respect to a Transit Enforcement Officer's role in enforcing TTC by-laws.

The TTC is seeking a new agreement with the Board to designate Transit Enforcement Officers as Special Constables with limited powers and authorities under selected federal and provincial statutes to support the enforcement of fares and TTC By-law No.1.

DISCUSSION

Please see the attached business case which clarifies the intention of the program as well as the individual purpose, rationale and application for each authority being requested for the proposed Special Constable framework.

JUSTIFICATION

The proposed limited Special Constable powers and authorities are designed to protect the health and safety of the Transit Enforcement Officer when otherwise benign situations unexpectedly escalate, as well as to deal with situations that are of an immediate public safety nature or in the public's interest when it is neither reasonable nor practical to await the arrival of the police. Support of this program by the Commission is requested so that it may move towards fruition.

28-6

Attachments: 2013 Toronto Transit Commission Business Plan for Special Constable Status

**TORONTO TRANSIT
COMMISSION**

2013 Toronto Transit Commission Business Plan for Special Constable Status

Proposed Special Constable Powers and
Authorities for Transit Enforcement Officers



Prepared: September 4, 2013

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Preface

The purpose of this document is to provide the Toronto Police Services Board (the Board) and The Chief of Police with sufficient information and justification to confer limited powers and authorities under selected federal and provincial legislation to employees within the Transit Enforcement Unit (TEU) of the Toronto Transit Commission (TTC). With the approval of the Ministry of Community Safety and Correctional Services, this would be accomplished by appointing them as Special Constables under section 53 of the *Police Services Act*, R.S.O.

Each legislated authority discussed has been divided into three parts: a purpose, a rationale and application and identifies the specific sections being requested. The Purpose serves to provide a brief background of relevance to the safety and security of the transit system. The Rationale provides a basis for requesting the authority outlining the benefits for the Toronto Police Service, the TTC and the transit community. Lastly, the Application describes how a Transit Enforcement Officer (TEO) with Special Constable status will professionally and responsibly apply the authority while executing their duties for the TTC while adhering to TTC policy and procedure, Code of Conduct, and terms of agreement with the Board.

Combined, all three components: Purpose, Rationale and Application, form the framework of justification for each authority requested from the Board.

Background

The Board is responsible for the provision of adequate and effective police services in the City of Toronto pursuant to the provisions of Part III of the *Police Services Act*, R.S.O. 1990 Chap. P-15, (the "PSA").

The TTC is a local passenger transportation commission operating within the Greater Toronto Area. The TTC is a branch of the City of Toronto and operates a transit system pursuant to the provisions of the *City of Toronto Act, 2006*, S.O. 2006, c. 11, Schedule A, as amended (the "COTA").

The TTC has authority to enact by-laws regulating the use of its transit system and has enacted By-Law No. 1 – a by-law regulating the use of the Toronto Transit Commission local passenger transportation system.

The TTC has established a Transit Enforcement Unit (the TEU) in order to: protect the integrity of the transit system, perform security functions with respect to TTC properties and assets and to ensure that the transit system remains a safe and reliable form of transportation.

In 2012 there were over 514 million rides provided by the TTC throughout the City of Toronto. On average, 1.62 million rides per day.

Since July of 1987 the TTC has employed staff with Provincial Offences Officer status. These officers: provide a visible presence, enforce TTC by-laws, respond to calls for service in order to help preserve the peace, protect the safety of TTC customers and employees and protect TTC assets.

In June 1997, at the request of the TTC and with the approval of the then Provincial Solicitor General, the Board designated certain employees of the TTC responsible for providing safety and security services to the transit system, as Special Constables. These Transit Special Constables were conferred with limited law enforcement powers and authorities in accordance with Section 53 of the *Police Services Act*. This designation was governed by a contractual agreement between the Board and the TTC. Since that time the TTC and the Toronto Police Service (the Service) relied on a partnership to deliver policing and security services to the TTC's employees and patrons.

In 2009, the Service created a Transit Patrol Unit (TPU) to take a more proactive role in policing the subway system. The TPU became operational in May of that year. From the unit's inception, the TPU provided direction and assistance to the TTC Special Constables.

In February 2011, the aforementioned agreement relating to Special Constables between the Board and the TTC was terminated.

Since February 2011, the TTC has undergone many changes with respect to its transit enforcement function in order to address previous concerns raised by the Board and Service. In September 2011, the TTC reorganized the TEU (previously known as Transit Enforcement and Security Services) to streamline the reporting structure, better align business functions and ensure greater accountability. Prior to September 2011, the department was comprised of three sections: (1) the Transit Enforcement Unit, (2) Investigative Services, and (3) System Security. As part of the departmental reorganization, the TEU only provides a transit enforcement function. The TEU now reports within a separate department from the Investigative Services and System Security sections. The changes were made, in part, to support the TTC in meeting all its new roles and responsibilities as part of the new model for transit policing and security.

A new Agreement which provides Special Constable status to a number of TTC employees would be limited to the TEU and would be used as an additional tool with respect to a TEO's role in enforcing TTC by-laws.

The TTC is seeking a new agreement with the Board to designate TEOs as Special Constables with limited powers and authorities under selected federal and provincial statutes to support the enforcement of fares and TTC By-law No.1.

Future Vision for TTC Transit Enforcement Officers

Proactive fare and bylaw enforcement are generally not matters of public safety; rather they are matters of a corporate and public interest, both of which would normally be addressed by the transit authority. It is in the best interests of the TTC, the City, and the public to address these issues as efficiently and effectively as possible.

The TTC loses a considerable amount of revenue each year through the use of fraudulent fare media and other types of fare evasion. It is estimated that in 2011, the TTC lost 20.5 million dollars to various forms of fare evasion. It is therefore in the best interests of the TTC, the City and the public to ensure fares are being paid and properly collected. An integral component to combat fare evasion is to ensure an efficient and effective fare inspection and enforcement process is in place as a general and specific deterrent.

Special Constable authority for TTC TEOs is beneficial in supporting the TTC's fare and by-law enforcement objectives.

To ensure that TEOs can effectively and efficiently carry out their security related duties, Special Constable status is recommended.

A proposed new agreement between the TTC and the Board will recognize the need for adequate and effective powers and authorities for TEOs to ensure they have the ability and tools for fare and by-law enforcement, while also ensuring accountability. Further the proposed authorities will allow TEOs to deal effectively and efficiently with any issue that arises as a result of these activities.

Year	Ridership (In Millions)	Fare Evasion (\$ In millions)
2012	514.0	No Data Available
2011	500.0	20.539
2010	477.4	22.067
2009	471.2	11.151
2008	466.7	9.767

Rationale for Special Constable Status

The presence of both Toronto Police Officers and TEOs provides enhanced safety and security for the TTC's employees and customers.

The role of a TEO, with limited Special Constable powers and authorities is in many cases, the appropriate 'mode of response' to deal with issues that result out of their core function which is fare and by-law enforcement.

The proposed limited Special Constable powers and authorities are designed to protect the health and safety of the TEO when otherwise benign situations unexpectedly escalate, as well as to deal with situations that are of an immediate public safety nature or in the public's interest when it is neither reasonable nor practical to await the arrival of the police.

A structured system for reporting Special Constable activity in relation to the powers and authorities granted TEOs by the Board will be put in place to ensure compliance with the terms and conditions of the agreement and to ensure TEOs use their powers and authorities responsibly and lawfully.

A report of all TEO enforcement activity will be submitted to the Service daily for review. The TTC will report annually to the Board in a largely statistical report that amongst other things will identify the training received by TEOs to ensure training is current thereby minimizing risk to both the TTC and the Board. Training standards will be prescribed by Board and Service. In addition, a new Code of Conduct for each TEO has been developed to ensure that the roles and responsibilities of the TEO are understood.

Geographic Jurisdiction

The geographic jurisdiction the TTC has requested from the Board, will be limited to:

- a) any TTC property which includes: all lands, facilities, structures, stations and vehicles owned, leased, occupied or maintained by the TTC,

- b) any place in Toronto provided the TEO is in "fresh pursuit" of a suspect who is fleeing from TTC property as defined in paragraph (a),
- c) the City of Toronto for the purpose of transporting persons detained in custody to a police facility or medical facility or as otherwise directed by an Officer-in-Charge of the Service.

Requested Authorities, Federal Legislation

FEDERAL LEGISLATION

Peace Officer Status

Purpose

A TEO who while performing their normal duties, has, in relation to an offence under any Act or regulation, the powers and obligations of a peace officer under ss. 495 to 497 of the *Criminal Code*.

Rationale

Peace officer authority (under ss. 495 to 497 of the *Criminal Code*) will provide TEOs with powers and authorities beyond those of a citizen to affect arrests where reasonable grounds exist to believe the individual has committed an indictable offence or that the person is named in a criminal warrant. The powers of a peace officer will be limited as a TEO may not use any power conferred by his/her appointment as a Special Constable for enforcement of the *Criminal Code* for the sole purpose of looking for evidence of a criminal offence. If a TEO while performing his/her normal or regular duties encounters a person engaging (or is advised by a third party of such action) in criminal activity, the additional powers of a peace officer will enable the TEO to take appropriate action.

Application

Based on an objective view of the circumstances, immediate action pursuant to the Criminal Code is necessary when it is likely the offender will escape criminal liability if action is not taken and it is neither reasonable nor practical given the circumstances, to await the arrival of a police officer and the arrest or detention is:

- in the interest of the public;
- in the interest of public safety;
- for lawful search and seizure;
- to maintain order on the transit system;
- for officer safety;
- to ensure operational effectiveness;

- to minimize exposure to civil and/or criminal liability due to an unlawful or unreasonable detention.

Where not taking action may result in:

- public safety being compromised;
- officer safety being compromised;
- the immediate opportunity for police to further investigate an offender being lost;
- the undue disruption of transit service, and;
- public order in the transit system being compromised.

The TTC is requesting peace officer authority for TEOs for all sections of the Criminal Code and ancillary Acts as required to support issues that may arise out of fare and by-law enforcement. As noted above, these powers are not to be used for the sole purpose of looking for evidence of *Criminal Code* violations.

Required Authorities, Provincial Legislation

MENTAL HEALTH ACT R.S.O. 1990, CHAPTER M.7

Apprehension Authority Required: Section 16, 17 and 28

Section 16 (Justice of the Peace's Order for Psychiatric Examination)

Purpose

To provide authority to a TEO to take a person named in an order by a justice of the peace into custody forthwith and transport that person to an appropriate place for treatment.

Rationale

TEOs in the performance of their duties encounter persons in distress suffering from mental illness. On occasion, the person has already been named on a Justice of the Peace's Order for Psychiatric Examination. Reasonable cause has already been demonstrated to a Justice of the Peace that the person named in the order:

- a) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself;
- b) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her; or
- c) has shown or is showing a lack of competence to care for himself or herself, **and:**

and in addition based upon the information before him or her the justice of the peace has reasonable cause to believe that the person is apparently suffering from mental disorder of a nature or quality that likely will result in:

- d) serious bodily harm to the person;
- e) serious bodily harm to another person; or
- f) serious physical impairment of the person,

Application

If encountering a person apparently in distress and suffering from a mental illness the subsequent investigation reveals a Justice of the Peace has ordered that person be taken to an appropriate facility for treatment the TEO in consultation with the Toronto Police Officer in charge of the division may execute the said order.

The TTC is requesting apprehension authority for TEOs under section 16 of the Mental Health Act to ensure persons requiring immediate intervention under the Act receive the protection and medical treatment required.

Section 17 (Action by Police Officer)

Purpose

To intervene in situations where a person facing mental health challenges that are potentially life threatening or may result in serious injury, receives the assistance and care required to prevent harm to themselves or others.

Rationale

TEOs while on duty will encounter individuals who appear to be suffering from a mental illness and who may present a physical danger to themselves or to others.

Before exercising apprehension authority under section 17 of this Act, TEOs consider the following:

- a) has the person threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself;
- b) has the person behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her; or
- c) has the person shown or is showing a lack of competence to care for himself or herself, and:

the TEO is of the opinion that the person is apparently suffering from mental disorder of a nature or quality that likely will result in:

- d) serious bodily harm to the person;
- e) serious bodily harm to another person; or
- f) serious physical impairment of the person,

For the immediate protection of the individual and the collateral protection of the public, TEOs will exercise the authority granted under this Act to ensure a person who appears to be suffering from a mental disorder is transported to a medical facility where a qualified physician will make an assessment.

Application

Based on an objective view of the circumstances, immediate intervention of a person believed to be suffering from a mental disorder is paramount to ensure the safety of that person when it is neither practical nor reasonable to await the arrival of police or a crisis team and intervention and apprehension is:

- in the immediate public interest;
- in the immediate interest of public safety;
- for the immediate safety of the individual;
- for the immediate safety of other members of the public

Where not affecting an apprehension may result in:

- serious bodily harm to the person, or;
- serious bodily harm to another person, or;
- serious physical impairment to the person, and;
- TEO safety being compromised and;
- the exposure to civil and/or criminal liability due to an unlawful detention and;
- the undue disruption of transit service.

The TTC is requesting apprehension authority for TEOs under section 17 of the Mental Health Act to ensure persons requiring immediate intervention under the Act receive the protection and medical treatment required.

Section 28 (Unauthorized absence)

Purpose

To provide a TEO with the authority to return a person who is subject to detention, and has been named in an order, to a psychiatric facility.

Rationale

TEOs in the performance of their duties, responding to calls for service and on general patrol, encounter persons in distress suffering from mental illness. On occasion the person has already been named in an order for return to a psychiatric facility.

If the person has been named in an order and is subject to detention in a psychiatric facility they have recently demonstrated that they are a danger to themselves or others. If the person is not acting in such a manner at the time to justify an apprehension under section 17, allowing that person to continue in the transit system could afford them the opportunity to harm themselves or another person, and would therefore not be in the public interest.

Application

The TTC is requesting authority for TEOs under section 28 of the Mental Health Act to ensure persons requiring psychiatric care who are absent without authorization under the Act to be able to return the person named in an order to a psychiatric facility.

LIQUOR LICENSE ACT R.S.O. 1990, CHAPTER L.19

Arrest and Seizure Authority Required: sections 31(5), 36(1), 47(1) and (1.1) and 48

Purpose

To give TEOs adequate powers and authorities under the Liquor Licence Act to deal with infractions that may pose an immediate risk to public or employee safety (e.g. intoxicated persons) or that may be in the public interest from the standpoint of preserving public order in the transit system, preventing service interruptions, or that may be of a TTC corporate interest from the standpoint of customer safety or civil liability.

Rationale

TEOs are routinely called upon to deal with disorderly conduct and security related incidents on the transit system. Often, they encounter individuals who are intoxicated and/or who have consumed or are consuming alcohol unlawfully and may be acting in a disorderly manner or interfering with the ordinary use and enjoyment of the transit system. The identified sections of the Liquor License Act will authorize TEOs to take the requisite action to prevent continuation of offences and ensure persons who are unable to care for themselves through the consumption of alcohol receive the treatment required at a medical or detoxification facility or are lodged in a place of safety (police facility) until fit to care for themselves.

It is not uncommon for intoxicated persons to ride the transit system, nor is it uncommon for intoxicated persons to be incapable of caring for their own safety and in some instances from becoming aggressive and thereby, posing a threat to other users of the transit system.

Application

Based on an objective view of the circumstances, immediate action pursuant to subsection 31(5) of the Act is necessary when it is neither practical nor reasonable to await the arrival of a police officer and affecting an arrest will:

- significantly reduce the risk of an intoxicated person harming him or herself;

- significantly reduce the risk of an intoxicated person harming another user of the transit system;
- begin the detoxification treatment process at the earliest possible opportunity by facilitating transport under section 36, to a medical or detoxification facility;
- ensure persons exhibiting aggressive behaviour are delivered to a police facility **and**;

where taking immediate action under section 31(5) will:

- serve the public interest for the efficient operation or resumption of transit service and to ensure operational effectiveness;
- in the interest of public safety, maintain order on the transit system;
- ensure the safety of the individual;
- ensure the safety of the TEO through taking physical control of the person;;
- minimize exposure to civil and/or criminal liability due to an unlawful or unreasonable detention
- under section 36, protect the TEO from an action or other proceeding for damages on the grounds that a person brought to a medical facility, is treated without consent.

Since the provision for arrest and detention under section 48 only survives the refusal of or tendering of false identification, release from custody and commencement of a proceeding by way of Provincial Offence Notice or Summons will immediately occur upon the correct identification being given, thereby ensuring the public's interest for any judicial proceeding.

Seizure

When an arrest cannot be made in relation to the Act and there is a need to prevent the continuation of an offence under this Act, or to seize evidence required to establish a prima-facie case with a reasonable prospect for conviction, TEOs require authority under subsection 47(1) and (1.1) to seize without warrant, property that the TEO reasonably believes will afford evidence of an offence under this Act or property that will prevent a continuation of an offence under this Act.

Application

Based on an objective view of the circumstances, property under section 47 would be typically restricted to:

- liquor and the packages in which it is kept that were used in connection with the offence

- identification that was provided as false identification

The TTC is requesting arrest and seizure authority for its TEOs for subsections 31(5), 36(1), 47(1) and (1.1) and 48 of the Liquor Licence Act relevant to enforcement, procedure and seizure of liquor illegally being conveyed on the transit system.

TRESPASS TO PROPERTY ACT R.S.O. 1990, Chapter T.21

Purpose of the Act

The Trespass to Property Act is a statute affording control to owners and occupiers of premises as to who may enter their premises, what activities are permitted on the premises and the right to direct persons to leave the premises, through the enforcement of highly specific and limited offences.

Authority Required: Section 9

Section 9

Arrest without warrant on premises

9. (1) A police officer, or the occupier of premises, or a person authorized by the occupier¹ may arrest without warrant any person he or she believes on reasonable and probable grounds to be on the premises in contravention of section 2.

Delivery to police officer

(2) Where the person who makes an arrest under subsection (1) is not a police officer, he or she shall promptly call for the assistance of a police officer and give the person arrested into the custody of the police officer.

Deemed arrest

(3) A police officer to whom the custody of a person is given under subsection (2) shall be deemed to have arrested the person for the purposes of the provisions of the Provincial Offences Act applying to his or her release or continued detention and bail.

Rationale

TEOs on a regular basis encounter persons who are on TTC property when they have been prohibited from entering, or who are engaged in prohibited activities on the premises, or who refuse to leave premises when directed. The authority granted under the Trespass to Property Act (the Act) authorizes TEOs as persons authorized by the occupier, to arrest and detain persons who are on the property or who are engaging in activities on the property in contravention of the Act.

¹ Includes a TTC TEO

Requiring a police officer to attend TTC property merely to conduct a release is not an efficient use of police resources when TEOs could be granted the authority to release arrested individuals. Release of an individual at the earliest opportunity once the conditions for release are met provides for the least amount of intrusion with the trespasser's liberty.

Application

Based on an objective view of the circumstances, it is neither practical nor reasonable to await the arrival of a police officer to release a person from custody who meets all the conditions for release. TEOs require the requisite authority to expeditiously affect a release subsequent to arrest when all the conditions for release have been met, **and it is:**

- in the interest of the person arrested to prevent unnecessary detention;
- for officer safety with respect to continuing detention, particularly if that detention is unnecessary;
- to minimize exposure to civil and/or criminal liability due to an unlawful or unreasonable detention;
- to investigate a security breach affecting the protection of critical infrastructure (section 10)
- to maintain order on the transit system;
- to ensure operational effectiveness;
- and where extended or unnecessary detention of persons in custody is not practical and may be considered unlawful.

The TTC is requesting authority for its TEOs for sections 9 of the Trespass to Property Act relevant to arrest and release of persons who have been prohibited from entering or who are engaged in prohibited activities on Commission properties, or who refuse to leave TTC property when directed. This authority will support the Service given both them and the TTC are operating with limited resources.

Summary

Limited Special Constable powers and authorities for the TTC's TEOs in their proposed form are intended to contribute to an effective partnership with the Toronto Police Service to provide a safe, secure, and efficient transit service. TEOs are trained and supervised to ensure they exercise their authorities granted by the Board both professionally and responsibly in instances when immediate action is favourable to public safety, the public interest, the interests of the Police Service and the TTC's corporate interests. Training will be performed in accordance with standards as provided by the Service/Board.

The role of the TEO is clear and includes fare and by-law enforcement and response to a TTC emergency and security related incidents. The transit system is a very specialized environment with unique needs and circumstances that are not found in other elements of the community.

The goal with any modern rapid transit system is to provide effective and efficient transit services to the public. The focus for the TEO is community oriented by providing customer awareness and assistance to transit riders using the system, enhancing public awareness of crime prevention strategies and providing a security related function in matters of public safety, public interest and when the corporate business needs of the TTC require such action.

The limited powers and authorities being requested by the TTC from the Board for TEOs are consistent with those afforded to Special Constables employed by other large transit operators for fare and by-law enforcement functions. The dedicated uniform presence the TTC's TEOs provide in partnership with the Toronto Police Service's Transit Patrol Unit, serves to enhance public confidence in the safety and security of the transit system.

The TTC is committed to a full range of accountability to the Board. Powers and authorities conferred upon its TEOs by the Board will be exercised to meet the needs and expectations of the TTC and Toronto's transit community having full regard to the agreement between the TTC and the Board and in compliance with the policies, procedures and core values of the Toronto Police Service.

If you have any questions with regards to this business case please contact:

Paul Manherz

Acting Manager – Transit Enforcement Unit
Toronto Transit Commission
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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

#P247. AMENDMENT – APPOINTMENT OF ACTING CHAIR AND VICE CHAIR

The Board was in receipt of the following report September 26, 2013 from Alok Mukherjee, Chair:

Subject: Amendment – Appointment of Acting Chair and Acting Vice Chair

Recommendation:

It is recommended that the Board:

1. amend Board Minute No. P211/13 of August 13, 2013 to exempt Councillor Michael Thompson serving as Acting Chair of the Board from October 17 to October 18, 2013; and, instead, appoint another Board member as Acting Chair for those dates;
2. appoint a Board member as Acting Vice Chair from October 14 to October 16, 2013, inclusive;
3. ratify the appointment of Councillor Frances Nunziata, as acting Vice Chair of the Board from September 25 to October 6, 2013, inclusive.

Financial Implications:

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

Background/Purpose:

Councillor Michael Thompson, Vice-Chair, Toronto Police Services Board, has advised that he will not be able to perform the duties of Acting Chair from October 17 to October 18, 2013, as he will be out of country during these two days. Furthermore, he also will be out of the country from September 25 to October 6, 2013 inclusive and October 14 to October 16, 2013 inclusive

Discussion:

At its Board meeting dated August 13, 2013 (BM#P211/13), the Board approved appointments for Acting Chair and Acting Vice-Chair for periods of time when Vice Chair Thompson and I will not be available to perform the duties of Vice-Chair and Chair. The approved appointments, effective October 2013, are as listed below:

Appointments:
Oct. 17 - Oct. 18
Oct. 19 - Oct. 27
Oct. 28 - Nov. 03
Dec. 21 – Dec. 28

Chair
Councillor Thompson
Mr. Pringle
Councillor Thompson
Councillor Thompson

Vice-Chair
Mr. Pringle
Dr. Noria
Mr. Pringle
Dr. Noria

At the time of the August 13, 2013 Board meeting, Vice-Chair Thompson confirmed that he will be available to Act as Chair on the dates mentioned above. Due to a change in his schedule, however, he will not be able to act on October 17 and 18, 2013 as he will be out of the country. He will also be out of the country from September 25 to October 6, 2013 and October 14 to October 16, 2013.

To provide continuity of performing the duties and responsibilities that would normally be performed by the Vice-Chair on the period the Councillor Thompson is away from September 25 to October 6, 2013, I have appointed, effective immediately, Councillor Frances Nunziata as Acting Vice Chair. Her responsibilities will include the execution of legal contracts and personnel and labour relations documents.

As for the other dates, below is the revised schedule that still requires acting assignments:

<u>Appointments:</u>	<u>Chair</u>	<u>Vice-Chair</u>
Sept. 25 – Oct 5	Dr. Mukherjee	Councillor Nunziata
Oct 14 – Oct. 16	Dr . Mukherjee	
Oct. 17 - Oct. 18	_____	Mr. Pringle
Oct. 19 - Oct. 27	Mr. Pringle	Dr. Noria
Oct. 28 - Nov. 03	Councillor Thompson	Mr. Pringle
Dec. 21 – Dec. 28	Councillor Thompson	Dr. Noria

I am therefore requesting the Board to appoint another member as Acting Chair only for October 17 and October 18, and an acting Vice Chair for October 14 to October 16, inclusive. Alternately, Mr. Pringle, and Dr. Noria, subject to their availability can act as Chair and Vice-Chair respectively effective October 17.

Conclusion:

It is recommended that the Board:

1. amend Board Minute No. P211/13 of August 13, 2013 to exempt Councillor Michael Thompson serving as Acting Chair of the Board from October 17 to October 18, 2013; and, instead, appoint another Board member as Acting Chair for those dates;
2. appoint a Board member as Acting Vice Chair from October 14 to October 16, 2013, inclusive;
3. ratify the appointment of Councillor Frances Nunziata, as acting Vice Chair of the Board from September 25 to October 6, 2013, inclusive.

The Board approved the following Motions:

1. **THAT recommendation nos. 1 and 3 be approved;**
2. **THAT, with respect to recommendation no. 2, the Board appoint Councillor Del Grande to act as Acting Vice-Chair from October 14, 2013 to October 16, 2013, inclusive;**

cont...d

- 3. THAT the Board provide the Chair with standing authority to appoint an Acting Chair or Acting Vice-Chair on the occasions when the Chair and/or the Vice-Chair are unable to perform their duties; and**
- 4. THAT, in order to select a member to perform the responsibilities of Acting Chair and/or Acting Vice-Chair, the Chair contact the member who has the most board seniority and if that member is not available or unwilling to perform the acting responsibilities, the Chair contact the other members in descending order of seniority.**

Moved by: M. Thompson

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P248. BUSINESS CASE FOR COMMENCEMENT OF THE PROCESS TO FILL
THE VACANT POSITION OF DIRECTOR, HUMAN RESOURCES
MANAGEMENT**

The Board was in receipt of the following report September 25, 2013 from William Blair, Chief of Police:

Subject: BUSINESS CASE FOR COMMENCEMENT OF THE PROCESS TO FILL
THE VACANT POSITION OF DIRECTOR, HUMAN RESOURCES
MANAGEMENT

Recommendation:

It is recommended that the Board approve commencing the hiring process to fill the Director position in Human Resources Management.

Financial Implications:

The salary scale for the position Director, Human Resources Management is \$150,408.00 to \$173,945.00. Funds for the cost of this position are included in the Toronto Police Service's approved 2013 operating budget, as well as in the 2014 operating budget request.

Background/Purpose:

The Board, after considering the submission for the 2013 operating budget at its December 10, 2012 meeting, approved the following motions (Min. No. P299/12 refers):

2. *THAT, with the exception of communication operators, the Board direct that there be no hiring of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief; and*
3. *THAT, the Board direct that there be no promotion of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief.*

At its meeting on January 23, 2013, a report was submitted to the Board requesting approval to commence the hiring process for the positions of Director, Finance and Administration and Director, Human Resources Management. That report was deferred by the Board, and the Chief

was requested to provide detailed business cases for each position. In addition, the Chair was requested to consult with the City of Toronto regarding the City's Shared Services Study. (Min. No. P18/13 refers.)

At its meeting on February 19, 2013 the Board received three (3) reports from the Chief of Police, including individual business cases in support of initiating a full cycle recruitment process for the Director vacancies. Further, subsequent to the Board's request for the Chair to consult with the City, correspondence from Mr. Joseph Pennachetti, City Manager, City of Toronto, was provided regarding the City's Shared Services Study.

The reports were deferred by the Board. (Min. No. P38/13 refers.)

At its meeting on April 25, 2013, the Board received a report from Chair Alok Mukherjee relating to the commencement of the recruitment/hire process for the Director vacancies in Finance and Administration and Human Resources Management. The Board approved commencing the process to staff the vacant Director, Finance & Administration.

However, the Board deferred commencing the recruitment/hire process for the Director of Human Resources Management position. (Min. No. P104/13 refers.)

This report requests approval to commence the hiring process for the vacant Director, Human Resources Management position, and is in a prescribed format that has been reviewed and approved by the Board Chair.

Discussion:

The Toronto Police Service is comprised of close to 8000 members who work in a multifaceted operational and labour relations environment. Since February 4, 2013, the Director of Human Resources Management has been staffed on a temporary basis with a uniform senior officer. It is essential that this position be filled on a permanent basis by a knowledgeable and experienced human resources professional.

Benefits of Approving the Recommendation:

The Director of Human Resources Management is a key executive leadership position that oversees and provides advice on all aspects of the large and critical human resources component of the Service. Specifically, the position oversees and develops strategies for human resource programs such as uniform and civilian recruitment, staff planning, compensation management, labour relations, grievance and employment-related human rights administration/case management, as well as collective agreement interpretation, application and administration. It is also responsible for psychological services and diversity management, occupational health safety (which includes Workplace Safety and Insurance Act and Medical Advisory Services), and will lead the establishment of a new workforce performance management unit, as recommended by Accenture in its Organizational Structure Review of the Service. The Director is a key part of the Service's executive management team, and is expected to lead and continue the transformation of the Service into an effective and progressive organization.

At its meeting on June 20, 2013, the Chief's Internal Organizational Review Team (CIORT) provided the Board with an update with respect to its comprehensive internal review (Min. No. P164/13 refers). There are several efficiency improvement initiatives currently underway, and others which will span into 2014 implementation timelines. These projects involve elements of civilianization, redeployment, creation of new units and staffing new positions, potential changes to work schedules and procedures. It is evident that strategic human resources planning and guidance is necessary to ensure compliance with standards and best practices, and help ensure success. The Director position is critical to providing the necessary leadership and oversight of that process, from a human resource and related processes/agreements perspective.

Risks of Not Approving the Recommendation:

If the request to fill this vacant position is not approved, the ability to ensure that the Service is in compliance with legislative and policy requirements may be comprised. In addition, the leadership required to move forward and implement continuous improvement initiatives which will make the Service's large labour force more effective and efficient will suffer. Essentially, a complex, multifaceted and labour intensive organization with close to 8000 people would operate without an experienced Director to lead, oversee and improve the various human resource related services and functions.

How the Recommendations Support the Board's Business Plan and TPS Strategic Objectives:

The Director, Human Resources Management is a key advisor on all matters within the human resources portfolio, including labour relations, grievance and employment related human right administration and collective agreement interpretation, application and administration. It also plays a key role in furthering the Service's diversity objectives as well as the safety and well-being of our members. The position ensures legislative and policy compliance with respect to human resource related matters to protect, support and advance the Service's goals to provide efficient and effective policing services.

This position provides advice and guidance to the senior management of the Service, Command Officers, Chief of Police and the Board in all aspects of human resources management, to again ensure compliance with policies and legislation and further the public safety goals of the Service.

As a member of the Service's senior management team, this position ensures that a corporate perspective is applied to all individual units within its directorate, to ensure the services and activities of those units guide and contribute to operational units achieving their public safety goals and priorities.

Impact of Toronto Police Service Organizational Structure Review and City Manager's Shared Services Study:

The Accenture organizational structure review recommended that the Human Resources Management be a separate pillar, led by a Director, within Administrative Command.

The City of Toronto Shared Services Study – Final Report, was reported to the Board at its meeting on June 20, 2013 (Min. No. 158/13 refers.) At this meeting the Board was also in receipt of correspondence from Mr. Joseph Pennachetti, City Manager, who reported that City Council voted unanimously to adopt all of the shared services opportunities contained in the KPMG report. In his letter dated June 17, 2013 Mr. Pennachetti indicated he and the City’s Executive Director of Human Resources would work with the Chair of the Police Services Board on strategic labour relations initiatives for upcoming collective bargaining.

Of the twenty recommendations, four are within the human resources management field, namely Labour Relations, Occupational Health & Safety, Human Resources Information Systems and Payroll & Benefits. However, the level of synergy and interaction in these areas will vary and could involve the establishment of common standards as well as the sharing of best practices and systems across the City, where feasible. In addition, the four aforementioned human resource areas represent only a fraction of the overall HR Director’s portfolio. The HR Director has oversight of Diversity Management, Employment, Employee Records, Compensation, Psychological Services, Medical Advisory Services, Critical Incident Response Team (CIRT)/Employee Family Assistance Program (EFAP), and Staff Planning as well as the new Workforce Performance Unit. Ensuring the Service HR Director is in place prior to the implementation of the shared services study recommendations would help facilitate a successful outcome.

Based on the City Manger’s shared services study, the Service’s Director, Human Resources Management position is not impacted by the recommendations in that report. Therefore, filling the vacant position of Director, Human Resources Management is critical given the in-depth operational knowledge, complexity and expertise required, particularly in a large policing organization like the Toronto Police Service.

Alternative Options Considered Prior to the Recommendations:

It would not be feasible for the diverse human resource units to report directly to the Chief Administrative Officer (CAO), as the CAO position also oversees the Finance and Administration directorate and the Information Technology Service directorate. Dispersing the units to other directorates within the Service is also not appropriate or viable given the unique expertise, knowledge and experience required to lead the human resources management component of a large and complex organization like the Service.

Impact on the 2013 Operating/Capital Budgets:

The vacant position is part of the Service’s approved civilian establishment and the associated costs for salary and benefits are included in the Service’s approved 2013 operating budget as well as in the 2014 operating budget request.

Conclusion:

It is imperative that the operational needs and professional oversight of human resources units be addressed, particularly in a complex organization like the Toronto Police Service with close to

8000 members. The Director, Human Resources Management position has been vacant for over eight months. This is a key leadership position that oversees and provides advice on all matters within the human resources portfolio. The individual hired in this position will be expected to provide input into the restructuring of the human resource pillar within Administrative Command, and will be a key advisor to the implementation of CIOR initiatives. It will be difficult for the Service to move forward successfully on these and future change management initiatives without a knowledgeable and experienced human resource leader in place. Finally, neither the Accenture organizational structure review nor the City Manager's shared services questioned the need for a Director, Human Resource Management in the Service.

It is therefore strongly recommended that the Board approve the commencement of job posting/promotional and/or recruitment/hire process for the Director vacancy in Human Resources Management.

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

Chief Blair responded to questions by the Board about the foregoing report.

The Board approved the following Motions:

- 1. THAT the Board approve the foregoing report; and**
- 2. THAT the Chair, in consultation with the Chief, review the current provision of staff support to the Board in light of the Board's statutory responsibilities with respect to human resources and labour relations and in light of the City's shared-services recommendations pertaining to strategic bargaining priorities; and that he submit a report for the December 2013 meeting on any structural changes that would better support the Board's efforts to fulfill its statutory responsibilities with regard to labour relations.**

Moved by: M. Moliner

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P249. BUSINESS CASE FOR THE COMMENCEMENT OF THE PROCESS TO
FILL FIVE (5) POSITIONS IN LEGAL SERVICES**

The Board was in receipt of the following report September 26, 2013 from William Blair, Chief of Police:

Subject: BUSINESS CASES FOR THE COMMENCEMENT OF THE PROCESS TO FILL FIVE (5) POSITIONS IN LEGAL SERVICES: (1) LEGAL RESEARCHER; (2) LAW CLERK; (3) COURT PROCESSING COORDINATOR; (4) HUMAN RIGHTS COORDINATOR; AND (5) EXECUTIVE ASSISTANT.

Recommendation:

It is recommended that the Board approve commencing the hiring process to fill:

- (1) the vacant Legal Researcher position in Legal Services (LSV);
- (2) the vacant Law Clerk position in LSV;
- (3) the vacant Court Processing Coordinator position in LSV;
- (4) the vacant Human Rights Coordinator position in LSV; and
- (5) the Executive Assistant position in LSV that will be vacant as of November 1, 2013.

Financial Implications:

The funding for the following five (5) positions has been included in the Toronto Police Service (Service) 2013 approved operating budget and the 2014 operating budget request. There are no financial implications with respect to these positions as they are currently established positions.

The reason for the vacancies and applicable salary scales are as follows:

1. The Legal Researcher (Class A10) is vacant because the incumbent resigned from the Service. The pay scale is \$73,553.00 to \$84,939.00
2. The Law Clerk (Class A06) is vacant because the incumbent was promoted within the Service. The pay scale is \$54,510.00 to \$61,372.00

3. The Court Processing Coordinator (Class A07) is vacant because the incumbent resigned from the Service. The pay scale is \$59,247.00 to \$66,137.00
4. The Human Rights Coordinator (Class A07) is vacant because the incumbent resigned from the Service. The pay scale is \$59,247.00 to \$66,137.00
5. The Executive Assistant (Class Z22) will be vacated when the incumbent retires from the Service effective November 1, 2013. The pay scale for the position is \$64,175.00 to \$74,300.00

Background/Purpose:

The Board, after considering the submission for the 2013 operating budget at its December 10, 2012 meeting, approved the following motions (Min. No. P299/12 refers):

2. *THAT, with the exception of communication operators, the Board direct that there be no hiring of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief; and*
 -
3. *THAT, the Board direct that there be no promotion of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief.*

This report is in a prescribed format that has been reviewed and approved by the Board Chair.

Discussion:

Legal Services is mandated to provide legal advice to the Chief of Police and all other members of the Service. The Unit identifies and manages risks pertaining to civil, criminal and corporate liability. Legal Services is responsible for drafting and negotiating legal agreements and documents that appropriately protect the interests of the Service and its members. The Unit manages all civil actions and external human rights complaints brought against the Toronto Police Services Board, the Chief of Police, Command Officers and other members of the Service. Legal Services coordinates timely responses to court processes, including subpoenas, summonses, court orders and motions, and upon request, reviews complaint investigation files and briefs from Professional Standards and Divisions.

Legal Services has ten (10) permanent members. At present, four (4) of the positions are vacant and one (1) position will be vacant as of November 1, 2013. Some of these positions have been vacant, staffed only by temporary means, for over a year. The highly specialized functions assigned to members of the Unit are necessary to fulfil legal obligations owed to the courts and/or outside partners, agencies and boards. The positions require specialized training,

knowledge, judgement and discernment in order to fulfil disclosure obligations in criminal proceedings and in matters involving risk to public safety. Ensuring compliance with the Service's obligations is imperative to manage highly-visible legal risks. Many of these obligations have an impact on the rights of participants in on-going legal proceedings. Failure to manage these obligations has potential to attract judicial censure as well as adverse media attention. The functions performed in these roles provide necessary support and significantly reduce the time requirements imposed on legal Counsel to perform these procedural functions.

The total budget for 2013 for Legal Services is \$1,103,200.00, including salaries and benefits with an authorized establishment of:

- one (1) Lead Counsel
- one (1) Counsel
- one (1) Executive Assistant (member is retiring on October 31, 2013)
- one (1) Legal Researcher
- two (2) Court Processing Coordinators (one position currently vacant)
- one (1) Human Rights Coordinator (currently vacant)
- one (1) Civil Litigation Coordinator
- one (1) Law Clerk (currently vacant)
- one (1) Class 4 Clerk

A Business Case has been prepared for each position. They are attached as appendices to this report.

The Executive Assistant position becomes vacant on November 1, 2013, upon the incumbent's retirement from the Service. The Executive Assistant position plays a crucial role in providing the necessary administrative support to Lead Counsel and Counsel so that Counsel's time is spent undertaking legal work rather than administrative duties.

The remaining four (4) positions that are currently vacant, and are being filled on a temporary basis, are: Legal Researcher; Court Processing Coordinator; Human Rights Coordinator and Law Clerk. It is not appropriate to staff these highly specialized positions on a temporary basis with unskilled clerks. To date the positions have been filled without competition by temporary actors and clerks. This has entailed considerable supervision and training. There is significant risk to the Service that failure to comply with obligations to the required legal standard could result in consequences ranging from criticism by the courts to judicial findings of contempt against the Board, the Chief of Police and other members of the Service. The preference is to stabilize the work force and attract and retain skilled help whose work may be supervised by in-house Counsel.

Conclusion:

There is significant risk associated with not staffing the five (5) positions in Legal Services. Therefore, it is recommended that the Board approve the commencement of the hiring process to

fill the positions of Legal Researcher, Law Clerk, Court Processing Coordinator, Human Rights Coordinator and Executive Assistant.

Deputy Chief Mike Federico, Corporate Command will be in attendance to answer any questions from the Board.

The following Motion was submitted to the Board:

THAT the Board approve the Chief's report.

A request for a recorded vote on the foregoing Motion was submitted in accordance with section 22 of the Board's Procedural By-Law No. 107.

The voting was recorded as follows:

For

**Chair Mukherjee
Mr. Pringle
Councillor Del Grande
Ms. Moliner**

Opposed

**Councillor Thompson
Councillor Nunziata**

The foregoing Motion was approved.

Moved by: A. Mukherjee

Appendix “A”

Position Responsibilities - Legal Researcher:

- Under direction of Counsel, researching and drafting documents such as, but not limited to, policies, position papers, reports, waivers, agreements and resolutions
- Searching information sources and conducting research for the preparation of reports, legal opinions, policies and position papers
- Preparing and typing legal documents, assisting Service Units in the preparation of Board reports and preparing correspondence and information for the office of the Chief of Police, as requested
- Responding to routine inquiries from members of the Service, representatives of various government agencies, members of the legal profession or the general public
- Providing assistance to the Unit Clerk and the Civil Liaison Coordinator
- Consulting with members of the Service, other police services, representatives of various government agencies, and members of the legal profession on various legal matters
- Representing Counsel on various committees
- Reviewing and analyzing various legal and government publications for information that may affect the Unit or the Service

The volume of agreements with external agencies reviewed by the Legal Researcher is:

- 73 agreements from January to December 2012
- 99 new agreements have arisen from January 2013 to September 2013
- It is expected that the overall demand for services will more than double in this fiscal year

Benefits of Approving the Recommendations:

- Create cost efficiency in providing assistance to Counsel in coordinating the responses and drafting memoranda of understanding, agreements and contracts
- Continue to facilitate high impact agreements between external bodies (governmental and non-governmental) for the exchange of personnel, equipment and services or the sharing of sensitive information
- Continue to provide the facilitation of visible programs, relationships and activities

- Continue to provide a centralized perspective and contact to internal and external stakeholders
- Mitigate the risk caused by inconsistency and lack of consultation in the drafting of memoranda of understanding, agreements and contract
- Identify areas of corporate, operational, financial and legal risks to the Service

Risks of Not Approving the Recommendations:

- Research and drafting agreements are a full-time job. There are tremendous cost inefficiencies in assigning research and drafting tasks to legal Counsel
- Decreased level of customer service to internal units and external agencies
- Adverse effect on the reputation of the Service
- Discontinuation of the creation and review of Memoranda of Understanding, Agreements, and Certificates of Insurance
- Delay in responding to internal and external inquiries
- Failure to maintain the current centralized bank of agreements in the Service
- Jeopardy to relationships with internal stakeholders such as the Chief of Police, the Toronto Police Services Board, Corporate Communications, Divisions and other Units
- Inability to reduce overtime and call-back hours within a reduced premium pay budget environment
- Inability for the Service to respond to or control “burn out” of Legal Services team members

How the Recommendations Support the Board’s Business Plan and TPS Strategic Objectives

The Legal Researcher position supports the Service Priority of Delivering Inclusive Police Services. This position assists in providing professional, high quality, customer-focused service to the members of the community. The position also ensures that interactions with other Service members are professional, non-biased and respectful, which increases the proportion of members who say they are satisfied with their work environment.

Alternative Options Considered Prior to the Recommendations

- Re-distribution of work: this is not possible because of the rank structures, skillsets, expertise and knowledge required to perform the duties of the Legal Researcher. This type of knowledge is something that cannot be established quickly as it requires specialized legal and organizational knowledge to fill the position. Members of Legal

Services are already performing their own job as well as providing administrative assistance to Court Processing section. This has resulted in a substantial amount of overtime being incurred and members of the Unit falling behind in their own areas

- Career development: this has been partially successful in this position, however there is no guarantee as to when the member will be called back to their home unit as the majority of the Service is currently understaffed
- Staffing this position with another member of Legal Services: this would result in abandoning the duties of another position and a significant training period to become responsive to the specialized demands

Impact on the 2013 Operating/Capital Budgets

The Legal Researcher position is part of the Service's civilian establishment and the associated costs are included in the approved 2013 operating budget.

The targeted gapping savings for 2013 is \$6.0 million. During 2013, the Service has experienced more uniform members on unpaid leaves than what had been estimated and civilian separations have been higher than what had been assumed for the 2013 budget and it has taken longer than anticipated to obtain approvals for replacement hires. As a result, the Service is projecting, as at May 31, 2013, to exceed the Board's required gapping savings by \$2.1 million by year-end. Therefore, the hiring of the staff as recommended in this report will not have a negative impact towards achieving the salary gapping target approved by the Board.

Filling this position allows the unit to continue current operations.

Appendix “B”

Position Responsibilities – Law Clerk:

- Typing and/or transcribing correspondence, legal opinions, briefs, court forms, agreements, waivers, legal documents and memoranda
- Processing applications/appointments for Commissioners for the Taking of Affidavits with the Ministry of Attorney General, and maintaining all relevant records
- Preparing responses to routine requests for disclosure of police records to agencies and Crowns
- Maintaining up-to-date records, statutes, information and filing systems.
- Maintaining Legal Services Library including correspondence, telephone, etc. as required
- Formatting, submitting and monitoring reports for presentation to the Police Services Board
- Assisting in the preparation of the unit budget

The volume of files assigned to and reviewed by the Law Clerk is:

-
- 219 files as of September 2013, while managing 201 Commissioner of Oaths appointments on behalf of the Service

Benefits of Approving the Recommendations:

- Creates cost efficiency in providing assistance to Counsel in purely administrative tasks
- Continues to manage the Commissioners of Oath appointments and records throughout the Service
- Continues to draft legal pleadings as required by the Rules of the Courts
- Continues to respond to routine requests for disclosure of police records to agencies and Crowns
- Continues to facilitate disclosure in criminal cases to prevent them from being delayed or stayed with adverse consequences
- Continues to be assigned to files relating to professionals, including teachers, doctors and nurses facing criminal charges who pose a potential threat to public safety

Risks of Not Approving the Recommendations:

- There are tremendous cost inefficiencies in assigning Law Clerk duties to Counsel
- Failure to provide disclosure to professional regulatory bodies so that they can place conditions, when necessary, on members (doctors, teachers, nurses) facing criminal charges who pose a potential threat to public safety
- Failure to provide the professional bodies with timely information required for discipline proceedings
- Create the potential for civil liability for the Board and the Service who have a duty to protect the public and a duty to warn
- Create grievance opportunities for contravening the Civilian Collective Agreement by allowing a temporary clerk to perform the duties of a Class 6 Law Clerk
- Cease or decrease the response time for the facilitation of disclosure for criminal cases running the risk of criminal cases being stayed or delayed with adverse consequences
- Damage to the reputation of the Service as well as the administration of criminal justice
- Incur the risk of judicial sanctions against the Service for failure to comply with disclosure requirements, ranging from censure by the Court, proceedings being stayed in criminal matters, and findings of contempt against the Chief and members of the Legal Services Unit
- Create the potential to attract negative media attention should sanctions be imposed
- Cease to obtain Commissioner of Oaths status for Service members, which will force officers to attend a Justice of the Peace to have their documents sworn; the cost of doing business would rise and productivity would decrease
- Create a risk of embarrassment to the Service and possibly jeopardize the good relationship we currently have with outside Services, including the Ministry of the Attorney General and the Justice of the Peace Office

How the Recommendations Support the Board's Business Plan and TPS Strategic Objectives

The Law Clerk position supports the Focusing on Child and Youth Safety Service Priority by ensuring that all assigned files relating to professionals, including teachers, doctors and nurses facing criminal charges who pose a potential threat to public safety, including children, are dealt with appropriately in a timely manner. This includes the notification of governing bodies and employers of the professionals' criminal charges and the risks posed to the public.

Alternative Options Considered Prior to the Recommendations

A number of options were considered as alternatives to permanently staffing these positions, such as:

- Re-distribution of work: this is not possible because of the rank structures, skillsets, expertise and knowledge required to perform the duties of the Legal Researcher. This type of knowledge is something that cannot be established quickly as specialized legal and organizational knowledge is required to fill the position. Members of Legal Services are already performing their own job as well as providing administrative assistance to the Court Processing section. This has resulted in a substantial amount of overtime being incurred and members of the Unit falling behind in their own areas
- Hiring temporary staff: this has been successful to a degree, however having a temporary Class 4 Clerk performing the duties of a Class 6 Law Clerk, without acting pay, puts Legal Services at risk for a grievance from the Association. Also, the member acting in this position may also grieve because s/he is not being compensated for the level of work being performed
- Staffing this position with another member of Legal Services: this would result in abandoning the duties of another position and a significant training period to become responsive to the specialized demands

Impact on the 2013 Operating/Capital Budgets

The five (5) positions are part of the Service's civilian establishment and the associated costs are included in the approved 2013 operating budget.

The targeted gapping savings for 2013 is \$6.0 million. During 2013, the Service has experienced more uniform members on unpaid leaves than what had been estimated and civilian separations have been higher than what had been assumed for the 2013 budget and it has taken longer than anticipated to obtain approvals for replacement hires. As a result, the Service is projecting, as at May 31, 2013, to exceed the Board's required gapping savings by \$2.1 million by year-end. Therefore, the hiring of the staff as recommended in this report will not have a negative impact on the salary gapping target approved by the Board.

Filling these positions allows the unit to continue current operations.

Appendix “C”

Position Responsibilities – Court Processing Coordinator

- Responds to various criminal and civil court processes (subpoenas, summonses, applications), which requires an analysis of what records are required and permitted to be produced by law
- Drafts correspondence to requesting Counsel outlining the Service’s position
- Prepares affidavits in response to court processes
- Under the supervision of in-house Counsel, reviews and drafts proposed draft orders, which involve negotiating the terms of the draft order with requesting Counsel
- Liaises with in-house and outside Counsel as well as all levels of Service personnel in order to respond to various court processes
- Utilizes the Service’s various computerized systems and applications, including PSIS, ICAD, CPIC, MANIX, COPS eCOPS, ICON, HRMS and RICI, to obtain materials responsive to court processes
- Sorts, edits, vets and prepares responsive materials for court to ensure accuracy and completeness of response while protecting materials over which privilege may be asserted
- Maintains awareness and a thorough understanding of relevant legislation, jurisprudence and TPS policies and procedures to ensure compliance with respect to the disclosure and production of information, including but not limited to, freedom of information, police discipline, criminal, civil and youth disclosure and various forms of privilege
- Liaise with the Ministry of the Attorney General, Crown Law-Civil and Crown Law Criminal, and outside Counsel to ensure records are screened in compliance with the process outlined by the Ontario Court of Appeal in the matter of P. (D.) v. Wagg
- Organizes and prioritizes work according to court-imposed deadlines
- Attends court, as necessary, to present evidence in respect of the Service’s response to court processes
- Creates and maintains files in response to court processes, manages the file database and prepares monthly statistics in relation to workload
- Responds to inquiries from the public and members of the Service and provides guidance/direction accordingly

The volume of documents produced by the Court Processing Coordinators, including subpoenas, summonses, court orders, motions and applications is:

- To date in 2013, the Court Processing Section has opened 306 new files, while managing and maintaining an additional 190 active files from the previous year
- Responding to these files is not optional; there is a legal duty in law to appropriately respond

Benefits of Approving the Recommendations:

- Create cost efficiency in providing assistance to Counsel in coordinating the responses to the courts, tribunals and various agencies
- Reduce the amount of overtime currently being incurred in Legal Services to assist the Court Processing unit
- Maintain the Service's duty to the courts by complying courts orders meeting with court imposed deadlines
- Continue to respond appropriately to prevent court orders from being made against the Service for production of sensitive materials that should not be disclosed in the public interest
- Prevent censure by the Court, assessment of costs against the Service and findings of contempt
- Prevent the potential of negative media attention and damage to the Service's reputation

Risks of Not Approving the Recommendations:

- There is tremendous cost inefficiencies in delegating the work of the Class 7 Clerk to Counsel
- Failure to appropriately respond to subpoenas for criminal cases on a very short turnaround time may lead to criminal cases being stayed or delayed with adverse consequences for the Service and the administration of justice
- Create a potential for negative media attention and damage to the Service's reputation for failure to respond in a timely fashion to Orders of the court
- Failure to respond to legal processes in the civil and regulatory areas may lead to Orders being made against the Service for disclosure of sensitive materials that should not be disclosed in the public interest

- Create a potential for censure by the Court, assessment of costs against the Service and findings of contempt
- Jeopardize the good relationship we currently have with the Ministry of the Attorney General, as well as with the judiciary

How the Recommendations Support the Board's Business Plan and TPS Strategic Objectives:

The Court Processing Coordinator's position supports the Service Priority of Child & Youth Safety, in that various Children's Aid Societies seek production of relevant Service procedures for the purpose of child in need of protection hearings. The Court Processing Section aids in decreasing the victimization of children and youth.

Alternative Options Considered Prior to the Recommendations:

A number of options were considered as alternatives to permanently staffing these positions, such as:

- Re-distribution of work: this is not possible because of the rank structures, skillsets, expertise and knowledge required to perform the duties of the Legal Researcher. This type of knowledge is something that cannot be established quickly as specialized legal and organizational knowledge is required to fill the position. Members of Legal Services are already performing their own job as well as providing administrative assistance to the Court Processing section. This has resulted in a substantial amount of overtime being incurred and members of the Unit falling behind in their own areas
- Career development: this has been partially successful, however there is no guarantee as to when the member will be called back to their home unit as the majority of the Service is currently understaffed
- Hiring temporary staff: this has been successful to a degree, however having a temporary Class 4 Clerk performing the duties of a Class 7 Law Clerk, without acting pay, puts Legal Services at risk for a grievance from the Association. Also, the member acting in this position may also grieve because s/he is not being compensated for the level of work being performed
- Staffing this position with another member of Legal Services: this would result in abandoning the duties of another position and a significant training period to become responsive to the specialized demands

Impact on the 2013 Operating/Capital Budgets

The five (5) positions are part of the Service's civilian establishment and the associated costs are included in the approved 2013 operating budget.

The targeted gapping savings for 2013 is \$6.0 million. During 2013, the Service has experienced more uniform members on unpaid leaves than what had been estimated and civilian separations have been higher than what had been assumed for the 2013 budget and it has taken longer than anticipated to obtain approvals for replacement hires. As a result, the Service is projecting, as at May 31, 2013, to exceed the Board's required gapping savings by \$2.1 million by year-end. Therefore, the hiring of the staff as recommended in this report will not have a negative impact on achieving the salary gapping target approved by the Board.

Filling these positions allows the unit to continue current operations.

Appendix “D”

Position Responsibilities –The Human Rights Coordinator

- Ensure the timely processing of human rights applications and compliance with human rights and legal case management procedures, adhering to established deadlines
- Keep Counsel apprised of critical deadlines and issues
- Identifies areas of risk or concern to the Service that require immediate attention and discusses areas of risk or concern with Service Counsel
- Initiates case management files for human rights applications
- Reviews incoming documents for accuracy and completeness and meets with Counsel to advise of any discrepancies
- Identifies, locates and secures all relevant information and materials, including files, memorandum book of notes, statements, emails, video files, etc. and provides it to Counsel
- Provides information and assistance to Service members on human rights matters and processes
- Researches operational issues for Counsel in order to respond to human rights applications, including those seeking public interest remedies against the Chief of Police and Toronto Police Services Board
- Maintains appropriate files on external human rights cases involving the Service
- Communicates with outside Counsel retained by the City of Toronto, Unit Commanders and unit members with respect to human rights complaints
- Coordinates and organizes the monthly Human Rights Case Review Committee meetings
- Drafts board reports for the Toronto Police Services Board on new external human rights applications and significant developments in on-going human rights applications
- Provides review of human rights files as part of background checks on members seeking promotion, re-hire, reclassification, awards, resignations and retirements
- May be required to deliver presentations to other Service members on human rights cases and related processes

This position is responsible for coordinating and managing all human rights complaints filed against the Chief of Police, Toronto Police Services Board and members of the Service. As part of his/her duties, the Human Rights Coordinator provides administrative support in the preparation of investigations, mediations, conciliations and hearings under the direction of Counsel in Legal Services, and in conjunction with members of various units within the Service.

The volume of files assigned to the Human Rights Coordinator is:

- 21 files as of September, 2013
- Quarterly Board reports as well as an Annual Board Report

It should be noted that human rights cases are typically the largest working files requiring the highest volume of work in Legal Services

Benefits of Approving the Recommendations:

Filling this vacancy in Legal Services would allow for the following benefits:

- Create cost efficiency in providing assistance to Counsel in coordinating the administrative responses to the Courts and various agencies
- Maintain the high level of discretion and judgment to respond appropriately on behalf of the Chief of Police, Toronto Police Services Board and members of the Service
- Continue to manage all external human rights complaints which have very short turnaround times and involve complex issues
- Prevent judgements from being issued against the Chief of Police and the Toronto Police Services Board with adverse consequences, such as findings of liability and public interest remedies

Risks of Not Approving the Recommendations:

- Create cost efficiency in providing assistance to Counsel in coordinating the responses to the Courts and various agencies
- Cease to manage external human rights complaints made against the Service and as a consequence, Counsel assigned to the file would not be able to defend against allegations of discriminations
- Avoid an Order being made against the Service, which could include public interest remedies, stemming from the failure to provide relevant information to Counsel

How the Recommendations Support the Board's Business Plan and TPS Strategic Objectives

The Human Rights Coordinator's position supports the Service Priority of Delivering Inclusive Police Services. This position adheres to the guidelines of the Human Rights Tribunal of Ontario and aids in the facilitation and/or mediation of external Human Rights complaints against the Service.

Alternative Options Considered Prior to the Recommendations

A number of options were considered as alternatives to permanently staffing these positions, such as:

- Re-distribution of work: this is not possible because of the rank structures, skillsets, expertise and knowledge required to perform the duties of the Legal Researcher. This type of knowledge is something that cannot be established quickly as specialized legal and organizational knowledge is required to fill the position. Members of Legal Services are already performing their own job as well as providing administrative assistance to the Court Processing section. This has resulted in a substantial amount of overtime being incurred and members of the Unit falling behind in their own areas
- Career development: this has been partially successful, however there is no guarantee as to when the member will be called back to their home unit as the majority of the Service is currently understaffed
- Staffing this position with another member of Legal Services: this would result in abandoning the duties of another position and a significant training period to become responsive to the specialized demands

Impact on the 2013 Operating/Capital Budgets

The five (5) positions are part of the Service's civilian establishment and the associated costs are included in the approved 2013 operating budget.

The targeted gapping savings for 2013 is \$6.0 million. During 2013, the Service has experienced more uniform members on unpaid leaves than what had been estimated and civilian separations have been higher than what had been assumed for the 2013 budget and it has taken longer than anticipated to obtain approvals for replacement hires. As a result, the Service is projecting, as at May 31, 2013, to exceed the Board's required gapping savings by \$2.1 million by year-end. Therefore, the hiring of the staff as recommended in this report will not have a negative impact towards achieving the salary gapping target approved by the Board.

Filling these positions allows the unit to continue current operations.

Appendix “E”

Position Responsibilities –Executive Assistant

- Provides efficient executive administrative services to Lead Counsel and assists in the execution of some of Counsel’s administrative and supervisory responsibilities
- Monitors and prioritizes incoming correspondence and drafts correspondence on behalf of Lead Counsel
- Types correspondence, reports, legal memoranda and other documents
- Prepares agendas, attends meetings and takes minutes for distribution
- Prepares Board Reports as requested and follows up on any action required by the Board or Chief
- Ensures knowledge of issues of the day and critical events and identifies any emerging issues to Lead Counsel
- Maintains effective time management by controlling access to Lead Counsel, answering screening inquiries where necessary, and addressing inquiries to appropriate responsible person
- Obtains relevant information to provide Lead Counsel when a legal opinion has been sought
- Supervises the activities of the clerical support personnel within the unit to ensure work is properly processed
- Maintains an aide-memoire system for filing deadlines, appointments, court appearances, due dates
- Coordinates travel arrangements and prepares the proper paperwork for registration, authorization, expenses of all Counsel
- Ensures that professional membership dues are held in good account and arranges for payment of same
- Ensures that professional legal education obligations of Counsel are identified and fulfilled
- Ensures all invoices are entered into SAP for payment in a timely fashion
- Monitors the budget expenditures and available balances, as well as completes the Budget Variance Reports for Lead Counsel
- Coordinates and prioritizes assignments, ensuring deadlines are met

Benefits of Approving the Recommendations:

- Creates cost efficiency in providing assistance to Counsel in managing the day-to-day administrative operations and supervising members of the Unit
- Ensures administrative functions and authorizations are undertaken at an appropriate rate of pay
- Provides administrative support to Lead Counsel to allow Counsel to focus on legal work rather than administrative duties
- Ensures that all administrative documents, reports and agendas that are created in the Unit are accurate in content and form
- Keeps Counsel apprised of and in compliance with professional responsibilities

Risks of Not Approving the Recommendations:

- Creates cost efficiency in providing assistance to Counsel in coordinating administrative responses
- Lead Counsel must become embroiled in the day-to-day administrative functions of Legal Services including supervising and counselling office members as well as authorizing all overtime and time off, leaving much less time to undertake legal work and proactive legal risk management initiatives on behalf of the Chief and the Service

How the Recommendations Support the Board's Business Plan and TPS Strategic Objectives

The Executive Assistant position supports the Service Priority of Delivering Inclusive Police Services. This position assists in providing professional, high quality, customer-focused service to the members of the community. The position also ensures that interactions with other Service members are professional, non-biased and respectful and it increases the proportion of members who say they are satisfied with their work environment.

Alternative Options Considered Prior to the Recommendations

A number of options were considered as alternatives to permanently staffing these positions, such as:

- Re-distribution of work: not possible because of the rank structures, skillsets, expertise and knowledge required to perform this position in Legal Services. This type of knowledge is not something that can be established quickly as specialized administrative skills and organizational knowledge is required to fill the position. Some members of Legal Services are performing their own job as well as providing administrative

assistance to Court Processing section to keep it operating. This has resulted in a substantial amount of overtime being incurred and members of the Unit falling behind in their own areas

- Career development: this has been partially successful, however there is no guarantee as to when the member will be called back to their home unit as the majority of the Service is currently understaffed
- Staffing this position with another member of Legal Services: this would result in abandoning the duties of one position or the other and a significant training period to become responsive to the specialized demands. As this is a Civilian Senior Officer position, acting pay would be required creating an additional burden on the Unit's budget

Impact on the 2013 Operating/Capital Budgets

The five (5) positions are part of the Service's civilian establishment and the associated costs are included in the approved 2013 operating budget.

The targeted gapping savings for 2013 is \$6.0 million. During 2013, the Service has experienced more uniform members on unpaid leaves than what had been estimated and civilian separations have been higher than what had been assumed for the 2013 budget and it has taken longer than anticipated to obtain approvals for replacement hires. As a result, the Service is projecting, as at May 31, 2013, to exceed the Board's required gapping savings by \$2.1 million by year-end. Therefore, the hiring of the staff as recommended in this report will not have a negative impact towards achieving the salary gapping target approved by the Board.

Filling this position allows the unit to continue current operations.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P250. SPECIAL FUND REQUEST: ELSPETH HEYWORTH CENTRE FOR
WOMEN**

The Board was in receipt of the following report September 26, 2013 from Alok Mukherjee, Chair:

Subject: SPECIAL FUND REQUEST: ELSPETH HEYWORTH CENTRE FOR
WOMEN

Recommendation:

It is recommended that the Board approve \$10,000 from the Special Fund to cover the cost of the production and distribution of a publication by Elspeth Heyworth Centre for Women, which will address issues of domestic abuse in newcomer and immigrant communities in Toronto.

Financial Implications:

If the recommendation contained in this report is approved, the Special Fund will be reduced in the amount of \$10,000. The current balance of the Special Fund as at June 30, 2013 is \$1,557,017.00.

Background/Purpose:

Established in 1992, Elspeth Heyworth Centre for Women provides services for newcomer and immigrant population. Over the last two decades of working closely with women, EHCW has recognized that a large number of women are not aware that domestic abuse can be reported to police authority and that they are not aware of the services available to assist them.

Focussing on services geared towards women who have experienced domestic abuse, EHCW's relationship with Toronto Police Service 31 Division has thrived, as the two partners have collaborated and work very closely to deliver the Reduce Abuse Program. The Reduce Abuse Program provide women with face to face and group counselling, assist women with addressing situations pertaining to domestic abuse, help women outline future goals and ways to work toward achieving them, provide skills development and assist women to develop decision making skills. 31 Division officers provide weekly presentations to EHCW program participants to educate them about their rights and responsibilities with respect to domestic abuse, as well as educating them about the protocols followed by 31 Division when violence is reported. As well, 31 Division provide program participants with tours of the location, to educate them about processes followed by police when domestic violence is reported.

EHCW deals with an average of 400 cases of domestic abuse each year, with approximately 389 women facing violence at home visiting the centre in 2012. EHCW provides a vital service to newcomer and immigrant communities and has received the Mayor's Community Safety Award for its significant community work.

Discussion:

On February 2013, the Reduce Abuse Program held a forum entitled "Reduce Abuse – The Change Begins," with the purpose of engaging women and community leaders in open, one on one dialogue with regard to domestic abuse and solutions to reduce its occurrence. One of the recommended courses of action of the forum is to produce and distribute a publication about domestic abuse. The objective of the publication is to create awareness about domestic abuse and will include possible solutions to reducing this crime, from the perspective of renowned leaders. As well the Service's Domestic Violence Unit will produce a list of services available to women experiencing domestic violence for inclusion in the publication. The publication will be drafted by Ajit Jain, journalist and author, with input from a number of organizations and individuals including the Service, Ryerson University, University of Toronto, Dr. Jean Augustine, and EHCW.

The publication will be distributed to police divisions, GTA universities and colleges, community centres and libraries, as well as community service providers who work with women experiencing domestic abuse. As well, EHCW will make a number of community presentations and will publish the information in a number of ethnic newspapers.

A copy of the letter of interest dated July 25, 2013, received from Ms. Sunder Singh, Executive Director of Elspeth Heyworth Centre for Women and a copy of the Special Fund application and estimated advertisement costs submitted by Ms. Singh is attached to this report for your information.

Conclusion:

EHCW's Reduce Abuse Program initiative is consistent with Service priority "Focusing on Violence Against Women," which seeks to improve response to victims of domestic and family violence by providing supports and by increasing trust and confidence in the Service's ability to meet the diverse needs of victims. As well, the Reduce Abuse Program is in keeping with the Board Special Fund Policy's community outreach provision, which outlines the criteria for funding of community-oriented policing activities that involve a co-operative effort on the part of the Toronto Police Service and the community that addresses:

- a. Initiatives involving members of the Toronto Police Service that benefit children and/or youth and/or their families; and
- b. Initiatives addressing violence prevention or prevention of repetition of violence or the root causes of violence.

Therefore, it is recommended that the Board approve \$10,000 from the Special Fund to cover the cost of the production and distribution of a publication by Elspeth Heyworth Centre for Women which will address issues of domestic abuse in newcomer and immigrant communities in Toronto.

The Board approved the foregoing report.

Moved by: M. Thompson



Elsbeth Heyworth Centre for Women

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Satellite Office 133 Fieldstone Dr., Vaughan, ON L4L 0A1 | Phone 905.605.1280 | Fax 905.281.4446

LETTER OF INTEREST

Chair, Toronto Police Services Board
40 College Street,
Toronto, Ontario

July 25, 2013

Dear Dr. Alok Mukherjee,

Elsbeth Heyworth Centre for Women (ehcw), an established non-profit charitable organization since 1992, provides services for newcomer and immigrant population. The services are geared to help women, especially those facing domestic abuse. In this regard, we have worked closely and successfully with Toronto Police Division 31. Two years ago, ehcw was acknowledged for this important community work as a recipient of the 2011 Mayor's Community Safety Award.

On February 15, 2013, ehcw held a forum called "Reduce Abuse – The Change Begins" from the community room of Police Division 31, inviting community leaders to join the panel and have a one-on-one dialogue with women with regard to the existing domestic abuse and solutions to reduce this heinous crime in Toronto and communities across Canada.

Following the forum Ajit Jain, journalist and author, who was part of the panel discussion, agreed to compile a publication with strong message to create awareness of domestic abuse in communities, with solutions by renowned leaders to reduce this nature of violence. This publication, which is pertinent to public interest, will be distributed to all police stations, universities and colleges, community centres and libraries where public would easily have access to this information.



Elsbeth Heyworth Centre for Women

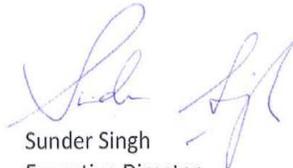
Head Office 2350 Finch Ave. West, Unit D, Toronto, ON M9M 2C7 | Phone 416.663.2978 | Fax 416.479.0898 | info@ehcw.ca
Satellite Office 133 Fieldstone Dr., Vaughan, ON L4L 0A1 | Phone 905.605.1280 | Fax 905.281.4446

Input into the publication will be from institutions such as:

- Toronto Police Services Board
- Toronto Police Service – Domestic Violence Unit
- Ryerson University
- University of Toronto
- Dr. Jean Augustine, Fairness Commissioner
- Consul General of India
- Elspeth Heyworth Centre for Women

ehcw is requesting the Toronto Police Services Board to kindly consider funding this publication. Total cost of the graphic work, colour printing, material and distribution would be \$6,000.

We look forward to hearing from you.



Sunder Singh
Executive Director

APPLICANT INFORMATION

Name of Applicant: Ms. Sunder Singh

Organization: Elspeth Heyworth Centre for Women

Mailing Address: 2350 Finch Ave. West, Unit D, Toronto, ON, M9M 2C7

Telephone no.: 416-663-2978 ofc./ 416-500-2748 cell

Email Address: sunder@ehcw.ca

PURPOSE AND NEED

What is your event/initiative:

Publication of the proceedings of community forum called “Reduce Abuse – The Change Begins”, held on February 15, 2013.

Date of Event: The publication is scheduled to be completed by October 2013.

What is your event/initiative? (Why do you need the funding? What is it intended to do? How does your initiative meet the criteria set out in the Special Fund Policy?)

Elspeth Heyworth Centre for Women (ehcw), an established non-profit charitable organization since 1992, provides services for newcomer and immigrant population. The services are geared to help women, especially those facing domestic abuse. In this regard, we have worked closely and successfully with Toronto Police Division 31. This partnership has thrived as our agency combats the issue of domestic violence through the Reduce Abuse Program. Two years ago, ehcw was acknowledged for their significant community work by being awarded the 2011 Mayor’s Community Safety Award.

On February 15, 2013, ehcw held a forum called “Reduce Abuse – The Change Begins” from the community room of Police Division 31, inviting community leaders, including Toronto Police Services to join the panel and have a one-on-one dialogue with women with regard to the existing domestic abuse and solutions to reduce this heinous crime in Toronto and communities across Canada.

Following the forum Ajit Jain, journalist and author, who was part of the panel discussion, agreed to compile a publication with strong message to create awareness of domestic abuse in communities, with solutions by renowned leaders to reduce this nature of violence.

ehcw is requesting the Toronto Police Services Board to kindly consider funding this publication. Total cost of the graphic work, colour printing, material and distribution would be \$6,000.

Target Population Group: (Who will participate/benefit from this initiative)

This publication, which is pertinent to public interest, will be distributed to all police stations, universities and colleges, community centres and libraries where public would easily have access to this information.

Our target population who would benefit from this publication are women at-risk of domestic abuse, those currently facing abuse as well as community service providers who work with this population.

Community Needs: (Identify service gaps this initiative will address)

ehcw has worked closely with women for over two decades. In this process it recognizes that large number of women are not aware that domestic violence can be reported to police authority. As well, women are not aware that services in the community are available to protect them. The publication will include the list of services provided within the community for women. This list will be produced by the Domestic Violence Unit of Toronto Police Services.

Community Participation (How many people participate in your program? How will you engage community participation?)

Each year Elspeth Heyworth Centre for Women (ehcw) attends to nearly 400 cases of domestic abuse. Last year ehcw was visited by 389 women facing violence at home. Some of these women were present at the forum hosted by ehcw called Reduce Abuse - The Change Begins.

Input into the publication will be from institutions such as:

- Toronto Police Services Board
- Toronto Police Service – Domestic Violence Unit
- Ryerson University
- University of Toronto
- Dr. Jean Augustine, Fairness Commissioner
- Consul General of India
- Elspeth Heyworth Centre for Women

The publication is based on the information gathered from women facing abuse. It intends to raise community awareness of ongoing domestic abuse among newcomer and immigrant populations. Women who are facing violence in their homes will find courage to speak out and

call for change in the community. ehcw will continue to take a very active role in community education on this issue.

RELATIONSHIP WITH TORONTO POLICE SERVICE (TPS)

Do TPS officers participate in your program?

Yes

If yes, in what capacity?

Division 31 provides the community room on a weekly basis for ehcw's programs for women. The officers of this division visit the programs of ehcw to educate participants about their rights and responsibilities, as well as the protocols the Division 31 follows when violence is reported. Women are also given tours of the location, so that they understand the process the police follows once violence has been reported.

TPS Division or Unit

Toronto Police Service Division 31

TPS Contact Person:

David McLeod: david.mcleod@torontopolice.on.ca

416-808-3114 Division 31

Rick Ramjattan: rick.ramjattan@torontopolice.on.ca

416-808-3151 Division 31

Karlene Bennett

From: Sunder Singh [REDACTED]
Sent: Friday September 27, 2013 15:53
To: Karlene Bennett; Alok Mukherjee
Subject: ehcw - publication and community presentation - re domestic violence

Hi Karlene,

With respect to the publication and dissemination of information to the community here are the following activities and their cost:

Community presentation on International Women's Day celebration on February 27, 2014
Community presentation at the Police Division 31, Community Room (date to be determined)
Presentation at the Ryerson University (date to be determined)
Community presentation held in the Jane/Finch community (location and date to be determined)

Total Cost for Community Presentation: \$1,600

Full page coloured advertisement in 6 ethnic newspapers at the average cost of \$400 per newspaper.

Total Cost for advertisement (\$400 x 6 newspapers): \$2,400

Total Cost for dissemination of information in the community and ethnic newspaper ads: \$4,000

If you have any questions, I can be reached at [416-500-2748](tel:416-500-2748).

Thanking you,

--

Sunder Singh
Executive Director
Elspeth Heyworth Centre for Women
2350 Finch Ave. West, Unit D
Toronto, Ontario M9M 2C7
Phone: 416-663-2978
www.ehcw.ca

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

**#P251. CHILD & YOUTH ADVOCACY CENTRE FOR THE CITY OF
TORONTO COOPERATION AGREEMENT AND PARTNER SERVICES
AGREEMENT**

The Board was in receipt of the following report September 27, 2013 from William Blair, Chief of Police:

Subject: CHILD & YOUTH ADVOCACY CENTRE FOR THE CITY OF TORONTO
COOPERATION AGREEMENT AND PARTNER SERVICES AGREEMENT

Recommendation:

It is recommended that Board authorize the Chair to execute the Cooperation Agreement and Partner Services Agreement between the newly created Child & Youth Advocacy Centre CYAC for the City of Toronto and the Toronto Police Services Board. The agreements are in place for a period of five years from the date of signing of the Cooperation Agreement.

Financial Implications:

The Toronto Police Service (Service) is expected to deliver the services provided for in the Cooperation and Partner Services Agreements at its own cost. The Service has been delivering the services related to a Child & Youth Advocacy Centre (CYAC) and therefore funding is already allocated in the Service's 2013 operating budget and has been included in the 2014 operating budget request. In addition to these existing resources, a request for a CYAC administrative position is included in the Service's 2014 operating budget request.

The start-up costs related to the Service's occupation of a portion of the CYAC have been funded from various sources. A grant from the Ministry of the Attorney General provided \$43,100 to fund furniture, storage, clothing lockers, toys and art supplies. A grant from the Ministry of the Community Safety and Correctional Services provided another \$80,000 to fund furniture, training, a portion of rent, a portion of the telephone installation, program supplies and funds for a portion of the salary for an advocate to engage victims and families at the centre. Facility-related renovation, including installation of telephone network switch gear, phone lines and security were funded through the re-prioritization of Service tenant renovation funds, at a cost of approximately \$70,000. The Agreements provided that the Service may access the CYAC at no cost to the Service.

Background/Purpose:

In March 2005, senior management of the Service, the Children's Aid Society of Toronto and the Catholic Children's Aid Society directed the formation of the Investigative Partnership Committee (IPC) to address challenges in providing co-ordinated investigative and treatment services to victims of child abuse and their families.

The IPC identified key issues, gathered research, conducted surveys from both the Service and child welfare investigative staff and analysed the results of these efforts. The IPC proposed

specific actions for each of the identified challenges that impede joint investigations along with one overall recommendation; the establishment of the Child Advocacy Centre (CAC) for the City of Toronto. In 2010, the name was changed to the Child & Youth Advocacy Centre (CYAC) to encompass victims aged 16 – 17 years of age.

A CYAC is a child-focused, community-oriented, multi-disciplinary facility where the professionals involved in the investigation, treatment and management of child abuse cases work together to ensure that a child's safety and best interests are paramount.

The Service, the Children's Aid Society of Toronto, the Catholic Children's Aid Society of Toronto, Boost Child Abuse Prevention & Intervention, the Hospital for Sick Children SCAN Program, the Halton Trauma Centre Safe-T Program (Service Partners), Native Child and Family Services, Jewish Child and Family Services and other community partners have worked tirelessly to make the CYAC a reality in the City of Toronto. A pilot project was conducted from April 2011 to April 2013 with 22 and 23 Divisions, with some components of a CYAC introduced into the investigation, treatment and management of child abuse investigations.

The pilot project proved very successful and the CYAC received grants from the Ministry of the Attorney General, the Ministry of Community Safety and Correctional Services and the Ministry of Children and Youth Services. The CYAC also received funding from Justice Canada and private donations from The Rogers Family Foundation, among others.

After receiving initial funding and the success of the pilot project, a CYAC Steering Committee (Committee) was established. The Committee consists of representatives from the Service Partners and is responsible for overseeing the development and implementation of Phase 1 (implementation for Central Field Command and 32 and 33 Divisions) of the CYAC for the City of Toronto.

Discussion:

The CYAC is a collaboration of Service Partners coming together to meet common goals. The Service Partners engage, or provide services, in the prevention and treatment of child abuse in Canada. The Service Partners recognize the benefit of establishing a coordinated and inter-disciplinary approach toward the prevention and treatment of child abuse.

The CYAC will improve the quality of service and help reduce re-victimization of abused children. It will focus heavily on the investigative phase of child abuse cases, while meeting the requirement for a broader range of services to respond to the needs of abused children and youth.

Ensuring that children and youth and their families who are victims of abuse receive the very best child-focused investigation, the CYAC treatment and support services available to them will be under one roof, in a child-friendly environment. The multi-disciplinary team will work collaboratively providing a spectrum of services, including the following:

- Criminal investigation and child protection;
- Case coordination, case management and liaison;
- Post interview debriefings;
- Weekly case reviews;

- Peer reviews of child interviews;
- Basic medical service;
- Reassuring clients, providing information relevant to investigation;
- Mental health services; and
- Volunteer services.

The CYAC will provide a new service, the Advocate, to help guide the victims and their families through the investigation process. The Advocate will assist in connecting the victims and their families with crisis support, specialized assessment, treatment and assistance with court preparation.

The CYAC has the support of the Toronto Police Service and the Boards of the Children's Aid Society of Toronto, the Catholic Children's Aid Society of Toronto, the Hospital for Sick Children, the Halton Trauma Centre Safe-T Program and the Boost Child Abuse Prevention & Intervention.

Space for the CYAC has been leased at 890 Yonge Street, Toronto, by Boost Child Abuse Prevention & Intervention. The Service Partners have drafted a Cooperation Agreement and a Partner Services Agreement relating to the CYAC which will be signed by each Service Partner.

The Cooperation Agreement, attached as Appendix "A" to this report, outlines the general framework and commitments in the creation and operation of the CYAC.

The Partner Services Agreement, attached as Appendix "B" to this report, outlines the terms and conditions and framework within which the Service shall provide services in the operation of the CYAC.

Mr. Karl Druckman, City Solicitor, has reviewed and approved the Agreements as to form.

Conclusion:

The CYAC will have a huge impact on the way child abuse investigations are conducted. The CYAC is a product of the collaborative efforts of public and private agencies and delivers efficiencies for all partner agencies. The Service Partners have worked diligently to create a leading edge model that will set the example of future CYAC models.

Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any question that the Board may have.

The Board approved the foregoing report.

Moved by: M. Thompson

Copies of Appendices A and B are on file in the Board office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 07, 2013**

#P252. IN-CAMERA MEETING – OCTOBER 07, 2013

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:

PRESENT:

Dr. Alok Mukherjee, Chair
Mr. Michael Thompson, Councillor & Vice-Chair
Ms. Frances Nunziata, Councillor & Member
Mr. Andrew Pringle, Member

ABSENT:

Mr. Michael Del Grande, Councillor & Member
Ms. Marie Moliner, Member
Dr. Dhun Noria, Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
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#P253. ADJOURNMENT

Alok Mukherjee
Chair