



PUBLIC MEETING SUPPLEMENTARY AGENDA

Thursday, July 23, 2026, at 9:00AM

Livestreaming at

https://youtube.com/live/6cWA_jXmZxl?feature=share

23. July 20, 2026 from Myron Demkiw, Chief of Police
Re: Request to Seek Legislative Change

Please note that the Board will move *in camera* shortly after commencing the meeting for consideration of confidential items, which will now take place prior to attending to the held public agenda items. **It is estimated that the regular public meeting will resume at approximately 2:00PM.**

The Board will move *in-camera* for consideration of confidential matters pursuant to Section 44 (1) of the *Community Safety and Policing Act, 2019* (CSPA)

MOTION

That the Toronto Police Service Board move *in camera* before attending to any held public items, to discuss the following subject matters in accordance with Section 44(2) of the *Community Safety and Policing Act, 2019*:

- 1. Investigative Matters**
- 2. Operational Matters**
- 3. Labour Relations Matters**
- 4. Human Resources Matters**

Adjournment

Next Meeting

Regular Board Meeting

September 24, 2026

Hybrid Board Meeting – at Police Headquarters, 40 College Street or virtually via WebEx

Members of the Toronto Police Service Board

Shelley Carroll, Chair
Amber Morley, Member & Deputy Mayor
Lily Cheng, Member & Councillor
Nick Migliore, Member

Chris Brillinger, Vice-Chair
Lisa Kostakis, Member
Ann Morgan, Member



PUBLIC REPORT

July 20, 2026

To: Chair and Members
Toronto Police Service Board

From: Myron Demkiw
Chief of Police

Subject: Request to Seek Legislative Change

Purpose: ☐ Information Purposes Only ☒ Seeking Decision

Recommendations:

This report recommends that the Toronto Police Service Board (Board) authorize the Chief of Police (Chief) to advocate to the Government of Ontario, and engage relevant ministries and agencies, for legislative changes regarding:

- a) Expanding the circumstances in which police officers may be suspended without pay;
- b) Removing the requirement that a full disciplinary hearing be held to terminate a police officer who is serving a term of incarceration;
- c) Permitting extensions of probationary periods where an officer has been suspended or put on administrative duties;
- d) Permitting police services, in appropriate circumstances, to retain responsibility for certain investigations, while maintaining impartiality, appropriate safeguards to ensure independent and objective investigations, and existing oversight mechanisms; and
- e) Establishing legislation, modelled on California's "Joanna's Law", requiring enhanced investigative requirements where indicators suggest a death may be connected to intimate partner violence.

Financial Implications:

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

Summary

The Board's Process for Seeking Legislative Change policy establishes its governance role in seeking legislative change and the process through which legislative amendments may be advanced. Whereas the Chief is of the opinion that existing legislative authorities are insufficient or ineffective to carry out policing responsibilities, the Chief is to advise the Board, which will consider whether legislative change should be pursued. Where approved by the Board, the Chief may advocate for legislative change on behalf of both the Board and the Toronto Police Service (Service).

Through implementation of the Community Safety and Policing Act, 2019 (C.S.P.A.) and ongoing operational experience, the Service has identified several legislative gaps that impact public safety, public confidence, operational effectiveness and the efficient administration of policing services. Approval is therefore sought for the Chief to advocate for the legislative amendments outlined in this report.

Discussion:

Background

The Board approved its Process for Seeking Legislative Change policy on February 19, 2013, and most recently amended it on March 2, 2023. The policy establishes the Board's governance role in seeking legislative change and provides the process through which legislative amendments may be advanced. Specifically, where the Chief is of the opinion that existing legislative authorities are insufficient or ineffective to carry out policing responsibilities, the Chief is to advise the Board, which will consider whether legislative change should be pursued. Where approved by the Board, the Chief may advocate for legislative change on behalf of both the Board and the Service. The legislative issues identified below have arisen through operational experience, implementation of the C.S.P.A. and ongoing efforts to strengthen public safety, accountability and public confidence.

Relevant Board Policies and Compliance

- Process for Seeking Legislative Change policy

Strengthening Suspension Without Pay Authorities

When suspending a police officer without pay, the C.S.P.A. prescribes thresholds related to both the seriousness of the misconduct/offence and the jurisdiction in which the Chief may suspend without pay. Certain thresholds contained in the C.S.P.A. restrict a Chief's ability to suspend an officer without pay when it is in the public interest to do so. For example, where an arrest and charge(s) occur outside of Canada, the Service does not have the legislative authority to impose an immediate suspension without pay as the legislation restricts suspension to violations of select Canadian statutes only. This has created a gap where officers charged with serious offences outside Canada cannot be suspended without pay.

Authority to Dismiss Incarcerated Officers

Officers who serve a term of incarceration should no longer be police officers. Currently, the only method to dismiss a police officer is through a hearing at the Ontario Police Arbitration and Adjudication Commission (O.P.A.A.C.). Alternatively, an officer can voluntarily resign from the Service. The ability to terminate an officer only through full disciplinary proceedings where the outcome is almost a foregone conclusion. In all cases, officers who serve a term of incarceration will be terminated from the Service, and the Service ought not to have to undergo the legal process of a full public hearing to reach that outcome. This approach requires unnecessary spending of public resources and undermines public trust in the institution of policing. Such a term, like the suspension without pay provisions, could include an ability to appeal a termination to O.P.A.A.C. to ensure that the officer's conduct warranted termination.

Extension of Probationary Periods

A further gap identified is the inability to extend a probation period beyond the 12-month period prescribed in s 84(1) of the C.P.S.A. where an officer has been suspended or put on administrative duties. Currently, the probationary period for police constables is set for 12 months with the ability to extend only if consent of the probationary officer is obtained, or, if the probationary officer takes a leave of absence, such as a maternity, parental, or sick leave. The time a probationary officer is suspended due to misconduct allegations, for example, should not count towards their 12-month probationary period. Even if the misconduct allegations are unsubstantiated, that officer would not have had the benefit of a full year's worth of training where both the officer, and the Service, can assess their suitability for the role.

Modernizing Conflict of Interest Investigation Requirements

The Service has encountered significant obstacles in applying the conflict-of-interest provisions. Section 7(2)(b) of O. Reg. 401/23 requires Chiefs to outsource all investigations that involve police officers where the criminal conduct is alleged or reasonably suspected to relate to a variety of enumerated offences, including offences involving intimate partner violence, and offences for the benefit of, at the direction of or in association with a criminal organization. This requirement does not consider large agencies, like the Service, who have existing anti-corruption units that operate at a high level of sophistication and discretion, yet who, as a result of the regulation, must outsource the very investigations they are best suited to conduct due to their specialized expertise.

Moreover, the current legislative framework is also increasingly inconsistent with public expectations of police accountability. The public rightly expects Chiefs to take responsibility for addressing allegations of serious misconduct and corruption within their own organizations and to ensure those matters are investigated thoroughly.

A path forward may include allowing the Chief to articulate to the Inspectorate of Policing (I.o.P.) why certain investigations should be retained by the home service, by explaining the mechanisms through which an impartial investigation can be conducted and the unique and specialized resources available to conduct such an investigation.

This approach would maintain existing I.o.P. oversight mechanisms, while ensuring that serious criminal investigations are conducted with the expertise and integrity they demand.

Enhanced Investigative Framework for Intimate Partner Violence Deaths

The Service recognizes the importance of ensuring that deaths occurring within the context of intimate partner violence receive the highest level of investigative scrutiny where circumstances indicate the possibility of foul play. California's Joanna's Law establishes mandatory investigative requirements where there is a documented history of intimate partner violence together with specified risk indicators. Ontario currently has no comparable legislative framework. The Chief is therefore seeking the Board's approval to advocate for legislation in Ontario modelled on Joanna's Law to establish consistent investigative requirements where indicators suggest a death may be connected to intimate partner violence.

Conclusion:

The C.S.P.A. has introduced significant modernization to policing in Ontario. Through its application, the Service has identified several legislative gaps that impact operational effectiveness, accountability, public safety and public confidence. Approval of this report will authorize the Chief to advocate for these legislative amendments on behalf of the Board and the Service.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

Attachment:

Appendix A – Joanna's Law Overview

Joanna's Law: An Overview

Prepared by Victim Services Toronto

California SB 989 and Its Implications for Intimate Partner Violence Death Investigation

What Is Joanna's Law?

California's Senate Bill 989 — known as Joanna's Law — was approved in 2024. It addresses a well-documented gap in death investigation: a meaningful proportion of deaths initially classified as accidents, overdoses, or suicides are, in fact, homicides staged by an intimate partner.

The law establishes binding obligations for law enforcement when a death occurs in an intimate partner violence context, ensuring that investigators apply heightened scrutiny rather than accepting an apparent cause of death at face value.

The Core Problem

Intimate partner homicides are frequently disguised. Staging a death as a suicide or accident is a recognized pattern of behaviour among perpetrators. Without a structured framework to flag these cases, investigators may close files prematurely — leaving families without answers and perpetrators without accountability.

Prior to Joanna's Law, California had no legislated obligation for police to escalate investigation when an intimate partner violence history coincided with suspicious circumstances. The legislation directly closes that gap.

How the Law Works: The Two-Part Threshold

Heightened investigation is triggered when both of the following conditions are present:

Condition 1

The deceased has an identifiable history of being victimized by intimate partner violence — evidenced by police reports, photographic documentation, or equivalent records.

Condition 2

Three or more of the ten "red flag" factors (below) are present at or around the scene.

When both conditions are met, law enforcement must:

- Conduct structured interviews with close family members and friends of the decedent.
- Request a complete forensic autopsy if one has not already been ordered.
- Apply investigative standards equivalent to those used in homicide investigations.

- Document the presence or absence of each red flag factor in official investigative records.

The Ten Red Flag Factors

Heightened investigation is triggered when an identifiable history of intimate partner violence is present alongside three or more of the following:

#	Red Flag Factor
1	The person died prematurely or in an untimely manner.
2	The scene appears to reflect suicide or accident.
3	One partner had sought to end the relationship.
4	History of intimate partner violence, including coercive control.
5	The decedent was found dead in a home or place of residence.
6	The decedent was found by a current or former partner.
7	History of victimization that includes strangulation or suffocation.
8	A current or former partner (or their child) was the last to see the decedent alive.
9	The partner had control of the scene before law enforcement arrived.
10	The body was moved or other evidence altered.