



**Virtual Public Meeting**

**Tuesday,  
December 15, 2020**

**VIRTUAL PUBLIC MEETING AGENDA**  
**Tuesday, December 15, 2020 at 9:00AM**  
**Livestream at:**

<https://youtu.be/pKAkNc7lqk0>

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Call to Order

Indigenous Land Acknowledgement

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

1. Confirmation of the Minutes from the virtual meeting held on [November 24, 2020](#).

Presentations and Items for Consideration

2. **Wellness presentation**
3. Police Reform Items:
  - a. November 23, 2020 from James Ramer, Chief of Police  
**Re: [Toronto Police Service Mental Health and Addictions Strategy](#)**
  - b. November 3, 2020 from James Ramer, Chief of Police  
**Re: [Recommendation #73 - Status of Implementation of the Race-Based Data Collection, Analysis and Reporting Policy and Analysis of Gaps with the O.H.R.C.'s Recommendations](#)**
4. Race-Based Data Collection Progress Update
  - a. November 9, 2020 from James Ramer, Chief of Police  
**Re: [Toronto Police Service Board's Race-Based Data Collection, Analysis and Public Reporting Policy – Quarterly Progress Update on Implementation – Fourth Quarter](#)**
  - b. December 2, 2020 from James Ramer, Chief of Police  
**Re: [Supplemental update on the Implementation of Race-Based Data Collection \(R.B.D.C.\), Strategy](#)**

5. November 25, 2020 from James Ramer, Chief of Police  
**Re: Contract Award to New Park Contracting Incorporated for Minor Building Repairs and Renovation Services at Various Toronto Police Service Facilities**
  
6. November 23, 2020 from James Ramer, Chief of Police  
**Re: Special Constable Re-Appointments – December 2020**
  
7. December 2, 2020 from Ryan Teschner, Executive Director & Chief of Staff  
**Re: Toronto Police Services Board – 2021 Meeting Schedule**
  
8. City Council Items:
  - a. November 17, 2020 from Ryan Teschner, Executive Director & Chief of Staff  
**Re: City of Toronto Council Decision – MM24.38 Drive-by Shootings**
  
  - b. November 17, 2020 from Ryan Teschner, Executive Director & Chief of Staff  
**Re: City of Toronto Council Decision – MM24.31 Lawrence Heights Emergency Safety and Security Response**

#### Consent Agenda

9. November 25, 2020 from James Ramer, Chief of Police  
**Re: Toronto Police Service 2019 Annual Statistical Report**
  
10. October 14, 2020 from James Ramer, Chief of Police  
**Re: May 1 to August 31, 2020: Use of Conducted Energy Weapons (C.E.W)**
  
11. December 3, 2020 from Ryan Teschner, Executive Director & Chief of Police  
**Re: Operating Budget Variance Report for the Toronto Police Services Board, Period Ending September 30, 2020**

12. December 3, 2020 from Ryan Teschner, Executive Director & Chief of Staff  
**Re: Independent Civilian Review into Missing Persons Investigations – Account for Professional Services**
  
13. August 4, 2020 from James Ramer, Chief of Police  
**Re: Chief’s Administrative Investigation into the Custody Injury to Complainant 2019.25**
  
14. August 4, 2020 from James Ramer, Chief of Police  
**Re: Chief’s Administrative Investigation into the Custody Injury of 2019.35**
  
15. August 4, 2019 from James Ramer, Chief of Police  
**Re: Chief’s Administrative Investigation into the Alleged Sexual Assault of Sexual Assault Complainant 2019.24**

Adjournment

Next Meeting

**Friday, January 29, 2021**

**Time and location to be announced closer to the date.**

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**Members of the Toronto Police Services Board**

Jim Hart, Chair  
Lisa Kostakis, Member  
Michael Ford, Councillor & Member  
Ainsworth Morgan, Member

Marie Moliner, Vice-Chair  
Frances Nunziata, Councillor & Member  
John Tory, Mayor & Member

# Toronto Police Service Well-Being Strategy

Board Presentation:  
December 15, 2020



# Agenda

## Call To Action

- Background
- Why Individual Health & Safety Matters to an Organization
- Purpose

## Strategy and Framework

- Themes for the Future
- Strategic Pillars
- Tactical Initiatives

## Next Steps

- Where we are on the Journey
- Roadmap to the Future
- Questions?

# Background

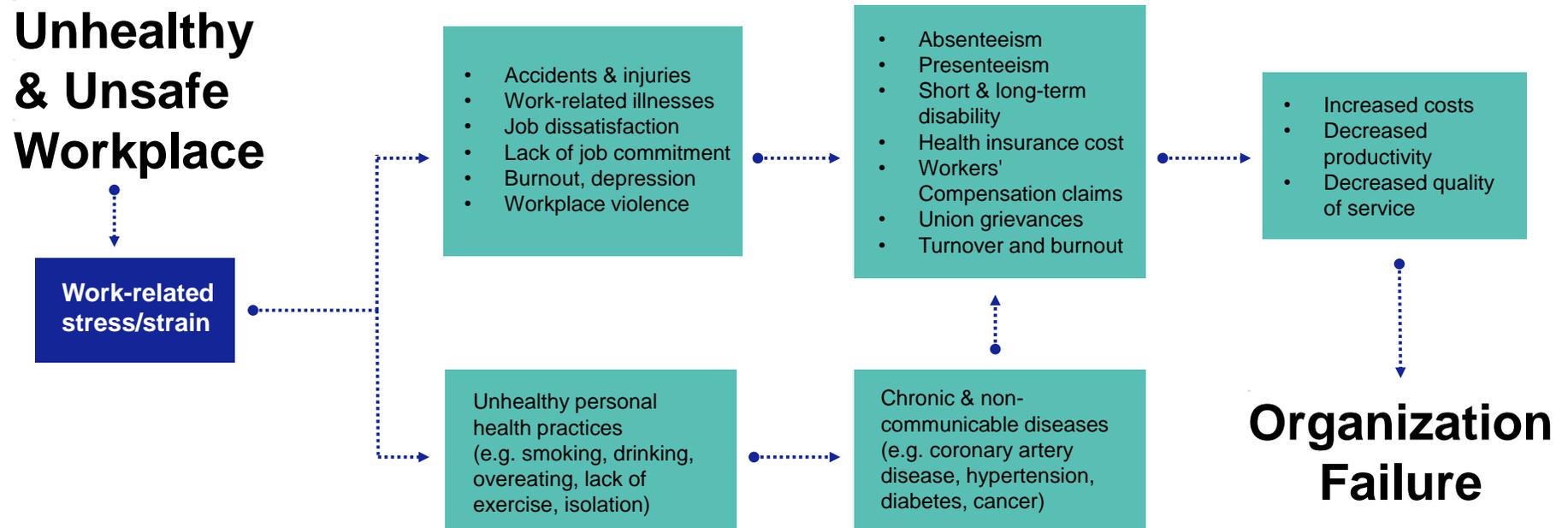
- Since 2017, the Toronto Police Service has been working **to modernize the Service**, identifying a variety of changes needed to optimize public safety.
- As part of this plan, effort to modernize the Wellness Unit commenced in 2018: **services related to Member wellbeing were aggregated** into one unit
- Overwhelming need **to modernize and address health and wellbeing of first responders**
- **TPS commitment**
  - The Way Forward
  - Stronger Together: People Plan
  - Mental Health Statement of Commitment
  - Mental Health and Addictions Strategy
  - Culture Survey
  - Member Wellbeing Survey 2020



# Inputs and Research

- Third Party Audits on Disability Management and Occupational Health & Safety Systems
- Member Wellbeing Survey – over 1500 respondents
- COVID-19 Pandemic Response and Experience
- Ontario Provincial Police Independent Review Panel: Final Report (March 2020)
- Staying Visible, Staying Connected, For Life – Report of the Expert Panel on Police Officer Deaths by Suicide (September 2019)
- Police Mental Health: A Discussion Paper CAMH (October 2018)
- City of Toronto: Post-traumatic Stress Disorder & Suicide Prevention Mental Health Support for First Responders (February 13, 2017)
- Police Encounters with People in Crisis, An Independent Review Conducted by The Honourable Frank Iacobucci for Chief of Police William Blair, Toronto Police Services (July 2014)
- 81 Recommendations for Police Reform, Toronto Police Services Board (August 2020)
- Interviews with Members, external agencies, special interest groups, academia, healthcare professionals
- Focus Groups with internal and external stakeholders
- Global Scan of Law Enforcement Agencies

# Why well-being matters

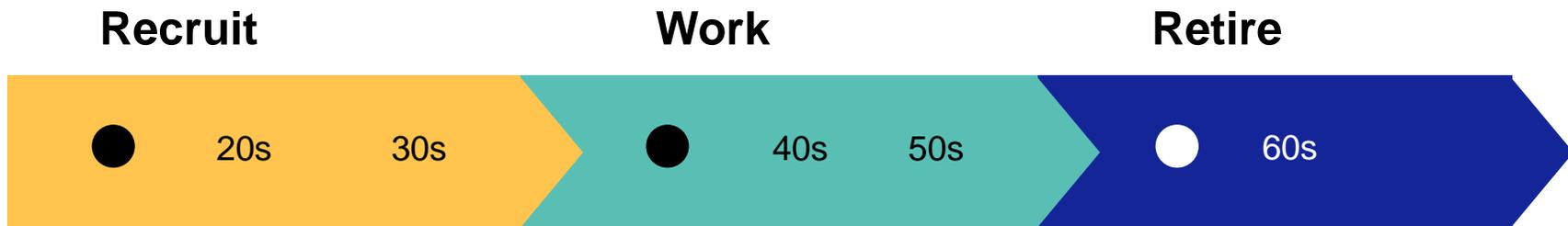


Source: Joan Burton. World Health Organization (WHO) Healthy Workplace Framework and Model, 2010. [http://www.who.int/occupational\\_health/healthy\\_workplace\\_framework.pdf](http://www.who.int/occupational_health/healthy_workplace_framework.pdf)

CALL TO ACTION

# Why well-being matters

## TPS Member Lifecycle



- Human health needs naturally change through the course of a career and a life

“ **The definition of health is not the absence of disease,** but rather a recognition that people of all skills and abilities thrive at work when they thrive in life.

”

# What's Driving Us

The Toronto Police Service recognizes that police service Members who are themselves healthy in body, mind and soul are best able to deliver excellent public health and safety services.

On a sustainable basis, this means recognizing the ups and downs over the course of a lifetime of service – and providing the right range of health and care supports as needs change over time.



# Grounded in The Way Forward

Three goals for a modern Toronto Police Service to guide the change process and service delivery:

- 1 Be where the public needs the Service the most.**
- 2 Embrace partnerships to create safe communities.**
- 3 Focus on the complex needs of a large city.**

The TPS Well-being Strategy is grounded in understanding the member experience and what we are asking of Members, to ensure the Service is well-positioned to deliver on our core goals and purpose.



# Where we're going

The **Well-being Strategy** reflects a more modern approach to wellness:

- Adopting a whole person mindset that puts Members and all their diverse needs at the centre
- Making our expanded and enhanced offerings easier to access
- Promoting individual choice and self-care through consumerism vs traditional paternalism.

The Well-being Strategy outlines recommendations and a 5 year action plan to realize key goals in improving Toronto Police Service health and productivity.

## The Well-being Strategy will strive to:



Prioritize support where **Members need us most**



Embrace and **leverage partnerships** to create a healthy and safe workplace



Focus and respond to the **complex needs** of the workforce

# Where we're going

The purpose of the Well-being Strategy is to build and maintain **optimal strength** of our Members and to enable a sustainable culture and practice of **high performance health, safety and well-being** for the Toronto Police Service.

We will achieve this by optimizing a proactive, preventive individual well-being framework to **enable individuals to thrive at work** and home across the employment life-cycle.

We also need to **align the Wellness Unit** structure, staffing, technology and services to deliver this strategy.

## The Well-being Strategy will therefore:



**Meet Members where they are at,** offsite, online and in person, at any stage of their journey



Adopt a **no-wrong-door mindset** in navigating to partners and resources



**Expand the ecosystem** to address diverse, varying needs

# Our Vision for Success

The Well-being Strategy will drive measurable change in both **Member Experience** and **Optimal Strength**, which together will increase Service-wide Sustainability.



**Member Experience**  
data shows that Members know and use resources to stay healthy and recover productivity; Members feel supported



**Optimal Strength**  
every-day across all units reducing strain and enabling individuals to thrive at work



**Service-wide Sustainability**  
with a culture of high performance health, safety and well-being for Members and the public

# Strategic Themes

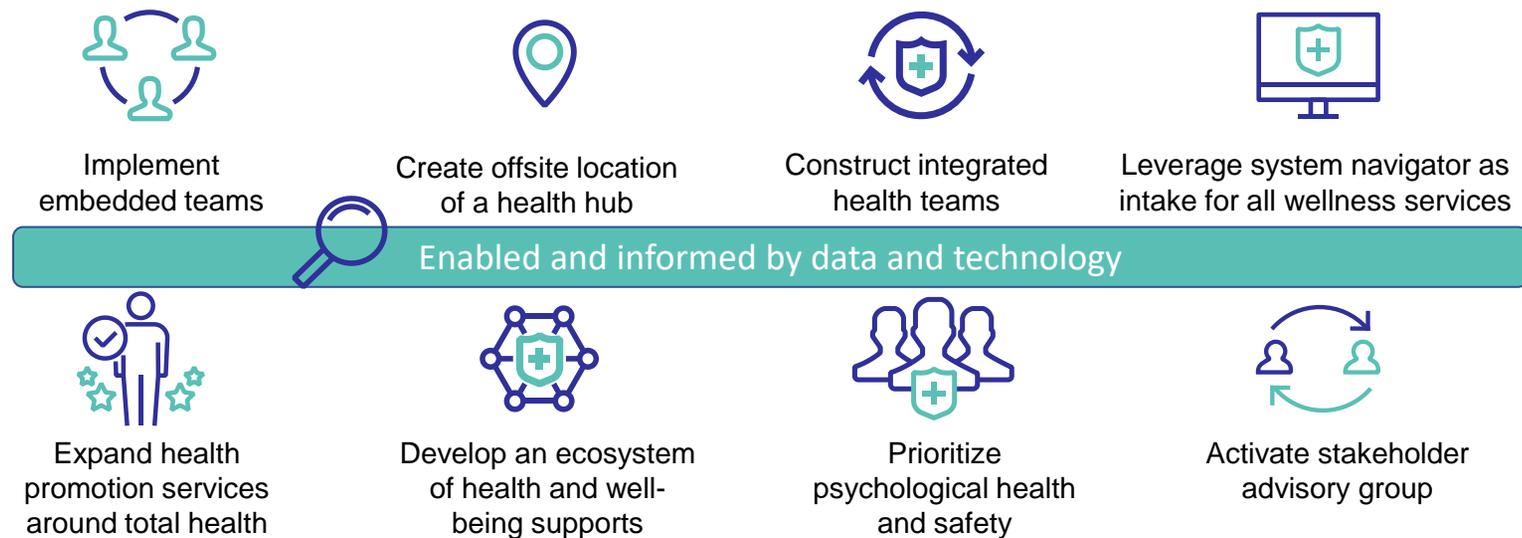


# Tactical Initiatives



# Core Tactics

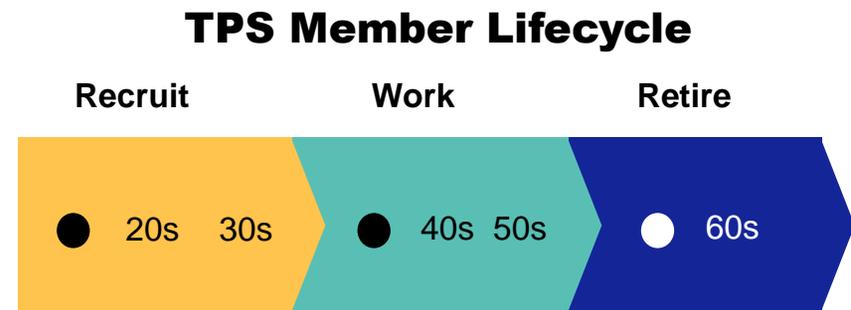
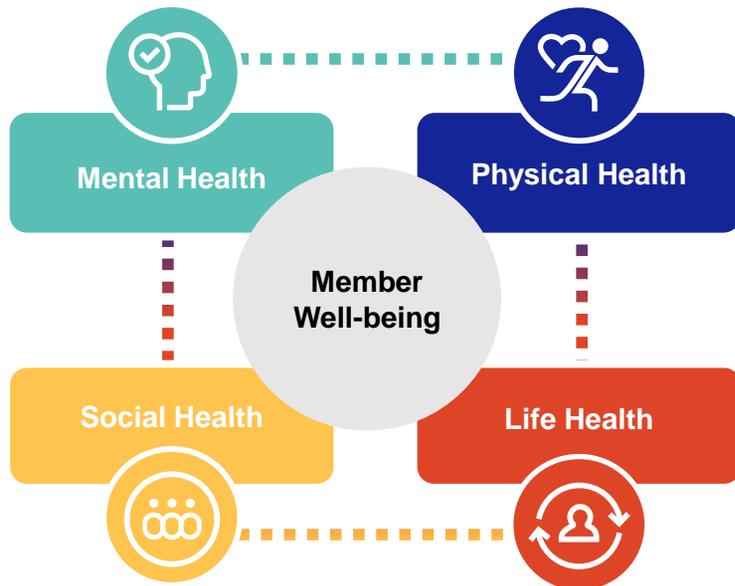
Nine immediate deliverables support the strategic themes:



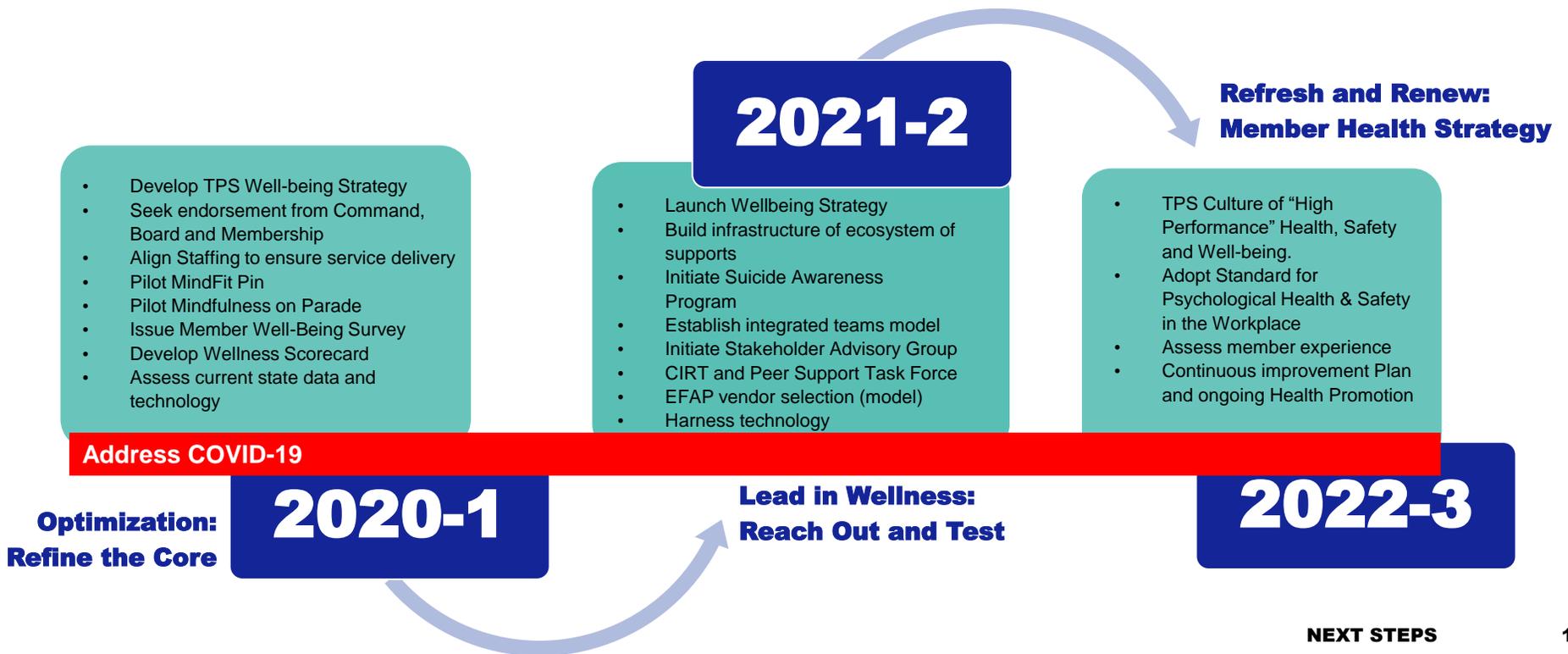
# Member Well-being Framework

The Well-Being Strategy recognizes four pillars supporting individual well-being.

Individuals who feel supported in their health, physically and emotionally, are better able to meet the demands of the job they need to do than if they are alone when struggling on any front.



# Roadmap to the Future State



# 2020 Successes

- **Rapid Response to COVID-19 Pandemic**
  - Establish 24/7 hotline to support members
  - Roll out best in class COVID-19 exposure management program
  - Ongoing partnership with peer agencies, ministries and healthcare providers
- **Initiated Digital Supports Members**
  - Virtual psychological support
  - Online cognitive behavioural therapy
  - StrongTogetherTPS.com
  - Mind Health Portal of online resources
- **Early Career Focus**
  - Psychological Wellness visits with new officers
  - Pilot Dedicated Peer Support resources for new recruits
- **MindFit Pin**
  - Pilot a mental health promotion program for members to build resilience, encourage self care, stay connected and seek support
  - Normalize mental health and reduce stigma
- **Mindfulness**
  - Pilot mindfulness practice on parades/huddles
- **Member Wellness Survey**
  - Over 1500 respondents
  - Provided valuable input into needs and experiences
- **Well-being Committee**
  - Pilot unit level Well-being Committee to encourage participation and a forum for member support

# What Success Looks Like

The Toronto Police Service Well-Being Strategy aims to build and maintain **optimal strength** and enable **sustainable high performance** of the Members of the Toronto Police Service.

This will be realized when:

- Members have the resources that they need in times of health, illness and recovery;
- Members trust the Service and each other to nurture a culture of high performance health, safety and well-being;
- the Wellness Unit and the Service have the data to understand how to respond to the root causes of health, illness and injury; and
- the Public experience reflects the impact of the health and well-being of Members

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# Discussion and Questions

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NEXT STEPS



## Toronto Police Services Board Report

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November 23, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Toronto Police Service Mental Health and Addictions Strategy**

### **Recommendation:**

It is recommended that the Toronto Police Services Board (Board) receive the update regarding the Toronto Police Service (Service) Mental Health and Addictions Strategy (Strategy).

### **Financial Implications:**

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

### **Background / Purpose:**

The Board, at its meeting of October 22, 2019, received a report from Chief Saunders detailing the Service's Mental Health and Addiction Strategy (Min, No. P203/19 refers), the first for our Service, and unique within the Canadian policing context.

This Strategy was created with considerable community input and is the direct result of a recommendation made by the Board's Mental Health External Advisory Committee, an independent group of mental health leaders unanimously endorsed by the Board and strongly supported by the Service. This Committee recognized the excellent work done to date in terms of the Service's initiatives dealing with mental health and addiction. But, it went on to say, in order to truly evaluate our success in this critical area, we need cohesion and integration, and a comprehensive framework with a clear statement of goals and desired outcomes that will result in the collection of meaningful

data. The Committee also identified key themes it wanted to see in the Strategy: Leadership and Culture, Use of Force, and Intersectionality.

The Strategy aimed to incorporate these essential components. Developed in close consultation with the Board's Mental Health Sub-Committee, a group of committed individuals from across the mental health sector, as well as Service and Board representatives, it laid a solid foundation for a wide-ranging and evolving people-focused approach which incorporates a comprehensive system of data measurement and the clear articulation of operational outcomes.

The Strategy recognizes the significant priority we must place on responding to individuals who appear to be experiencing mental health and addictions issues, both in the community and within our organization. It also creates a roadmap to developing and implementing effective, comprehensive, compassionate and respectful responses to these complex issues.

Importantly, the Strategy is not simply a two-dimensional document that states principles and prescribes processes at one static point in time, but one rooted in the goals and objectives of *The Way Forward*, the Board and Service's action plan for modernization. The Strategy incorporates goals such as "embracing partnerships to create safe communities," as we "focus on the complex needs of a large city," and reinforces a commitment to the principles of organizational transformation with an emphasis on neighbourhood policing and connecting people to the appropriate services in their communities.

This important concept has been reinforced in the recent police reform recommendations approved by the Board at its meeting of August 18, 2020 (Min. No. P129/20 refers), which look at a potential reimagining of the concept of public safety that involves a greater non-police response, especially with respect to how we deal with people experiencing mental health and addictions issues.

The Strategy also places a necessary emphasis on the mental health and wellness of our Members. Our Members are routinely faced with the most difficult, intense and challenging situations and it is critical that we not only put into place the relevant programming and initiatives to effectively support workplace mental health, but also continue to encourage the cultural shifts necessary to remove stigma and inspire dialogue.

## **Discussion:**

With this Strategy, the Service acknowledges that responding to people who appear to be experiencing mental health or addiction issues is one of the single most important aspects of policing today.

Along with delivering the report on the Mental Health and Addictions Strategy, the Service also committed to providing the Board with an update on the progress of the action items detailed in the Strategy. The focus on the importance of consistent and meaningful evaluation is central to the success of the Strategy. The Service is committed to exploring methods to achieve more comprehensive data collection, evaluation, analysis and reporting on police interactions with individuals who may be experiencing mental health and/or addictions issues. The Service understands that in order to ensure a successful progress of this Strategy, regular and meaningful evaluation must be a key component. Only through comprehensive data collection and thorough evaluation, can we adequately understand, learn from, and work to continually improve police interactions with individuals who may be experiencing mental health and/or addictions issues. In addition, data collection and timely reporting will facilitate accountability and transparency in relation to our interactions with these populations.

When the Strategy was announced, an emphasis was placed on the Service's commitment to preserving and enhancing the health, human rights, dignity, and safety of members of the community and the Service who may be experiencing mental health and/or addictions issues. The Service recognizes that it is essential for its Members to have the training and information they need to safely, respectfully and compassionately respond to the needs of these individuals.

The Strategy also incorporates the important concept of intersectionality. The Service recognizes the interconnected nature of mental health, addictions, and the social determinants of health and equity issues. As the Strategy notes, individuals often experience both mental health and/or addictions issues and additional inequities (such as poverty or racialization) at the same time. This concept, known as intersectionality, creates unique experiences of inequity that poses added challenges at the individual, community and health systems level.

As stated in October 22, 2019 Board report, "The Service is committed to the principles of transparency and accountability within the Service and through the implementation of this Strategy. We will deliver an annual report publicly to the Toronto Police Services Board as well as to the Board's Mental Health and Addictions Advisory Panel (M.H.A.A.P.)".

The Service's subject matter expert on mental health, Inspector Chris Boddy, was assigned to the M.H.A.A.P. Inspector Boddy was the lead in creating the Service's Mental Health and Addictions Strategy and has played a vital role in overseeing its implementation.

The Mental Health and Addictions Strategy includes a set of initial action Items that have acted as the roadmap to the Service's goal of fulfilling the outcomes outlined in the Strategy. This report will provide an update on the progress made in implementing each of the Action Items detailed in the Strategy.

**(See Appendix A)**

## **Conclusion:**

As a result of the work done by M.H.A.A.P. and the work of the various units within the Service, the Service has reviewed, assessed and implemented many of the recommendations outlined in the Strategy. Although the goals of full implementation have been slowed by realities outside the control of the Service, the process remains ongoing and the Service is dedicated to its completion. Where the action items are of a longer term nature, the work on these items is comprehensive and ongoing.

The Service's Mental Health and Addictions Strategy emphasizes the commitment to the principles of transparency and accountability. An important commitment was made to report annually on the strategy. Therefore, in the interest of this transparency and accountability in the tracking process, the Service has created an interactive dashboard which will be updated continuously. The dashboard describes the Board's and the Service's work plan for the implementation of each of these critical initiatives, tracks our progress, and provides links to relevant results and outcomes, as soon as they are available. This dashboard serves as the primary and most efficient method to report to the public on developments in the implementation of the Mental Health and Addictions Strategy. In the future, it will integrate with other Service dashboards as well as support valuable information sharing with the City of Toronto.

This Strategy charts an important roadmap for the Service, representing a dynamic and evolving plan that illustrates how we will effectively and compassionately respond to individuals who may be experiencing mental health and/or addictions issues and work toward our goal of zero deaths while ensuring the well-being, safety, rights and dignity of individuals and communities.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

**Appendix A**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>Training and procedures will continue to be reviewed and refined to emphasize that de-escalation is a top priority.</i></p>	<p><b>Ongoing</b></p> <p>Pursuant to the “Adequacy Standards Compliance” policy, the Service follows a three year cycle of regularly reviewing and updating all its procedures to incorporate the latest knowledge and best practices.</p> <p>The Service is committed to continuous improvement in improving officers’ skill when interacting with persons in crisis. The content of this training is continuously updated and refined. De-escalation has always been a top priority and is reinforced every 12 months during the Service’s In-Service Training Program.</p> <p>Measurement of training is accomplished initially through in-class participation, question and response, table top exercises, group work, testing and course end survey. This is the standard evaluative process for every course offering.</p> <p>Currently the long term effectiveness of training is measured through a post course survey 6 months to a year after training. Courses are selected yearly for review which involves polling of participants and asking them to rate their real world outcomes against the course training standard/objectives.</p> <p>The Service is examining the transfer of learning; how officers are performing their duties according to training</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p>received. To that end, the Service has recently received the results of a Request For Information (R.F.I.) with regards to measuring the transfer of learning. As a result of information received, the Service is now in the position to submit a Request For Proposal (R.F.P.) to seek out consultations with expertise in training evaluation.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will create a process to capture the number of times police officers attempted de-escalation prior to the display or use of Conducted Energy Weapons (C.E.W.).</i></p>	<p><b>Ongoing</b></p> <p>De-escalation attempts are now being captured on the Service's C.E.W. report to track the number of attempts of de-escalation attempts including the techniques utilized such as communication and/or containment.</p> <p>In 2019, there were a total of 604 C.E.W. uses of those 16 times officers were unable to engage in de-escalation as they found themselves in situations in which immediate action was necessary to avoid harm.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><b><i>Police officers will continue to receive de-escalation training at the Toronto Police College (T.P.C.) on a regular basis, including both classroom and scenario-based training. Police officers are assessed by our trainers with respect to their competence in de-escalation and a failure to show competence in de-escalation will result in the police officer being unable to perform front-line duties until they have successfully passed the training.</i></b></p>	<p><b>Ongoing</b></p> <p>The Service is committed to the continuous improvement of officers' skills in interactions with persons in crisis. De-escalation is reinforced every 12 months during the Service's-In Service Training Program.</p> <p>Scenario training and practical exercises are evaluated by instructor observation. This provides the ability for instructors to direct the scenario based on the decisions made by the students. This requires students to continually reassess and evaluate their decision making process throughout the entire scenario. Students must demonstrate good judgement and proficiency with use of force options including de-escalation. Should the trainers identify deficiencies in performance, the officer's use of force options will be removed and the member will not be considered for front line duties. Many scenarios are designed to be resolved without an application of force being required. At the conclusion of each scenario all students are debriefed by the instructor.</p> <p>It should be noted in August 2015, as a result of a Justice Iacobucci recommendation, the Service increased the post Ontario Police College (O.P.C.) recruit training by three weeks. This increased time allows for the introduction of new material, and reinstate previously included material.</p> <p>Service recruits attend the T.P.C. for 12 working days prior to attending the O.P.C. for their mandatory provincial 12-week training. Recruits attend T.P.C. for an additional six weeks (approximately 30 working days) after O.P.C. and prior to their</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p>deployment as police officers to their divisions. In this post O.P.C. training, recruits received additional training in a variety of areas in order to prepare them for policing the diverse and challenging environment of Toronto.</p> <p>Additionally, all District Special Constables and Court Officers receive scenario based de-escalation training with a focus on de-escalation.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><b><i>The Service will explore the viability of collecting and reporting aggregate information on supervisor assessments of Members following an interaction with a person who may be experiencing mental health and/or addictions issues.</i></b></p>	<p><b>Ongoing</b></p> <p>In 2021, the Service will be expanding the new performance management process to all. This update is grounded in our strategic goals, and will support and reinforce modernization enabling Service members to do their best work.</p> <p>One of the goals of this new system is to ensure that every member of the Service can identify, understand, and be accountable for operationalizing our mission, strategy and goals every day. The system will help members translate our strategic goals into tangible, individual goals that are more transparent, reviewed regularly, and contribute to our effectiveness as a Service.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p>Through this, all members will be supported to develop and demonstrate their knowledge of community-centred policing services as well as their commitment to and ability to deliver on the Service vision.</p> <p>Leaders are accountable to develop talent, drive the desired behaviours, offer constructive feedback and identify top performers for rewards and recognition will be clear. All members of the Service, from the Chief to the front line will be required to focus on growth, development, and the value of bringing our best selves to work every day.</p> <p>Supervisory expectation in this updated performance management process include in the moment feedback and regular and frequent advice and coaching. Supervisors will be trained in the new process and in administering the process. Members who are working in capacities where they regularly have contact with persons in crisis will be expected to both deliver services that are aligned with the technical and procedural practices established as well as the behavioural competencies of the Service. It is these two components that form the basis of every member's performance evaluation: the "what" and the "how".</p> <p>Members seeking promotion to the rank of Sergeant, in support of recommendations directed to the Service by Justice Frank Iacobucci and various Coroner's Inquests, the Service's new promotional process includes screening tools for members and supervisors to consider in their assessment of the skill and experience of a member in dealing with persons in crisis, members of the black community and</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p>racialized communities, including their ability to de-escalate and negotiate during crisis situations.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><b><i>The Service's hiring processes will continue to prioritize recruits with the capacity and the potential to respond with empathy, respect, and compassion to people who may be experiencing mental health and/or addictions issues.</i></b></p>	<p><b>Ongoing</b></p> <p>The hiring process begins with a prioritization matrix which includes but is not limited to measuring for relevant mental health/lived experience and mental health training and education. Those with such experience and training would be more competitive and their applications prioritized.</p> <p>The matrix allows us to rank candidates as:</p> <ol style="list-style-type: none"> <li>1) Highly Competitive</li> <li>2) Competitive</li> <li>3) Meets Standard</li> <li>4) Does Not Meet Standard</li> </ol> <p>After this process the Service prioritizes the best candidates.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will explore ways that an officer's competency in the use of de-escalation techniques can be meaningfully incorporated into their annual Performance Appraisals.</i></p>	<p><b>Ongoing</b></p> <p>The annual Performance Appraisals are in the midst of being revamped. The new process has been in pilot with senior officers since 2018.</p> <p>In 2021, the Service will be rolling out the revamped process to all members, both uniform and civilian. The process will provide performance evaluation to members based on the responsibilities of their roles and the competency behaviors tied to their level of leadership in the Service. Members will be required to examine the responsibilities of their roles and share the “what” of what they delivered and the manner in which they delivered it, the “how”. They will provide a self-evaluation and their direct supervisors will provide their assessment.</p> <p>Role profiles have been created by our Labour Relations Unit. The role profiles for frontline, community officer and Mobile Crisis Intervention Team (M.C.I.T.) officers will include both the skills and responsibilities of both de-escalation techniques and the building of strong relationships with marginalized communities.</p> <p>Nonetheless, Supervisors currently have the ability to include de-escalation events on annual appraisals and to so routinely.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><b><i>The Board’s Mental Health Excellence Award will continue to recognize police officers for their ability to de-escalate and interact effectively with people who may be experiencing mental health and/or addictions issues. Awareness of the awards system will continue to be promoted both internally and externally, and community members will be encouraged to make nominations.</i></b></p>	<p><b>Ongoing</b></p> <p>The Service agrees that rewards and recognition are effective ways to encourage good performance. The Service and the Board have established a formal awards program to recognize good police work in the form of medals, merit marks, commendations and letters of excellence (Procedure 13-01 <u>Awards</u>). These awards are bestowed for acts of bravery, altruism, innovation, and otherwise commendable work.</p> <p>The awards are often earned by members who have exercised restraint in the face of danger and risk to their own personal safety. These situations often involve police encounters with persons in crisis that were safely concluded without the use of force because the officer skillfully and successfully de-escalated the situation.</p> <p>The submissions for the formal recognitions are approved by a committee of Board staff along with uniform and civilian members of various ranks and positions from across the Service. Awards are presented at public meetings scheduled throughout the year. In addition, the Service may, at the unit level, reward members for excellent work by way of positive documentation and an award of up to eight hours of time off.</p> <p>Submissions to recognize Service members’ good work are often received from members of the public. The Service continues to encourage such submissions.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p>The Service has invited members from the Board’s Mental Health Committee and other partners to participate in assessing appropriate submissions.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will continue to review its existing de-escalation training for Communication Operators.</i></p>	<p><b>Ongoing</b></p> <p>Communications will continue to review and update de-escalation training as it evolves with the community and information is published to ensure we remain current and educated. De-escalation, Customer Service, Dealing with Emotional Callers and procedures in relation to mental health are covered in both Call taker and Dispatch training. De-escalation as a stand alone topic was developed over the summer months in collaboration with the T.P.C. and is currently being provided to all Communications members in In-Service Training. Additionally the newly developed training will be incorporated in the Call Taker and Dispatch Curriculums.</p> <p>Call Taker training is 7 weeks in class with 400 hrs (approximately 10 weeks) on desk with a Trainer, followed by 2 weeks of monitoring by a Supervisor. Information is taught and tested with quizzes, weekly exams and practical testing. There is a 75% minimum pass mark to remain successful. Should a Trainee receive less then 75% they are provided 1 re-write. The original mark is kept on their file. Members who do not pass 3 exams combined between Call Taker and Dispatch Class will no longer continue with employment. Once on desk, trainees receive 4 in-depth</p>

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	<p>written evaluations and must meet standards in all areas by the end of the 10 week on desk training portion to continue with employment. Competencies relevant to de-escalation in the training evaluations are listed below. These competencies allow us to ensure that the Trainee is aware of the standards and expectations of the Service in relation to de-escalation.</p> <ul style="list-style-type: none"> <li>• Keeps own emotions under control when provoked, faced with opposition or hostility, or working under stressful conditions, and handles failures constructively.</li> <li>• Demonstrates the ability to work effectively with Toronto’s multi-cultured and diverse community and is sensitive to different and opposing perspectives.</li> <li>• Adapts to varying situations and is flexible, recognizing that event types and priorities can change when new information is introduced into the call.</li> <li>• Demonstrates a logical train of thought and is able to question the caller effectively to quickly and accurately obtain pertinent information.</li> <li>• Attentively listens and understands, is able to gain and maintain control of the call while providing professional customer service.</li> <li>• Demonstrates knowledge of established policies and the ability to apply them without prompting.</li> <li>• Controls air traffic with professionalism and authority.</li> </ul> <p>During class we teach de-escalation tactics and considerations in multiple sections so that an open mindset is kept in relation to different situations. De-escalation as a stand alone topic was recently introduced. This module is currently being taught in In-Service Training to all members of</p>

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	<p>Communications Services. This stand alone module is not being tested at the In-Service level. Standard cycle Quality Assurance is in place and provides Supervisor's the ability to review all aspects of performance including de-escalation understanding and ability.</p> <p>The following topics covering aspects of de-escalation include:</p> <ul style="list-style-type: none"> <li>• Core Values</li> <li>• My Culture</li> <li>• General Guidelines for Call taking</li> <li>• 5 W's</li> <li>• Effective Call taking</li> <li>• Methods of Communication</li> <li>• Customer Service</li> <li>• PTSD &amp; Stress</li> <li>• Liability</li> <li>• Domestic Violence</li> <li>• Victim Services presentation</li> <li>• Emotionally Disturbed Persons</li> <li>• Understanding Mental Illness – Service Psychologist</li> <li>• Dealing with Emotional Callers</li> <li>• Call handling of Traffic Related Events</li> <li>• LGBTQ2 presentation – Service Liaison</li> <li>• Ethics</li> <li>• Online modules</li> <li>• Crisis Intervention and the Suicidal Caller</li> <li>• De-escalation</li> </ul> <p>These topics are covered by Instructor presentation, Subject Matter Expert Presenters, Power Point, video reinforced with</p>

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	<p>associated handouts, audio tapes for discussion as well as exercises, workbooks and scenario based work.</p> <p>Dispatch class holds the same standards and testing as Call taker but the in class portion is 5 weeks vs 7.</p> <p>Communication Services prides itself on remaining current and ensuring that topics of both local and global importance are reviewed, updated and created as required.</p> <p>Measurement of training is accomplished in the immediate term through in-class participation, question and response, table top exercises, group work and testing. This is the standard evaluative process for every training topic.</p> <p>Currently the long term effectiveness of training is measured through quality assurance review that is completed every cycle and performance appraisals completed annually on all Communications Operators.</p> <p><u>Specifically Call Taker and Dispatch in class training</u></p> <p>Measurement of Call taker and Dispatch training is accomplished through Instructor observation, in-class participation, question and response, table top exercises, group work, mock scenarios, testing and an end of course survey. Testing includes quizzes and end of week exams or practical testing. Once on desk, Trainees receive 4 in-depth written evaluations and must meet standards in all areas by the end of the 10 week on desk training portion.</p>

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	<p>Communications Services will look to the College for guidance on additional methods of measuring the application of specific aspects/topics of training independent of overall performance standards.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will explore ways of capturing referrals to community agencies, beginning with M.C.I.T. referrals.</i></p>	<p><b>Ongoing</b></p> <p>M.C.I.T. referrals to community agencies are currently tracked as part of their daily responsibilities and reporting functions. In 2019, a total of 575 referrals (situations) from various service agencies across the City of Toronto were made to the City's five FOCUS tables. Of that total, 328 were referred by the Service. Mental Health is the #1 Risk factor in 60.7% of all referrals to FOCUS. The service is exploring a coordinated effort to enhance its data collection process.</p> <p>The Service currently tracks referrals made by M.C.I.T.s and all referrals made to FOCUS tables. The Service's Mental Health Data Collection &amp; Analytics Working Group is currently exploring capturing data surrounding all referrals made by Service members.</p>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will continue to look at opportunities to expand the M.C.I.T. programs.</i></p>	<p><b>Ongoing</b></p> <p>At its September 2020, Board meeting, the Service reported that the M.C.I.T. Steering Committee is working with stakeholders and the Province, Ministry of Health, and the Solicitor General, to formalize funding for additional Nurses and Case Managers in order to expand our M.C.I.T. program. The Service provided an update to the Board at its November 2020 meeting.</p> <p>An M.C.I.T. working group has been created to implement recommendations concerning expansion and enhancement of the M.C.I.T. program.</p> <p>As part of a continuous engagement process with the Board’s M.H.A.A.P. during the M.C.I.T. expansion plan, the Service provided questions to the Panel requesting their input and expertise. The guidance provided by the Panel will be integral in the development of outcomes outlined in the M.C.I.T. expansion as the Service acknowledges and recognizes their breadth of knowledge and experience.</p>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will continue to train Members to respond to opioid-related emergencies, including administering naloxone.</i></p>	<p><b>Ongoing</b></p> <p>Following the initial targeted deployment of naloxone which began in June 2018 and which focused primarily on the downtown core, the Service implemented phase 2 of the naloxone program implementation on April 1, 2020. At the commencement of phase 2, the availability of naloxone was expanded to include all frontline constables across the City of Toronto. At this time, naloxone is now available to frontline members at all Divisions to support the police response to opioid overdoses. In addition, members of Traffic Services, the Public Safety Response Team, the Toronto Drug Squad, and Police Dog Services are issued with naloxone, as well as Sergeants/Detectives in the Emergency Task Force and the Integrated Gun &amp; Gang Task Force.</p> <p>Members are required to have completed mandatory training prior to being issued with naloxone, and must also have proof of current Standard First Aid certification. In order to facilitate training and augment the existing online naloxone administration training delivered through the Canadian Police Knowledge Network (C.P.K.N.), the T.P.C. incorporated practical instruction in overdose response and naloxone administration into the St John Ambulance Standard First Aid training curriculum as of April 2019. Since that date, 1820 members have completed the practical naloxone training module as part of their Standard First Aid certification, and an additional 934 members completed the online module to supplement their existing Standard First Aid certification. All members of the Service now receive practical overdose</p>

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	<p>response and naloxone training as part of their new or renewed St. John Ambulance Standard First Aid certification.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>Internally, the Service will continue to promote and make resources available and easily accessible to Service Members who require support for mental health and/or addiction issues, including suicide prevention resources, workplace accommodation services and psychological support.</i></p>	<p><b>Ongoing</b></p> <p>The Service has developed a robust wellness program to support its members.</p> <p>Information on the following wellness resources is accessible on the Service’s intranet through:</p> <ul style="list-style-type: none"> <li>• The Wellness Unit intranet page;</li> <li>• StrongTogetherTPS.com – access available through the intranet and online;</li> <li>• Intranet quick-link for mental health resources;</li> <li>• Mobile phone/personal computer.</li> </ul> <p>Current programs/resources include the following:</p> <ul style="list-style-type: none"> <li>• <u>COVID-19 Supports;</u></li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<ul style="list-style-type: none"> <li>• 24/7 pandemic hotline serving as the initial point of contact for Service members;</li> <li>• Provides support, guidance and direction, and referrals to established testing sites;</li> <li>• Contact tracing surveillance team comprised of experienced doctors and nurses;</li> <li>• StrongerTogetherTPS website providing online resources and tools to support members through the challenges of: communicating and collaborating remotely, practicing self-care, exploring new opportunities for skills development.</li> </ul> <p><u>Critical Incident Response Team (C.I.R.T.)</u></p> <ul style="list-style-type: none"> <li>• Comprised of Service members trained in Critical Incident Stress Management and Peer Support Principles;</li> <li>• Respond across the Service to provide support and resources to members who have been involved in situations where, due to the nature of the incident, concern for the health and well-being of members has come into question;</li> <li>• On-call, 24-hour resource that can be deployed via the Toronto Police Operations Centre (T.P.O.C.);</li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<ul style="list-style-type: none"> <li>• Psychological debriefing with members involved in critical incidents, including events in which the S.I.U. has invoked its mandate;</li> <li>• Peer support volunteers available to guide members who are dealing with issues around family, addiction and substance, personal or work-related trauma and stress, and other emotional issues whether job-related or not.</li> </ul> <p><u>Psychological Services</u></p> <ul style="list-style-type: none"> <li>• Staffed by three clinical psychologists with specialized training in the assessment, diagnosis and treatment of mental health issues to support and enhance the mental health and wellness of members;</li> <li>• Mandatory annual (at least) sessions for members in identified high-risk units (units where members of teams engage in activities considered at risk for the development of Operational Stress Injury);</li> <li>• Individual consultations and referral services available to all members;</li> <li>• Wellness visits after completion of major projects;</li> <li>• Family Day presentation to new recruit classes and their families prior to graduation;</li> <li>• Early Career Program (E.C.P.);</li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<ul style="list-style-type: none"> <li>• Mandatory psychological wellness visit for newly hired members during the first one to two years on the road;</li> <li>• Introduce strategies and wellness education early in the career to establish initial support to help combat some of the stigma and other barriers that may prevent members from reaching out for help.</li> </ul> <p><u>Employee and Family Assistance Program (E.F.A.P.)</u></p> <ul style="list-style-type: none"> <li>• Morneau Shapell providing members with confidential support services and solutions focusing on mental, physical and financial health at no cost to members;</li> <li>• A pilot for Inkblot Therapy and MindBeacon Cognitive Behavioural Therapy, virtual care platforms that provide access to private, confidential, on-demand care from members' homes or mobile phone;</li> <li>• Eased access to Inkblot and other psychological services by no longer requiring a note from a physician.</li> </ul> <p><u>Chaplaincy Program</u></p> <ul style="list-style-type: none"> <li>• Provides support to Service Members and extended family in times of celebration, bereavement and crisis, through the network of volunteer chaplains of various faiths and denominations across Toronto.</li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p data-bbox="1096 300 1570 329"><u>Medical Advisory Services (M.A.S.)</u></p> <ul data-bbox="1220 370 1915 605" style="list-style-type: none"> <li>• Provides assistance to members recovering from illness and injury, working in collaboration with individual members, their healthcare providers, the Toronto Police Association (T.P.A.) and the Service to identify the most successful individualized return to work plan that will promote recovery and early/safe return to work.</li> </ul> <p data-bbox="1096 646 1388 675"><u>External Partnerships</u></p> <ul data-bbox="1220 716 1892 1105" style="list-style-type: none"> <li>• Continuing development of partnerships with external agencies to optimize multiple options that will meet the needs of members and their families;</li> <li>• Many of the organizations are peer-led, independent charitable organizations, including but not limited to:               <ul data-bbox="1310 963 1688 1105" style="list-style-type: none"> <li>• Toronto Beyond the Blue</li> <li>• Wounded Warriors</li> <li>• Boots on the Ground</li> <li>• Canadian Mental Health Association</li> </ul> </li> </ul> <p data-bbox="1096 1138 1209 1167"><u>Training</u></p> <ul data-bbox="1220 1208 1915 1385" style="list-style-type: none"> <li>• Road to Mental Readiness (R2MR) – mandatory Service-wide initiative implemented and completed by all uniform and civilian members, this training was originally developed by the Department of National Defense and adapted by</li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<p>the Mental Health Commission of Canada for a policing environment. One part of the Service's commitment to reduce stigma and increase resiliency surrounding the issue of mental health;</p> <ul style="list-style-type: none"> <li>• Collaboration between Psychological Services and University of Toronto on a free COURSERA course 'Understanding and Managing the Stresses of Police Work' ;</li> <li>• Goal of this course is to provide police officers with a clear and learnable approach that, with practice, will make the challenges of their career more manageable;</li> <li>• Psychological training to Crime Analysts at Forensic Identification Services as requested;</li> <li>• Recent provision from Psychological Services of additional suicide prevention training and clinical support to Wellness front-line staff;</li> <li>• Mental health awareness and suicide prevention training by Psychological Services to all newly promoted supervisors.</li> </ul> <p><u>Member input</u></p> <ul style="list-style-type: none"> <li>• The Wellness Unit created and distributed a comprehensive survey in July to canvass members' feedback and input on how/which current resources provide support as well as suggestions of further supports members would like to see made available;</li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
	<ul style="list-style-type: none"> <li>• The wellness survey closed on 30 September and we received more than 1500 responses. These responses are being analyzed and will be used to inform the development of wellness programming.</li> </ul> <p><u>Initiatives in progress</u></p> <ul style="list-style-type: none"> <li>• As part of the Service’s ongoing commitment to the well-being of its members, the Wellness Unit is undergoing a full-scale transformation of structure and delivery model;</li> <li>• A comprehensive Wellness Strategy is being developed.</li> <li>• Working on a framework of policy and procedure around suicide protocol;</li> <li>• Mental Health Fit Pin (MindFit)               <ul style="list-style-type: none"> <li>• Similar to the annual FitPin program this initiative is designed to encourage a proactive approach to mental health and to encourage members to take charge of their own mental wellbeing;</li> <li>• Collaboration with external stakeholders to create a robust program such as MindWell U (research based mindfulness program for first responders that will offer an online training component).</li> </ul> </li> </ul>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service's Command Team will ensure that the Action Items in this Strategy are undertaken and that progress on these Action Items are publicly reported on an annual basis.</i></p>	<p><b>Completed</b></p> <p>In the Spring and Summer of 2019 Inspector Chris Boddy met individually with the Chief and Command with the regards to the Strategy. Progress on Action Items in the Strategy are being publically reported at the December 2020 Board meeting.</p>

OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service will produce an annual analytical assessment of individuals who have been apprehended multiple times under the Mental Health Act. This will result in a strategic report for resource planning and enhanced service delivery by the Service and key partner agencies.</i></p>	<p><b>Ongoing</b></p> <p>A proof of concept dashboard has been developed and presented to Service. Member feedback will be incorporated prior to broader distribution. The data presented includes a count of unique persons with multiple interactions, categorized by frequency, hospital wait time, hospitals frequented and apprehension form. This will form the basis of a more thorough analytical assessment that will be delivered as a report and shared with partner agencies.</p> <p>M.C.I.T. is a subsection of the Mental Health dashboard.</p>

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OUR COMMITMENT TO PRESERVING LIFE	T.P.S RESPONSE
<p><i>The Service is committed to involving the community, including the Board’s M.H.A.A.P., to inform and review our training and procedures related to interactions with individuals who may be experiencing mental health and/or addictions issues.</i></p>	<p><b>Ongoing</b></p> <p>The Service proactively and comprehensively educates its officers and is committed to continuous learning and improvement, to ensure the equitable delivery of policing services to all communities. The content of police training reflects the latest knowledge and practices and is developed in consultation with experts, community members, advocacy groups, agencies and institutions, mental health professionals and consumer survivors.</p> <p>The T.P.C. continually reviews, develops and updates training to ensure officers are equipped with the knowledge, skills and abilities needed to provide appropriate responses and Service delivery to all communities. The T.P.C. instructors and section heads sit on various committees and working groups at the provincial and national level to help enhance training and related standards for the Service and its partners. Over the past several years the T.P.C. has worked collaboratively with community partners and subject matter experts, and continues to do so, to design effective training in the areas of human rights, profiling, mental health, community engagements, emotional intelligence and critical thinking to name a few.</p> <p>The Service is represented on the Board’s Anti-Racism Advisory Panel, the City of Toronto’s Anti-Black Racism Action Plan and the Board’s Mental Health and Addictions Advisory Panel all of which continue to inform future training for Service members.</p>

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OUR COMMITMENT TO LEADERSHIP	T.P.S RESPONSE
<p><i>The Service will ensure that internal procedures are reviewed regularly to ensure that they are consistent with the language and principles contained in this Strategy.</i></p>	<p><b>Ongoing</b></p> <p>Pursuant to the “Adequacy Standards Compliance” Policy, the Service follows a three year cycle of regularly reviewing and updating all its procedures to incorporate the latest knowledge and best practices.</p> <p>The Service is committed to continuous improvement in improving officer’s skill when interacting with persons in crisis. The content of this training is continuously updated and refined. De-escalation has always been a top priority and is reinforced during recruit training every 12 months during the Service’s In Service Training Program.</p>

OUR COMMITMENT TO LEADERSHIP	T.P.S RESPONSE
<p><i>The Service will develop a mental health and addictions awareness training module for Senior Officers.</i></p>	<p><b>Completed</b></p> <p>All Uniform and Civilian Senior Officers have completed the Road to Mental Readiness training that includes mental health and addition components. The Service will continue to explore professional development opportunities in this area.</p>

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OUR COMMITMENT TO LEADERSHIP	T.P.S RESPONSE
<p><b><i>The Service will review this Strategy on an ongoing basis, examining best practices in jurisdictions across Canada and around the world, incorporating recommendations from Coroners' Inquests, and involving the community, particularly emphasizing those with lived experience.</i></b></p>	<p><b>Ongoing</b></p> <p>The Service is fully committed to the continued pursuit of excellence in this space. In the current social justice environment, there have been further calls for police reform particularly as it pertains to calls for service with a mental health or addition component. In response to the summer's protests, the Toronto Police Services Board has approved 81 recommendations which the Service has agreed to adopt. These recommendations continue to advance this Strategy beyond the initial recommendations. This process of continuous improvement for the spirit of this Strategy, namely excellence in a whole of service approach to high-quality service delivery for mental health and addiction matters, will continue.</p>

OUR COMMITMENT TO LEADERSHIP	T.P.S RESPONSE
<p><b><i>The Service will ensure that Staff Sergeants, Sergeants, and Communications Supervisors monitor and assess the effectiveness of Members under their supervision in responding to people who appear to be experiencing mental health and/or addictions issues, by utilizing established systems such as reviewing written reports and In Car Camera footage.</i></b></p>	<p><b>Ongoing</b></p> <p>The Service currently relies on established systems and processes such as the following:</p> <ul style="list-style-type: none"> <li>• A review of the event by the Service's PRS-SIU Liaison via a Section 11 investigation, PRS-Criminal Section 11 report, the Use of Force Analyst and the Use of Force Committee to identify trends or possible gaps in training, equipment, or procedure, using documents and records including: <ul style="list-style-type: none"> <li>• the Use of Force Report completed by involved officers when they use force that results in injury or</li> </ul> </li> </ul>

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OUR COMMITMENT TO LEADERSHIP	T.P.S RESPONSE
	<p>when the officer uses certain force options such as the CEW or firearm;</p> <ul style="list-style-type: none"> <li>• other officer submitted reports including occurrences, injury reports, and arrest records;</li> <li>• officers' memo books and other notes;</li> <li>• results of officer interviews or testimony, and</li> <li>• any video evidence from both police and private sources;</li> </ul> <ul style="list-style-type: none"> <li>• A full evidentiary review by Professional Standards as part of a legislated investigation required when police actions have led to serious injury or death of a civilian or a police officer [PSA O. Reg. 267/10, s. 11 (1)];</li> <li>• Analysis by the Police College of recommendations resulting from coroner's inquests and other legal proceedings, inquiries, and reviews;</li> <li>• At the conclusion of every practical exercise, during scenario-based training, (which are based on real-life events) participants are probed for the reasons behind their decisions and they are given an opportunity to peer and self-critique their decisions and actions. This form of debriefing is a proven educational method that very effectively imbeds the training and the lessons;</li> <li>• In 2020 the Service began its rollout of Body Worn Cameras (B.W.C.) which will be mandatory use for all front line officers.</li> </ul> <p>Additionally, the Service has an Early Intervention (E.I.) program to proactively identify Service members with potential performance or conduct issues. The program provides members' unit commanders with comprehensive information to help them guide and help their members. An</p>

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OUR COMMITMENT TO LEADERSHIP	T.P.S RESPONSE
	<p>E.I. alert is triggered when a member exceeds a pre-set threshold for incidents such as use of force events. Once an alert is triggered, the member's performance and conduct history is reviewed and a report is generated to help unit commanders address potential performance or conduct issues.</p>

OUR COMMITMENT TO EQUITY/ ANTI- RACISM	T.P.S RESPONSE
<p><i>The Service will research training on how the race, cultural identity, and/or other identities of an individual may influence a police officer's decisions and actions with regards to use of force.</i></p>	<p><b>Ongoing</b></p> <p>Prior to 2019, this training was developed and implemented as a result of the Police and Community Engagement Review report (P.A.C.E.R.).</p> <p>As of 2019, Equity Inclusion &amp; Human Rights (E.I&amp;H.R.) worked with the Incident Response Team section of the T.P.C. to inform and develop training scenarios with respect to race and implicit bias. This training was included in the 2020 In-Service Training Program.</p> <p>E.I&amp;H.R. also provided support to the T.P.C. in developing the Anti Black Racism training module for 2020 In-Service Training Program. Members from E.I&amp;H.R. delivered the Anti Black Racism module to the 2020 In-Service Training</p>

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OUR COMMITMENT TO EQUITY/ ANTI- RACISM	T.P.S RESPONSE
	<p>Program classes until training was suspended in March 2020 due to COVID-19.</p> <p>E.I&amp;H.R. and the T.P.C. are currently developing a 4 hour in-person training curriculum in collaboration with Dr. Grace-Edward Galabuzi (Ryerson University) to deliver to all members of the Service on the collection of Race-based Data. This training curriculum will also include the historic significance of anti-black and anti-indigenous racism, an understanding of systemic racism, and implicit bias in policing. It will also include use of force video scenarios and instruction in completing the Use of Force report.</p>

OUR COMMITMENT TO EQUITY/ ANTI- RACISM	T.P.S RESPONSE
<p><b><i>The Service will continue to improve and enhance the formal training police officers receive in relation to bias, both conscious and unconscious, and how to address the issue as it relates to its effects on judgement and decision-making.</i></b></p>	<p><b>Ongoing</b></p> <p>In December 2019, the Service introduced online training on Race-based Data Collection. This training included an understanding of the Anti-Racism Act (2017) legislation as it pertained to race data collection plus foundational concepts of racism, systemic racism and implicit bias. All members of the Service completed this training by May 2020.</p> <p>Drs. Carlyle Farrell and Gervan Fearon will conduct an equity review of the all College curricula to identify gaps, and bias and make recommendations for inclusive curricula.</p>

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OUR COMMITMENT TO EQUITY/ ANTI- RACISM	T.P.S RESPONSE
	<p>The Anti Black Racism and Policing Training will undergo redesign in consultation with Confronting Anti-Black Racism (C.A.B.R.) and other stakeholders for more participant driven design to strengthen learner engagement with the content and development of strategies to address Anti- Black Racism. The Service will develop an interactive scenario-based Anti Black Racism and Policing e-learning module in collaboration with C.A.B.R. and other stakeholders that will facilitate applying key concepts and strategies.</p>

OUR COMMITMENT TO EQUITY/ ANTI- RACISM	T.P.S RESPONSE
<p><i>The Service will continue to ensure that training provides police officers with strategies to offset and challenge implicit bias.</i></p>	<p><b>Ongoing</b></p> <p>E.I&amp;H.R. provides ongoing equity, inclusion and human rights training for members, new recruits, and newly-promoted uniform members to raise awareness on members’ rights and obligations and to foster an understanding of the concepts of equity and inclusion and how it impacts every member in their work. E.I&amp;H.R. also provides targeted coaching and training to specific groups, units, or divisions to resolve or head-off conflicts early on.</p> <p>The Service will be conducting a process to hire a curriculum designer with an E.I&amp;H.R. lens who will oversee developing training to address anti-black and anti-indigenous racism, implicit bias, equity strategies and inclusion.</p>

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ACTION ITEMS**

OUR COMMITMENT TO EQUITY/ ANTI- RACISM	T.P.S RESPONSE
<p><b><i>The Board’s Anti-Racism Advisory Panel (A.R.A.P.) and the City of Toronto’s Anti-Black Racism Action Plan will inform future training for Service Members.</i></b></p>	<p><b>Ongoing</b></p> <p>In 2020, In Service Training Program continues to build upon the previous year’s program. Training was developed with community input and includes Confronting Anti Black Racism, Loku Coroner Inquest recommendations, Race Based Data Collection Legislation, Truth and Reconciliation Commission of Canada: Calls to Action and the O.I.P.R.D. report, Breaking the Golden Rule.</p> <p>The Program Includes:</p> <ul style="list-style-type: none"> <li>• Indigenous Perspectives</li> <li>• Anti-Black Racism</li> <li>• Race Based Data Collection</li> <li>• Persons with Disabilities</li> <li>• Vulnerable Persons</li> <li>• Wellness and Resiliency</li> <li>• Scenario Based Training</li> <li>• Bill C-75</li> </ul> <p>Members of Toronto’s Community Safety and Wellbeing Unit and community partners are in attendance and participating in this training.</p> <p>The Service is represented on the Board’s A.R.A.P., the City of Toronto’s Anti-Black Racism Action Plan and the Board’s M.H.A.A.P., all of which continue to inform future training for Service members.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO A STIGMA- FREE ENVIRONMENT	T.P.S RESPONSE
<p><i>The Service will enhance the internal wellness program by including a focus on the mental health and well-being of Service Members and their families.</i></p>	<p><b>Ongoing</b></p> <p>The Service’s wellness initiatives have been captured on a previous response in this document.</p>

OUR COMMITMENT TO A STIGMA- FREE ENVIRONMENT	T.P.S RESPONSE
<p><i>The Service will continue to implement the Road to Mental Readiness (R2MR) program as a mandatory training program for all Service Members and will track the number of Members trained.</i></p>	<p><b>Completed</b></p> <p>All Civilian and Uniformed Service members received the Road to Mental Readiness module. The Service continues to look for further professional development opportunities in the area of mental health.</p>

OUR COMMITMENT TO A STIGMA- FREE ENVIRONMENT	T.P.S RESPONSE
<p><i>The Service will continue to include Member and community input in the development and review of training as it contributes to a stigma-free environment.</i></p>	<p><b>Ongoing</b></p> <p>As a component of In-Service Training Program continues to work with our community support groups including, but not limited to: Toronto Public Health, East Scarborough Boys and Girls Club, Toronto Community Housing, Scarborough Centre for Healthy Communities, East Metro Youth Services, Syme Woolner Neighbourhood and Family Centre, For Youth Initiative, Rexdale Community Health Centre, Unison Community Health Centre, Arab Community Centre for Toronto Police Service, Between the Lines Youth Support Services, Central Toronto Youth Services, Pathways to</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO A STIGMA- FREE ENVIRONMENT	T.P.S RESPONSE
	<p>Education, Toronto Kiwanis Boys and Girls club, Toronto Youth Cabinet, St. Stephens and Operation Springboard. Representatives of these organizations are invited to attend the scenario portion on In-Service Training Program and participate in discussion and problem-solving strategies to promote successful interactions that are free from racial bias.</p> <p>Additionally, the Service is represented on the Board’s A.R.A.P., the City of Toronto’s Anti-Black Racism Action Plan and the Board’s M.H.A.A.P., all of which continue to inform future training for Service members.</p>

OUR COMMITMENT TO A STIGMA- FREE ENVIRONMENT	T.P.S RESPONSE
<p><i>The Service will publish the results of a Member wellness survey.</i></p>	<p><b>Ongoing</b></p> <p>The Wellness Unit created and distributed a comprehensive survey in July 2020 to canvass members’ feedback and input on how/which current resources provide support as well as suggestions of further supports members would like to see made available.</p> <p>The wellness survey closed on September 2020 more than 1500 responses were received. These responses are being analyzed and will be used to inform the development of wellness programming.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><i>The Service will work toward developing a process and procedure for officer debriefing sessions after interactions with individuals who may have been experiencing mental health and/or addictions issues</i></p>	<p><b>Ongoing</b></p> <p>The Service recognizes the value of learning from past experiences as part of continuous improvement in individual and corporate performance.</p> <p>The Service is currently exploring the feasibility of officers completing a brief survey after each interaction with a person in crises. Questions considered:</p> <ol style="list-style-type: none"> <li>1. Did the training you've received help you during your interaction with the person(s) in crisis?</li> <li>2. Is there anything not covered in training that you feel may have helped you in this situation or in future situations dealing with persons in crisis?</li> <li>3. Did you have the equipment you needed to effectively deal with the situation?</li> <li>4. Were community resources or support services/agencies available for you to utilize during your interaction with the person(s) in crisis.</li> </ol> <p>Survey results would then be analyzed by the T.P.C.</p> <p>Nevertheless, to achieve the goal of continuing learning which is for the Service to learn from events, the Service currently relies on established systems and processes such as the following:</p> <ul style="list-style-type: none"> <li>• A review of the event by the Service's PRS-SIU Liaison via a Section 11 investigation, PRS-Criminal Section 11 report, the Use of Force Analyst and the Use of Force Committee to identify trends or possible gaps in</li> </ul>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

	<p>training, equipment, or procedure, using documents and records including:</p> <ul style="list-style-type: none"><li>• the Use of Force Report completed by involved officers when they use force that results in injury or when the officer uses certain force options such as the Conducted Energy Weapon (CEW) or firearm;</li><li>• other officer submitted reports including occurrences, injury reports, and arrest records;</li><li>• officers' memo books and other notes;</li><li>• results of officer interviews or testimony, and</li><li>• any video evidence from both police and private sources.</li></ul> <ul style="list-style-type: none"><li>• A full evidentiary review by Professional Standards as part of a legislated investigation required when police actions have led to serious injury or death of a civilian or a police officer [PSA O. Reg. 267/10, s. 11 (1)];</li><li>• Analysis by the Police College of recommendations resulting from coroner's inquests and other legal proceedings, inquiries, and reviews;</li><li>• At the conclusion of every practical exercise, during scenario-based training, (which are based on real-life events) participants are probed for the reasons behind their decisions and they are given an opportunity to peer and self-critique their decisions and actions. This form of debriefing is a proven educational method that very effectively imbeds the training and the lessons;</li><li>• In 2020 the Service began its rollout of B.W.C. which will be mandatory use for all front line officers.</li></ul>
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**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><i>The Service will ensure that information obtained from an officer debriefing session is forwarded to Toronto Police College staff, and other units as appropriate, should the information potentially inform future training, highlight gaps in procedure or policy, or demonstrate best practices.</i></p>	<p><b>Ongoing</b></p> <p>A process will be developed to ensure information collected on officer surveys mentioned above are captured by the T.P.C. staff. It should be noted that the College currently receives information from the field that informs training such as all Use of Force and C.E.W. reports.</p>

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><i>The Service will continue to explore best practices across Canada and around the world for training involving interactions with individuals who may be experiencing mental health and/or addictions issues, adapting and customizing approaches where necessary and/or appropriate for use in Toronto.</i></p>	<p><b>Ongoing</b></p> <p>The Service is committed to continuous improvement in improving officer’s skill when interacting with persons in crisis.</p> <p>The Service proactively and comprehensively educates its officers and is committed to continuous learning and improvement, to ensure the equitable delivery of policing services to all communities. The content of police training reflects the latest knowledge and practices and is developed in consultation with experts, community members, advocacy groups, agencies and institutions, mental health professionals, those with lived experience and consumer-survivors.</p> <p>The College continually reviews, develops and updates training to ensure officers are equipped with the knowledge, skills and abilities needed to provide appropriate responses</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
	<p>and Service delivery to all communities College instructors and section heads sit on various committees and working groups at the provincial and national level to help enhance training and related standards for the Service and its partners. Over the past several years the College has worked collaboratively with community partners and subject matter experts to design effective training in the areas of human rights, profiling, mental health, community engagements, emotional intelligence and critical thinking to name a few.</p>

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><b><i>The Service will ensure that community members with lived experience of mental health and/or addictions issues, as well as subject matter experts, continue to play a pivotal role in the development and review of training.</i></b></p>	<p><b>Ongoing</b></p> <p>The content of police training reflects the latest knowledge and practices in the field of mental health, crisis resolution, and police use-of-force. To assist in the development of training, and to incorporate the experiences of those with lived experience into police training so that the disease and those who suffer from it are de-stigmatized, the Service has consulted broadly with advocacy groups, mental health professionals, those with lived experience and consumer-survivors.</p> <p>At the T.P.C., the training includes both classroom and scenario based elements. It is delivered to new police officers during their recruit training and to serving members during their annual requalification as part of the In Service Training</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
	<p>Program. In the classroom, officers are informed of the resources available to them to help people in crisis, and as part of the scenario-based training officers are expected to reference these resources to help resolve the matter.</p>

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><b><i>The Service will ensure that training continues to be refined and delivered to members of Communications Services regarding how to extract detailed information about people’s behaviour, including the use of appropriate language when describing a person’s behaviour.</i></b></p>	<p><b>Ongoing</b></p> <p>The Communications Training Section is currently in discussion with the College to have a stand alone module of de-escalation training including an online component which will ensure that it is available for members review and refreshing at anytime. Procedures with expected high levels of emotion including, Emotionally Disturbed Persons, Suicidal Callers and Domestic Violence are under constant review and tracking of changes have been maintained back to 1999.</p> <p>Members of Communications have bi-annual In-Service training which allows for topics of importance to be presented or reviewed. Outside of procedural updates and Routine Orders, the members of the Communications Training Section provide “Training Tips” that are reviewed during parade to ensure that we remaining current and informed. Training Tips and email providing direction are posted for future reference on SharePoint as well as links to procedures and relevant documents.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
	<p>High performing members are invited to take “Coaching and Mentoring” to learn to become an on desk trainer, this includes training evaluation writing. Appropriate language for both conversation and evaluation writing is taught and discussed in relation on desk training and expectations of Trainee performance.</p> <p>Quality Assurance which is performed per cycle as well as Service annual evaluations allows for Supervisors to ensure that performance of all members continues to meet the Service’s standards. This also provides opportunity for further discussion, training and courses should they be required.</p>

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><b><i>The Service will ensure that members of Communications Services continue to receive training to recognize the impact of language on an officer’s response to a situation and how it may affect the outcome of an interaction.</i></b></p>	<p><b>Ongoing</b></p> <p>Communications strives to ensure that members are aware they are the first contact for the public. Training stresses the importance of creating a positive interaction with the public and our partners, and how that interaction impacts both citizens and officers when they arrive on scene. Members are aware that high risk, violent and emotional events will have distraught callers who may not be focused, listening or be capable of responding. Training focuses on rapport and professional control when ascertaining information from a caller who is in crisis.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
	<p>The Communications Training Supervisor is a member of “The Learning Network” which consists of southern Ontario police Services who share information on training, current issues and solutions. The Learning Network provides opportunity for the Unit to become aware of issues that may be arising elsewhere but have not yet been encounter in Toronto.</p> <p>The Association of Police Communication Operators and the National Emergency Number Association membership and training is another avenue of shared learning among emergency Communicators and Training Sections.</p> <p>Members about to enter Dispatch class attend on a “ride-along” on the road with a frontline Sergeant. This provides insight as to what happens after they receive a call, the importance of voice and language with the caller, as well as the need for professional communication on the radio.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><i>The Service will track the number of Communications Services Members who receive training specifically for responding to individuals who may be experiencing mental health and/or addictions issues.</i></p>	<p><b>Ongoing</b></p> <p>Communication Services tracks all probationary training for both Call taker and Dispatch training in depth as detailed above.</p>

OUR COMMITMENT TO CONTINUOUS LEARNING	T.P.S RESPONSE
<p><i>The Service will explore ways to learn from our interactions with individuals who may be experiencing mental health and/or addictions issues through the analysis of data collected (e.g. information gleaned from satisfaction surveys after police interactions).</i></p>	<p><b>Ongoing</b></p> <p>There is on going work involving Analytics and Innovation and the Mental Health Data Collection &amp; Analytics Working Group. The group will define what constitutes a mental health and/or addictions issue and will enable existing records management tools to record these interactions via changes to our records management systems, preparing reports and conducting analysis.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
<p><i>The Service will continue to partner with key stakeholders to advocate for increased funding and the expansion of programs that serve people who are experiencing mental health and/or addictions issues, including the Mobile Crisis Intervention Teams (M.C.I.T.) program, community-based crisis services, affordable housing and peer-led organizations operated by and for persons with mental health and/or addictions histories.</i></p>	<p><b>Ongoing</b></p> <p>The Service has a long history of advocating for and partnering with community agencies that serve people who are experiencing mental health and/or addictions issues and this work continues.</p> <p>As previously mentioned the Service is exploring funding for the expansion of the M.C.I.T. program as an example.</p>

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
<p><i>The Service will look for new and innovative opportunities for collaborative partnerships that will support people who are experiencing mental health and/or addictions issues access the information, supports, and resources they require, experiencing mental health and/or addictions issues access the information, supports, and resources they require.</i></p>	<p><b>Ongoing</b></p> <p>The Service has a long history of working with community partners to support those living with mental health and/or addiction issues.</p> <p>As an example, the Service is exploring 911 Call Diversion. Several of the City’s community social service agencies operating crisis lines have been contacted to determine their capacity, training, and associated processes in triaging crisis calls into their organizations.</p> <p>Some of the organizations that have been consulted include: Gerstein Crisis Centre, Canadian Mental Health Association (C.M.H.A.) Peel-Dufferin, C.M.H.A. Toronto, C.M.H.A.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
	<p>Ontario, Scarborough Health Network, and The Distress Centers of Greater Toronto. The Service will also be participating in a collaborative working group of provincial law enforcement agencies to develop guidelines specific to call diversion.</p> <p>Communication Services has begun a mapping processes to integrate a crisis worker into our current operations.</p> <p>The Service is currently endeavouring to add additional Case Mangers to assist M.C.I.T. hospital partners manage cases and clients that require additional supports and resources. The Service will continue to work with our FOCUS partners and find ways we can support those in the community living with addiction and mental health issues.</p> <p>In December 2019 the Service implemented a voluntary Vulnerable Persons Registry. The Registry provides background information on individuals that may assist and inform a frontline officer's response in a person in crisis.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
<p><i>The Service will review the M.C.I.T. model with our hospital and other health care partners to guide program development and quality improvements processes.</i></p>	<p><b>Ongoing</b></p> <p>The Hospital Police Liaison Committees around the City continue to meet quarterly to guide program development and improvements. In addition there are also quarterly meetings with M.C.I.T. and Hospital Partners. Revised Memorandums of Understanding (M.O.U.) with program hospital partners is currently in the process of being reviewed by Legal Services.</p> <p>The M.C.I.T. Steering Committees meets quarterly to guide program development and improvements.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
<p><i>The Service will continue to work with our hospital partners to ensure timely transfers of care in Emergency Departments for individuals who have been apprehended under the Mental Health Act.</i></p>	<p><b>Ongoing</b></p> <p>The Service continues to collaborate with our M.C.I.T. hospital partners to develop transfer of care hospital procedures. It is anticipated in the future these policies can be used as templates for other hospitals in the City. Additionally the Service is continuing to work with local hospitals on process improvement to reduce wait times. In 2019 hospital wait times for all mental health apprehensions were on average 87 minutes.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
<p><i>The Service will continue to provide its Members with access to information on local resources available to provide support and assistance to members of the community who may be experiencing mental health and/or addictions issues, such as the Community Access Portal (C.A.P.).</i></p>	<p><b>Ongoing</b></p> <p>The C.A.P. is a map-based resource locator which provides contact and location information to members of the community and Service members.</p> <p>The Service's current version of the C.A.P. is available, however work has begun to improve quality of input data and layout. To date Analytics &amp; Innovation has collaborated with FindHelp 211 to improve the quality of this data, an initial upgraded framework has been drafted and requirements have been collected to transition the C.A.P. to a platform that will better serve the needs of officers on the frontlines. Improvements will be made to the user interface and it will include the ability to record referrals. Target release date is early 2021.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO ADVOCACY & PARTNERSHIP	T.P.S RESPONSE
<p><i>The Service will track the number of calls due to overdose-related emergencies.</i></p>	<p><b>Ongoing</b></p> <p>In order to maintain ongoing statistics, members are required to complete a Naloxone Tracking Form in in the Services records management system whenever a report related to a drug overdose is created. For the period from October 1, 2019 to October 1, 2020, a total of 353 Naloxone Tracking Forms were entered. Of those 353 entries, a total of 77 occurrences were identified in which officers administered naloxone, reflecting 21.8% of incidents.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO EVALUATION	T.P.S RESPONSE
<p><b><i>The Service will explore and implement all feasible methods of data collection (both qualitative and quantitative) in relation to police interactions with people who appear to be experiencing mental health and/or addictions issues, to allow for more comprehensive evaluation and public reporting.</i></b></p>	<p><b>Ongoing</b></p> <p>The Service has recently created a dashboard to be available for internal use presently and eventually public release. This dashboard will be publically available on the Public Safety Data Portal in Q1 2021 to provide a full year of data including: persons in crisis calls for service, M.C.I.T. calls for service and M.H.A. apprehensions. Data will be presented from 2017-2020.</p>

OUR COMMITMENT TO EVALUATION	T.P.S RESPONSE
<p><b><i>The Service will explore the development of metrics and the collection of data to facilitate evaluation and reporting on the interconnected nature of mental health and/or addictions issues and other social categorizations in interactions with police.</i></b></p>	<p><b>Ongoing</b></p> <p>A Memorandum of Understanding (M.O.U.) is in progress with Legal Services to integrate aggregate hospital data with the Service data for trend analysis.</p> <p>The Mental Health Data Collection &amp; Analytics Working Group will undertake the reporting, evaluation and metrics development required for this beginning immediately.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO EVALUATION	T.P.S RESPONSE
<p><b><i>The Service will explore means for collecting additional information (e.g. race-based data collection, de-escalation techniques used, etc.) to allow for more detailed reporting and analysis of police interactions with people who appear to be experiencing mental health and/or addictions issues, where a Mental Health Act (M.H.A.) apprehension was made.</i></b></p>	<p><b>Ongoing</b></p> <p>As per the Anti-Racism Act (A.R.A.) (2017) and the Toronto Police Services Board policy of September 19, 2019, the Service began collecting race-based data (R.B.D.C.) as of January 1, 2020 on Use of Force reports and all arrests, with a view of analyzing Strip searches conducted on persons in custody. Compiling race based date on Use of Force reports is above what is required in the Act. The regulation requires that Police Services expand the scope of collection as of January 1, 2021 as laid out by the Ministry. To date, no information has been received from the Ministry as to what further interactions will require data collection.</p> <p>With respect to collecting race-based and other identity related data for people who appear to be experiencing mental health and/or addiction issues the Services is exploring the scope of this work and the means by which to collect and extract this data.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

OUR COMMITMENT TO EVALUATION	T.P.S RESPONSE
<p><i>The Service will continue to review best practices from other jurisdictions across Canada and around the world to inform the ongoing improvement of training.</i></p>	<p><b>Ongoing</b></p> <p>The T.P.C. continually reviews, develops and updates training to ensure officers are equipped with the knowledge, skills and abilities needed to provide appropriate responses and Service delivery to all communities. The T.P.C. instructors and section heads sit on various committees and working groups at the provincial and national level to help enhance training and related standards for the Service and its partners. Over the past several years The T.P.C. has worked collaboratively with community partners and subject matter experts, and continues to do so, to design effective training in the areas of human rights, profiling, mental health, community engagements, emotional intelligence and critical thinking to name a few.</p>

**MENTAL HEALTH AND ADDICTION STRATEGY  
ACTION ITEMS**

<b>OUR COMMITMENT TO TRANSPARENCY, ACCOUNTABILITY, AND REPORTING</b>	<b>T.P.S RESPONSE</b>
<p><b><i>The Service will collect information/ data and prepare an annual report on this Strategy that allows for the timely assessment of Service Members' interactions with people who may be experiencing mental health and/or addictions issues, including the use of de-escalation, use of force, and the use of cultural competence and an equity approach. This report will be a public document and will include the information outlined in the Appendix.</i></b></p>	<p><b>Ongoing</b></p> <p>Along with delivering the report on the Service's Mental Health and Addictions Strategy, the Service also committed to providing the Board with regular updates on the progress of the Action Items detailed in the Strategy. The Service's Mental Health and Addictions Strategy emphasizes the commitment to the principles of transparency and accountability. An important commitment was made to report annually on the strategy. In the interest of increased transparency and accountability in the tracking process, the Service has created an interactive dashboard which will be updated continuously. The dashboard describes the Toronto Police Services Board and Service work plan for the advancement of each of these critical initiatives, tracks our progress, and provides links to relevant results and outcomes, as soon as they are available. This dashboard serves as the primary and most efficient method to report to the public on developments in the implementation of the Mental Health and Addictions Strategy. In the future, it will integrate with other Service dashboards as well as support valuable information sharing with the City of Toronto.</p>



## Toronto Police Services Board Report

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November 3, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Recommendation #73 - Status of Implementation of the Race-Based Data Collection, Analysis and Reporting Policy and Analysis of Gaps with the O.H.R.C.'s Recommendations**

### **Recommendation:**

It is recommended that the Toronto Police Services Board (Board) receive this Report for information.

### **Financial Implications:**

There are no financial implications arising from this report.

### **Background / Purpose:**

In developing its Race-Based Data Collection, Analyses, and Reporting Policy, the Board's Anti-Racism Advisory Panel (A.R.A.P.) consulted with communities and key stakeholders, such as the Ontario Human Rights Commission (O.H.R.C.) and Anti-Racism Directorate (A.R.D.) who presented to the Board early in the process on February 14, 2019. During the public consultations over the summer of 2019, the O.H.R.C.<sup>1</sup> and the A.R.D. submitted recommendations to the A.R.A.P. (see Appendix B ).

On September 19, 2019, the Board passed the Race-Based Data Collection, Analyses, and Reporting Policy (Policy) that incorporated some, but not all, of the feedback that A.R.A.P. received in its community consultations. The O.H.R.C. provided a written deputation to the Board on the Policy, appended in the Sept 19, 2019 Board Minutes.<sup>2</sup>

At the Board's August 18, 2020 meeting, the Board introduced and passed 81 recommendations for police reforms based on proposals submitted by City Council, the

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<sup>1</sup> [http://www.ohrc.on.ca/en/news\\_centre/ontario-human-rights-commission-submission-toronto-police-services-board-re-draft-policy-race-based](http://www.ohrc.on.ca/en/news_centre/ontario-human-rights-commission-submission-toronto-police-services-board-re-draft-policy-race-based)

<sup>2</sup> <https://tpsb.ca/component/jdownloads/send/54-2019/618-september-19>

Anti-Racism Advisory Panel (A.R.A.P.) and the Mental Health and Addictions Advisory Panel (M.H.A.A.P.) along with the deputations of hundreds of members of the public made at four days of town hall meetings.

This report addresses the Board's Police reform recommendation #73:

Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the Board's Race-Based Data Collection Policy, and where the Policy deviates from or fails to implement the recommendations of the Ontario Human Rights Commission in its written deputation to the Board, to identify the reason for that deviation or failure to implement. (City Council #24; ARAP #6; MHAAP #21).

In preparing this report, the Service sought and received input from the A.R.D. and the O.H.R.C. to ensure that we got it right.

### **Discussion:**

The Service developed a Race-based Data Collection (R.B.D.C.) Strategy to implement the Policy and regularly updates the Board and A.R.A.P. on its progress in implementing the Strategy on an annual and quarterly basis. Hence, this report will focus on assessing the Service's progress against the timelines as articulated in the Policy.

In its Policy, the Board directs the Service to take a phased implementation of the Policy (timelines in bold):

25. For the first phase, this Policy applies only to the collection of race-based data as it relates to all Use-of-Force reports submitted by members of the Service, effective **no later than January 1, 2020**.

26. Additional phases will ensure that this Policy applies to the various other interactions between members of the public and the Toronto Police Service, with such later phases to be specified by the Board. The Chief will **report to the Board, by September 2020**, concerning a timeline for the operational implementation of the remaining phases under this Policy. For greater clarity, this Policy must be implemented in a manner that **complies with the timelines specified in O. Reg. 267/18 and any related legal requirements**.

The Policy references the timelines set out under the *Anti-Racism Act* regulation ([O.Reg. 267/18](#)) that mandates the Ministry of the Solicitor General to:

- By January 1, 2020, collect the race of individuals as perceived by members of police services in all Use-of-Force reports (see revised P.S.A. [O.Reg. 926/90](#)).

- By January 1, 2021, collect the Indigenous identity, race, religion and ethnic origin of individuals in respect of whom members of police services are legally required to prepare a report.

The Ministry has yet to identify what reports it requires police services to collect race-based data by January 1, 2021 and comply with the Anti-Racism Data Standards.

The Board's Report on September 19, 2019 further directs the Service to take a piloted, phased-in approach to the implementation of self-identification data "through a carefully designed pilot project that can be expanded as appropriate, and based on the results of the first phase." (page 8).

The Service's implementation is on track with the timelines as set out in the Policy. The operationalization of some aspects of the R.B.D.C. Strategy were impacted by the Pandemic Emergency Measures that were in effect in March 2020 and continues to be a potential challenge for planning and implementation.

**As of January 1, 2020**, the Service began collecting race-based data in all Use-of-Force Reports and prepared the Service to meet the required timeline for Phase 1 despite the province releasing the revised PSA regulation and Use of Force Report (U.F.R.) on November 28, 2019. In addition, the Service went beyond this by including the collection of R.B.D. in all arrests to enable analyses of L3 searches (strip searches) in response to the O.I.P.R.D. Report "Breaking the Golden Rule." Phase 1 implementation also included the completion of community engagements, public notification and information on the Service's website, internal change management and delivery of online training prior to collection.

**On September 2020**, the Service also submitted a report with timelines for the completion of key milestones of additional phases to the Board. This includes deliverables tracking towards Phase 2 (collection of other interactions by January 1, 2021), establishment of the Community Advisory Panel, Independent Researcher/Org, the self-identification pilot, as well as other aspects of the Policy that relates to Phase 1 (data safeguard procedures, development of analysis framework, etc.).

Reflecting **timelines specified in O.Reg. 267/18**, the Service is preparing to start collecting race-based data in other interactions that members of the Service have with the public by January 1, 2021. As mentioned earlier, the Service is already collecting race-based data in all arrests as of January 1, 2020 to facilitate the analysis of L3 searches. As the race data collection is mandatory in all cases of arrests, this puts the Service in a good position to include race-based analyses in other outcomes that flow from an arrest, such as releases and charges, ahead of January 1, 2021.

In addition, as part of the Service's digital transformation efforts under its modernization plan *The Way Forward*, work is underway to digitize Form 105 (Illness/Injuries) and enable

the inclusion of injuries that result from lower-level uses of force, as approved by the Service in June 2020. For other interactions identified in the Policy, such as stops and questioning, the Service is assessing systems needs, gaps and opportunities for the potential collection, analyses and reporting of race-based data.

Beginning in December 2019, the Service undertook its largest community engagement effort to better understand the perspectives of diverse members of the communities and inform a self-identification data pilot. In March 2020, the Service assigned a lead person responsible for designing a pilot for the collection of self-identification data.<sup>3</sup> In line with the Policy's direction that the approach to the pilot be consistent with the Anti-Racism Data Standards (A.R.D.S.) and emphasize respect for individual and cultural dignity, the Service is:

- Engaging diverse members of communities, including Indigenous communities, youth, and other affected groups about how cultural safety, privacy protection, transparency and ongoing engagement as it relates to data looks like to them.
- Assessing systems gaps, needs and capabilities to comply with the ARDS and other legal privacy requirements, including security and access controls.
- Laying the foundations for building competencies, skills and comfort for Service members to understand and collect self-reported race-based and identity data that respects individual and cultural dignity through a staged, multi-modal training curriculum delivered to all Service members.
- Developing appropriate data safeguarding procedures in consultation with the Information and Privacy Commission

As we heard in our community engagements<sup>4</sup>, the community emphasized the need for the Service to build trust in order for the public to feel comfortable to provide this information to police. This process takes time and we need to get it right. In its September 2020 report to the Board, the Service identified key milestones and target dates for a self-identification pilot.

### **Assessment of the Board's Policy and the R.B.D.C. Strategy through the lens of the O.H.R.C.'s written deputation**

In this analysis of gaps in the Policy and its implementation as it relates to the O.H.R.C.'s written deputation (see Appendix A) to the Board, we also consider relevant feedback from the Anti-Racism Directorate and the extent to which the Policy and its implementation aligns with the Anti-Racism Data Standards and *Anti-Racism Act*, Regulation 267/18. As part of a provincial ministry responsible for the *Act*, regulation and data standards, the

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<sup>3</sup> The lead person was temporarily re-assigned to support TPS' emergency COVID response team between March and June 2020.

<sup>4</sup> The final report of our findings was submitted to the Board On October 22, 2020 and is available on the Service's website: <https://www.torontopolice.on.ca/race-based-data/>

A.R.D.'s recommendations (see Appendix B) are relevant and significant to consider along with the O.H.R.C.'s recommendations.

Appendix C provides a detailed assessment of the Policy and Strategy's alignment and deviation from both the O.H.R.C.'s<sup>5</sup> and A.R.D.'s recommendations. Overall, this assessment concludes that:

- Of the O.H.R.C.'s six recommendations, the Policy **aligns** with one recommendation, **partially deviates** from two recommendations and **deviates** from three recommendations.
- Of the A.R.D.'s seven recommendations, the Policy **aligns** with four recommendations, **partially deviates** from two recommendations and **deviates** from one recommendation.

We also assess where the Service's implementation approach under the R.B.D.C. Strategy deviates from or aligns with the O.H.R.C.'s and A.R.D.'s recommendations. Overall, this assessment concludes that:

- Of the O.H.R.C.'s six recommendations, the R.B.D.C. Strategy **aligns** with three recommendations and **partially deviates** from three recommendations.
- Of the A.R.D.'s seven recommendations, the R.B.D.C. Strategy **aligns** with five recommendations and **partially deviates** from one recommendation. Assessment of one recommendation is yet to be determined as the Service is currently exploring the appropriate interactions for the self-identification pilot.

The Service continues to work collaboratively with partners and stakeholders internally and externally to leverage opportunities to align with the O.H.R.C. and A.R.D.'s recommendations, relevant statutory requirements and best practices.

### **Conclusion:**

Under the R.B.D.C Strategy, the Service is committed to the timely implementation of the Board's Policy in a manner that is consistent with the principles, requirements and guidelines of the *Ontario Human Rights Code*, *Anti-Racism Act*, regulation and data standards. The Service had gone above and beyond the Policy and continues to engage in meaningful dialogue and transparency with the A.R.D. and the O.H.R.C.

Critical to the success of the Strategy are meaningful and ongoing engagements with key stakeholders, such as the Anti-Racism Directorate, Ontario Human Rights Commission, Ministry of the Attorney General (Indigenous Justice Division), Information and Privacy

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<sup>5</sup> [http://www.ohrc.on.ca/en/news\\_centre/ontario-human-rights-commission-written-deputation-toronto-police-services-board-re-policy-race](http://www.ohrc.on.ca/en/news_centre/ontario-human-rights-commission-written-deputation-toronto-police-services-board-re-policy-race)

Commission, Confronting Anti-Black Racism Unit, and diverse members of communities and organizations.

The R.B.D.C. Strategy, wherever possible, is informed by input from those engagements, as well as from Service members, subject matter experts, the Community Advisory Panel and thought partners such as the Wellesley Institute to ensure that the Service is transparent and effective in identifying, monitoring and addressing any potential systemic racism and racial bias in its services, policies and procedures.

In addition, the Service is working with partners in the Ministry of the Solicitor General and other police services to share lessons learned, best practices and work collaboratively to identify gaps and strengthen our ability to drive evidence-informed policies, practices and procedures. This means understanding and addressing data systems barriers, establishing data integration capacities, recognizing data privacy and security concerns, and meeting analytics needs related to operations, transparency and accountability.

For example, we are engaging to support the province's modernization of the use of force report form to help us better understand the situations, circumstances, and behaviours involved in each incident and systemic trends to help improve training, procedures and policies. This requires working closely with the province to drive necessary changes while being sensitive to the workload demands increased reporting entails. Similarly, our information systems transformation under the under *The Way Forward* action plan provides a critical opportunity to review and re-imagine our systems to better fulfil data analytics needs in a way that is responsive, proactive, dynamic, and robust.

Deputy Chief Shawna Coxon, Communities and Neighbourhoods Command, will be in attendance to answer any questions the Board members may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office

## **Appendix A: The Ontario Human Rights Commission Written Deputation to the Toronto Police Services Board re: Policy on Race-Based Data Collection, Analysis and Public Reporting (September 19, 2019)**

The Ontario Human Rights Commission (OHRC) welcomes the opportunity to provide a written deputation to the Toronto Police Services Board (TPSB) on its *Policy on Race-Based Data Collection, Analysis and Public Reporting (Policy)*,<sup>[1]</sup> which is being considered for approval at its September 19, 2019 meeting.

Approving this Policy will be a historic step forward. It will signal that the TPSB and Toronto Police Service (TPS) are genuinely committed to identifying, monitoring and addressing racial profiling and racial discrimination. Once fully implemented, the Policy will require race-based data collection across the full range of police-civilian interactions and will make the TPSB and TPS national leaders in race-based data collection.

This is a unique moment to build public trust in police and make our communities safer. For over four decades, Black communities and the groups that represent them, like the Black Action Defense Committee, African Canadian Legal Clinic, Black Lives Matter Toronto and Black Legal Action Centre, have expressed concerns about anti-Black racism in policing. These concerns were reflected in *A Collective Impact*, the OHRC's interim report on its inquiry into racial profiling and racial discrimination of Black persons by the TPS.<sup>[2]</sup>

Decades of reports and recommendations, including the 1989 Clare Lewis *Report of the Race Relations and Policing Task Force*<sup>[3]</sup> and *A Collective Impact*, have pointed to race-based data collection as the foundation for combating racial discrimination in law enforcement. The OHRC's forthcoming *Policy on eliminating racial profiling in law enforcement*, which is being released on September 20, also recommends, among other things, that all police services collect race-based data on a wide range of police-civilian interactions and provides practical guidance to support police services in identifying and eliminating racial profiling.

Race-based data collection has made a difference elsewhere. For example, in New York City, stops decreased by 98% without any increase in crime after the New York Civil Liberties Union analyzed racial disparities in "stop and frisk" data and the Federal District Court ordered reforms and further data collection.<sup>[4]</sup> Police shootings also declined by approximately one-third in cities where there are agreements with the U.S. Department of Justice Civil Rights Division. These agreements often require police to collect and analyze race-based data.<sup>[5]</sup>

In response to *A Collective Impact*,<sup>[6]</sup> the TPSB passed a unanimous motion on December 18, 2018 stating its commitment to "using the collection of race-based data to promote evidence-based policy-making and organizational change, including in

monitoring systemic racial and other disparities to identify gaps, eliminate barriers and advance the fair treatment of every person.”<sup>[7]</sup> The TPSB referred its demographic data collection policy to the TPSB’s Anti-Racism Advisory Panel (ARAP) to be reviewed with recommendations for amendments. The TPSB further requested that the OHRC deliver a presentation to ARAP about best practices for collecting race-based data. The OHRC did so on February 14, 2019 and recommended that race-based data be collected on stops, searches, charges, arrests and use of force incidents. The OHRC later made a submission to the TPSB on its draft policy.<sup>[8]</sup>

The Policy signifies progress. It is a significant step forward in the TPSB’s efforts to identify and address systemic discrimination. There are many elements of the Policy that the OHRC supports and that are essential, including:

- The guiding principles and purpose, which reflect the values underlying the *Human Rights Code* – preserving the dignity of individuals and communities, enhancing accountability, delivering non-discriminatory services to the public, and identifying and publicly reporting on disparities in service
- Collecting race-based data based on officer perception
- Collecting race-based data on stops, questioning and searches; Use of Force Reports; charges; arrests and discrete interactions between an individual and an officer that lead to a “decision that determines an outcome for the individual”
- Regularly consulting and engaging with members of affected communities with lived experience of racial discrimination
- Internal and independent analysis of data
- Annual public reporting
- The requirement to develop action plans to “remove systemic barriers and advance racial equity”
- Key performance indicators that “assist in assessing whether racial disproportionalities or racial disparities in the data collected exist”
- Assessing “community safety outcomes” for police use of force, including whether the force was “justified by law”
- Independent recommendations to improve action plans
- Experiential and scenario-based training to all members of the TPS on “the approach to policing required by Ontario’s *Human Rights Code*” and how to avoid bias, discrimination and racism.
- Although charges and arrests are indicators of crime, data must be used in a way that is consistent with the *Human Rights Code*.<sup>[9]</sup> We agree with the TPSB that the “Policy and its implementation by the Service should not result in the stigmatization or stereotyping of any communities,” and “a race-based data collection, analysis and public reporting approach examines the effectiveness of police intervention with members of community, and not crimes rates of the communities with whom the police interact”<sup>[10]</sup>.

## **Recommendations**

The OHRC also makes the following recommendations to ensure that the Policy is consistent with best practices and achieves the TPSB's vision of an approach that is "best in class."<sup>[11]</sup>

The OHRC recommends that the TPSB:

1. Require that race-based data be used for accountability:
  - a. Require that the purpose of the Policy include identifying, monitoring and eliminating both individual and systemic discrimination
  - b. Require that race-based data be disaggregated by officer
  - c. Require that action plans include using race-based data to identify potential problematic officer conduct and taking remedial, performance management or other action as necessary.
2. Remove "another race category" from the racial categories.
3. Require race-based data collection when a civilian sustains a physical injury as a result of force being used, regardless of the extent of any such injury or medical treatment received.
4. Mandate the analysis of relevant contextual information from police-civilian interactions that involve use of force, consistent with best practices.
5. Require that all phases be implemented by January 1, 2021.

### **1) Accountability**

#### **A. Identifying both individual and systemic discrimination**

Any form of racial discrimination, whether individual or systemic, is illegal. In practice, individual and systemic discrimination are often linked. The OHRC recommends that the purpose of the Policy include identifying, monitoring and eliminating both individual and systemic discrimination. This would make the Policy consistent with its stated purpose of delivering non-discriminatory services and enhancing accountability. The Policy should not stand in the way of individual accountability for racial discrimination.

We accept that individual officers should not be identified in public reports, except as may be required by law. However, to fulfill the purpose of the Policy, the OHRC also recommends that race-based data be disaggregated by officer and the data be used in performance management.

Systemic racism and racial bias can partly be the product of individual officer bias and stereotyping. Racial profiling arising from an individual's explicit bias can have a broader, systemic impact, such as when a person in authority directs another person or organization to single out Indigenous, Black and other racialized people for monitoring and different treatment.

The *Anti-Racism Act* and Ontario's *Anti-Racism Data Standards* indicate that public sector organizations can use "personal information collected under the authority of the Act to the extent that it is needed to eliminate systemic racism and advance racial equity in its services, programs or functions."<sup>[12]</sup> In this case, individual officer information is needed to eliminate systemic racism and advance racial equity in service delivery.

### **B. Performance management**

The Policy prohibits race-based data from being used for performance management. However, best practices support using race-based data to further individual officer accountability, and the prohibition is inconsistent with the requirement that the Chief assess community safety outcomes in interactions.

The OHRC recommends that action plans include using race-based data to identify potential problematic officer conduct and taking remedial, performance management or other action as necessary. Actions may include early intervention, officer coaching, individualized learning plans and if necessary, discipline. Biased activities will occur less often if there is an understanding that supervisors will review officer conduct and that there will be consequences if officers engage in racial profiling or racial discrimination.<sup>[13]</sup>

Twenty-two community and advocacy groups endorsed the OHRC's recommendations in its submission to the provincial government on its review of policing. Recommendations included ensuring that officers are disciplined, up to and including dismissal, when their behavior is consistent with racial profiling. The OHRC's submission stated that supervisors should review race-based data as part of the disciplinary process.<sup>[14]</sup>

The OHRC's forthcoming *Policy on eliminating racial profiling in law enforcement* recommends that police services work with external experts to develop early warning systems. These systems would capture race-based data to alert supervisors to potential racial profiling and racial discrimination by both individuals and platoons/units/divisions.

*Promoting Co-operative Strategies to Reduce Racial Profiling*, the 2008 report commissioned by the U.S. Department of Justice's Office of Community Oriented Policing Services, stated: <sup>[15]</sup>

For departments seeking to reduce racial profiling, ensuring the accountability of individual officers or groups of officers through an early intervention system (EIS) has been identified as a positive strategy for reducing or preventing racial profiling. Early intervention is a data-driven management process that allows managers to identify officers who have recurring problematic behavior and to intervene through counseling and additional training (Walker, 2000).

The idea behind EIS is that officers may not recognize problematic behavior unless it is identified and brought to their attention by supervisors. Once identified, officers have the ability to improve their performance and correct the conscious or unconscious behavior-causing problems, such as racially biased traffic enforcement. The data collected by these systems also offer an overall picture of an officer's activity that can provide context when addressing allegations of biased policing and can indicate that racial disparities are associated with factors other than an officer's bias, for example, deployment allocations.

The Policy's prohibition on using race-based data in performance management is inconsistent with the Policy's requirement that the Chief assess community safety outcomes in interactions.<sup>[16]</sup> Assessing "community safety outcomes" for police use of force includes examining whether racial profiling is taking place. Without being able to rely on race-based data in performance management, the Chief is denied an important tool to ensure community safety outcomes. Put another way, if the police know from the race-based data that a particular officer is engaging in conduct consistent with racial profiling, they cannot use this data to performance manage the officer, potentially allowing the officer to escape scrutiny and putting community safety at risk.

### **C. Disaggregated data by officer**

The OHRC recommends that the data be disaggregated by officer.

Accountability for human rights or *Charter* violations before courts, tribunals and oversight agencies will be frustrated if the data is not disaggregated by officer. For example, evidence about whether a particular officer involved in an incident disproportionately stops and searches Indigenous, Black or other racialized people would not be available.

## **2) Racial categories**

The OHRC is pleased that the Policy requires race-based data collection based on officer perception. Perceptions of race are the most useful for identifying, monitoring and addressing racial profiling and racial discrimination.<sup>[17]</sup>

The Policy lists racial categories and states that they are the categories listed in Ontario's *Anti-Racism Data Standards*. The OHRC recommends that the category "another race category" be removed.

Ontario's *Anti-Racism Data Standards* draw a distinction between racial categories for "participant observer information of race" (i.e. perceived race) and self-identification. "Another race category" is not available as a response for "participant observer information" because of "lessons learned from other jurisdictions and research that shows including that option compromises the validity of responses."<sup>[18]</sup>

The OHRC also put forward racial categories in its submission to the Independent Street Checks Review, which were endorsed by the Ontario Association of Chiefs of Police and the Ontario Association of Police Services Boards and did not include “another race category” or “other.”<sup>[19]</sup>

### **3) Scope and application**

The OHRC is pleased with the commitment to a broad scope of race-based data collection described in the Policy. It means that the potential for racial bias at various stages of police interactions (stops, questioning, searches, charges, arrests, use of force and discrete interactions between an individual and an officer that lead to a “decision that determines an outcome for the individual”) will be assessed and the TPSB and TPS can better identify “institutional or structural practices ... that can result in racial disparities and prejudicial treatment.”<sup>[20]</sup>

#### **A. Use of force incidents**

The OHRC recommends that the Policy explicitly require race-based data collection when a civilian “sustains a [physical] injury as a result of force being used, regardless of the extent of any such injury or medical treatment received.” An officer is already required to submit an Injury/Illness Report (TPS 105) to the Officer in Charge in these circumstances.<sup>[21]</sup>

The Policy directs the TPS to collect race-based data “as it relates to [provincial] Use of Force Reports.”<sup>[22]</sup> The Province does not require that Use of Force Reports be filled out for use of force incidents that result in physical injuries that do not require medical attention.<sup>[23]</sup> Although these lower-level use of force incidents should fall in the category of discrete interactions between an individual and an officer that lead to a “decision that determines an outcome for the individual,”<sup>[24]</sup> the OHRC recommends that the Policy explicitly require that race-based data be collected on these incidents. To the extent that the TPSB takes the position that these lower-level use of force incidents would already be captured by the Policy, there is no reason for the TPSB not to make it explicit in an effort build public trust.

There may be racial disparities in these lower-level use of force incidents, which can still have significant physical and emotional impacts on the people subjected to them. The case law and lived experiences set out in *A Collective Impact* identified use of force incidents involving Black people that may not have required medical attention. Furthermore, the Center for Policing Equity found racial disparities in lower-level use of force incidents across the 12 U.S. police departments analyzed in its report *The Science of Justice: Race, Arrests and Police Use of Force*.<sup>[25]</sup>

Many Indigenous, Black and other racialized communities also support human rights-based data collection on all use of force incidents. As noted earlier, 22 community and

advocacy groups endorsed the OHRC's recommendations in its submission to the provincial government on its review of policing, which included the recommendation that police services be required to establish permanent data collection and retention systems to record human rights-based data on all use of force incidents.<sup>[26]</sup>

## **B. Contextual information about use of force incidents**

The OHRC is pleased that the Policy requires independent analysis of data and independent recommendations to improve action plans. However, the policy needs to clearly identify the relevant contextual information that should be analyzed by the independent organization or academic related to police-civilian interactions that involve use of force.

The Policy requires the Chief of Police to enter a partnership with an independent organization or academic that will, among other things, conduct their own analysis of race-based data and report to the TPSB with its findings and recommendations to improve action plans. The Chief of Police is required to provide the independent organization or academic with any relevant contextual information they determine is necessary, such as "demographic and census information (race, Indigenous ancestry, age, and gender of the individual), deployment information, detailed information about where the interaction occurred, etc. that assists with an analysis of the data."<sup>[27]</sup>

The OHRC recommends that the Policy specify contextual information to be analyzed from police-civilian interactions that involve use of force, to help the TPSB and TPS identify whether there is racial discrimination and intersectional discrimination. As the Center for Policing Equity noted, "a thorough understanding of police use of force is not possible without a thorough account of the interaction that produced it."<sup>[28]</sup> Also, there is a socially significant intersection between race and mental health that may affect officer decisions about use of force.<sup>[29]</sup>

Best practices support analyzing a variety of information, including the reason for initial contact between the subject and the officer, the subject's actions that led to the use of force, the level of force used, the subject's gender, whether the subject had or was perceived to have a mental health disability, charges and their disposition.<sup>[30]</sup> The Policy should specify that the analysis should consider the following information. This will inform whether the information should be collected or compiled from existing sources. All of the following contextual information should apply to the first phase of the Policy (i.e. Use of Force Reports) and use of force incidents that result in physical injuries:

- a. The subject's race, Indigenous ancestry, age and gender
- b. Whether the subject had or was perceived to have a mental health disability, was experiencing a mental health crisis or was intoxicated on drugs or alcohol at the time of incident
- c. All type(s) and levels of force used and their sequence

- d. Name, gender, rank, badge number, years of experience, shift, assignment, platoon, unit and division of the officer(s) who used force
- e. Location where the use of force occurred, including postal code, patrol zone and X-Y coordinates
- f. Location where the subject lived, including postal code and patrol zone
- g. Any injuries sustained by the officer and/or the subject and medical services received
- h. A detailed description of the circumstances and the subject's actions that led to the use of force including:
  - i. The reason for the initial stop or enforcement action
  - ii. Whether the incident occurred during an officer-initiated contact or a call for service
  - iii. Whether the subject was in possession of a weapon, the type of weapon and when the weapon emerged (i.e. before use of force or after arrest)
  - iv. Whether the subject was handcuffed or otherwise restrained during the use of force
- i. Whether the subject was charged with an offence, and, if so, which offence(s) and their disposition
- j. Whether, when and how verbal or other de-escalation techniques were used
- k. For firearm-related incidents, the number of shots fired by each involved officer, the accuracy of the shots
- l. The length of time between the use of force and the completion of each step of the force investigation and review.

Any additional contextual information to be analyzed may be determined by the independent organization.

#### **4) Timelines for implementation**

At present, data collection on the first phase (Use of Force Reports) is scheduled to begin by January 1, 2020, which is when the regulation of the *Anti-Racism Act, 2017* requires officers across Ontario to record “the race of individuals in respect of whom a use of force report is prepared.”<sup>[31]</sup> The Chief will report to the TPSB by September 2020 “concerning a timeline for the operational implementation of the remaining phases” of the Policy<sup>[32]</sup>.

The OHRC recommends that all phases be implemented by January 1, 2021, one year after the first phase is implemented. The TPSB and TPS are well-positioned to learn from the experience of the Ottawa Police Service and Ottawa Police Services Board in their Traffic Stop Data Collection Project, which included quality assurance measures, software upgrades, officer and supervisor training, community engagement, internal and external communications, data monitoring and extraction, and data storage and security.<sup>[33]</sup>

## Conclusion

We recognize that policing is vital to public safety, and that it is challenging and sometimes traumatic. The Policy signals that the TPSB and TPS are genuinely committed to building trust with diverse communities to make us all safer.

We are pleased that the TPSB and TPS are taking the recommendations from *A Collective Impact* and the concerns about anti-Black racism in policing seriously.

We call on the TPSB to implement our recommendations and approve the Policy. Our recommendations will help the TPSB realize its vision of an approach that is “best in class,” promote public confidence and co-operation, and make our communities safer.

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<sup>[1]</sup> Toronto Police Services Board, *Race-based Data Collection, Analysis and Public Reporting* (2019), Appendix A to Public Agenda Item #2 of the Toronto Police Services Board’s September 19, 2019 meeting,

online: [www.tpsb.ca/images/agendas/PUBLIC\\_AGENDA\\_Sep19.pdf](http://www.tpsb.ca/images/agendas/PUBLIC_AGENDA_Sep19.pdf) [Policy].

<sup>[2]</sup> Ontario Human Rights Commission, *A Collective Impact: Interim report on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service* (2018), online: [www.ohrc.on.ca/en/public-interest-inquiry-racial-profiling-and-discrimination-toronto-police-service/collective-impact-interim-report-inquiry-racial-profiling-and-racial-discrimination-black](http://www.ohrc.on.ca/en/public-interest-inquiry-racial-profiling-and-discrimination-toronto-police-service/collective-impact-interim-report-inquiry-racial-profiling-and-racial-discrimination-black).

<sup>[3]</sup> Clare Lewis, *The Report of the Race Relations and Policing Task Force* (1989) at 50, 51, 65, 83, 145, and 168, online: [https://archive.org/details/mag\\_00066901](https://archive.org/details/mag_00066901)

<sup>[4]</sup> New York Civil Liberties Union, *Stop-and-Frisk in the de Blasio Era* (2019) at 1-4, online: [www.nyclu.org/sites/default/files/field\\_documents/20190314\\_nyclu\\_stopfrisk\\_singles.pdf](http://www.nyclu.org/sites/default/files/field_documents/20190314_nyclu_stopfrisk_singles.pdf)

<sup>[5]</sup> U.S. Commission on Civil Rights, *Police use of force: an examination of modern police practices* (2018) at 88-89, online: [www.usccr.gov/pubs/2018/11-15-Police-Force.pdf](http://www.usccr.gov/pubs/2018/11-15-Police-Force.pdf); U.S. Department of Justice Civil Rights, *The Civil Rights Division’s Pattern and Practice Police Reform Work: 1994-Present* (2017) at 26-32, online: [www.justice.gov/crt/file/922421/download](http://www.justice.gov/crt/file/922421/download)

<sup>[6]</sup> [www.ohrc.on.ca/en/news\\_centre/deputation-toronto-police-services-board-regarding-toronto-police-services-board%E2%80%99s-anti-racism](http://www.ohrc.on.ca/en/news_centre/deputation-toronto-police-services-board-regarding-toronto-police-services-board%E2%80%99s-anti-racism).

<sup>[7]</sup> [www.tpsb.ca/component/jdownloads/send/49-2018/603-december-18](http://www.tpsb.ca/component/jdownloads/send/49-2018/603-december-18).

<sup>[8]</sup> [www.ohrc.on.ca/en/news\\_centre/ontario-human-rights-commission-submission-toronto-police-services-board-re-draft-policy-race-based](http://www.ohrc.on.ca/en/news_centre/ontario-human-rights-commission-submission-toronto-police-services-board-re-draft-policy-race-based)

<sup>[9]</sup> Ontario Human Rights Commission, *Count me In!: Collective Human Rights-Based Data* (2009) at 17, online: <http://www.ohrc.on.ca/en/count-me-collecting-human-rights-based-data>

<sup>[10]</sup> Policy, *supra* note 1 at 14.

<sup>[11]</sup> Policy, *supra* note 1 at 13.

<sup>[12]</sup> O Reg 267/18; Ontario, *Data Standards for the Identification and Monitoring of Systemic Racism* (2019), Standard 26 at 42-43, online: [Ontario www.ontario.ca/document/data-standards-identification-and-monitoring-systemic-racism](http://www.ontario.ca/document/data-standards-identification-and-monitoring-systemic-racism) [Ontario’s Anti-Racism Data Standards]; *Anti-Racism Act*, 2017, SO 2017, c 15, ss. 7(2), (6), (9).

<sup>[13]</sup> *Nassiah v Peel (Regional Municipality) Services Board*, 2007 HRTO 14 (CanLII) at para 207.

<sup>[14]</sup> Ontario Human Rights Commission, *Submission of the OHRC to the Ministry of Community Safety and Correctional Services on the Strategy for a Safer Ontario* (2016), online: [Ontario Human Rights Commission www.ohrc.on.ca/en/strategy-safer-ontario-%E2%80%93-ohrc-submission-mcscs](http://www.ohrc.on.ca/en/strategy-safer-ontario-%E2%80%93-ohrc-submission-mcscs) [Strategy for a Safer Ontario Submission].

- [15] Institute on Race and Justice, Northeastern University, *Promoting Cooperative Strategies to Reduce Racial Profiling*, COPS Evaluation Brief No. 1. (Washington, D.C.: Office of Community Oriented Policing Services, U.S. Department of Justice) 2008 at 7, online: <https://ric-zai-inc.com/Publications/cops-p146-pub.pdf>.
- [16] Policy, *supra* note 1 at 16.
- [17] Ontario Human Rights Commission, *OHRC Submission to the Independent Street Checks Review* (2018), online: *Ontario Human Rights Commission* [www.ohrc.on.ca/en/ohrc-submission-independent-street-checks-review](http://www.ohrc.on.ca/en/ohrc-submission-independent-street-checks-review); Rob Tillyer, Robin Angel & Jennifer Cherkaskas, “Best practices in vehicle stop data collection and analysis” (2009) 33:1 *PIJPSM* 69 at 76.
- [18] *Ontario’s Anti-Racism Data Standards*, *supra* note 12, Standard 40 at 63.
- [19] *OHRC Submission to the Independent Street Checks Review*, *supra* note 17.
- [20] Policy, *supra* note 1 at 12.
- [21] Toronto Police Service, Procedure 15-02: Injury/Illness Reporting (December 19, 2016).
- [22] Policy, *supra* note 1 at 13 and 25.
- [23] RRO 1990, Reg 926, s 14.5(1).
- [24] Policy, *supra* note 1 at 13.
- [25] Center for Policing Equity, *The Science of Justice: Race, Arrests and Police Use of Force* (2016) at 19–21, online: *Center for Policing Equity* [https://policingequity.org/images/pdfs-doc/CPE\\_SoJ\\_Race-Arrests-UoF\\_2016-07-08-1130.pdf](https://policingequity.org/images/pdfs-doc/CPE_SoJ_Race-Arrests-UoF_2016-07-08-1130.pdf) [Center for Policing Equity]
- [26] *Strategy for a Safer Ontario Submission*, *supra* note 14.
- [27] Policy, *supra* note 1 at 17.
- [28] Center for Policing Equity, *supra* note 20 at 7.
- [29] *Strategy for a Safer Ontario Submission*, *supra* note 21.
- [30] Scot Wortley, “Police use of Force in Ontario: An Examination of Data from the Special Investigations Unit, Final Report” (2006), Research project conducted on behalf of the African Canadian Legal Clinic for submission to the Ipperwash Inquiry at 79-80 and Appendix B; [www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/policy\\_part/projects/pdf/AfricanCanadianClinicIpperwashProject\\_SIUStudybyScotWortley.pdf](http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/policy_part/projects/pdf/AfricanCanadianClinicIpperwashProject_SIUStudybyScotWortley.pdf); Investigation of the Ferguson Police Department (March 4, 2015) at 92, online: *U.S. Department of Justice Civil Rights Division* [www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson\\_police\\_department\\_report.pdf](http://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf) [*Investigation of the FPD*]; Consent Decree between the United States (i.e. the DOJ) and the City of Ferguson (April, 2016) at 102, 103, 108–115 [*FPD Consent Decree*]; Consent Decree between the United States (i.e. the DOJ), the Mayor and City Council of Baltimore and the Police Department of Baltimore City (January, 2017) at 73–74 [*BPD Consent Decree*]; U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, *National Use-of-Force Data Collection Flyer* (2018), online: *Federal Bureau of Investigation* <https://ucr.fbi.gov/national-use-of-force-data-collection-flyer>.
- [31] O Reg 267/18, s 2.
- [32] Policy, *supra* note 1 at 19
- [33] See for example [www.ottawa.ca/calendar/ottawa/citycouncil/opsb/2014/01-27/item2.htm](http://www.ottawa.ca/calendar/ottawa/citycouncil/opsb/2014/01-27/item2.htm).

**Appendix B: The Anti-Racism Directorate's Submission to the T.P.S.B.'s Public Consultations on Race-Based Data Collection, Analysis and Public Reporting Draft Policy (August 27, 2019)**

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August 27, 2019

Notisha Massaquoi  
Uppala Chandrasekera  
Co-chairs, Anti-Racism Advisory Panel Toronto Police Services Board

**Submission to the TPSB's Public Consultation on Race-Based Data Collection, Analysis and Public Reporting Draft Policy**

Dear esteemed colleagues and ARAP co-chairs,

Thank you for the opportunity to provide our written response to the Toronto Police Services Board's ("TPSB") request for input on its draft Race-based Data Collection, Analysis and Public Reporting Policy ("draft Policy") as part of its public consultation process. We also had the chance to present before the Board on February 14, 2019 about Ontario's race-based data framework and to meet with ARAP members on June 19, 2019 to discuss our perspectives on race-based data collection in policing.

We are pleased that TPSB is helping to lead race-based data collection for equity purposes in Ontario. This is immensely important work that could not have come sooner. As Toronto's population grows larger and more complex, it is also increasingly more diverse in ways that demand new and different ways of policing the city. Numerous reports, commissioned reviews, and public engagements have called for better data to understand the unique needs and experiences of Toronto's diverse population. This means recognizing that communities have different historical and present-day perceptions and experiences of policing and that solutions require robust collection, analysis and reporting of race-based data in such a way as to protect individual privacy and community dignity.

### **Statutory Context for Race-based Data Collection in Ontario**

The Anti-Racism Data Standards (ARDS)<sup>1</sup> was established by the Ontario government in April 2018 under the Anti-Racism Act, 2017 (ARA)<sup>2</sup>, The ARDS was developed in consultation with the Ontario Human Rights Commission and the Information and Privacy Commission (IPC), and reflects feedback from community organizations and public sector stakeholders. It sets requirements for consistent race-based data collection, management, use (including analysis), de-identification and public reporting to promote robust and consistent data across sectors.

The ARA also empowers the government to pass regulations that authorize or require a public sector organization to collect race-based information in compliance with all or part of the ARDS for the purpose of eliminating systemic racism and advancing racial equity in services, programs or functions.

As you may already know, the current ARA regulation (O.Reg. 267/18)<sup>3</sup> mandates the Ministry of the Solicitor General (SolGen) to collect race information from police services in use-of-force reports, and race-based information (race, ethnic origin, Indigenous Identity and religion) in other reports. Under the ARA, police services boards can also be mandated to collect race-based information in accordance with the ARA and ARDS.

The ARD is generally supportive of the TPSB's draft Policy. We recognize that it explicitly builds on Ontario's Anti-Racism Data Standards (ARDS). However, in our submission below, we highlight specific areas for improvement to help better articulate the Policy's anti-racism purpose and improve alignment with Ontario's Anti-Racism Data Standards (ARDS). We make seven recommendations in the following sections of the draft Policy.

#### **A. Guiding Principles**

Currently the information in this section provides context, background and scope for race-based data collection by the Toronto Police Service. The principles should be more pronounced with additional explanation of the context for the policy. The draft Policy would benefit from a stronger Guiding Principles section to inform the operationalization of the policy to meet its intentions.

#### **Recommendation 1**

The ARD recommends that TPSB revise the guiding principles with more plain language explanations or rationales. Strengthen the guiding principles so that it includes, but is not limited to:

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1. <https://www.ontario.ca/page/anti-racism-data-standards-order-council-8972018>
  2. <https://www.ontario.ca/laws/statute/17a15>
  3. <https://www.ontario.ca/laws/statute/17a15>

1. Anti-racism and racial equity: The policy's guiding principle should clearly articulate the anti-racism purpose behind race-based data collection to ensure equitable services and treatment by identifying and addressing systemic racism and racial disparities.

2. Privacy, confidentiality, and dignity: The importance of protecting personal privacy and respecting the dignity of individuals, groups, and communities is crucial to establishing trust and confidence in the proper collection, use, and reporting of racebased data. This includes a strong commitment to prevent the misuse of race-based data and meaningfully involving affected communities and stakeholders in the implementation and monitoring of the policy.

3. Reliable and quality race-based statistics: It is important that the policy leads to the production and availability of high quality data and analyses that are trusted by communities, decision-makers, TPS employees and officers. It should also be used to support equitable policies, procedures, services, and programs. The ARD recommends that the principle includes adherence to provincial data standards (ARDS) to support consistent data for a whole-of-government approach to anti-racism.

### **Recommendation 2**

The ARD recommends that the scope and application of the Policy be more clearly identified and clarified (i.e. does "stops" include both traffic and pedestrian stops) so as to include strip searches, enforcement of trespassing bylaws, and citations. The scope of the Policy should inform the relevant implementation guidelines that follow. For example, if race-based data collection is scoped to the law enforcement functions identified, then the appropriate manner of collection and related procedures (see Recommendation 4) should align with the relevant ARDS requirements.

## **B. Purpose of Policy**

The draft Policy correctly identifies discrimination, bias, and disparities as issues that it addresses. The draft does not name systemic racism, racial bias, or racial disparities as the core issues driving the need for race-based data collection. Without a clear articulation of the purpose, the implementation of the draft Policy risks missing the mark.

This section also includes directives for the Chief of Police with respect to data collection procedures. This would benefit from being its own section, distinct from the overarching Policy purpose that would govern all aspects of the policy.

### **Recommendation 3**

The ARD recommends that TPSB clearly articulate the anti-racism purpose for the collection, analysis and public reporting of race-based data in the Policy. The purpose should also be positioned more centrally in its own section (separate from the directives). It should specify the intention of the policy is to identify, monitor and eliminate potential systemic racism and racial bias in police services. By naming racism and racial bias, it

helps to provide the rationale for the collection of race-based information (as opposed to other information).

### **C. Manner of Collection**

The draft Policy requires the Chief of Police to develop and establish procedures for the mandatory collection analysis and public reporting of race-based data. It is important to assess the appropriate manner of collection within the scope of the Policy, which currently includes police enforcement functions (i.e., stops, searches, use of force, charges, apprehensions, and arrests). Clauses 2 and 3 speak to the development of procedures that incorporate the use of:

1. Service members' perception data with respect to race identification in every case of data collection.
2. Self-identification data with respect to race identification using a phased-in approach, determined in consultation with the Board, that will allow for proper evaluation on an ongoing basis.

Provided the current scope of the Policy, the ARD agrees that perception data is the most appropriate in those circumstances (i.e., stops, searches, use of force, apprehensions, and arrests) and for the purpose of identifying and monitoring potential racial bias. For example, the ARDS, Standard 39 specifies that.

*PSOs must collect POI only for the specific purpose of assessing racial profiling or bias within a service, program, or function.*

*The collection of POI may only occur in circumstances that meet the following conditions:*

- 1. The PSO has published a plan as described in Standard 38; and*
- 2. There is a discrete interaction between an individual employed or retained by the organization ("representative of the organization") and an individual client or member of the public that leads to a decision that determines an outcome; and*
- 3. The representative of the organization involved in the interaction described above has the authority to exercise discretionary decision-making powers over the individual that can have a significant outcome for the individual; and*
- 4. Decisions and/or outcomes arising from that interaction can be measured or documented, such as an individual's receipt of benefits, penalties, or services, and treatment and/or experiences within a service, program, or function.*

### **Recommendation 4**

Given the current scope of the Policy, the ARD is of the view that direct collection is not an option, and strongly recommends its removal from the Policy. In policing interactions that involve law enforcement, it is not reasonable to assume that individuals are able to give

voluntary express consent for the collection of self-identification data (i.e., individual does not feel coerced to provide their personal information).

However, if the scope of the Policy is expanded to other policing functions, direct collection may be appropriate, such as where the objectives are to better understand the workforce or assess how police are doing in providing services to different communities, i.e., outreach, community liaison events, victim services, responding to reports or calls for assistance. In some cases, such as during bookings or taking victim information, it may be appropriate to collect personal information both directly and indirectly.

The ARD recommends that should TPSB expand the Policy's scope, as well as articulate criteria for determining circumstances where self-identification data can or cannot be collected (i.e., what is considered "impracticable"). It is important to assess the appropriate circumstances, necessary conditions, and the analytic purpose for the direct collection of race information. For self-reported race-based data to be appropriate, the conditions for the collection must ensure cultural safety, respect for individual dignity, and the full protection of personal privacy. In circumstances where race-based information is collected directly, the Service must provide the appropriate notice directly to the individual (ARDS Standard 8) and obtain express consent from individuals (Standard 7).

Also, when the collection of self-identification data is determined to be most appropriate, it should include Indigenous identity, ethnic origin, race, and religion (see Standard 11). Collection should also be based on express voluntary consent in alignment with the ARDS and ensure a culturally safe environment for individuals to provide their race-based and identity information. In direct collection scenarios, individuals must have the opportunity to ask questions about the data collection, feel comfortable to give consent and to refuse to provide their personal information, and not to feel challenged, coerced or belittled.

### **C. Race Categories**

The consistent collection of race data across the province is important to support a whole-of-government approach to identifying and addressing systemic racism and racial disparities in public services. For that reason, the ARDS emphasizes particular questions and categories in the collection of information about race: Indigenous identity, ethnic origin and religion.

In clause 4, the race categories that the Chief of Police is required to utilize are identified. However, the clause does not distinguish categories to be used when collecting race data based on either perception or self-identification. The ARDS sets out different race categories and response rules (Standards 15 and 40) when collecting directly from individuals, and when collecting indirectly (i.e., officer's perception of another individual's race).

### **Recommendation 5**

The ARD recommends that the Policy more clearly articulate the different sets of race categories to be used when collecting directly or indirectly, and the response rules that apply in accordance with the ARDS. The Policy should include instruction to the Chief of Police that procedures should be consistent with the ARDS wherever feasible and appropriate.

**Table 1: ARDS categories for self-identified and participant observer information (perceived) race.**

<b>Self-identified race (direct collection)</b>	<b>Participant Observer Information (indirect)</b>
<i>Select all that apply</i>	<i>Select only one</i>
Black	Black
East/Southeast Asian	East/Southeast Asian
Indigenous	Indigenous
Latino	Latino
Middle-Eastern	Middle-Eastern
South Asian	South Asian
White	White
Another Race	[Not a valid option]
NOTE: "Prefer not to answer" option is only available when collecting directly in an interview (i.e., in person)	

### **C. Analysis, Development of Action Plans and Reporting to the Board and Public**

Clause 5 to 10 speaks to the development and implementation of a framework for the analysis and public reporting of race-based data, including meaningful consultations with the Community Advisory Working Group and developing actions plans. It references analytical requirements to be covered in a framework (i.e., identifying trends, racial disproportionalities or disparities, intersectionality), identification of community safety objectives and related outcomes.

The draft Policy lacks information, however, on how personal information collected under this policy will be protected from unauthorized access or use, tampering, disclosure, destruction, or loss of personal information. Clause 10 is not clear on how the race-based information will be combined and used with other information in the Public Safety Data Portal.

Given the public interest and sensitivity of race-based information in the policing context, compliance with MFIPPA is not sufficient and should include privacy protections and limitations on the use, disclosure, and access to race-based information that is in the ARA and ARDS. The draft Policy needs further clarity on the data governance accountabilities required to ensure that personal privacy is protected, and limits the access to or use of race-based data.

### **Recommendation 6**

The ARD recommends that the policy sets out requirements to establish a data governance structure with clear roles and responsibilities for the protection of race-based data (Standard 2), including establishing mechanisms to prevent the misuse of race-based information and data breaches (Standard 18) and limits on access and use of race-based information (Standard 26).

### **D. Monitoring Compliance with Policy and Procedures**

This section speaks to monitoring compliance and the requirement for the Chief of Police to report annually to the Board. The draft Policy should address how any noncompliance or privacy breaches, including misuse of race-based data, would be reported to the Board, any consequences of non-compliance and/or corrective actions required.

### **Recommendation 7**

The ARD recommends that the Policy stipulate action that the Chief of Police is required to undertake, and the respective timeline, when there is non-compliance with policies or procedures. The Policy should also specify what corrective actions are expected or required to address the non-compliance.

Thank you for the opportunity to provide our feedback and for considering our recommendations on the Board's draft Policy. TPSB is commended for leading the policing sector in Canada in its commitment to race-based data collection for race equity purposes. We are deeply appreciative of the leadership and standard the TPSB is setting for all Ontarians.

Yours truly,

Akwatu Khenti, Assistant Deputy Minister  
Anti-Racism Directorate,  
Ministry of the Solicitor General

cc. Andrew Pringle, Chair TPSB  
Marie Moliner, Vice-Chair, TPSB  
Barbara Maclean  
Suelyn Knight

[Original signed]



## Toronto Police Services Board Report

### Appendix B: Gap Analysis Assessing O.H.R.C. and A.R.D. Recommendations on the Board's Race-Based Data Collection, Analyses and Public Reporting Policy

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy's implementation) -- Degree of deviation
<b>1. Guiding Principles and Scope</b>			
<b>A.R.D.</b>	Plain language and strengthen guiding principles to include:	Alignment	Alignment
	<ol style="list-style-type: none"> <li>1. Anti-racism and racial equity purpose</li> <li>2. Privacy, confidentiality and dignity</li> <li>3. Reliable and quality race-based statistics</li> </ol>	<p><i>Reason informing assessment:</i></p> <p>The Policy clearly articulates the guiding principles that reflect the A.R.D.'s recommendation, including the constitutional and legal principles of the Charter, Code and Anti-Racism Act.</p>	<p><i>Reason informing assessment:</i></p> <p>The R.B.D.C. Strategy reflects and is consistent with the Anti-Racism Data Standards and the guiding principles therein.</p>
<b>O.H.R.C.</b>	Include physical injury not requiring medical attention	Deviation	Alignment
	To include any physical injury as a result of force being used, regardless of the extent of any such injury or medical attention received.	<p><i>Reason informing assessment:</i></p> <p>The Policy does not require R.B.D. collection for physical injuries as a result of use of force that does not require medical attention.</p>	<p><i>Reason informing assessment:</i></p> <p>The R.B.D.C. Strategy will include information about injuries that arise from a use of force, regardless of the extent of the injuries by digitizing information collected in Form 105 (illnesses/injuries) and analyzing it under the Strategy.</p>

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation
A.R.D.	Clarify scope and align with A.R.D.S. requirements	Partial deviation	Not yet determined
	The scope and application of the Policy be more clearly identified and clarified (e.g., interactions involving law enforcement functions) and the implementation guidelines for the manner of collection and procedures should appropriately reflect the relevant requirements under the Anti-Racism Data Standards (A.R.D.S.).	<i>Reason informing assessment:</i>  The Policy focuses on enforcement interactions such as use of force, stops, questioning, arrests and the laying of charges as well as any discrete interactions as defined in A.R.D.S. Section 7 (Participant Observer Information). However, the Policy’s direction to collect self-identification information does not align with this scope.	<i>Reason informing assessment:</i>  The Service is currently exploring the appropriate interactions for the self-identification pilot that is consistent with the A.R.D.S. requirements and meets the Board’s Policy direction to implement self-identification data collection.
<b>2. Purpose</b>			
A.R.D.	Clearly articulate the anti-racism purpose	Alignment	Alignment
	The anti-racism purpose should be positioned more centrally in its own section and specify the intention of the policy to identify, monitor and eliminate potential systemic racism and racial bias in police services.	<i>Reason informing assessment:</i>  The Policy clearly articulates the anti-racism purpose.	<i>Reason informing assessment:</i>  The R.B.D.C. Strategy clearly positions the purpose of the Policy to inform its implementation.
A.R.D.	Identifying systemic racism:	Alignment	Alignment
	The purpose of the Anti-Racism Data Standards (A.R.D.S.) is to enable public sector organizations to fulfil their obligations under the <i>Anti-Racism Act, 2017</i> (A.R.A.) to identify and monitor racial disparities in order to eliminate systemic racism and advance racial equity.	<i>Reason informing assessment:</i>  The Policy aligns with the A.R.D.S.’ focus on systemic discrimination.	<i>Reason informing assessment:</i>  The R.B.D.C. Strategy implements the Policy’s direction, which aligns with A.R.D.S.

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation
<b>3. Accountability and Compliance</b>			
<b>O.H.R.C.</b>	Identifying both individual and systemic discrimination:	Partial deviation	Partial deviation
	<p>a) Require that the purpose of the Policy include identifying, monitoring and eliminating both individual and systemic discrimination.</p> <p>b) Require that race-based data be disaggregated by officer</p> <p>c) Require that action plans include using race-based data to identify potential problematic officer conduct and take remedial, performance management or other action as necessary.</p> <p>In its August 18, 2020 submission on police reforms, the O.H.R.C. reiterated its recommendations for individual officer accountability through establishing an early intervention system and ensuring investigations and discipline for racial bias.</p>	<p><i>Reason informing assessment:</i></p> <p>The Policy focuses on systemic discrimination as stated in its purpose to: “identify, monitor and eliminate potential systemic racism and racial bias.”</p> <p>The Board states that while the Policy and its implementation should not be used for performance management or to identify individual Service members, it will enable the identification of trends and contribute to professional development and organizational change.</p> <p>The Policy acknowledges that the <i>Police Services Act (P.S.A.)</i> and its related disciplinary measures continue to apply.</p>	<p><i>Reason informing assessment:</i></p> <p>The purpose of the R.B.D.C. Strategy is to identify, monitor and eliminate systemic racism and racial bias in police services.</p> <p>The Service has procedures and initiatives in place to hold members accountable for incidents of racial profiling and other forms of discrimination, as well as proactively identify and address patterns and trends on a systemic level.</p>

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation
<b>A.R.D.</b>	Compliance with policies or procedures and specify corrective actions:	Alignment	Alignment
	Require actions by the Chief of Police, and the respective timeline, when there is non-compliance with policies or procedures. Corrective actions are required to address the non-compliance.	<p><i>Reason informing assessment:</i></p> <p>The Policy requires the Chief to ensure compliance with the Policy, monitor relevant procedures, and annually report to the Board. The Chief, in developing the related procedures, automatically creates the ability to take action for any non-compliance.</p>	<p><i>Reason informing assessment:</i></p> <p>RBDC Strategy implements the Policy’s direction and reports quarterly to the Board on progress re: Policy’s implementation. In addition, the Service established Procedure 16-07 (Race-Based Data Collection, Analyses and Reporting) and revised relevant procedures (Arrests, Searches, Use of Force); any non-compliance with Service procedures will result in discipline as set out in the P.S.A.</p>
<b>4. Self-identification data</b>			
<b>O.H.R.C.</b>	Perception data most useful	Alignment	Alignment
	Emphasize that perception data is the most useful for identifying, monitoring and addressing racial profiling and racial discrimination.	<p><i>Reason informing assessment:</i></p> <p>The Policy directs the Service to collect perception data in all cases. In addition to perception data, the Policy also requires the Service to pilot the collection of self-identification data in consultation with the Board and that will allow for proper evaluation on an ongoing basis.</p>	<p><i>Reason informing assessment:</i></p> <p>RBDC Strategy includes collection of perception data as the most appropriate manner of collection to identify and understand systemic racial bias.</p>

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation
A.R.D.	Inappropriate manner of collection	<b>Deviation</b>	<b>Partial Deviation</b>
	Remove self-reported race from Policy, given the current scope that includes only law enforcement functions. The direct collection of race-based data in law enforcement functions is inconsistent with the requirements of the A.R.D.S.	<p><i>Reason informing assessment:</i></p> <p>The Policy requires the Service to collect both perception and self-identification data in the interactions identified by the Policy (i.e., use of force, stops, questioning and arrests, searches, charges, etc.)</p>	<p><i>Reason informing assessment:</i></p> <p>In accordance with the Policy direction, the R.B.D.C. Strategy plans to implement a pilot and is exploring appropriate circumstances and methods for collecting self-identification data as set out in the A.R.D.S.</p>
<b>5. Race Categories</b>			
O.H.R.C. & A.R.D.	Racial categories – “Another race” category:	<b>Deviation</b>	<b>Alignment</b>
	Both O.H.R.C. and A.R.D. recommended to remove the “Another race” category from the racial categories for perceived race, as inconsistent with the A.R.D.S.	<p><i>Reason informing assessment:</i></p> <p>The Policy requires collecting race data using the categories listed in the A.R.D.S. for personal information (self-reported) (Standard 15). It directs the Service to collect “Another race” category for perception data and not for self-reported data.</p> <p>This is in contradiction to the A.R.D.S., which does not include the “Another race” category when collecting participant observer information (Standard 40), but is to be collected for self-reported race data.</p>	<p><i>Reason informing assessment:</i></p> <p>The R.B.D.C. Strategy does not include “Another race” category in the systems used to collect officer perception’s race data to be consistent with the A.R.D.S. and regulation (i.e., use of force reports).</p> <p>Consistency across police services and with the provincial mandate is important to understand trends and comparisons.</p>

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation
<b>6. Analysis of race-based data</b>			
<b>O.H.R.C.</b>	Contextual information re: use of force:	<b>Deviation</b>	<b>Partial Deviation</b>
	<p>Mandate the analysis of relevant contextual information from police-civilian interactions that involve use of force, consistent with best practices. O.H.R.C. lists specific contextual information to be included on use of force:</p> <ul style="list-style-type: none"> <li>a) The subject’s race, Indigenous ancestry, age and gender</li> <li>b) Whether the subject had or was perceived to have a mental health disability, was experiencing a mental health crisis or was intoxicated on drugs or alcohol at the time of incident</li> <li>c) All type(s) and levels of force used and their sequence</li> <li>d) Name, gender, rank, badge number, years of experience, shift, assignment, platoon, unit and division of the officer(s) who used force</li> <li>e) Location where the use of force occurred, including postal code, patrol zone and X-Y coordinates</li> <li>f) Location where the subject lived, including postal code and patrol zone</li> <li>g) Any injuries sustained by the officer and/or the subject and medical services received</li> <li>h) A detailed description of the circumstances and the subject’s actions that led to the use of force including: <ul style="list-style-type: none"> <li>i. The reason for the initial stop or enforcement action</li> </ul> </li> </ul>	<p><i>Reason informing assessment:</i></p> <p>The Policy requires the Service to develop a framework to analyze and report race-based data that “permits an intersectional analysis of various factors, ... incorporates relevant contextual information in its analysis...”.</p> <p>As the Policy’s purpose and scope is broader than the interactions involving use of force, it does not specify the contextual information to be included in the analyses of use of force incidents. Contextual information is specific to each type of interaction and depends on the data availability, therefore requiring specific contextual information in relation to a specific type of interaction does not align with the Policy’s broader purpose.</p>	<p><i>Reason informing assessment:</i></p> <p>The R.B.D.C. Strategy is developing a general Analysis Framework applicable across all interactions, which articulates theoretical framework, key questions and methodologies to be used in race-based data analysis. Recognizing the unique nature of each type of interaction, the Service is developing interaction-specific data analysis plans that consider contextual information specific to each interaction.</p> <p>In relation to use of force, the data analysis plan considers a range of factors as guided by literature reviews as well as data availability.</p> <p>At this time, some, but not all of the information identified in the O.H.R.C.’s recommendations are collected in the current provincial use of force report (U.F.R.) form. The Service has been engaging with the province to help modernize the U.F.R. and</p>

Institution	Recommendation	Board Policy requirements – Degree of deviation	R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation
	<ul style="list-style-type: none"> <li>ii. Whether the incident occurred during an officer-initiated contact or a call for service</li> <li>iii. Whether the subject was in possession of a weapon, the type of weapon and when the weapon emerged (i.e. before use of force or after arrest)</li> <li>iv. Whether the subject was handcuffed or otherwise restrained during the use of force</li> <li>i) Whether the subject was charged with an offence, and, if so, which offence(s) and their disposition</li> <li>j) Whether, when and how verbal or other de-escalation techniques were used</li> <li>k) For firearm-related incidents, the number of shots fired by each involved officer, the accuracy of the shots</li> <li>l) The length of time between the use of force and the completion of each step of the force investigation and review.</li> </ul> <p>Any additional contextual information to be analyzed may be determined by the independent organization.</p>		<p>anticipates further changes to be introduced.</p> <p>The Service developed procedures for data extraction, management and protection of race-based data, including retention schedules. These procedures were developed in consultation with the Information and Privacy Commission and were shared with the O.H.R.C.</p>
<b>7. Deadlines for implementing all phases</b>			
<b>O.H.R.C.</b>	Implementation of all phases by January 1, 2021	<b>Partial deviation</b>	<b>Partial deviation</b>
	Require that all phases be implemented by January 1, 2021.	<p><i>Reason informing assessment:</i></p> <p>The Policy requires that the implementation of the remaining phases comply with the timelines</p>	<p><i>Reason informing assessment:</i></p> <p>The R.B.D.C. Strategy implements the Policy in</p>

<b>Institution</b>	<b>Recommendation</b>	<b>Board Policy requirements – Degree of deviation</b>	<b>R.B.D.C. Strategy (Policy’s implementation) -- Degree of deviation</b>
		<p>specified in O. Reg 267/18, which is January 1, 2021 for other police reports required by the Ministry. No timelines were specified for self-reported data to be mandated by the Ministry.</p>	<p>accordance with specified timelines.</p> <p>Given the nature and scope of developing and implementing a self-ID pilot that meets the requirements set out in the A.R.D.S., a Jan 1, 2021 deadline is not feasible or attainable.</p>



## Toronto Police Services Board Report

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November 9, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Toronto Police Service Board's Race-Based Data Collection, Analysis and Public Reporting Policy – Quarterly Progress Update on Implementation – Fourth Quarter**

### **Recommendations:**

It is recommended that the Toronto Police Services Board (Board) receive and approve the following quarterly report that provides progress updates on Policy implementation.

### **Financial Implications:**

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

### **Background / Purpose:**

#### **Quarterly Reporting on the Implementation of Race-Based Data Collection, Analysis and Public Reporting Policy**

The Toronto Police Service (Service) developed a Race-based Data Collection (R.B.D.C.) Strategy to implement the Board's Race-Based Data Collection, Analysis and Public Reporting Policy (Policy) approved on September 19, 2019. The first phase of the Strategy's implementation started on January 1, 2020 by collecting race data in Use of Force incidents and Level 3 (strip) searches.

The Service provides quarterly updates to the Board on the progress of implementing the R.B.D.C. Strategy, following on a reporting schedule established through consultations between the Board and the Service in early March 2020. Three quarterly reports have been submitted to the Board to date.

## **Discussion:**

This last quarterly report for 2020 provides updates on a range of milestones in the R.B.D.C. Strategy. The COVID-19 pandemic continues to pose significant risks on the Strategy's implementation, the full impact remaining unknown as number of cases continue to increase and the province moves back to a modified Stage 2 and our city is restricted even further.

### **a) Update on the Indigenous Engagement Strategy**

Meaningful engagement of Indigenous communities is critical to the success of the R.B.D.C. Strategy. While the pandemic continues to pose significant challenges for community engagement, the Service is continuing in its work building stepping-stones for a stand-alone Indigenous strategy that enables authentic engagement of Indigenous communities and organizations in Toronto.

The Service is in the process of hiring an Indigenous Engagement Specialist to join the Equity, Inclusion and Human Rights (E.I. & H.R.) unit. This position will play a critical role in supporting culturally responsive outreach and continued engagement of various Indigenous communities. The Specialist will work closely with the Inclusion Lead from the E.I. & H.R. unit, and in partnership with the Aboriginal Peacekeeping Unit and the Indigenous Community Consultative Committee.

The Service also continued to work closely with an Indigenous organization that held four focus groups since October 2020. These focus groups brought together 24 Indigenous Peoples who were supported by an Elder and a social worker. The organization recorded the sessions to conduct their own analysis. The findings from these focus groups will provide important Indigenous perspectives to help inform the R.B.D.C. Strategy. Lessons learned will help support the development of the dedicated Indigenous engagement strategy to ensure that various Indigenous communities are meaningfully engaged throughout the entire process of implementing the R.B.D.C. Strategy.

### **b) Update on self-identification pilot**

The Policy requires piloting a phased-in approach to the collection of self-identification data that will allow for a proper evaluation while emphasizing respect for individual and cultural dignity.

The Service provided detailed timelines and key deliverables around the self-identification pilot in the September 2020 report to the Board (min. P135 refers), as part of a broader work plan for the entire R.B.D.C. Strategy.

A Working Group was created to steer the development and implementation of the pilot. This Group brings together people across the Service with a range of expertise – operations, data privacy, data analysis, communications, and records management – to develop and pilot a model for collecting self-identification data. This Working Group is

currently conducting a systematic analysis of different interactions with pros and cons scenarios that consider privacy protection, appropriateness of data management systems and resource implications to inform its decisions. The Group is also seeking advice from the Service's Chief Information Officer to ensure that the self-identification pilot is in alignment with the Service-wide information systems transformation under *The Way Forward* action plan.

It is also critical to engage the community to ensure that self-identification data is collected in a culturally safe and privacy-protected manner. E.I. & H.R. analyzed public feedback about self-reported identity gathered through a series of 51 focus groups delivered by 30 community organizations over the period October 2019 to February 2020. The Service released a public report, "*In the communities' words: the Toronto Police Service's Race-based Data Collection Strategy*", that includes the results of this analysis, together with other community feedback on the R.B.D.C. Strategy more broadly and presented it to the Board meeting in October 2020. The report is available on the Strategy's website at: <https://www.torontopolice.on.ca/race-based-data/>

#### **a) Development of an open data framework for public access to reports and de-identified data**

The Policy requires the Service to develop and implement a framework to analyze and publicly report on collected race-based data. It also requires to:

- "Annually include the data collected by the Service in the information provided on the Service's Public Safety Data Portal, in a manner that complies with the *Municipal Freedom of Information and Protection of Privacy Act*, so as to ensure individuals cannot be identified."

Data privacy considerations will inform the extent to which and what form of open data framework would be possible. The Analytics & Innovation Unit (A. & I.) has started work to build an open data framework to manage ongoing data releases for all data, including, race-based data. This framework will define the steps to be taken to de-identify data, and will provide the details required for documentation to support Service-wide open data requirements. Additionally, the framework will clearly identify required approvals prior to public release and will detail design and accessibility standards for all dashboards and open analytics tools. This work is in alignment with the Board's police reform recommendations 37, 38, and 39.

#### **Conclusion:**

The R.B.D.C. Strategy continues to be affected by the pandemic. We continue to foresee significant impacts on plans for engaging Indigenous communities and stakeholder consultations on the self-identification pilot. The full impact remains unknown and the Service continues to monitor closely and report regularly. Nevertheless, while facing competing demands, the Service sustains its efforts by

identifying and leveraging opportunities and testing new ways to address challenges, in order to keep momentum on this important work.

As detailed in this report, the progress achieved thus far enabled the Service to:

- Collaborate with an Indigenous organization that delivered four focus groups with members of Indigenous groups. The insights and experiences shared through these sessions are critical to the development of a dedicated Indigenous engagement strategy;
- Prepare to start the process of hiring an Indigenous Engagement Specialist that will play a key role in engaging various Indigenous communities in the development of the Indigenous engagement strategy;
- Publish a report that shares back with community members the feedback gathered through community engagements about the R.B.D.C. Strategy more broadly and the collection of self-reported identities more specifically; and,
- Create a Working Group with diverse expertise across the Service to develop and implement the self-identification pilot. Community feedback informs decisions around the pilot.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions the Board members may have regarding this report.

Respectfully submitted,

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

\*copy with original signature on file at Board Office



TORONTO POLICE SERVICE  
RACE AND IDENTITY-BASED  
DATA COLLECTION STRATEGY



## Executive Summary

In 2016, the Toronto Police Services Board (Board) and the Toronto Police Service (Service) embarked on an effort to modernize policing in the City of Toronto. To achieve this objective, the Transformational Task Force (T.T.F.) was formed. The T.T.F. was comprised of members of the Service and citizen volunteers who understood large-scale organizational change, community mobilization and wellbeing, and what it was like to receive policing services in our city. The result of their work was *The Way Forward*, a report released in 2017 that provided a roadmap for a community-centric, transparent and accountable police service.

In June 2017, the *Anti-Racism Act* (A.R.A. 2017) was passed by the Provincial Government to provide legal powers to identify and address systemic racism in public sector services, programs and functions. The *Act* and its regulation requires Public Service Organizations (P.S.O.s) in Education, Child Welfare and Justice sectors, to collect race and identity-based data to measure, monitor, address and eliminate systemic racism in compliance with requirements set out in the *Anti-Racism Data Standards*. The regulation specifically requires the Ministry of the Solicitor General to collect race and identity-based data from police services, beginning with Use of Force incidents by January 1, 2020 and expanding to other reports by January 1, 2021.

In addition to the foregoing, the Board approved the Race-Based Data Collection, Analyses and Reporting Policy (Policy) on September 19, 2019, and reflects the understanding:

1. that the City of Toronto is home to people who represent nearly every race, ethnicity, country, language, and faith in the world;
2. that bias and racism in society is impossible to deny, but must never be seen as inevitable or acceptable;
3. of the guidelines and standards stipulated in the *Canadian Charter of Rights and Freedoms*, the Ontario Human Rights Code, and the Ontario *Anti-Racism Act*; and,
4. that the collection of race-based data is complex, multifaceted and sensitive and is a process that must be handled with respect and care.

## Vision

The Service is guided by the principles of *The Way Forward* in all its activities. The Strategy reflects these same principles of transparency, inclusiveness, equity, accountability, and sustainability, all with a systemic focus. Implementation of the Strategy will:

- Create increased public trust, confidence and support;
- Strengthen community relationships and partnerships; and,
- Assist the Service to achieve its ultimate goal of increased community safety and the provision of more effective and impactful policing services.

## Mission

The mission of the Strategy is to operationalize the Board's Policy to use race-based data collection, analysis and public reporting to:

- identify, monitor and eliminate potential systemic racism and racial bias;
- identify equitable service delivery that can contribute to understanding and best practice;
- advance the delivery of police services that further the fair treatment of every person by supporting the development of equitable policies, procedures, services and initiatives;
- preserve the dignity of individuals and communities; and,
- enhance trend analysis, professional development and public accountability.

## Objectives

1. To establish and implement procedures for the phased collection of race and identity data by Service members.
2. To create and implement a data analysis and open data framework that facilitates periodic reporting to the public on the findings and analysis of the collected race and identity-based data.
3. To identify and obtain the services of a suitable independent external organization to review/audit the Service's analysis, conduct their own analysis of the data and report to the Board.
4. To establish a Community Advisory Panel comprising of representatives from Toronto's Black, racialized and Indigenous communities and subject matter experts who have expertise in the collection, analysis and public reporting of race and identity-based data.
5. To meaningfully engage with Toronto's diverse communities, including affected communities, Black, Indigenous and racialized communities and inform all aspects of the Strategy.
6. To develop an effective and ongoing training program on the Race and Identity Based Data Collection (R.B.D.C.) to be delivered across the Service.

## Guiding Principles

The Service is guided by the following principles in all its activities under this Strategy. These principles reflect the Service's modernization approach under *The Way Forward* and is consistent with the Policy.

**Transparent:** We are clear, open, and transparent about what we are doing, why we are doing it and what is our impact.

**Inclusive:** We meaningfully engage and work collaboratively so that all voices are heard.

**Equitable:** We drive organizational change by meeting people where they are and being proactive in removing systemic barriers to participation.

**Systemic Focus:** We analyse information and make evidence-based decisions to improve how we do things.

**Accountable:** We hold ourselves and each other accountable in achieving our goals.

**Sustainable:** We align our efforts and focus resources on the right priorities to be sustainable, add value and have impact.

## **Strategic Priorities**

A Governance Committee provides leadership and direction to coordinate operations, dedicate resources, make decisions and be accountable for all aspects of the Strategy, including system planning and the evaluation of service delivery outcomes in respect to policing and related matters, to close gaps, eliminate barriers, and promote fair and balanced policing.

The Governance Committee is co-chaired by a Deputy Chief of the Service and the Manager of the Equity Inclusion & Human Right Unit (E.I.H.R), with the Chief of Police being the Executive Sponsor of the Project. The Governance Committee consists of senior leaders from across the organization who have decision-making authority over the functional areas that have direct responsibilities for the planning, preparation, and delivery of: 1) communication, 2) change management, 3) training, 4) data management, 5) community partnerships and engagement, and 6) public accountability.

### **1) Communication**

Clear, timely and transparent communications are crucial to the success of the R.B.D.C. Strategy. Communities should see what we are doing, how we are doing it, and understand how it is benefitting them. Messaging that is accessible, consistent, and relevant, will be tailored for use in internal and external communication strategies using a variety of tools and forums, including a public website and intranet, town halls, focus groups, and other venues, including virtual tools and resources to support Neighborhood Community Officers in their community engagements and town-hall meeting sessions.

A Communication Strategy should be inclusive, accessible and reach diverse and marginalized communities of Toronto, which may require identifying resources for a more creative approach than has been traditionally employed. A robust public awareness campaign will enhance transparency, understanding and support from the public and reinforce sustained meaningful community engagements.

### **2) Change Management**

Regular communication and direct engagement with frontline members is essential for change management. A dedicated position to liaise at the Division level, increasing communication between the Strategy team and frontline members, will support the building of competencies, and ensure members' perspectives, concerns, challenges and successes are shared and considered in the collection, analysis and reporting of race and identity-based data. This approach creates a network of peer supports who will act as a resource to Service members in all divisions.

### **3) Training**

The Toronto Police College, with the support of E.I.H.R. and other subject matter experts, will develop a curriculum, and plan, design and deliver a multi-modal, staged training program to all Service members on an ongoing basis. This will include a rollout of the training across the Service in various face to face/in-class sessions and online or webinar modules, to ensure that everyone understands the purpose of the R.B.D.C. Policy along with their roles and responsibilities.

Community stakeholders and subject matter experts shall be consulted to ensure impactful content and effective delivery that builds understanding and competencies within the Service to collect and use race and identity-based data. In addition to dedicated training, embedding equity, inclusion and human rights, including R.B.D.C., into the policing curriculum and regular in-service training, will help to solidify connections to community safety functions and the application of procedures, tools, and skills.

### **4) Data Management**

Reporting to the Service's Chief Information Officer (C.I.O.), a data assessment working group convened in September 2019. The working group includes representatives from various areas across the Service that are responsible for data collection systems, records management, privacy and security, analytics and open data. The working group is responsible for assessing information systems requirements, risks, gaps and opportunities, to identify and recommend options, and develop and implement the race and identity-based data collection, extraction and management procedures.

Subject matter experts in the relevant areas will regularly consult with the Information and Privacy Commission (I.P.C.), and liaise and participate in working groups that relate to, or impact, race and identity-based data collection. These engagements will help to inform the Service's race and identity-based data collection, extraction, management and protection procedures, including open data and an open analytics framework.

### **5) Community Partners and Engagement**

The success of the implementation of the Policy is predicated on community input. Meaningful engagement with community members will inform training, assist with the development of action plans, and allow the Service to leverage existing opportunities to solidify partnerships. Utilizing mechanisms such as the annual community safety survey, the Chief's Community Consultative Committees and Community-Police Liaison Committees, will further the process of increasing trust and transparency.

A cornerstone of the engagement strategy is the Community Advisory Panel (C.A.P.). The panel provides a forum for regular engagement with members of the community who will bring their expertise, diverse perspectives and varied lived experiences through feedback and advice on the implementation of the R.B.D.C. Policy. The Service will be partnering with the Wellesley Institute, a recognized leader in equity and community well-being, to design and execute a transparent process to establish the C.A.P. The panel will be comprised of up to 12 people, representing Black,

Indigenous, Muslim, racialized communities, and youth in their early career, and bring a diverse mix of professional, academic, community and lived experiences.

Expertise from internationally renowned community specialists will support the execution of the strategy, assist with the design of inclusive processes, build competencies, and provide subject matter expertise on key deliverables.

The Policy requires that the Service engage with the Information and Privacy Commission (I.P.C.) in the development of data privacy safeguards and open data frameworks. Consultations will also take place with key stakeholders such as the Toronto Police Association (T.P.A.), the Senior Officers Organization (S.O.O.), the City of Toronto's Confronting Anti-Black Racism unit (C.A.B.R.), the Ontario Human Rights Commission (O.H.R.C.), and the Anti-Racism Directorate (A.R.D.).

#### **6) Public Accountability**

To be transparent and accountable to the public on how the Service is doing and how we are progressing in our implementation, project status reports will be provided to the Board on a regular basis, consistent with reporting arrangements as mutually agreed upon by the Chief and the Board and any other reporting requirements by the Board and the Anti-Racism Advisory Panel.

## KEY DELIVERABLES

	Deliverable	Description	Target Date	Status
1.	Phase I collection of race in Use-of-Force Reports (U.F.R.) **addition of Level 3/4 searches	<ul style="list-style-type: none"> <li>Prepare systems to collect member's perception of race in U.F.R. and in arrests.</li> <li>Revise relevant procedures and issued routine orders.</li> <li>Engage with Service members and identified Unit Champions at the Divisional level.</li> <li>Develop and deliver online Canadian Policing Knowledge Network (C.P.K.N.) course to prepare members for Jan. 1 collection.</li> </ul>	Q1 2020	Completed
2.	Data Privacy Safeguards	<ul style="list-style-type: none"> <li>Consult with the Information and Privacy Commissioner and the Service's C.I.O.</li> <li>Develop and establish Race and Identity-based Data extraction, Management, and Protection procedures, including retention schedule.</li> <li>Complete Privacy Impact Assessment.</li> <li>Assess and revise privacy safeguards as new systems/data are added to the phased implementation approach.</li> </ul>	Q2 2020  Q2 2021 (for Phase II) and ongoing	Completed (Phase 1)  In progress (Phase 2)
3.	Training	<ul style="list-style-type: none"> <li>Design training curriculum informed by feedback from communities and external stakeholders (i.e., O.H.R.C., ARD, etc.).</li> <li>All Service members complete C.P.K.N. module by May 31, 2020 (for Phase 1)</li> <li>Develop 4 hour in-person R.B.D.C. training and strategy to deliver to all Service members.</li> <li>Deliver in-person training across the Service (for Phase I collection).</li> <li>Develop and deliver ongoing R.B.D.C. training related to Phase II collection and self-ID pilot.</li> <li>Evaluate and modify existing trainings as required, with input from internal and external stakeholders, including C.A.P., communities, etc.</li> </ul>	Q1 2020  Q2 2020  Q4 2020  Q4 2021  Q3 2021  Q4 2021	Completed  Completed  In progress
4.	Communications and Public Awareness	<ul style="list-style-type: none"> <li>Create public-facing website that is regularly updated and includes resources, news, and F.A.Q.s.</li> </ul>	Q1 2020	Completed

	Deliverable	Description	Target Date	Status
		<ul style="list-style-type: none"> <li>• Create intranet site with resources, news and information for members.</li> <li>• Procure services to design and deliver a public awareness campaign about R.B.D.C. Strategy that reaches vulnerable populations.</li> <li>• Design and disseminate public report on T.P.S.' community engagements about R.B.D.C. Strategy.</li> <li>• Public education and awareness campaign on Self-ID pilot.</li> </ul>	<p>Q4 2020</p> <p>Q3 2020</p> <p>Q3 2021</p>	<p>In progress</p> <p>Completed</p>
5.	Community engagement	<ul style="list-style-type: none"> <li>• <i>Phase I</i> – engage with C.C.C.s/C.P.L.C.s and held 4 town halls.</li> <li>• Design process and involved community agencies to facilitate focus groups about R.B.D.C. Strategy and Self-ID collection to help inform approach.</li> <li>• Report-back to community agencies and participating members of the public, and C.C.C.s/C.P.L.C.s about progress to date, analysis and reporting framework, and <i>Phase II</i> collection.</li> <li>• Engage with communities, C.C.C.s/C.P.L.C.s about Self-ID pilot planning.</li> </ul>	<p>Q1 2020</p> <p>Q1 2020</p> <p>Q4 2020</p> <p>Q2 2021</p>	<p>Completed</p> <p>Completed</p> <p>In progress</p>
6.	Community Advisory Panel	<ul style="list-style-type: none"> <li>• Work with Wellesley Institute to design inclusive process to establish C.A.P.</li> <li>• Recruit, select and engage members.</li> </ul>	<p>Q2 2020</p> <p>Q4 2020</p>	<p>Completed</p> <p>In progress</p>
7.	Data Analysis and Reporting Framework	<ul style="list-style-type: none"> <li>• Develop framework with input from internal and external stakeholders, including subject matter experts and communities.</li> <li>• Take a two-tiered approach that includes a general framework to guide analyses and reporting and specific analysis plans for particular interactions, informed by research best practices.</li> <li>• Engage with C.A.P. (once established)</li> </ul>	<p>Q3/4 2020</p> <p>Ongoing as Phase II and self-ID are added</p>	<p>In progress</p>
8.	Open Data and Open Analytics	<ul style="list-style-type: none"> <li>• Work with internal and external stakeholders (i.e., SolGen, I.P.C., O.H.R.C., etc.) to assess</li> </ul>	<p>Q4 2020</p>	<p>In progress</p>

	Deliverable	Description	Target Date	Status
		<ul style="list-style-type: none"> <li>and identify open data approaches and develop R.B.D.C. Open Data Framework.</li> <li>• Develop procedures for de-identification and release models for R.B.D.C. strategy through the Public Safety Data Portal.</li> </ul>	Q2 2021	
9.	Phase II collection of race in other interactions  (in accordance with O.Reg. 267/18)	<ul style="list-style-type: none"> <li>• Assess and identify other interactions for R.B.D.C.</li> <li>• Convene working group to identify options and make recommendations, informed by community and stakeholder input.</li> <li>• Assess and prepare systems as needed for the collection of R.B.D.C. in other interactions.</li> <li>• Revise or develop procedures and routine orders.</li> <li>• Update C.P.K.N. training as needed, issue internal communications, and engage Unit Champions in all Divisions.</li> </ul>	Q3 2020  Q4 2020	In progress  In progress
10.	Self-ID pilot	<ul style="list-style-type: none"> <li>• Assess community engagement feedback, analyse and identify potential collection points and methods for consideration.</li> <li>• Convene working groups to develop options and recommendations, assess Record Management System (R.M.S.) system needs.</li> <li>• Engage with communities and I.P.C. on options to inform operationalization and data protection.</li> <li>• Identify, test and put in place R.M.S. system that meets privacy and other requirements.</li> <li>• Begin Self-ID pilot – collection of self-identified race-based and other identity information</li> </ul>	Q3 2020  Q1 2021  Q3 2021  Q4 2021	In progress
11.	Independent Researcher or Organization	<ul style="list-style-type: none"> <li>• Assess and identify options and recommend approach to partner with an independent academic researcher or organization.</li> <li>• Develop process and criteria to recruit, select and engage with qualified researcher, with advice from Wellesley Institute and in consultation with the Board.</li> <li>• Onboard the researcher/org and provide necessary information required, including de-identified data.</li> </ul>	Q3 2020  Q2 2021  Q3 2021	Completed

## Appendix A Key Stakeholders

### Internal Stakeholders

Relationship to the Project	Represented by	Functional Role /Areas of Interest
Impact project implementation	Senior Officers Organization (S.O.O.)	Senior leadership across the Service helps drive change and promote compliance.
Impact project implementation	All Service Members	Service member's understanding, buy-in and compliance are critical to the implementation and success of Strategy.
Influence project effectiveness	Analytics Centre of Excellence (A.N.C.O.E.)	Represents I.T. and analytics subject matter experts.
Influence project effectiveness	Co-chairs, Internal Support Networks	Represents diverse members of the Service through their respective networks.
Influence project effectiveness	Unit Champions (Divisions)	Service members who can support and influence frontline.

### External Stakeholders

Relationship to the Project	Represented by	Functional Role /Areas of Interest
TPS Oversight	Toronto Police Services Board	TPS Chief is accountable for implementing the Board's Policies and direction
Policy Oversight	Anti-Racism Advisory Panel	Panel within the Board responsible for the Policy and oversight
Impact project implementation	Toronto Police Association	Represents Service member interests and monitors potential impacts on its members
Impact project implementation	Ministry of the Solicitor General	Provincial body with responsibilities for the <i>Police Services Act</i> , <i>Community Safety and Policing Act</i> and its regulations
Impact project implementation	Information and Privacy Commissioner	Consultation requirement under the Policy to inform development of data safeguards and privacy
Major influence	Anti-Racism Directorate	Provincial body with responsibilities for the <i>Anti-Racism Act</i> , regulation and data standards.
Major influence	Ontario Human Rights Commission	Provincial agency responsible for enforcing and promoting requirements under the Human Rights Code, including public interest inquiries
Major influence	Confronting Anti-Black Racism (City of Toronto)	Has direct interests in police training and anti-Black racism initiatives
Major Influence	Ministry of the Attorney General – Indigenous Justice Division	Has interest and relevant subject matter expertise in justice matters related Indigenous individuals and communities.
Major Influence	Community Advisory Panel (C.A.P.)	Dedicated advisory body composed of communities and Subject Matter Experts to inform the Strategy and liaise back to communities.
Major Influence	Chief's Community Consultative Committees and Community Police Liaison Committees	Community representatives who provide community perspectives and advice to the Chief and in each Division.



## Toronto Police Services Board Report

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December 2, 2020

To: Chair and Members  
Toronto Police Services Board

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

Subject: **Supplemental update on the Implementation of Race-Based Data Collection (R.B.D.C.), Strategy**

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

It is recommended that the Toronto Police Services Board (Board) accept this supplemental report which contains additional information on the R.B.D.C. Strategy implementation.

### **Financial Implications:**

See original report.

### **Background / Purpose:**

See original report.

### **Discussion:**

The following is an update on the work advanced by the Service on the implementation of the next phase of the R.B.D.C. Strategy.

### **Community Advisory Panel (C.A.P):**

- Over 300 applications were received and the E.I.H.R. unit is currently conducting interviews with 30 short-listed candidates. The selection process and on-boarding will be completed in early 2021.

### **Community engagements to report back to communities and continue to engage them in Phase 2 of the R.B.D.C. Strategy:**

- Release of the report *“In the communities’ words: the Toronto Police Service’s Race-based Data Collection Strategy”* summarizing input on the data collection from diverse communities across the city
- Four virtual town halls took place from November 25 to December 3, 2020.
- Presentation at the virtual Community Police Conference on November 28, 2020 to engage with the C.C.C.s and C.P.L.C.s. Community members had the opportunity to ask questions and provide their feedback on the data analysis process and what other interactions they would like to be included in phase 2 of the R.B.D.C. Strategy.

### **Data analysis framework:**

E.I.H.R. created a draft analytic framework grounded in research literature and best practices on racial discrimination and profiling.

- Provides guidance on how the Service will approach the analysis of race and identity-based data.
- Articulates foundational concepts, guiding principles, key analytic objectives, and methodological approaches to support the Service in its efforts to identify and address systemic racism, inform action plans, and identify training needs.
- Created in consultation with diverse community members through virtual town halls and a range of key stakeholders – the Anti-Racism Directorate (A.R.D.), Confronting Anti-Black Racism (C.A.B.R.), the Indigenous Justice Division, Ministry of the Attorney General, Ontario Human Rights Commission (O.H.R.C.), and Wellesley Institute. The Service will also consult with internal members, T.P.A. and S.O.O. to include operational and officer perspectives to understand our data.

### **Consultations with key stakeholders to inform Phase 2 of the R.B.D.C. Strategy:**

The Service is preparing to include other interactions with the public for collection of perceived race data in Phase 2 of the R.B.D.C. Strategy, beginning January 1, 2021. An internal Data Assessment Working Group was formed to assess options, consider operational and privacy needs and risk mitigations, and to make recommendations. This work is also informed by public engagements and consultations with internal members and several key stakeholders – the A.R.D., the C.A.B.R., the Indigenous Justice Division, the Ministry of the Attorney General, Information and Privacy Commissioner (I.P.C.), the O.H.R.C., and the Wellesley Institute.

## **Knowledge transfer to provincial, national and international law enforcement agencies:**

The Service has also been supporting other law enforcement agencies to share its innovative approach, best practices, and lessons learned. Members of the E.I.H.R. unit have presented to the International Association of Chiefs of Police and Ontario Association of Chiefs of Police, and are engaging with their equity, diversity and inclusion committees to advance understanding of anti-Black racism and address the legacy of systemic racism in law enforcement.

In addition, the Service has engaged with the Ministry of the Solicitor General, Public Safety Division to advise on the manner in which the Service is approaching analyses and to share its research literature review to help inform the province's use of force reporting requirements under the *Anti-Racism Act*.

The Service has also been contributing to discussions with Statistics Canada and the Royal Canadian Mounted Police on the collection of race data in crime reporting at the national level.

## **Board's police reform recommendations:**

At the Board's August 18, 2020 meeting, the Board passed 81 recommendations for police reforms. Recommendation #73 directs the Chief of Police to report to the Board on the status of implementation of the Board's Race-Based Data Collection Policy, and where the Policy deviates from or fails to implement the recommendations of the O.H.R.C. in its written deputation to the Board. The Service prepared the report with input from the A.R.D. and the O.H.R.C.

## **Key achievements to date**

Despite the risks posed by the global pandemic, the Service continued to make progress on the R.B.D.C. Strategy by leveraging opportunities, finding creative ways to address challenges, and managing competing demands to ensure sustainability of this important Strategy.

Key achievements:

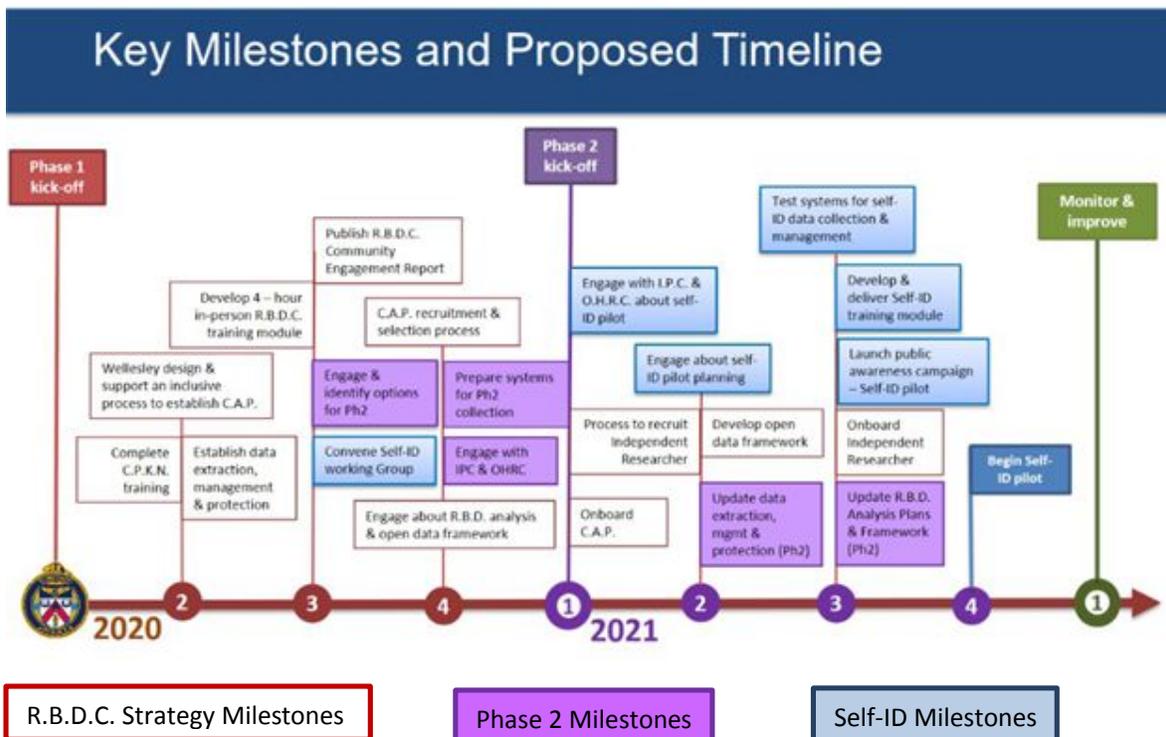
- The largest community engagement endeavour to date in the Service's history that brought together diverse communities across the city to inform the implementation of Phase 1 of the R.B.D.C. Strategy;
- The public report "*In the communities' words: the Toronto Police Service's Race-based Data Collection Strategy*" released by the Service to report back to communities and reinforce its commitment for continuous community engagement, transparency, and accountability;
- Procedures and data systems in place that allowed the Service to successfully implement Phase 1 of the Strategy by January 1, 2020 by collecting race data for

Use of Force incidents. The Service went one step further and included strip searches;

- Process to establish the C.A.P designed in partnership with a thought leader in equity and community well-being; this panel plays a critical to ensuring that data collection, analysis and reporting is transparent and informed by lived experiences and subject-matter expertise;
- Collaborations and partnerships with key cross-sectoral stakeholders established and maintained through ongoing engagement to inform key stages of the R.B.D.C. Strategy’s implementation;
- Multi-modal training curriculum developed, building on existing relevant training provided through the Toronto Police College, such as Anti-Black Racism and Policing and Indigenous perspectives modules. The first online component was completed by all members;
- Collaborative relationships with international policing agencies with long histories of race and identity-based data collection to learn from their experiences and best practices to inform the R.B.D.C. Strategy’s implementation.

### Key Milestones and Timelines

- The graphic below summarizes key milestones and timelines that were reported in the Service’s September report to the Board. More details are included in the R.B.D.C. Strategy.



**Conclusion:**

Implementation of the R.B.D.C. Strategy is a priority for the Board, the Service, and the community, and this supplementary report is intended to keep the Board apprised of the progress made with this initiative.

Respectfully submitted,

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



## Toronto Police Services Board Report

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November 25, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Contract Award to New Park Contracting Incorporated for Minor Building Repairs and Renovation Services at Various Toronto Police Service Facilities**

### **Recommendations:**

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

1. approve a contract award for the supply of minor building repair and renovation services at various Toronto Police Service (Service) facilities to New Park Contracting Incorporated (New Park) for a one-year term commencing January 1, 2021, with an option to extend for four additional one-year periods at an estimated cost of \$5 Million (M) excluding taxes over the five-year contract term;
2. authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and
3. authorize the Chief of Police to exercise the four additional one-year option periods, subject to budget availability, satisfactory performance of the vendor and other considerations.

### **Financial Implications:**

The Service spends approximately \$1 Million (M) annually on minor building repairs and renovations at its facilities. For this purpose, funding is included in the Service's annual operating budget and in various facility-related capital projects in the 2020 – 2029 Capital Program.

The total value of the contract over a five-year term is estimated at \$5M (excluding taxes).

## **Background / Purpose:**

The Service requires a contract for the provision of minor building repair and renovation services at its facilities in order to respond to emergency and ad hoc requests relating to building deficiencies in a timely manner.

The purpose of this report is to obtain Board approval for a contract award to provide contractor services for interior and exterior building repairs, as well as interior renovations and modifications at the Service's facilities.

## **Discussion:**

On October 13, 2020, the Service's Purchasing Services unit issued a Request for Quotation (R.F.Q. #1387784-20) on MERX, an electronic tendering system, to establish a vendor to provide labour, materials, equipment, tools, and supervision necessary to perform minor building repair and renovation services at various Service facilities throughout the City.

To address the volume of building related issues that arise in the Service's multiple facilities, the Request for Quotation (R.F.Q.) stipulated that the vendor shall have sufficient resources to respond to emergency requests within one hour to do the necessary repairs, acknowledging however, that there will be some circumstances where this timeline may not be possible. For day-to-day work orders, the R.F.Q. stated that the vendor must coordinate the necessary repairs within seventy-two (72) hours and must confirm when the work has been completed.

Specifically with respect to staffing, the R.F.Q. included a mandatory requirement that the vendor have a minimum of six staff in good standing with the City of Toronto's (City) Local 27 Carpenters Union, which encompasses many of the handyman services such as carpentry, drywall, plastering, millwork, flooring, and painting. This mandatory criteria is comparable to the inclusion in the City's recent R.F.Q. for handyman services.

The R.F.Q. closed on November 3, 2020. Two responses were received and evaluated by representatives of the Service's Facilities Management and Purchasing Services units. Of the two submissions, one bidder did not meet all of the mandatory requirements as outlined in the R.F.Q. and was disqualified.

Representatives of the Service's Purchasing Services unit contacted a number of bidders who downloaded the R.F.Q. document but did not submit a response to ascertain why a bid was not submitted. Five bidders did not have the required minimum of six staff in good standing with the Carpenters Union, and one bidder could not provide the required references for projects similar in scope and nature.

New Park meets all of the mandatory requirements outlined in the R.F.Q. document and is, therefore, recommended for award.

**Conclusion:**

The agreement with New Park for the provision of minor building repair and renovation services will allow the Service to respond to and resolve emergency and ad hoc requests for building repairs in a timely manner.

The Service's Facilities Management staff have utilized the services of New Park continuously since 2017 to meet the demands for minor building repairs and renovation projects. New Park has sufficient resources to meet the Service's requirements and has demonstrated satisfactory performance in all areas.

New Park is therefore being recommended for the supply of minor building repair and renovation services at the Service's facilities at an estimated cost of \$5M over a five-year period.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

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November 23, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Special Constable Re-Appointments – December 2020**

### **Recommendation:**

It is recommended that the Board approve the re-appointments of the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.) and the University of Toronto, St. George Campus (U. of T.), subject to the approval of the Ministry of the Solicitor General (Ministry).

### **Financial Implications:**

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

### **Background / Purpose:**

Under Section 53 of the *Police Services Act*, the Toronto Police Services Board (Board) is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has agreements with T.C.H.C. and U. of T. governing the administration of special constables (Min. Nos. P41/98 and P571/94 refer).

The Service received requests from T.C.H.C. and U. of T. to re-appoint the following individuals as a special constables:

**Table 1 Name of Agency and Special Constable Applicant**

<b>Agency</b>	<b>Name</b>	<b>Status Requested</b>	<b>Expiry</b>
T.C.H.C.	Cleveland Gooden	Re-Appointment	January 21, 2021
T.C.H.C.	Melanie Rivenbark	Re-Appointment	January 21, 2021
T.C.H.C.	Karolina Marchildon	Re-Appointment	January 21, 2021
U. of T.	Albert Hastings	Re-Appointment	February 26, 2021

**Discussion:**

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

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

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

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

<b>Agency</b>	<b>Approved Complement</b>	<b>Current Complement</b>
T.C.H.C.	300	163
U. of T. St George Campus	50	35

**Conclusion:**

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

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

Respectfully submitted,

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

\*copy with original signature on file at Board Office



## Toronto Police Services Board Report

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December 2, 2020

To: Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director and Chief of Staff

**Subject: Toronto Police Services Board – 2021 Meeting Schedule**

### **Recommendation:**

It is recommended that the Toronto Police Services Board (Board) approve the 2021 meeting schedule outlined in this report.

### **Financial Implications:**

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

### **Background / Purpose:**

The Board bases its annual schedule of meetings on a number of factors, including: days that are least likely to conflict with the City of Toronto schedule of Council; standing committees of Council; Community Councils and other committee meetings; annual key conferences for members of the Board; and other significant events at which members of the Board and the Chief of Police are expected to attend.

In order to recognize culturally-significant days, the Board approved a Policy indicating that it would attempt to avoid scheduling meetings involving the public on these days. A list of the days formally recognized as culturally significant was also approved (Min. No. P358/05 refers).

Although the Board attempts to follow its schedule of meetings as much as possible once it has been established, there may be circumstances which result in changes on short notice during the year.

## **Discussion:**

I have reviewed the current 2021 schedule of meetings developed by the City of Toronto; the dates upon which culturally-significant holidays will be observed in 2021; and dates for key conferences that members of the Board or Chief of Police may attend during the year.

### Board Meeting Schedule – 2021

Based on the foregoing review, I am proposing the following dates for the 2021 Board meetings:

Friday, January 29  
Thursday, February 25  
Tuesday, March 23  
Thursday, April 22  
Thursday, May 20  
Thursday, June 24  
Thursday, July 29

Tuesday, September 21  
Thursday, October 28  
Tuesday, November 23  
Tuesday, December 14

I know that as the year progresses, there may be a few dates when some Board members may not be able to attend a meeting due to new personal or business commitments. Unless a quorum of the Board cannot be achieved, I believe that the meeting dates, as proposed, should be confirmed in order to establish a regular cycle of meetings at this time and for members of the public to be advised of dates.

### Times and Locations of Board Meetings

Due to the ongoing COVID-19 Pandemic, Board Meetings will take place virtually until public health deems it safe to resume in-person meetings. The Board Office has successfully moved the Board to a virtual meeting format with success and continued engagement of the public and media. We will keep members of the public informed of any changes through our website and social media.

It is anticipated that all public meetings will commence at 9:00AM followed by a confidential meeting.

The Board has been actively pursuing opportunities to better engage Toronto communities in the fulfillment of the Board's governance mandate. Once the Board is

able to resume in-person meetings, we hope to be able to hold a number of 2021 Board meetings outside of Police Headquarters and in local communities, at city-owned and public venues.

It is our hope that by effectively bringing meetings into communities, members of the public will have more opportunities to engage with the Board, provide their input on policing matters in the City, and share a local perspective on issues of importance. The locations that have been identified will allow the Board to hold meetings across the City, as we aim to make meeting attendance and participation more convenient and accessible to residents. Ultimately, deeper engagement with higher participation will assist the Board its oversight and governance responsibilities, as more voices are included in the Board's discussions and decisions.

Public meetings, whether in-person or virtual are LiveStreamed on YouTube via a link on the Board's website ([www.tpsb.ca](http://www.tpsb.ca)). Agendas for public meetings are also posted to the Board's website in advance of Board meetings.

**Conclusion:**

It is recommended that the Board approve the 2021 meetings schedule, outlined above.

Respectfully submitted,

*Original signed*

Ryan Teschner  
Executive Director and Chief of Staff



## Toronto Police Services Board Report

---

November 17, 2020

To: Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director & Chief of Staff

**Subject: City of Toronto Council Decision – MM24.38 Drive-by Shootings**

### **Recommendations:**

It is recommended that the Board:

- 1) Request that the Chief of Police take Council's motion into consideration in the further development, refinement and implementation of the Service's approach to gun and gang violence; and,
- 2) Forward a copy of this report to City Council via the Executive Committee.

### **Financial Implications:**

There are no financial implications arising from the Board's consideration of this report.

### **Background/Purpose:**

City Council, at its meeting on September 30, October 01 and 02, 2020 adopted an item with respect to Member Motion 24.38 Drive-by Shootings. The motion is available at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.MM24.38>

### **Discussion:**

In considering this matter, City Council adopted the following:

1. City Council request the Toronto Police Services Board to come up with a plan to respond to the non-stop shootings that are occurring [throughout] the City of Toronto, especially the numerous drive-by shootings that are endangering lives of Toronto on daily basis.

It is, therefore, recommended that the Board:

- 1) Request that the Chief of Police take Council's motion into consideration in the further development, refinement and implementation of the Service's approach to gun and gang violence; and,
- 2) Forward a copy of this report to City Council via the Executive Committee.

Respectfully submitted,



Ryan Teschner  
Executive Director & Chief of Staff



## Toronto Police Services Board Report

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November 17, 2020

To: Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director & Chief of Staff

**Subject: City of Toronto Council Decision – MM24.31 Lawrence Heights Emergency Safety and Security Response**

### **Recommendations:**

It is recommended that the Board:

- 1) Request that the Chief of Police take Council's motion into consideration in the further development, refinement and implementation of the Service's approach to gun and gang violence, and provide an overview to the Board by the Board's February 2021 meeting of the specific actions and initiatives – both proactive and enforcement-driven – the Service has undertaken to address gun and gang violence in the City of Toronto, and in particular, in Lawrence Heights;; and,
- 2) Forward a copy of this report to City Council via the Executive Committee.

### **Financial Implications:**

There are no financial implications arising from the Board's consideration of this report.

### **Background/Purpose:**

City Council, at its meeting on September 30, October 01 and 02, 2020 adopted an item with respect to Member Motion 24.31 Lawrence Heights Emergency Safety and Security Response. The motion is available at this link:

**Discussion:**

In considering this matter, City Council adopted the following:

3. City Council request the Toronto Police Services Board to report on the actions needed to deter the drive-by shootings that are occurring on a regular basis, on implementation of additional safety cameras throughout the area, and on any other measures that can be undertaken immediately to deal with the constant threat of the repeated shootings in the Community.

It is, therefore, recommended that the Board:

- 1) Request that the Chief of Police take Council's motion into consideration in the further development, refinement and implementation of the Service's approach to gun and gang violence, and provide an overview to the Board by the Board's February 2021 meeting of the specific actions and initiatives – both proactive and enforcement-driven – the Service has undertaken to address gun and gang violence in the City of Toronto, and in particular, in Lawrence Heights;
- 2) ; and,
- 3) Forward a copy of this report to City Council via the Executive Committee.

Respectfully submitted,



Ryan Teschner  
Executive Director & Chief of Staff



## Toronto Police Services Board Report

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November 25, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Toronto Police Service 2019 Annual Statistical Report**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

The Annual Statistical Report (A.S.R.) provides a comprehensive overview of police related statistics including operation, crime, traffic and other policing data. The Annual Statistical Report for 2019 has been released as a series of open data and interactive open analytics products.

The open data and open analytics release of the A.S.R. consists of several components designed to meet the standards of open data provision and increase open data literacy through interactive analytical tools and supporting documentation. Due to privacy, sensitivity of information and confidentiality considerations, information is aggregated to administrative levels including the Police Division level.

The Service's Analytics & Innovation Unit will continue to invest efforts to evaluate datasets for future release in the most granular format wherever possible and will emphasize the importance of providing open analytics capabilities.

The Annual Statistical Report can be accessed through the Toronto Police Service Public Safety Data Portal at <https://data.torontopolice.on.ca/pages/annualstatisticalreport>.

The components of the A.S.R. include:

1. [Guide to the A.S.R.](#)
2. [Portable Document File \(P.D.F.\) Reports](#)
3. [Data Analytics](#)
4. [Open Datasets](#)
5. [A.S.R Maps](#)
6. [Infographics](#)
7. [Supporting Documentation](#)

In accordance with the recommendations outlined in the Toronto Police Service Board Police Reform initiatives, all twenty-three (23) datasets have been shared with the City of the Toronto Open Data Team for publication on the City's Open Data Portal.

### **Discussion:**

The Toronto Police Service has increasingly provided open data and open analytics on the Public Safety Data Portal to offer insights to community members on operational, public safety and accountability service delivery areas in Toronto.

The Service has been recognized internationally for the innovative approach to which the Portal provides data and analytics for all community members. As we continue to implement the 81 Recommendations for Police Reform in Toronto, the Public Safety Data Portal will increasingly facilitate ongoing engagement and understanding of public safety and well-being service delivery.

To support a broader understanding of policing in Toronto, we will continue to emphasize the importance of open analytics and will seek opportunities to co-design relevant analytics products with community members.

### **Conclusion:**

The Service is committed to providing the public with continued access to public safety data and analytics insights. The 2019 Annual Statistical Report has been published on the Toronto Police Service Public Safety Data Portal and will follow this format in subsequent years.

Mr. Colin Stairs, Chief Information Officer, Information Technology Command, will be in attendance to respond to any questions from the Board.

Respectfully submitted,

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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

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October 14, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: May 1 to August 31, 2020: Use of Conducted Energy Weapons (C.E.W)**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

During its meeting of February 22, 2018, the Board approved expansion of the C.E.W.s to frontline police constables (P.C.s). At that same meeting, the Chief agreed to provide the Board with quarterly reports as well as an annual report of C.E.W. usage (Min. No. P19/18 refers).

At its December 16, 2019 meeting, the Board received a report dated November 24, 2019, from Chief Mark Saunders entitled "Request to Restructure Conducted Energy Weapon (C.E.W.) Reporting" (Min. No. P246/19 refers). The report contained the following recommendations:

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

- 1. Approve one of the reporting schedules outlined within this report, and*
- 2. Approve a request to forego resubmitting the "September 2018 Quarterly Report: Conducted Energy Weapon Use" as requested at the October 2018 meeting.*

As a result of the Board approving the recommendations, the reporting structure for annual and quarterly C.E.W. reports have changed. For 2020, the Chief is required to submit two interim reports and one annual report on C.E.W. use. Refer to Min. No. P246/19 for a detailed four-year reporting schedule.

The expansion of C.E.W.s to frontline P.C.s in 2018 has resulted in approximately four times the number of C.E.W. operators and this number will continue to increase until all frontline P.C.s are trained. For this reason, the Toronto Police Service (T.P.S.) deferred year to year comparisons until the 2020 reporting period at which time 2019 will be deemed the baseline year and 2020 the first comparison year. Consequently, Appendix “A” contains charts that compare 2020 C.E.W. usage to 2019 C.E.W. usage during the May 1 to August 31, 2020 reporting periods.

In 2018, the Board requested that an appendix be added to all future annual and quarterly reports containing the Board motion from February 22, 2018 (Min. No. P19/03 refers) which outlines T.P.S. requirements for future quarterly C.E.W. reports. This information is contained within Appendix B with page numbers referencing the various items that are contained within the body of this report.

## **Discussion:**

As of August 31, 2020, a total of 2,437 T.P.S. officers received the three-day In-Service Training Program during the previous 12 months and there were 1802 P.C.s and 527 supervisors trained and qualified to use a C.E.W. Qualified C.E.W. users include members of the Emergency Task Force (E.T.F.), uniform frontline supervisors and P.C.s, as well as officers assigned to high-risk units such as Emergency Management and Public Order (E.M.P.O.), Hold-Up, Intelligence Services, Organized Crime Enforcement [including Integrated Gun and Gang Task Force, Drug Squad, Financial Crimes Unit, Provincial Repeat Offender and Parole Enforcement (R.O.P.E.) and Fugitive Squad].

To provide context for this report and a greater understanding of the environment in which officers were working from May 1 to August 31, 2020, T.P.S. officers attended 145,041 calls for service, a decrease of 2.7 percent over the previous year. Of the 145,041 total calls for service attended, 17,703 were classified as violent, which represents a decrease of 5.9 percent from the previous year. During the current reporting period, officers arrested 7,158 persons for *Criminal Code* and/or *Controlled Drugs and Substances Act* offences, representing a 22.7 percent decrease from the previous year. Of the total calls for service attended, 11,693 involved persons in crisis (P.I.C), an increase of 5.9 percent. Of the P.I.C. calls for service, 4,277 resulted in apprehensions under the *Mental Health Act* (M.H.A.), representing an increase of 6.6 percent over 2019 levels for the same reporting period. The following chart provides a two year comparison of the various calls for service and related arrests from May 1 to August 31, 2020.

Type of Calls for Service	2019	2020	Difference	Percentage Change
Calls for Service Attended	149,126	145,041	-4,085	-2.7
Violent Calls for Service Attended	18,814	17,703	-1,111	-5.9
P.I.C. Calls for Service	11,040	11,693	653	+5.9
M.H.A. Apprehensions	4,014	4,277	263	+6.6
Arrests	9,255	7,158	2,097	-22.7

This report provides a summary of C.E.W. use for all the above from May 1 to August 31, 2020. It is also important to note that officers and members of the Service were working with the challenges created by public health restrictions necessitated by the COVID-19 Pandemic.

This information is based on C.E.W. reports that have been received and reviewed by the Use of Force Analyst. The data is provided in the form of graphs and charts and includes the following items:

- Types of use
- Types of use by rank or specialized unit
- Division of use
- C.E.W. user comparisons
- C.E.W. effectiveness
- C.E.W. effectiveness by user
- Types of use on persons in crisis
- Effectiveness of use on P.I.C
- Mental health apprehensions
- Subject behaviour
- Subject believed armed
- P.I.C. believed armed
- Subject confirmed armed
- P.I.C. confirmed armed
- Subject description
- Subject age
- 17 years and under summary chart

Unintentional discharges of C.E.W.s that occur during spark testing at proving stations are not included within the graphs and charts, but are discussed on page 16.

Also addressed in this report are the following items:

- Over-reliance or misuse of C.E.W.s and the steps taken to remedy such use including discipline and/or re-training
- Community consultation
- The number of officers trained in the three-day de-escalation training In-Service Training Program (I.S.T.P.) in the last 12 months

- Increased Use of Force reporting

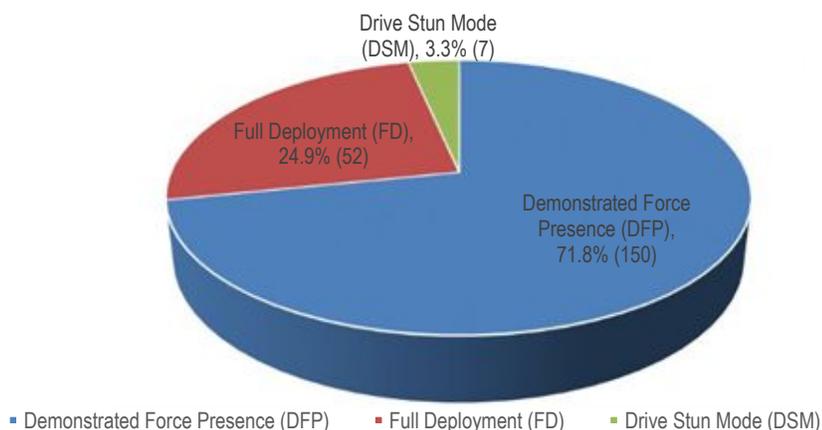
As was reported to the Board in the 2019 Annual C.E.W. report, the T.P.S. conducted a review of C.E.W. reporting practices for 13 domestic and international police services. This review showed that the T.P.S. reports more in-depth and more frequently than those agencies consulted (min. P75 refers).

## **Types of Use**

When analyzing C.E.W. use by frontline officers, it is important to do so within the context of the specific types of use. The following chart indicates the number of times a C.E.W. was used as a demonstrated force presence, in drive stun mode and as a full deployment. In accordance with the Ministry of the Solicitor General (Ministry) and T.P.S. procedure, the C.E.W. is only used in full deployment or drive stun mode (direct application) when the subject is assaultive as defined by the *Criminal Code*. Direct application of the device is only utilized to gain control of a subject who is at risk of causing harm, not to secure compliance of a subject who is merely resistant.

During this reporting period, C.E.W.s were used 209 times during 167 incidents involving as many as 170 subjects. Of 209 total uses, 150 or 71.8 percent of uses were a demonstrated force presence. Full deployment was the next highest method used at 24.9 percent. Full deployments are considered to be more effective than drive stun mode because this type of use may lead to neuromuscular incapacitation and gives officers the opportunity to secure the subject with handcuffs. However, since the conducting wires are fragile, contact during full deployment can be broken allowing the subject to break free so officers may have to resort to drive stun mode to maintain control of the subject. In cases where full deployment and drive stun were used in combination, the number was recorded as a full deployment. The following chart depicts the types of C.E.W. use by all trained and qualified C.E.W. operators.

## Types of Use

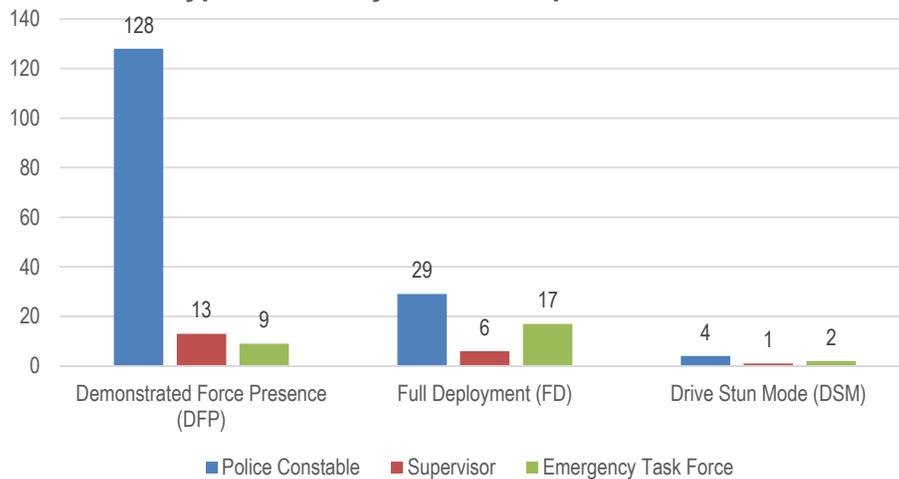


Types of Use	#	%
Demonstrated Force Presence (DFP)	150	71.8
Full Deployment (FD)	52	24.9
Drive Stun Mode (DSM)	7	3.3
<b>Total Uses</b>	<b>209</b>	<b>100</b>

### Types of Use by Rank or Specialized Unit

The following chart differentiates the types of use by rank or specialized unit. E.T.F officers are faced with incidents that typically have a higher threat level and as such, they have a relatively higher rate of full deployment use.

### Types of Use by Rank and Specialized Unit



Types of Use by Rank and Specialized Unit				
	Police Constable	Supervisor	Emergency Task Force	Total
Demonstrated Force Presence (D.F.P.)	128	13	9	150
Full Deployment (F.D.)	29	6	17	52
Drive Stun Mode (D.S.M.)	4	1	2	7
<b>Total</b>	<b>161</b>	<b>20</b>	<b>28</b>	<b>209</b>

### Division of Incident

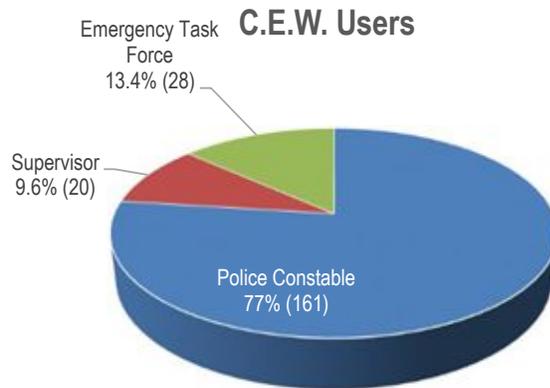
The following chart provides a breakdown, by division, of the number of calls for service; the number of violent calls for service; person in crisis calls for service; the number of person arrested, the number of M.H.A. apprehensions; and C.E.W. use.

Division	Calls for Service Attended	Violent Calls for Service Attended	P.I.C. Calls for Service	Persons Arrested	M.H.A. Apprehensions	C.E.W. Use
11	7543	942	633	266	192	5
12	6750	919	420	266	214	7
13	6262	709	484	165	171	6
14	13259	1651	1446	433	473	20
22	9313	939	655	268	251	9
23	7137	854	418	260	189	5
31	8148	1074	432	328	227	10
32	9404	980	676	353	283	10
33	6476	629	470	137	218	7
41	9250	1216	564	360	243	12
42	7115	775	419	288	180	10
43	9717	1238	654	416	251	13

51	14685	2250	1711	752	402	19
52	8118	1039	834	292	223	9
53	7693	855	784	188	303	9
55	13749	1614	1085	412	405	13
Other	422	19	8	1974	52	3
<b>TOTAL</b>	<b>145041</b>	<b>17703</b>	<b>11693</b>	<b>7158</b>	<b>4277</b>	<b>167</b>

## C.E.W. Users

Of 209 C.E.W. uses during this reporting period, P.C.s accounted for 77 percent of use. E.T.F. officers accounted for the second highest number of uses at 13.4 percent followed by supervisors at 9.6 percent.

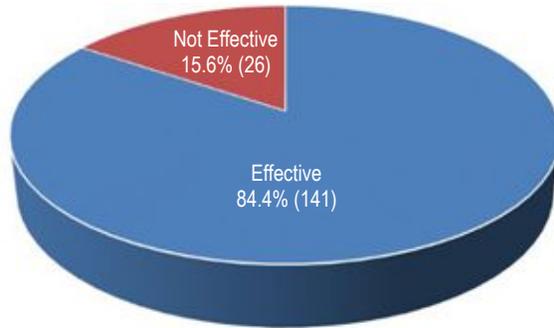


C.E.W. Users	#	%
Police Constable	161	77
Supervisor	20	9.6
Emergency Task Force	28	13.4
<b>Total Uses</b>	<b>209</b>	<b>100</b>

## C.E.W. Effectiveness

Effectiveness is measured by the ability of officers to gain control of a subject while utilizing a C.E.W. in compliance with Ministry and T.P.S. standards and training. The C.E.W. has been shown to be 84.4 percent effective when it has been used as a force option. Ineffectiveness of the C.E.W. has been associated with shot placement, poor conduction (e.g. the subject was wearing heavy clothing), or situations where the subject failed to respond to the demonstrated force presence of the C.E.W.

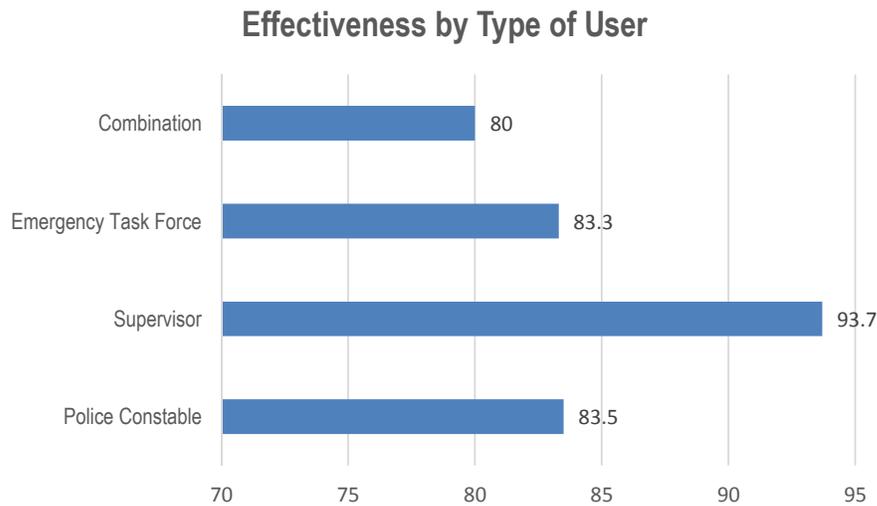
### C.E.W. Effectiveness



C.E.W. Effectiveness	#	%
Effective	141	84.4
Not Effective	26	15.6
<b>Total Incidents</b>	<b>167</b>	<b>100</b>

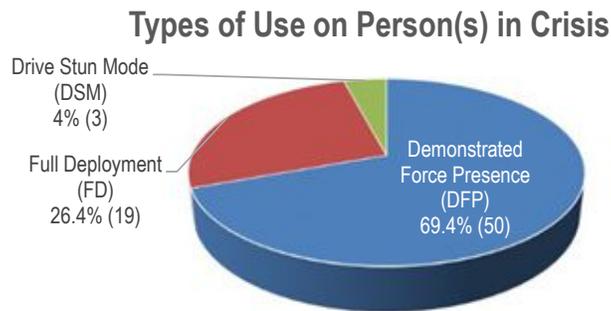
### Effectiveness by Type of User

As a result of expansion to front line P.C.s in 2018, effectiveness of C.E.W. use has also been divided into categories based on type of user. The following chart shows the effectiveness for members of the E.T.F., supervisors and P.C.s as compared to their user group. There is also separate category for instances where any combination of a supervisor and/or a P.C. and/or a member of the E.T.F. have used a C.E.W. in conjunction at an incident.



## Types of Use on Person(s) in Crisis (P.I.C.)

The chart below indicates the types of C.E.W. use on P.I.C. who may or may not have also been perceived to be suffering from the combined effects of alcohol and/or drugs. In 50 or 69.4% of cases, the type of use was reported as a demonstrated force presence. It should also be noted that of the 72 incidents involving C.E.W. use on P.I.C., there were no injuries beyond probe marks.

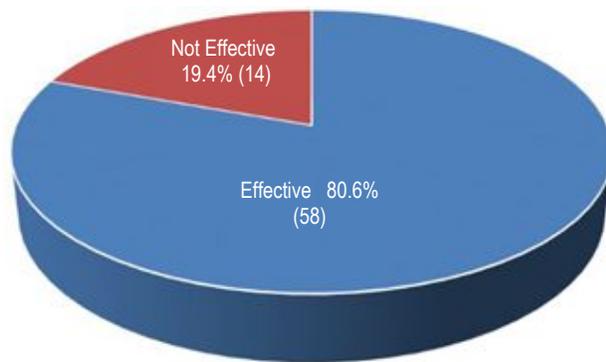


<b>Types of Use on Person(s) in Crisis (P.I.C.)</b>	<b>#</b>	<b>%</b>
Demonstrated Force Presence (D.F.P.)	50	69.4
Full Deployment (F.D.)	19	26.4
Drive Stun Mode (D.S.M.)	3	4.2
<b>Total # of P.I.C. Incidents</b>	<b>72</b>	<b>100</b>

## C.E.W. Effectiveness on Person(s) in Crisis (P.I.C.)

In 2015, Corporate Risk Management began tracking and reporting on the effectiveness of C.E.W. use on P.I.C. The chart below includes the 72 incidents where the involved subjects were described as being in crisis or being in crisis and under the influence of drugs and/or alcohol. C.E.W. use was effective in 80.6 percent of incidents involving a described person in crisis.

### Effectiveness on Person(s) in Crisis



Effectiveness on Persons in Crisis (P.I.C.)	#	%
Effective	58	80.6
Not Effective	14	19.4
<b>Total Incidents</b>	<b>72</b>	<b>100</b>

### **Mental Health Act (M.H.A.) Apprehensions**

These incidents describe situations where the subject was apprehended under the M.H.A. and transported to a psychiatric facility for assessment. Out of 167 incidents, 48 or 28.7 percent resulted in apprehensions under the M.H.A. The data does not capture the results of the assessment and so further caution is warranted against concluding that those apprehended were, in fact, suffering from a mental health condition at the time.

Not all persons in crisis that come into contact with police result in apprehensions under the M.H.A. An apprehension may not occur if a person in crisis voluntarily attends a hospital for assessment or if, during their interaction with police, they are no longer displaying behaviour consistent with the grounds required for a mental health apprehension. Finally, it must be remembered that the C.E.W. was only used in response to the subject’s behaviour and not because of the subject’s condition.

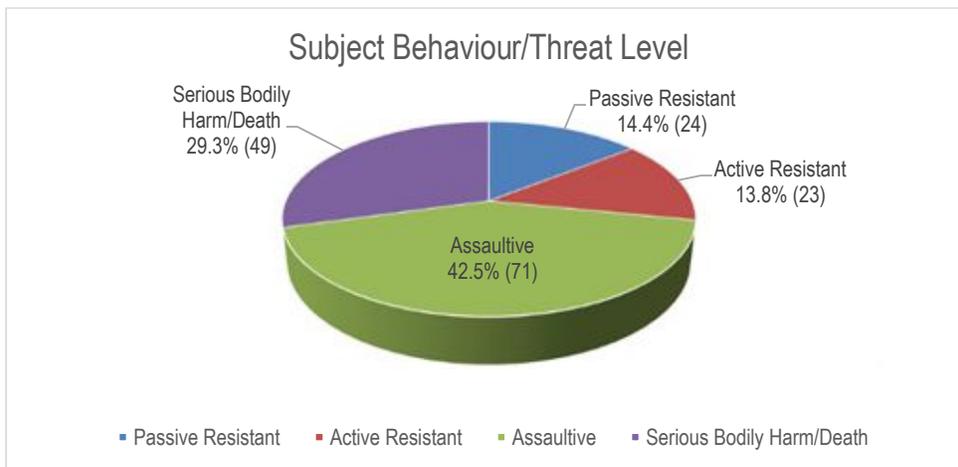
The chart below specifies C.E.W. uses where subjects were apprehended under the M.H.A. The “Not Applicable” category refers to two (2) incidents involving animals, and is included to show continuity of analysis within the 167 incidents for this period.

<b>Subject Apprehended Under the MHA</b>		
Apprehension	#	%
Yes	48	28.7
No	117	70.1

Not Applicable	2	1.2
<b>Total Incidents</b>	<b>167</b>	<b>100</b>

## Subject's Behaviour / Threat Level

Subject behavior during a C.E.W. incident is described in the context of the Ontario Use of Force Model (2004) under the categories of passive resistant, active resistant, assaultive and serious bodily harm/death. The following chart illustrates the types of behaviour demonstrated by the subject which resulted in the decision to utilize the C.E.W. and is represented as a percentage and a number.



Subject Behaviour/Threat Level	#	%
Passive Resistant	24	14.4
Active Resistant	23	13.8
Assaultive	71	42.5
Serious Bodily Harm/Death	49	29.3
<b>Total Incidents</b>	<b>167</b>	<b>100</b>

Subject behaviour during a C.E.W. incident is described within the context of the Ontario Use of Force Model (2004) under the following categories:

- **Passive Resistant:**

The subject refuses, with little or no physical action, to cooperate with an officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity.

- **Active Resistant:**

The subject uses non-assaultive physical action to resist an officer's lawful direction. Examples would include pulling

away to prevent or escape control, or overt movements such as walking or running away from an officer.

- **Assaultive**

The subject attempts to apply, or applies force to any person, or attempts or threatens by an act or gesture to apply force to another person, if they have, or causes that other person to believe upon reasonable grounds that they have, the present ability to carry-out their purpose. Examples include kicking and punching, but may also include aggressive body language that signals the intent to assault.

- **Serious Bodily Harm or Death**

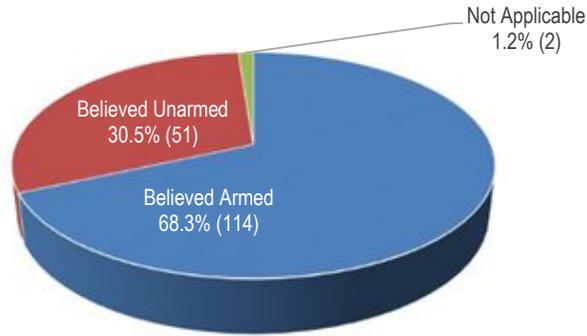
The subject exhibits actions that the officer reasonably believes are intended to, or likely to, cause serious bodily harm or death to any person, including the subject. Examples include assaults with a weapon or actions that would result in serious injury to an officer or member of the public, and include suicide threats or attempts by the subject.

In situations where a subject is displaying passive or active resistance, T.P.S. procedure prohibits officers from using a C.E.W. in any manner other than a demonstrated force presence. In 42.5 percent of incidents officers perceived the subject's behaviour as assaultive and in 29.3 percent of the incidents officers believed the behaviour was likely to cause serious bodily harm or death.

### **Subject Believed Armed**

Of the situations where the C.E.W. was used, officers believed that the subject was armed in 68.3 percent of incidents. An officer may believe that a subject is armed based on a number of factors, including: visual confirmation; subject's verbal cues/behaviour; information from witnesses or dispatchers; or other indirect sources. The chart below indicates whether an officer believed the subject was armed. The "Not Applicable" category refers to two (2) uses on animals.

### Subject Believed Armed



<b>Subject Believed Armed</b>	<b>#</b>	<b>%</b>
Believed Armed	114	68.3
Believed Unarmed	51	30.5
Not Applicable	2	1.2
<b>Total Incidents</b>	<b>167</b>	<b>100</b>

### Person(s) in Crisis Believed Armed

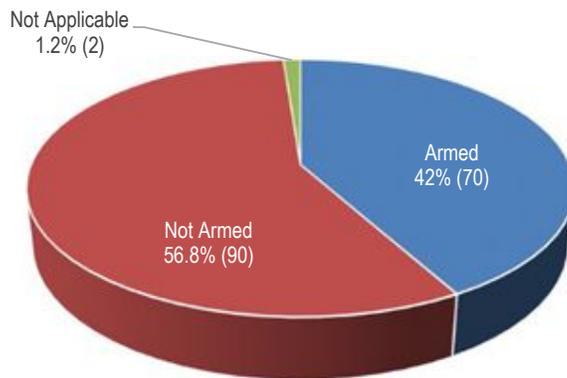
When presented with an incident involving a person in crisis, in 72.2 percent of these cases, it was believed the person in crisis was armed.

<b>Person in Crisis (P.I.C.) Believed Armed</b>	<b>#</b>	<b>%</b>
Believed Armed	52	72.2
Believed Unarmed	20	27.8
<b>Total Incidents</b>	<b>72</b>	<b>100</b>

### Subject Confirmed Armed

Of 167 incidents, officers confirmed the presence of a weapon 42 percent of the time. The “Not Applicable” category refers to two uses on animals.

### Subject Confirmed Armed



<b>Subject Confirmed Armed</b>	<b>#</b>	<b>%</b>
Armed	70	42
Not Armed	95	56.8
Not Applicable	2	1.2
<b>Total Incidents</b>	<b>167</b>	<b>100</b>

### Person(s) in Crisis (P.I.C.) Confirmed Armed

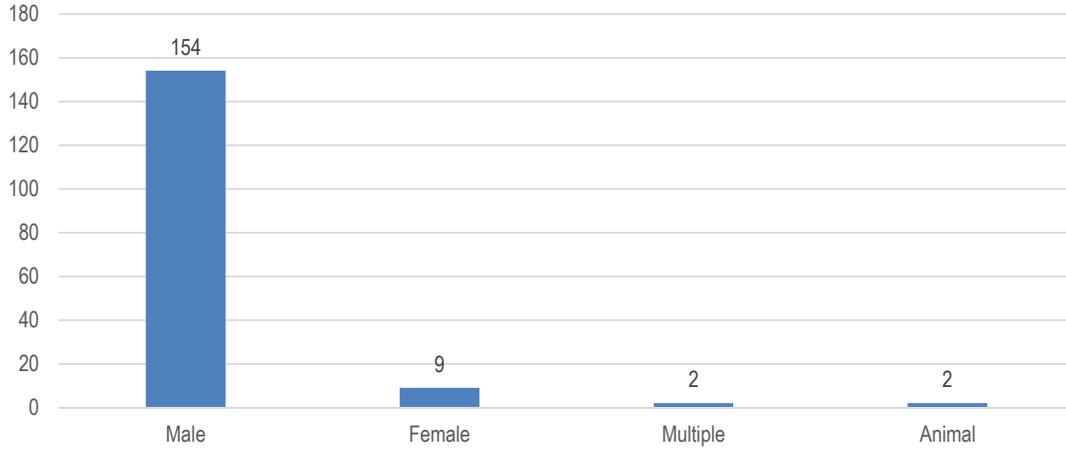
In 52.8 percent of the cases where officers were confronted with a person in crisis, they also faced a person armed with a weapon.

<b>Person in Crisis (P.I.C.) Confirmed Armed</b>	<b>#</b>	<b>%</b>
Armed	38	52.8
Not Armed	34	47.2
<b>Total Incidents</b>	<b>72</b>	<b>100</b>

### Subject Description

This chart categorizes subjects by their perceived gender. Of the 167 incidents involving C.E.W. use, 154 subjects or 92.2% were perceived to be male. Also recorded is C.E.W. use on animals and use on multiple subjects. For this reporting period, there were two group incidents and two incidents involving animals.

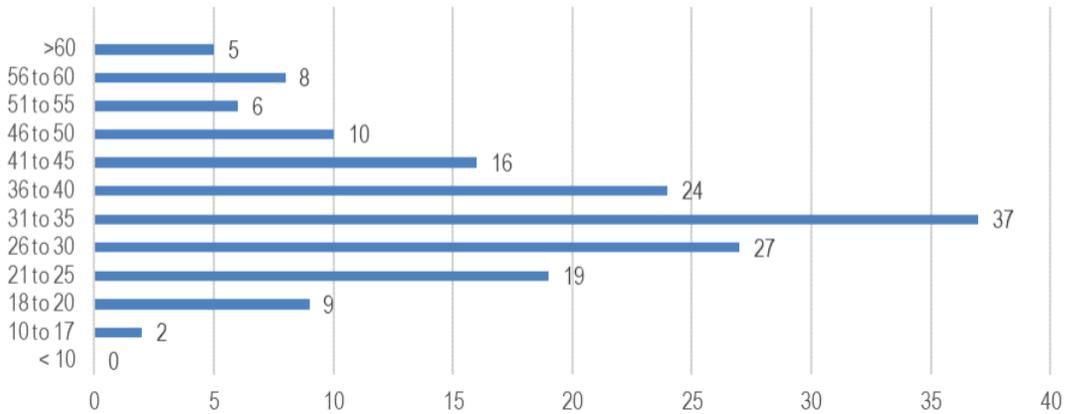
### Subject Description



### Age of Subject

The following chart categorizes C.E.W. use based on age groups. The highest percentage of subjects was between 31 and 35 years of age and equates to 22.7 percent of C.E.W. use. Excluded from this chart are two group incidents and two uses on animals.

### Age of Subject



### Use on Subjects 17 and Under

The following chart provides the type of C.E.W. use on subjects aged 17 and under with a brief summary of each incident. Of note is that that each of the two (2) incidents involved the use of a C.E.W. as a demonstrated force presence only.

17 Years and Under Summary			
Age	C.E.W. Use	Injured	Description of Incident
15	D.F.P.	No	Officers responded to a person with a knife call - Subject threatened to assault officers and advanced towards them
16	D.F.P.	No	Subject had a gun in his hand when police arrived

### Increased Use of Force Reporting:

Police Constables can now display a C.E.W. in lieu of resorting to empty-hand techniques to control a non-compliant or assaultive subject. There is no requirement to report the use of empty-hand techniques unless a subject is injured and requires medical attention. There is, however, a requirement to report the display of a C.E.W., which has resulted in an increase in the number of reportable Use of Force incidents. Therefore, it is T.P.S.'s strict governance of the C.E.W. use that has resulted in the increase in use of force reporting.

When comparing the C.E.W. statistics for the current reporting period with the same period during the previous year, the number of C.E.W. uses has increased approximately 15 percent.

### Unintentional Discharges

Unintentional discharges occur when the probes are fired from the C.E.W. cartridge due to officer error or device malfunction. During this reporting period, there were six unintentional discharges as a result of officer error. Four of the incidents involved P.C.s, while two incidents involved a front-line supervisor. In all cases, officers inadvertently discharged the probes while spark testing the C.E.W.

Spark testing is required at the start of each tour of duty for the following reasons:

- To verify that the C.E.W. is working
- To verify that the batteries are performing and are adequately charged
- To condition the C.E.W. because the devices are more reliable when energized on a regular basis

Each unintentional discharge during spark testing results in a Service or Conduct Report being initiated with a subsequent loss of four hours of lieu time. In each case, the officer attended the Toronto Police College for re-training on safe handling practices.

## **Training**

As a result of expansion and with the overall objective of reducing deaths without increasing overall use of force, T.P.S. Procedure 15-9 Conducted Energy Weapon has had numerous amendments and additions which were discussed in previous reports. There were no updates during this reporting period.

Due to Covid-19, C.E.W. training was suspended as of March 9, 2020. Recruit training was not suspended during the reporting period, leading to an additional 78 officers being trained to operate C.E.Ws.

## **Over Reliance / Misuse of C.E.W.**

Each C.E.W. use is reviewed by divisional supervisors, the Use of Force Analyst and the C.E.W. Review Team. There are no reported incidents of C.E.W. misuse. While there is an increase in C.E.W. use, particularly with demonstrated force presence, the Toronto Police College has developed a more robust “hands-on” training plan that addresses the issue. The program, in addition to focusing on verbal de-escalation strategies, also increases skills and confidence of officers to take physical control of subjects without the use of C.E.Ws.

## **Community Consultation**

In March 2020, just as the restrictions required by the COVID-19 pandemic response were being implemented, consultation was sought from members of the Board’s Mental Health and Addictions Advisory Panel on the format for the Annual C.E.W. Report, in keeping with the Board’s December 2019 motion. The Service implemented input that was provided by panel members in the 2019 annual report. This report also contains two of the panel’s suggestions that being “Believed armed” and “Confirmed armed” charts for P.I.C. as well as an appendix containing 2019 and 2020 comparisons.

Similar feedback for future reports will be sought from the Board’s next Anti-Racism Advisory Panel. The previous panel had been focused on the Loku Inquest recommendations, and the development of the Board’s Race-Based Data Collection policy.

## **Conclusion:**

This report summarizes the frequency and nature of C.E.W. use by the T.P.S. from May 1 to August 31, 2020. The data, particularly the high percentage of demonstrated force presence, indicates that officers are using good judgement under difficult circumstances. They are making appropriate decisions to use only the force necessary to resolve tense and dangerous situations.

The T.P.S. is confident that the C.E.W. is an effective tool that has helped avoid injuries to both the public and police officers. Consequently, the T.P.S. believes that through proper policy, procedures, training, and accountability, the C.E.W. is an appropriate use of force option that can help maintain public and officer safety.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

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December 3, 2020

To: Chair and Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director and Chief of Staff

**Subject: Operating Budget Variance Report for the Toronto Police Services Board, Period Ending September 30, 2020**

### **Recommendations:**

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

### **Financial Implications:**

At this time, the Board is anticipating a \$37,500 favourable variance on its 2020 operating budget. However, it is also anticipated that some or all of this variance will be utilized to offset costs associated, but not budgeted for the Chief of Police Public Consultation and Selection Process, to the extent that some planning and related costs for the public engagement will be incurred in 2020.

### **Background / Purpose:**

The Board, at its December 16, 2019 meeting, approved the Toronto Police Services Board's 2020 operating budget at a net amount of \$1,930,400 (Min. No. P237/19 refers), a 1.4% increase over the 2019 operating budget.

Subsequently, City Council, at its February 19, 2020 meeting, approved the Service's 2020 operating budget at the same net amount; however, the Council approved budget included an additional \$1.0M gross, zero net, to fund the expanded scope of the Missing Persons Investigations Review, discussed further below.

The purpose of this report is to provide information on the Board's 2020 projected year-end variance.

## Discussion:

As at September 30, 2020, a \$37,500 favourable variance is anticipated. Details are discussed below.

*The Board and Board Office have absorbed COVID-19 impacts and modernized our approaches in light of the pandemic*

While COVID-19 has had a significant impact on the way the Board conducts its business and how it interacts with the public, the net financial impact has been marginal on the Board's budget.

The Board Office has leveraged technology and facilitated virtual Board meetings during the period of the pandemic, in line with the advice from Toronto Public Health. These virtual Board meetings have also continued to ensure that members of the public can effectively engage with the Board through the virtual deputation process, and that members of the public and media can listen live to Board meetings through a YouTube livestream. Fortunately, the costs associated with establishing this virtual meeting approach have been negligible (in that existing technology has been used or adapted to suit the Board's purpose) or internally absorbed. As a result, no variances are projected at this time due to COVID-19.

## Variations by expenditure category

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

<b>Expenditure Category</b>	<b>2020 Budget (\$000s)</b>	<b>Actual to Sep 30/20 (\$000s)</b>	<b>Projected Year-End Actual (\$000s)</b>	<b>Fav/(Unfav) (\$000s)</b>
Salaries & Benefits	\$1,330.3	\$942.1	\$1,255.3	\$75.0
Non-Salary Expenditures	\$600.1	\$387.0	\$637.6	(\$37.5)
<b>Total</b>	<b>\$1,930.4</b>	<b>\$1,329.1</b>	<b>\$1,892.9</b>	<b>\$37.5</b>

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

### *Salaries & Benefits*

Board Staff, similar to Service Staff, have salary steps and progress through the salary steps as they accrue seniority. At the time of budget preparation it was assumed that all Board Staff would be at the top of their salary range, as it was unknown at what salary step new staff would be placed. As some Board Staff are not yet at the top step of their salary range in 2020, a favourable salary and benefits variance of \$75K is projected to year end. Of course, as Board Staff progress through their respective salary steps, these salary and benefits budgeted funds will be necessary in the future.

### *Non-salary Budget*

There are two items to highlight with respect to the Board's non-salary budget.

- **Grievances and Arbitrations and associated legal expenditures:** The majority of the costs in the Board's non-salary budget are for arbitrations/grievances and City charge backs for legal services. The Board cannot predict or control the number of grievances filed or referred to arbitration as filings are at the discretion of bargaining units. In order to deal with this uncertainty, the 2020 budget includes a \$424,800 contribution to a Reserve for costs of independent legal advice. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board has funds available in the Reserve for these variable expenditures.
- **Chief of Police Public Consultation and Selection Process:** The Board authorized commencing the process for two outside professional firms to assist the Board with (i) broad public consultation to determine what criteria should be used in selecting Toronto's next Chief of Police, and (ii) executive search services. The Board, at its October 22, 2020 meeting, approved the Chief of Police Selection Process – Contract Award to Environics to Deliver Public Consultation Services (Min. No. P160/20 refers). Costs for the public consultation process are estimated to be \$75,000 and evenly divided between 2020 and 2021. Subsequently, the Board, at its meeting of November 24 2020, approved the Chief of Police Selection Process – Contract Award to BESC Toronto Inc. to Deliver Executive Search Services (Min. No. P184/20 refers). Costs for the executive search process are estimated to be \$75,000 and occur mainly during 2021. Some costs associated with the public consultation aspect of the selection process – at least insofar as planning for the consultations and engagements is concerned – will be incurred in 2020. Every effort will be made to accommodate any 2020 costs incurred with respect to the Chief of Police consultation and selection process from within the Board's existing operating budget.

As the costs associated with the Chief of Police public consultation and executive search were not anticipated during budget preparation, an unfavourable variance now is

projected in the non-salary category. While it is difficult to accurately estimate the costs that will be incurred in 2020, it is anticipated that up to 50% of the costs associated with the public consultation process (for planning and other support work related to the public consultations and engagements), or \$37,500 could be realized by year-end.

### *City Legal Services*

While the Board uses external legal counsel for labour relations and other matters, where external counsel is required, the Board also obtains legal services from the City of Toronto's Legal Services division. Prior to 2020, City Legal Services recovered the costs of providing these services through an interdepartmental chargeback to the Board. As a part of the City's plan to modernize the budget process, a policy change has been made that required the removal of interdepartmental charges and recoveries from the 2020 operating budget request and the restatement of the 2019 approved budget. An interdepartmental charge or recovery is a payment made from one Agency or Department in the City to another for the delivery of goods or services. However, as the amount of legal services the Board requires can put a significant strain on City Legal Services, it was subsequently decided that City Legal Services would still receive cost recovery for the Services they provide to the Board. The costs of these services would be funded from the Board's Legal Reserve. In order to facilitate the cost recovery, the Board's gross operating budget was increased by \$575,000, the estimated cost of legal services to be provided by the City for 2020. This results in a net zero increase to the Board's approved operating budget, as the cost would be funded from the Board's Legal Reserve.

### *Independent Missing Persons Investigations Review*

The Board, at its June 21, 2018 meeting, approved the Missing Persons Investigation Review Working Group – Review's Terms of Reference and Budget Report (Min. No. P112/18 refers). The Board approved terms of reference for an independent review of the policies, practices and actions of the Board and the Toronto Police Service in relation to missing person reports and investigations. The Board also approved a request to the City of Toronto's Executive Committee to allocate and transfer to the Board funding for the review in an amount not to exceed \$3.0M and that such funds be made available to the Board beginning in 2018 and until the conclusion of the Review. Subsequently, Toronto City Council, at its July 23, 2018 meeting, approved up to \$3.0M for the Missing Persons Investigations Review. The Review is expected to require funding over the 2018, 2019 and 2020 budget years.

During 2019 it became evident that the interests of the community would best be serviced if the scope of the review were to be expanded. The cost of expanding the scope of the review, estimated at \$1.0M, was approved by City Council at its meeting of February 19 2020, to be funded from a \$1.0 million draw from the Tax Rate Stabilization reserve, bringing the total estimated cost of the review to \$4.0M. Costs incurred from

2018 to 2019 totalled \$1.6M. For 2020, it is projected that \$2.3M in costs will be incurred and, as a result, \$2.3M is included in the Council approved 2020 Board operating budget being funded from the Tax Rate Stabilization Reserve. The Board will only draw on the reserve to the extent needed to fund the expenditure associated with the review.

The expanded scope of Independent Civilian Review into Missing Persons Investigations will have a high positive equity impact for many equity-seeking groups. With this expansion, this Review will now include an examination of the specific circumstances involving the investigations into the disappearances of victims associated with Bruce McArthur, which were previously excluded due to criminal proceedings being active at the time the Terms of Reference were established for this Review. The expanded scope will mean that additional significant and valuable experiences and perspectives of individuals, including members of the City's LGBTQ2S+ community, and some of Toronto's most marginalized and vulnerable communities, will be included in this Review, and will directly impact the recommendations that will be made. The expanded scope will ensure that the Review's ultimate conclusions and recommendations are developed having regard to the specific and unique context of the Review, and informed by the people most impacted by the circumstances that gave rise to it, leading to recommendations aimed to promote efficient, effective and bias-free policing and improved trust between the Toronto Police Service and members of the affected communities.

The Board established this Review in order to facilitate an independent examination of relevant issues that would be comprehensive. As a result of recent developments and police reform efforts, the complexity and range of issues has increased as compared to when the Review began its work. The Review has advised that the additional time and budget funding are required for its work – including its final report and recommendations – to be responsive to this evolving context. As a result, the Board at its meeting of November 24 2020, approved a request to extend the timeline of the Review to March 31<sup>st</sup> 2021 and to forward a request to the City of Toronto's Executive Committee to transfer to the Board additional funding, not to exceed \$700,000, to help facilitate the completion of the review (Min. No. P185/20 refers). The additional costs are expected to be incurred mainly during 2021.

In the end, the Board, the Service and the communities the Service serves require a report that will lead to improvements in missing persons investigations specifically, and policing in Toronto more generally.

### **Conclusion:**

As at September 30, 2020, a net \$37,500 favourable variance is projected. This variance is a result of salaries being less than anticipated because not all salary steps for each of the Board Staff have been achieved in 2020; however, the favourable variance in salaries is partially offset by the estimated costs associated with the *Chief of Police Public Consultation and Selection Process*, to the extent that some of the costs

associated with the planning for public consultations will be incurred in 2020. Every effort will be made to accommodate any of these 2020 costs within the Board's existing operating budget.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. Teschner".

Ryan Teschner  
Executive Director and Chief of Staff



## Toronto Police Services Board Report

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December 3, 2020

To: Chair and Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director and Chief of Staff

**Subject: Independent Civilian Review into Missing Persons Investigations – Account for Professional Services**

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

It is recommended that the Board receive the invoice dated November 29, 2020 in the amount of \$275,351.03 for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP.

### **Financial Implications:**

The total invoiced to date, including the above invoices, is \$3,921,801.92.

### **Background / Purpose:**

The Board established the Independent Civilian Review into Missing Persons Investigations and appointed the Honourable Gloria Epstein as the Reviewer ("the Independent Reviewer"). Ms. Epstein has appointed Cooper, Sandler, Shim and Bergman LLP as Counsel to the Review.

The City has agreed to provide funding to the Board to pay for the cost of the Review (Min.P112/18 refers). In addition, the City approved the increase of additional funding for \$1.0 million as recommended by the Board at its January 22, 2020 Board meeting (Min. P7/20).

At its meeting on September 19, 2019 (Min. P189/19 refers), the Board delegated to the Chair the authority to approve payment of all future invoices from the Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP, not to exceed an amount of \$4.0M (including the additional funding from the City, as stated above).

As a result of recent developments and police reform efforts, the complexity and range of issues the Review has indicated it wishes to examine has increased as compared to when the Review began its work. The Review has advised that the additional time and budget funding are required for its work – including its final report and recommendations – to be responsive to this evolving context. As a result, the Board at its meeting of November 24, 2020, approved a request to extend the timeline of the Review to March 31, 2021 and to forward a request to the City of Toronto’s Executive Committee to transfer to the Board additional funding, not to exceed \$700,000, to help facilitate the completion of the review (Min. No. P185/20 refers). The additional costs are expected to be incurred mainly during 2021. The request from the Board to the City’s Executive Committee has been transmitted.

**Discussion:**

The Chair has approved the accounts referenced in these reports, pursuant to the delegated authority the Board has provided him.

I have attached a copy of the Review's account approved for services rendered, up to and including November 29, 2020 in the amount of \$275,351.03. A detailed statement is included on the in-camera agenda for information.

**Conclusion:**

It is, therefore, recommended that the Board receive the invoice dated November 29, 2020 in the amount of \$275,351.03 for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP.

Respectfully submitted,



Ryan Teschner  
Executive Director and Chief of Staff

ATT.

COOPER, SANDLER  
SHIME & BERGMAN LLP  
BARRISTERS & SOLICITORS

SUITE 1900  
439 University Avenue  
Toronto, Ontario  
M5G 1Y8

TELEPHONE: (416) 585-9191  
FAX: (416) 408-2372

November 29, 2020

**PRIVATE AND CONFIDENTIAL**

Minute No: P189/19 & Minute No:P7/20  
Contract No: 47021797  
CRO No: 9352682  
GR No: 5000200986

Mr. Ryan Teschner,  
Executive Director  
Toronto Police Services Board  
40 College St.  
Toronto, ON M5G 2J3

Re: The Independent Civilian Review into Missing Persons Investigations – Our File  
#CTinv001

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FOR SERVICES RENDERED: From October 30, 2020 to November 29, 2020

Total Fees	\$158,895.10	
HST on Fees (13%)	20,656.36	
<b>Total Fees &amp; HST</b>		<b>\$179,551.46</b>
Disbursements Sub-total	\$84,780.86	
HST on Disbursements (13%)	11,018.71	
Non-Taxable Amount	20.82	
<b>Total Disbursements &amp; HST</b>		<b>\$95,799.57</b>
<b>TOTAL FEES AND DISBURSEMENTS</b>		<b>\$275,351.03</b>
for this account dated	November 29, 2020	

BALANCE OWING

\$275,351.03

THIS IS OUR ACCOUNT HEREIN

Cooper Sandler Shime & Bergman LLP



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Mark J. Sandler

E. & O.E.

Total HST \$31,675.07  
HST #:122552227

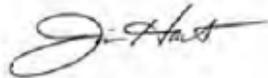
Approved By:



Ryan Teschner (83693)  
Executive Director & Chief of Staff  
Toronto Police Services Board

Date: December 3, 2020

Approved By:



Jim Hart (84312)  
Chair  
Toronto Police Services Board

Date: December 3, 2020



## Toronto Police Services Board Report

---

August 4, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.25**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

Whenever the Special Investigations Unit (S.I.U.) is notified of an incident involving serious injury or death, provincial legislation directs that a chief of police shall conduct an administrative investigation.

Ontario Regulation 267/10, Section 11(1) states:

"The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the S.I.U. has been notified, subject to the S.I.U.'s lead role in investigating the incident."

Section 11(2) of the Regulation states:

"The purpose of the chief of police's investigation is to review the policies of or services provided by the police force and the conduct of its police officers."

Section 11(4) of the Regulation states:

“The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the S.I.U. director advises the chief of police that he or she has reported the results of the S.I.U.’s investigation to the Attorney General, and the board may make the chief of police’s report available to the public.”

Upon conclusion of its investigation, the S.I.U. provides the Toronto Police Service (T.P.S.) with a letter. The S.I.U. does not provide the T.P.S. with a copy of the report that was provided to the Attorney General.

### **Discussion:**

On August 6, 2019, at 1019 hours, uniform officers from 14 Division were dispatched to the Shoppers Drug Mart located at 524 Queen Street West for a theft in progress. Officers attended the call and located two suspects, a male and a female, in the area of 163 Portland Street.

The officers approached the couple as they were attempting to enter 163 Portland Street. The female was placed under arrest without incident while the male, later identified as Custody Injury Complainant 2019.25, entered into the lobby of 163 Portland Street. An officer was able to gain entry into the lobby where he placed 2019.25 under arrest.

2019.25 began to struggle with the officer and the officer took 2019.25 to the ground in order to control him and place him under arrest. Another officer arrived on scene and assisted the first officer with the hand cuffing of 2019.25. Once in custody, 2019.25 complained of troubling breathing and believed he was suffering from a stroke.

Toronto Paramedic Services (Paramedics) attended the scene and transported 2019.25 to Mount Sinai Hospital for examination. While at Mount Sinai Hospital, he complained of a sore hip. 2019.25 was later diagnosed and treated for a fractured right femur.

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

The S.I.U. designated one officer as a subject officer; three other officers were designated as witness officers.

In a letter to the T.P.S., dated April 28, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino excluded the subject officer from any criminality by saying in part;

*“In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer.”*

The S.I.U. published a media release on April 29, 2020. The media release is available at: [https://www.siu.on.ca/en/news\\_template.php?nrid=5610](https://www.siu.on.ca/en/news_template.php?nrid=5610)

The Director's Report of Investigation is published on the link; [https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=685](https://www.siu.on.ca/en/directors_report_details.php?drid=685)

### **Summary of the Toronto Police Service's Investigation:**

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

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

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

---

August 4, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Chief's Administrative Investigation into the Custody Injury of 2019.35**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

Whenever the Special Investigations Unit (S.I.U.) is notified of an incident involving serious injury or death, provincial legislation directs that a chief of police shall conduct an administrative investigation.

Ontario Regulation 267/10, Section 11(1) states:

“The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the S.I.U. has been notified, subject to the S.I.U.’s lead role in investigating the incident.”

Section 11(2) of the Regulation states:

“The purpose of the chief of police’s investigation is to review the policies of or services provided by the police force and the conduct of its police officers.”

Section 11(4) of the Regulation states:

“The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the S.I.U. director advises the chief of police that he or she has reported the results of the S.I.U.’s investigation to the Attorney General, and the board may make the chief of police’s report available to the public.”

Upon conclusion of its investigation, the S.I.U. provides the Toronto Police Service (T.P.S.) with a letter. The S.I.U. does not provide the T.P.S. with a copy of the report that was provided to the Attorney General.

### **Discussion:**

On October 4, 2019, at 1858 hours, officers from 43 Division were on patrol in the area of 4218 Lawrence Avenue East when they observed Custody Injury Complainant 2019-35. 2019-35 was known to the officers and they were aware she was wanted on the strength of a warrant in the first instance for theft, and was bound by a recognizance with a house arrest condition.

2019-35 was stopped and investigated and was found to be in breach of the house arrest condition of her recognizance and the warrant was found to be valid. 2019-35 was arrested and handcuffed.

2019-35 was actively resistant when the officers attempted to put her into the rear of the scout car and had to be physically guided into the rear seat.

2019-35 was transported to 43 Division and paraded before the Officer-in-Charge. While on parade, 2019-35 complained of an injury to her ankle which she advised was a previous injury that occurred prior to her arrest, and for which she had previously sought medical attention.

While in custody at 43 Division, 2019-35 threw a cup of water at a booking officer and an additional charge of assault was laid against her.

2019-35 was held for a show cause hearing and appeared before a Justice who remanded her into custody.

On October 5, 2020, 2019-35 was being transported to Vanier Centre for Women when she complained of leg pain and symptoms consistent with alcohol withdrawal syndrome.

2019-35 was transported to Milton District Hospital where she was examined by a physician, who diagnosed and treated her for an avulsion fracture to her left ankle. 2019-35 advised correction officers that the injury to her ankle occurred during her arrest.

On October 6, 2019, the Toronto Police Service (T.P.S.) were contacted about 2019-35's injury, the S.I.U. was contacted by the T.P.S. that same day, and the S.I.U. invoked its mandate.

The S.I.U. designated one officer, as the subject officer; 4 other officers and one civilian member were designated as witness officers.

In his letter to the T.P.S. dated 2020.05.22, Director Joseph Martino of the S.I.U. stated *"the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

The S.I.U. issued a press release on 2020.05.25 in relation to its investigation and decision. This press release can be viewed by following the link below:  
[https://www.siu.on.ca/en/news\\_template.php?nrid=5694](https://www.siu.on.ca/en/news_template.php?nrid=5694)

The Director's full report of investigation can be viewed by following the link below:  
[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=721](https://www.siu.on.ca/en/directors_report_details.php?drid=721)

### **Summary of the Toronto Police Service's Investigation:**

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-03 (Persons in Custody)
- Procedure 02-01 (Arrest Warrants)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were found to be lawful, in keeping with current

legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers and civilian members were in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

---

August 4, 2020

To: Chair and Members  
Toronto Police Services Board

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

**Subject: Chief's Administrative Investigation into the Alleged Sexual Assault of Sexual Assault Complainant 2019.24**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

Whenever the Special Investigations Unit (S.I.U.) is notified of an incident involving serious injury or death, provincial legislation directs that a chief of police shall conduct an administrative investigation.

Ontario Regulation 267/10, Section 11(1) states:

"The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the S.I.U. has been notified, subject to the S.I.U.'s lead role in investigating the incident."

Section 11(2) of the Regulation states:

"The purpose of the chief of police's investigation is to review the policies of or services provided by the police force and the conduct of its police officers."

Section 11(4) of the Regulation states:

“The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the S.I.U. director advises the chief of police that he or she has reported the results of the S.I.U.’s investigation to the Attorney General, and the board may make the chief of police’s report available to the public.”

Upon conclusion of its investigation, the S.I.U. provides the Toronto Police Service (T.P.S.) with a letter. The S.I.U. does not provide the T.P.S. with a copy of the report that was provided to the Attorney General.

### **Discussion:**

During 2016, a male complainant was involved in a short intimate relationship with a female identified as Sexual Assault Complainant 2019.24. After the relationship ended, 2019.24 continued to communicate in a harassing manner with the male party against his wishes.

In March of 2019, after trying to have the communications stopped by contacting 2019.24, the complainant contacted the Toronto Police Service (T.P.S.) to express his concerns. Members of 32 Division completed an occurrence and contacted 2019.24, cautioning her not to further communicate with the complainant.

In July of 2019, the complainant contacted the T.P.S. to advise that 2019.24 had sent him hundreds of text messages and left him dozens of voice mails. She had attended his place of business and acted in an inappropriate manner and had refused to leave the facility.

On July 30, 2019, the complainant made a formal complaint to the T.P.S. about 2019.24’s conduct, and agreed to cooperate with an investigation and the provision of evidence at trial.

Investigators at 32 Division contacted 2019.24 and requested that she attend the station. On August 1, 2019, 2019.24 attended at the station, was placed under arrest and paraded before the officer-in-charge. She was held pending the investigation and taken to the Criminal Investigation Bureau (C.I.B.).

A uniformed female police constable was detailed to conduct a Frisk Search of 2019.24, prior to her being left alone in the locked interview room in the C.I.B. offices. During the Frisk Search, the officer followed her training in the search and found no contraband items in the possession of 2019.24.

2019.24 was charged with Criminal Harassment; finger printed and transported to Toronto North Courts where she was released from custody after a bail hearing.

On Thursday, August 1, 2019, at about 2144 hours, 2019.24 wrote an e-mail to the Office of the Chief. She outlined various complaints as the result of her experiences at 32 Division on August 1, 2019. Specifically, she alleged that; *“I was held in custody and treated badly. I was patted down and not just patted down but I was touched inappropriately and sexually assaulted.”*

On Friday, August 2, 2019, that email was forwarded to the executive assistant for the Deputy Chief at about 0730 hours.

On Saturday, August 3, 2019 to Monday, August 5, 2019, were the Civic Holiday long weekend dates.

On Tuesday, August 6, 2019, that e-mail was sent from the Deputy Chief’s executive assistant to the Unit Commander of Professional Standards (P.R.S.).

Upon learning of the allegation of sexual assault, the email was forwarded to the Chief’s S.I.U. Liaison Officer.

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

The S.I.U. designated one officer as a subject officer; five other officers and one civilian member were designated as witness officers.

In a letter to the T.P.S. dated May 14, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino excluded the subject officer from any criminality.

The S.I.U. Director does not publish a public Report of Investigation for investigations alleging sexual assaults.

The S.I.U. did not issue any news releases in relation to this incident.

### **Summary of the Toronto Police Service’s Investigation:**

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the alleged sexual assault in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)

- Procedure 05-05 (Sexual Assault)
- Procedure 05-27 (Criminal Harassment)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the alleged sexual assault were found to be lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office