

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **MAY 24, 2001** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Norman Gardner, Chairman
Councillor Gloria Lindsay Luby, Vice Chair
A. Milliken Heisey, Member
Allan Leach, Member
Emilia Valentini, Member

ALSO PRESENT:

Julian Fantino, Chief of Police
Albert Cohen, Legal Services, City of Toronto
Deirdre Williams, Board Administrator

#P134.

The Minutes of the Meeting held on **APRIL 19, 2001** were approved.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P135. OUTSTANDING REPORTS - PUBLIC

The Board was in receipt of the following report MAY 03, 2001 from Norman Gardner, Chairman:

Subject: OUTSTANDING REPORTS - PUBLIC

Recommendations:

It is recommended that:

- (1) the Board request the Chief of Police to provide the Board with the reasons for the delay in submitting each report requested from the Service and that he also provide new submission dates for each report.

Background:

At its meeting held on March 27, 2000 the Board agreed to review the list of outstanding reports on a monthly basis (Min. No. 113/00 refers). In accordance with that decision, I have attached the most recent list of outstanding public reports that were previously requested by the Board.

Chairman Gardner noted that the following report had been received and was placed on the walk-on agenda for consideration:

- **2001 Operating Budget – Quality Assurance Process.**

The Board approved the foregoing.

Reports that were expected for the May 24, 2001 meeting

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
#551/00	<p>Compliance – Professional Standards Rpts.</p> <ul style="list-style-type: none"> <u>Issue:</u> the Chief is requested to provide the Board with a date in which the Service will be in full compliance with the Board's reporting requirements. 	<p>Report Due: May 24/01 Extension Req's'd: Extension Granted: Revised Due Date: Status:.....Outstanding</p>	Chief of Police
#P31/01	<p>2001 Operating Budget – Quality Assurance Process</p> <ul style="list-style-type: none"> <u>Issue:</u> to review Operational Service Procedure 16-06 re: Quality Assurance Process and the rationale, definition and implementation process. 	<p>Report Due: April 19/01 Extension Req's'd: Extension Granted: Revised Due Date: Status:.....Outstanding</p>	Chief of Police in consultation with the City Auditor.
#P74/01	<p>Efficiencies through Facilities Consolidation</p> <ul style="list-style-type: none"> <u>Issue:</u> identify opportunities to obtain efficiencies through facilities consolidation 	<p>Report Due: Apr. 19/01 Extension Req's'd: Extension Granted: Revised Due Date: Status:.....Outstanding</p>	Chief of Police

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TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P136. COMMUNITY ACTION POLICING – RESULTS OF THE 2000
PROGRAM**

The Board was in receipt of the following report APRIL 11, 2001 from Julian Fantino, Chief of Police:

Subject: COMMUNITY ACTION POLICING REPORT

Recommendation:

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

Background:

In the spring of 2000, the Toronto Police Service received a \$1.4 commitment from the City of Toronto to fund a second year of the Community Action Policing program. Community Action Policing (CAP) is a target policing initiative, deploying uniformed officers on call-back to focused activities and strategies in geographical areas identified as having crime, disorder and public safety issues.

This form of highly visible and directed policing permits focus on community problems at a time when there are competing demands for policing such as special events.

The CAP program ran from June 12, 2000 to September 10, 2000, and in some divisions was extended into the new school year to fund back to school safety programs. The "*Summary of the Year 2000 Community Action Policing Initiative*" report summarizes each division's activities, outcomes and statistical analysis of the program, based upon comprehensive reports prepared at the divisional level (copy of report appended) (copy of Executive Summary attached as Appendix "A").

Analysis of the Seven Index Crime Indicators (homicide, robbery, sexual assault, assault, break and enter, auto theft and theft over) compared to the same thirteen week period in 1999 (June 12 to September 10) show a 5% Service-wide reduction in reported crime during the CAP program. More significant reductions occurred at the local divisional level including a 31% decrease in Theft Over in No. 12 Division, a 48% reduction in Robbery in No. 54 Division and a 31% decrease in Break and Enter in No. 23 Division.

The Community Action Policing program generated a tremendous amount of support from the community, as illustrated in the positive comments received by police officers and in community surveys. The community in general reported that they had noticed an increased police presence

in their community and a decrease in crime and disorder. Many community members supported a year round program.

The CAP program enabled the Toronto Police Service to provide a sustained police presence in areas targeted as having crime, disorder and public safety issues while continuing to provide a high level of service to the community during periods of maximized police resources. Most importantly, the CAP program encouraged collaborative problem solving in partnership with the community, leading to future problem solving discussion with the community aimed at long-term solutions.

Copies of the “Summary of the Year 2000 Community Action Policing Initiative” report have been provided to Board Members. Additional copies can be obtained through Deputy Chief Michael Boyd’s office (416-808-8013).

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions that the Board may have.

Deputy Chief Michael Boyd, Policing Support Command, and S/Insp. Randal Munroe, Operational Commander of the 2000 CAP Program, were in attendance and discussed the results of the 2000 CAP Program with the Board.

The Board inquired about the feasibility of developing a CAP Program to be operated by the Metro Toronto Housing Authority (MTHA) Special Constables under the supervision of the Toronto Police Service.

Chief Fantino advised the Board that, following co-operative efforts by the Service and MTHA, a program similar to CAP has been developed for MTHA Special Constables and he will keep the Board informed of the results as they become available.

The Board received the foregoing.

EXECUTIVE SUMMARY

In the spring of 2000, the Toronto Police Service received a \$1.4 commitment from the City of Toronto to fund a second year of the Community Action Policing program. Community Action Policing is a target policing initiative, deploying uniformed officers on callback to focused activities and strategies in geographical areas identified as having crime, disorder and public safety issues. This report summarizes each division's activities, outcomes and statistical analysis of the program, based upon comprehensive reports prepared by each division.

The CAP program was designed to provide immediate relief to a community during periods of critical staffing levels due to officers assigned to special events, public order duties including demonstrations and parades and annual leave. The objective of the Community Action Policing program was to,

" improve the quality of life in the community by reducing crime and disorder, the fear of crime and disorder, and enhancing public safety."

Each division within the Toronto Police Service collaborated with the community and other community partners to identify and prioritize crime and disorder issues and to develop initiatives that would impact on crime and disorder. Utilizing a process known as Strategic Crime Management, geographical areas were identified with input from the residential and business community, crime analysis, local politicians, Community Policing Liaison Committees, social and government agencies and input from divisional officers of all ranks.

Each division used the CAP Initiative Workbook (Appendix A) to assist in planning their initiatives. This workbook guided each division through the planning stages of the initiative, a mid-term assessment and a final evaluation. For each CAP Initiative, divisions developed a maintenance plan to ensure that short-term gains in targeted areas would lead to long term solutions through continued police activities, community partnerships and collaboration with community partners.

Uniformed CAP patrols were deployed in the target areas, patrolling on foot, bicycle, motorcycle, horse and vehicle when appropriate. Officers engaged in a number of police activities and strategies tailored to each target area. Activities included enforcement, "stop and chats", safety walks and audits with the community, crime prevention, patrol, intelligence gathering, support to undercover operations, spot-checks and CPTED¹ audits.

¹ CPTED - Crime Prevention through Environmental Design

Measurements used to gauge the outcomes of the CAP program include, but were not limited to:

- The Seven Index Crime Indicators
- Enforcement statistics
- Community comments and surveys
- Media feedback, and
- The absence or presence of disorder indicators including vandalism

Analysis of the Seven Index Crime Indicators compared to the same thirteen- week period in 1999 (June 12 to September 10) show the following overall reductions in reported crime during the CAP program:

▪ **-6% Overall crime reduction in Central Field**

▪ **-4% Overall crime reduction in Area Field**

▪ **-5% Overall crime reduction Service-wide**

At the divisional level the CAP program was attributed to more significant reductions. A comparison of the Seven Index Crime Indicators during the CAP period to the same thirteen week period in 1999 (June 12 to September 10) indicate decreases in many of the index crimes. Examples are:

- **-31%** decrease in theft over in No. 12 Division
- **-27%** decrease in robbery in No. 22 Division
- **-48%** decrease in robbery in No. 54 Division
- **-37%** decrease in robbery in No. 13 Division
- **-14%** overall decrease in No. 14 Division
- **-23%** decrease in robbery in No. 51 Division
- **-18%** decrease in robbery in No. 55 Division
- **-31%** decrease in break and enter in No. 23 Division

The Community Action Policing program generated a tremendous amount of support from the community, as illustrated in the positive comments received by police officers and in community surveys. The community in general reported that they had noticed an increase in police presence and a decrease in crime and disorder in their community. Many citizens expressed a desire to see the program run year round.

The following comment received from a community partner, is only one example of the positive feedback received during the CAP program:

"Community policing is essential if we are to continue serving the citizens that are concerned for their safety and to protect those who are potentially susceptible to peer pressure. My job crosses both sides of society where the plastic spoon users far outreach those with silver spoons. Therefore additional community policing is necessary during the summer months for both communities. It also benefits young people with low self esteem, when police approach them just to have a chat."

Community partner

The Toronto Police Service was able to provide a sustained uniformed presence to areas targeted as having crime, disorder and public safety issues, while continuing to provide a high level of service to the community during periods of maximized police resources. Through collaborative partnerships with the community, the Toronto Police Service has met the CAP objective to *"improve the quality of life in the community by reducing crime and disorder, the fear of crime and disorder and enhancing public safety."* Most importantly, this program has encouraged and fostered *problem solving* and *collaboration* with the community, the two key components and ultimate goal of community policing.

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TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P137. TORONTO POLICE SERVICES BOARD'S COMMITTEE STRUCTURE

The Board was in receipt of the following recommendation which was deferred from the April 19, 2001 meeting (Min. No. P111/01 refers):

“It is recommended that:

1. the Board approve the following recommendation regarding the Governance Plan:
 - (a) That the Board no longer utilize a sub-committee structure.”

The Board was also in receipt of the following report MAY 1, 2001 from Norman Gardner, Chairman:

Subject: TORONTO POLICE SERVICES BOARD'S COMMITTEE STRUCTURE

Recommendation:

It is recommended that:

- 1) The Board no longer utilize a committee structure,
- 2) That, to replace the committee structure, special meetings of the Board be called, on an ‘as-needed’ basis; and,
- 3) The Board amend its 2001 meeting schedule to include special meeting dates for consideration of the capital and operating budget.

Background:

At its April 19, 2001 meeting the Board deferred consideration of a recommendation namely, that “the Board no longer utilise a sub-committee structure” (Board minute P111/01 refers). Board members will recall that the Board’s “Governance Plan” requires that the Board shall “ensure appropriate organisational structure of the Toronto Police Services Board” and the Board shall review the committee structure for effectiveness and identify a new committee structure if required.

Committees

Over the years the Board has had a number of committees including a race relations committee, an audit committee, a bargaining committee as well as a policy and budget committee. There were a number of problems with this committee structure including: lack of Board member commitment to attend committees, lack of clarity in what constituted a quorum for Committees, difficulty in tracking decisions made at Committee, lack of public notification of Committee meetings and a tendency to refer matters to Committee rather than debating matters at the Board table.

During the past year, I initiated a review of the Board's agenda and streamlined the process with the express purpose of ensuring that there was ample time at each meeting to deal with public matters at Board meetings rather than at Committee meetings. While I am recommending the dissolution of committees, it does not negate the possibility that the Board may require that a special Board meeting, or series of meetings, be called on complex or timely matters, such as the operating budget.

For example, I am recommending that the Board amend its 2001 meeting structure to include time to deal specifically with the operating and capital budgets, at public meetings of the Board. I recommend that Board members reserve the following dates in their schedule for Budget-related Board meetings: Tuesday October 9, 2001, Monday November 5, 2001 and Thursday December 13, 2001.

Board members should note that the bargaining process typically used by the Board involves the establishment of a Board Bargaining Committee. This process will be addressed in a report to the Board prior to commencement of negotiations and will be an exception to the policy of not using a committee process to conduct Board business.

'Briefings'

Councillor Balkissoon has expressed the concern that the Board must always ensure that it conducts its meetings in public, except where section 35 of the Police Services Act, requires that a meeting be in camera. He has expressed concern that "briefings" such as those the Board convened during the most recent operating budget cycle are not an appropriate vehicle for Board members to use to review the Service's budget submissions. In a letter dated April 11, 2001, from Mr. Albert Cohen, City Legal Department, suggests that as a general approach, the Board should treat 'briefing sessions' that inform decision making, as Board meetings. I have attached a copy of Mr. Cohen's letter.

Therefore, following up on Councillor Balkissoon's suggestion and the Solicitor's advice, I am recommending, that where a special meeting is required to inform the Board's decision making, it is called as a meeting of the Board, rather than as a 'briefing session'.

The Board approved the foregoing report, which included the recommendation that was originally deferred from the April 19, 2001 meeting, and the following Motions:

- 1. THAT two Board members and the Chairman be designated to participate in the Service's Budget Working Group and report back to the Board on an on-going basis; and**
- 2. THAT the Board appoint a Task Force, comprising two Board members, the Chairman, and the Chief of Police, or his designate, to address the Service's capital budget and the City's capital budget process to ensure that the Service's long-term capital needs are addressed.**



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File No.

April 11, 2001

Mr. Norman Gardner, Chair
Toronto Police Services Board
40 College Street
Toronto, Ontario
M5G 2J3

Dear Sir:

Re : Status of Board Briefing Sessions

I am writing in response to a request made at the Board meeting held March, 2001, for an opinion on whether briefing sessions held by the Board prior to the start of the Board's regular monthly meetings constitute Board "meetings" for the purposes of the *Police Services Act* (the "Act") and are, therefore, subject to the requirements of section 35 of the Act. Specifically, section 35 of the Act sets out the criteria for determining when the Board may hold meetings in public and in private.

As I understand it, if a "briefing" session is held, the purpose and subject matter of the session can vary widely. I am advised that, at one end of the spectrum, sessions have been held so that Board members can hear from police officers about their experiences or so that new Board members can get background information about matters previously considered by the Board with which they are unfamiliar. At the other end of the spectrum, a session might involve an informal update on the progress of a matter previously considered by the Board and which the Board at a future meeting will again consider. Alternatively, a session might involve the provision of information and perspective regarding an agenda item that will be considered by the Board during its formal meeting later the same day. A determination of whether a session is a "meeting" may be affected by the nature and content of the session and a general rule may not be applicable.

First, you should note that an analysis of the terms of section 35 of the Act suggests that an argument can be made that, provided there is no quorum of members of the Board, there is no “meeting” of the Board for the purposes of section 35. Therefore, in situations where there is no attendance at a briefing session by a quorum of Board members, the meeting may not be governed by the terms of the Act. However, for the purposes of the following analysis, I am assuming that the sessions are attended by a quorum of Board members.

Although I have not found any caselaw specifically interpreting the scope of the word “meeting” within the context of the Act, issues similar to the one you have raised have arisen in the context of gatherings of members of municipal committees and municipal councils. In the cases considering these matters, in the absence of a statutory definition of the word “meeting”, the courts have tended to adopt the common, everyday meaning of the word “meeting”. They have concluded that meetings are an assembling of a number of persons for the purposes of discussing and acting upon matters on which they have a common interest. In the context of the gathering of members of a municipal committee, it was determined that a “meeting” had been held, as it was an assembly to which all members of the committee were invited to discuss matters within the committee’s jurisdiction.

In the most recent decision on point, dealing with a retreat held by municipal councillors, the court concluded that the issue was not whether the ritual trappings of a meeting were observed. In the court’s view, the central issue was whether municipal councillors were requested to attend a function at which matters which would ordinarily form the basis of the council’s business were dealt with in such a way as to move them materially along the way in the overall decision-making process. If there was such material movement, the court was concerned about the public being deprived of an opportunity to observe, and possibly participate in, a part of the decision-making process.

In light of the foregoing principles, the determination of whether a briefing sessions constitutes a "meeting" of the Board will likely depend on whether the session involves the receipt and discussion of information as part of the Board's conduct of business and which informs the decision-making process. In the examples identified above, a session where a police officer relates information about his or her experiences to familiarize Board members with the nature of policing, will likely not constitute a "meeting" and would not be subject to the rules regarding meetings set out in the Act. In contrast, a session where Board members were given significant background information regarding a matter that would inform their decision-making on the matter, would likely constitute a "meeting".

Other than identifying the general principles, it will only be possible to determine whether a session constitutes a "meeting" once the content and nature of the session is known. However, as a general approach, I recommend that, if in doubt, the Board treat briefing sessions as meetings. By adopting this approach, the Board will be less likely to be criticized for conducting its business in private, and the Board will be better able to justify those sessions it conducts privately.

You should note that even if sessions are meetings of the Board for the purposes of section 35 of the Act, section 35 permits the consideration of some matters in confidential session. Section 35 only requires that a determination must be made as to whether agenda items are public or confidential based on the criteria set out in the section.

I trust this is satisfactory. Please feel free to contact Karl Druckman or me if you have any questions or comments.

Yours truly,

Albert H. Cohen
Director, Litigation

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#P138. COMMUNITY SAFETY NOTIFICATIONS

The Board was in receipt of the following report APRIL 19, 2001 from Julian Fantino, Chief of Police:

Subject: COMMUNITY SAFETY NOTIFICATIONS

Recommendation:

It is recommended that:

- (1) the Board approve the recommendations with respect to the police response to the management of high-risk offenders and;
- (2) the Board authorize the Chairman to communicate the recommendations to the Minister of Justice of Canada and the Premier of Ontario.

Background:

In November 2000, the Board raised a concern regarding the Service's management of a particular high-risk release offender. The Service addressed the Board's concerns at the February 22, 2001, closed meeting (BM #C29/01 refers). During the discussion at the closed meeting, the Board recognized that the Service is doing as much as is legally possible to manage these situations, but there were weaknesses in the tools provided to police to deal with high risk release offenders.

To support and assist in enhancing the Service's efforts in the area of high-risk release management, the Board requested further information in order to make constructive recommendations to the Minister of Justice of Canada, the Honourable A. Anne McLellan (BM #C29/01 refers).

High-Risk Release Management

High-risk offender management involves both the federal and provincial levels of government. The federal level of government has constructed a legislative framework which is administered by the province. The provincial government has passed the Community Safety Act and the Sex Offender Registry Law that provide police with additional high-risk release management strategies. Given the number of different ministries and levels of government involved, there have been inconsistencies in the methods of managing high-risk releases and the resources available to police agencies not only throughout Ontario but also across Canada.

Since the early 1990's, the federal government has enacted several pieces of legislation to improve the state control over those offenders who have been identified as being a high risk to re-offend upon the expiration of their sentence. These new sections of the Criminal Code of Canada now provide for:

- **lifetime prohibition orders** imposed by the court at the time of sentencing, banning those convicted of sex offences against children from attending schools, playgrounds, community centers or engaging in employment or volunteer work involving children;
- **long term offender orders** imposed at time of sentence on those who are at risk of committing sexual offences. Offenders can be supervised for up to ten years upon release from prison and conditions may include mandatory participation in psychological counselling and treatment as well as electronic monitoring, and
- **year-long recognizance orders** (Section 810 orders) containing any number of conditions imposed by the court where there is a demonstrated reasonable fear that the offender will likely commit a further violent and/or sexual crime.

The lifetime prohibition and long term offender orders are imposed at the time the offender is sentenced; thereby the offender remains under the jurisdiction of the Ministry of Correctional Services. The year-long recognizance orders are applied for at the end of an offender's sentence, putting the offender under the supervision of the police in the jurisdiction where he or she resides.

Managing the release of high-risk offenders into a community has become a challenge for both the police and the community. The existing legislative tools combined with a variety of local community resources has resulted in high-risk release case management strategies that vary across different police jurisdictions. Currently, each police agency and court jurisdiction has processes unique to their respective jurisdiction.

In 1998, the Service established a High-Risk Release Section as part of the Behavioural Assessment Section to use the year-long recognizance orders to more effectively monitor the conduct of high-risk offenders residing in Toronto. The Section works with agencies including federal and provincial Correctional Services, the Ministry of the Attorney General, the Centre for Addiction and Mental Health and the Central Mennonite Committee to devise monitoring programs that best suit the particular offender and offence pattern. High-Risk Release Section members prepare a recognizance order package requesting a number of conditions to be imposed upon the offender. Once the court has granted the request and imposed a year-long recognizance order, the Section becomes actively involved in managing and monitoring those offenders. This can involve public notifications, having the offender report regularly to the officers of the High-Risk Release Section and facilitating access to housing, employment, treatment and community support. At the end of the year, the Section members, on behalf of the Toronto Police Service may apply for an additional year-long order, depending upon the conduct of the offender.

Public safety is the paramount consideration of Canada's criminal justice system. The mutual purpose of both federal and provincial governments is to safeguard the community and to prevent victimization by criminals. With public concern focused on community safety, stronger laws have been developed to assist the police with the management of high-risk offenders within

the community. This requires the on-going and active cooperation and support from several ministries, both at the federal and provincial level. To improve the efficacy of the process from the police perspective, the following recommendations are presented for consideration:

Federal Recommendations:

- 1. Provide the courts with the option of an increase in the term of the recognizance orders from one year to a period of up to four years.**

The majority of high-risk offenders will continue to pose a threat to the community beyond the existing one-year limit. It is not uncommon for the Service to apply for a second and sometimes additional recognizance orders. In some cases, offenders may not re-offend until four years after their initial release from prison. A four-year program of supervision and support will be far more beneficial to community safety than a single year.

- 2. Include electronic monitoring as a condition of the year-long recognizance orders.**

The technology exists to effectively use electronic monitoring systems for high-risk offenders. The systems can be an efficient and economic method of monitoring a high-risk offender's whereabouts twenty-four hours a day. The Service would be in a position to track a pedophile's location at any time. This would alleviate some of the public concern especially in cases of high-risk offenders who have been diagnosed as pedophiles.

- 3. Provide legislation to have treatment/counselling included as a condition of the year-long recognizance orders.**

There is a discrepancy among the various court jurisdictions regarding the granting of treatment conditions in the year-long recognizance orders. Some jurisdictions grant treatment conditions while others, such as Toronto, do not. Including a treatment condition as an option for the courts to consider could eliminate the discrepancy among the jurisdictions. Mandatory treatment conditions are often included in probation orders, parole releases and long term offender orders. Many of the high-risk release offenders would benefit from mandatory treatment and counselling programs.

- 4. Include the use of polygraph examinations, FOR MONITORING PURPOSES ONLY, as a condition for consideration by the courts for both the year-long recognizance orders and the long term offender order.**

There are a number of uses for polygraph examinations once an offender has been convicted. Although, in Canada, polygraph examination results are not usually admissible in court, they can still be used effectively to monitor a person's behaviour. The intent of these polygraph tests is not to determine legal guilt or innocence or to initiate new criminal charges but rather to test for the offender's compliance with any court imposed recognizance order and measure the progress of any treatment or counselling programs. Any concerns arising from such a polygraph test

would prompt increased supervision of the high-risk offender and consultation with any treatment provider.

The usefulness of post conviction sex offender polygraph testing has been demonstrated in the United States as an effective means of managing the sex offender in the community. Approximately thirty-five American states authorize the use of polygraph testing as a condition of an offender's probation or parole. The information derived from the testing can be instrumental in risk assessment, measuring the progress of treatment and assessing compliance with the conditions of judicial orders concerning the supervision of the offender.

5. Legislate a condition of release for all high-risk offenders to advise the local police agency and the appropriate correctional service staff members of the intended address prior to release from prison.

Many high-risk offenders refuse to identify where they will be living upon release from prison. This results in police agencies having to follow an offender from the prison to their final destination, which could be anywhere in the country. Occasionally an offender will manage to elude the surveillance team, creating a potentially dangerous situation for the unsuspecting community and local police. Once the offender has been placed at a particular address, the local police agency must move quickly to prepare an application for a year-long recognizance orders. This application can take up to sixty work hours to process, which extends the risk to the community. If there is any doubt regarding the offender's intended destination, the correctional services staff should make the year-long recognizance order applications.

Provincial Recommendations:

1. Establish a procedure that clearly identifies which agency(s) will be responsible for funding the treatment of high-risk release offenders; Ministry of the Solicitor General, Ministry of the Attorney General, Ministry of Health, Ministry of Community and Social Services.

For some high-risk offenders, access to treatment and counselling services can greatly reduce the risk of re-offending. Acquiring funded treatment for high-risk offenders who are no longer within the jurisdiction of correctional services has been extremely difficult. There appears to be some confusion as to which agency should be responsible for these costs. In some cases, Correctional Services has paid for the treatment, other times the costs have been absorbed by a Ministry of Health and/or Ministry of Community and Social Services funded treatment agency. In some police jurisdictions, the funding has come from the Ministry of the Attorney General. This inconsistent approach means that some offenders who are voluntarily seeking treatment do not receive it.

2. Encourage the Ministry of the Solicitor General to accelerate its efforts regarding guidelines for a police response to the management of high-risk offenders, with the intent of establishing Adequacy Standards.

A standard approach to the management of high-risk releases enhances the ability of police agencies to quickly exchange information should an offender decide to move from one police jurisdiction to another. (See Federal Recommendation # 5) An established practice would also streamline the process for all court jurisdictions.

3. Encourage the Ministry of the Attorney General to establish guidelines for the crown attorneys to create a more efficient procedure to manage the one-year recognizance order applications.

There are a variety of practices throughout the province in relation to the processing of year-long recognizance orders. Some jurisdictions start the process well in advance of the offender's release from prison. Others, such as Toronto, start the process just before the offender's release. This does not provide the courts with enough time to deal with any legal issues that may arise in the application and has sometimes delayed the imposition of a year-long recognizance order. This in turn places the police in a position of trying to address the public safety concerns surrounding the release of the high-risk offender without any legal tools for assistance. A standardized protocol for crown attorneys could prevent these potentially unsafe circumstances.

Conclusion

There is no question that the legislation has provided some basic tools to assist police in managing high-risk offenders. There are certainly cooperative efforts among the various federal and provincial ministries on an ad hoc basis to manage these potentially dangerous individuals. These foregoing recommended enhancements could ultimately improve the safety of the public in relation to high-risk offenders and increase the efficacy of the process.

It is recommended that if the Board is in agreement with the foregoing recommendations, the Chairman forward a letter modelled on the attached draft documents (see Attachment One and Two) to the Federal Justice Minister and the Premier of Ontario.

Deputy Chief Michael Boyd, Policing Support Command, will be present to answer questions if required.

The Board discussed the foregoing report with Chief Fantino and approved the following Motions:

- 1. THAT the report from Chief Fantino be received;**
- 2. THAT the Board approve the provincial recommendations with respect to the police response to the management of high-risk offenders and authorize the Chairman to communicate the recommendations to the Premier of Ontario; and**
- 3. THAT the Board authorize the Chairman to communicate with the Minister of Justice of Canada to request that consideration be given to the federal recommendations, contained in this report, with respect to the police response to the management of high-risk offenders.**

DRAFT

May 24, 2001

Honourable A. Anne McLellan,
Minister of Justice and Attorney General of Canada

Dear Minister McLellan;

Recently, the City of Toronto has experienced the release of several high profile high-risk offenders into the community. The Toronto Police Service has been using the existing legislative framework for the past several years and has identified some areas of concern.

Public safety is the paramount consideration of Canada's criminal justice system. The mutual purpose of both federal and provincial governments is to safeguard the community and to prevent victimization by criminals. With public concern focused on community safety, stronger laws have been developed to assist the police with the management of high-risk offenders within the community. This requires the on-going and active cooperation and support from several ministries, both at the federal and provincial level. To improve the efficacy of the process from the police perspective, the following recommendations are presented for consideration:

1. Provide the courts with the option of an increase in the term of the recognizance orders from one year to a period of up to four years.

The majority of high-risk offenders will continue to pose a threat to the community beyond the existing one-year limit. It is not uncommon for the Service to apply for a second and sometimes additional recognizance orders. In some cases, offenders may not re-offend until four years after their initial release from prison. A four-year program of supervision and support will be far more beneficial to community safety than a single year.

2. Include electronic monitoring as a potential condition of the year-long recognizance orders.

The technology exists to effectively use electronic monitoring systems for high-risk offenders. The systems can be an efficient and economic method of monitoring a high-risk offender's whereabouts twenty-four hours a day. The Service would be in a position to track a pedophile's location at any time. This would alleviate some of the public concern especially in cases of high-risk offenders who have been diagnosed as pedophiles.

3. Provide legislation to have treatment/counselling included as a potential condition of the year-long recognizance orders.

There is a discrepancy among the various court jurisdictions regarding the granting of treatment conditions in the year-long recognizance orders. Some jurisdictions grant treatment conditions while others, such as Toronto, do not. Including a treatment condition as an option for the courts to consider could eliminate the discrepancy among the jurisdictions. Mandatory treatment conditions are often included in probation orders, parole releases and long term offender orders. Many of the high-risk release offenders would benefit from mandatory treatment and counselling programs.

4. Include the use of polygraph examinations, FOR MONITORING PURPOSES ONLY, as a condition for consideration by the courts for both the year-long recognizance orders and the long term offender order.

There are a number of uses for polygraph examinations once an offender has been convicted. Although, in Canada, polygraph examination results are not usually admissible in court, they can still be used effectively to monitor a person's behaviour. The intent of these polygraph tests is not to determine legal guilt or innocence or to initiate new criminal charges but rather to test for the offender's compliance with any court imposed recognizance order and measure the progress of any treatment or counselling programs. Any concerns arising from such a polygraph test would prompt increased supervision of the high-risk offender and consultation with any treatment provider.

The usefulness of post conviction sex offender polygraph testing has been demonstrated in the United States as an effective means of managing the sex offender in the community. Approximately thirty-five American states authorize the use of polygraph testing as a condition of an offender's probation or parole. The information derived from the testing can be instrumental in risk assessment, measuring the progress of treatment and assessing compliance with the conditions of judicial orders concerning the supervision of the offender.

5. Legislate a condition of release for all high-risk offenders to advise the local police agency and the appropriate correctional service staff members of the intended address prior to release from prison.

Many high-risk offenders refuse to identify where they will be living upon release from prison. This results in police agencies having to follow an offender from the prison to their final destination, which could be anywhere in the country. Occasionally an offender will manage to elude the surveillance team, creating a potentially dangerous situation for the unsuspecting community and local police. Once the offender has been placed at a particular address, the local police agency must move quickly to prepare an application for a year-long recognizance orders. This application can take up to sixty work hours to process, which extends the risk to the community. If there is any doubt regarding the offender's intended destination, the correctional services staff should make the year-long recognizance order applications.

There is no question that the legislation has provided some basic tools to assist police in managing high-risk offenders. There are certainly cooperative efforts among the various federal and provincial ministries on an ad hoc basis to manage these potentially dangerous individuals. These foregoing recommended enhancements could ultimately improve the safety of the public in relation to high-risk offenders and increase the efficacy of the process.

Thank you for your consideration of these matters. Chief of Police Julian Fantino is prepared to supply members with expertise in these areas to work with the federal government on these issues.

Sincerely,

Norman Gardner
Chairman
Toronto Police Services Board

/jw

DRAFT

May 24, 2001

The Honourable Michael Harris
Premier of Ontario

Dear Premier Harris;

Recently, the City of Toronto has experienced the release of several high profile high-risk offenders into the community. The Toronto Police Service has been using the existing legislative framework for the past several years and has identified some areas of concern.

Public safety is the paramount consideration of Canada's criminal justice system. The mutual purpose of both federal and provincial governments is to safeguard the community and to prevent victimization by criminals. With public concern focused on community safety, stronger laws have been developed to assist the police with the management of high-risk offenders within the community. This requires the on-going and active cooperation and support from several ministries, both at the federal and provincial level. To improve the efficacy of the process from the police perspective, the following recommendations are presented for consideration:

Provincial Recommendations:

- 1. Establish a procedure that clearly identifies which agency(s) will be responsible for funding the treatment of high-risk release offenders; Ministry of the Solicitor General, Ministry of the Attorney General, Ministry of Health, Ministry of Community and Social Services.**

For some high-risk offenders, access to treatment and counselling services can greatly reduce the risk of re-offending. Acquiring funded treatment for high-risk offenders who are no longer within the jurisdiction of correctional services has been extremely difficult. There appears to be some confusion as to which agency should be responsible for these costs. In some cases, Correctional Services has paid for the treatment, other times the costs have been absorbed by a Ministry of Health and/or Ministry of Community and Social Services funded treatment agency. In some police jurisdictions, the funding has come from the Ministry of the Attorney General. This inconsistent approach means that some offenders who are voluntarily seeking treatment do not receive it.

2. Encourage the Ministry of the Solicitor General to accelerate its efforts regarding guidelines for a police response to the management of high-risk offenders, with the intent of establishing Adequacy Standards.

A standard approach to the management of high-risk releases enhances the ability of police agencies to quickly exchange information should an offender decide to move from one police jurisdiction to another. An established practice would also streamline the process for all court jurisdictions.

3. Encourage the Ministry of the Attorney General to establish guidelines for the crown attorneys to create a more efficient procedure to manage the one-year recognizance order applications.

There are a variety of practices throughout the province in relation to the processing of year-long recognizance orders. Some jurisdictions start the process well in advance of the offender's release from prison. Others, such as Toronto, start the process just before the offender's release. This does not provide the courts with enough time to deal with any legal issues that may arise in the application and has sometimes delayed the imposition of a year-long recognizance order. This in turn places the police in a position of trying to address the public safety concerns surrounding the release of the high-risk offender without any legal tools for assistance. A standardized protocol for crown attorneys could prevent these potentially unsafe circumstances.

There is no question that the legislation has provided some basic tools to assist police in managing high-risk offenders. There are certainly cooperative efforts among the various federal and provincial ministries on an ad hoc basis to manage these potentially dangerous individuals. These foregoing recommended enhancements could ultimately improve the safety of the public in relation to high-risk offenders and increase the efficacy of the process.

Thank you for your consideration of these matters. Chief of Police Julian Fantino is prepared to supply members with expertise in these areas to work with the provincial government on these issues.

Sincerely,

Norman Gardner
Chairman
Toronto Police Services Board

/jw

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P139. 2001 AUDIT WORK PLAN – TORONTO POLICE SERVICE

The Board was in receipt of the following report FEBRUARY 13, 2001 from Jeffrey Griffiths, City Auditor, City of Toronto:

Subject: 2001 Audit Work Plan – Toronto Police Service

Purpose:

To report on the City Auditor's recommended 2001 audit work plan for the Toronto Police Service and to confirm the audit process for the Service.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the Toronto Police Services Board approve the audit work plan outlined in Appendix I of this report;
- (2) the Toronto Police Services Board reaffirm the audit process as outlined in Appendix II of this report; and
- (3) the Toronto Police Services Board gives consideration to the forwarding of this report to the City Audit Committee for information.

Background:

In May 2000, internal audit responsibilities at the Toronto Police Service were transferred to the City Auditor's office, and a preliminary 2000 audit work plan, which ultimately became the final work plan, was approved by the Toronto Police Services Board. At that time, it was also agreed that the City Auditor would forward an annual audit work plan to the Toronto Police Services Board for consideration.

Comments:

Audit and quality assurance services for the Toronto Police Service are essentially provided by three separate groups; Ernst & Young (an external public accounting firm), the City Auditor and the Quality Assurance Unit, Toronto Police Service.

Ernst & Young

Ernst & Young audits the Toronto Police Service's financial accounts as part of its overall annual attest audit of the City's financial statements.

City Auditor

My office provides internal audit services to the Board and the Chief of Police. In carrying out this responsibility, I essentially fulfil two roles, one reporting to the Board and one reporting to the Chief.

I act as the internal auditor for the Police Services Board and consult with the Board in developing an annual audit work plan. To this end, a 2001 audit work plan for the Toronto Police Services Board is attached as Appendix I to this report. This work plan incorporates audit work previously requested by the Toronto Police Services Board and City Council. The work plan also allows sufficient flexibility to accommodate special ad hoc projects requested by the Toronto Police Services Board during the year. The reports that emanate from these audits or from ad hoc reviews requested by the Board will be forwarded to the Board for consideration, following consultation with the Chief of Police.

In addition to acting as the Board's principle auditor, I also provide internal audit services to the Chief of Police and will complete audits he deems necessary to effectively discharge his duties. A work plan for these audits will be developed based on consultation with the Chief and his senior command. This work plan will also allow for special requests received from the Chief during the year. Reports emanating from audit requests made by the Chief of Police will be forwarded to the Chief for consideration and appropriate action. The Chief of Police will be responsible for presenting these reports to the Board.

The internal audit process for the Toronto Police Service is covered by Toronto Police Services Board policy (TPBS POL-027 Effective Management-Auditing), which is included as Appendix II to this report.

Quality Assurance Unit

As a result of additions (Provincial Adequacy Standards) to the Ontario Police Services Act, the Chief of Police and the Toronto Police Services Board are required to conduct and maintain a quality assurance program relating to the delivery of adequate and effective police services, and compliance with the Act and its regulations. In order to meet this requirement, the Chief of Police has established a Quality Assurance Unit within the Professional Standards Division of the Toronto Police Service. It is our understanding that the Quality Assurance Unit will also be

responsible for performing ongoing audits in specific areas, such as, the Firearms Unit, Public Property Bureau, 329 fund cash count, flashroll cash count, drug repository and special assignments, as directed by the Chief. In addition, the Quality Assurance Unit will monitor the status and implementation of audit recommendations.

In considering the Toronto Police Service 2001 operating budget, the Toronto Police Services Board, at its meeting on January 25, 2001, directed that, "Chief Fantino, in consultation with the City Auditor, review Operational Service Procedure 16-06 regarding the Quality Assurance Process and the rationale, definition and implementation of this program, to ensure it does provide the requirements necessary to meet the Adequacy Standards, without duplication of roles and provide a report to the Board following the review."

The Toronto Police Service is currently in the process of finalizing the mandate of the Quality Assurance Unit. Following review by the Executive Review Committee and consultation with my office, the Chief will report to the Toronto Police Services Board, on the mandate and responsibilities of the Quality Assurance Unit, as well as the projects and activities that the Quality Assurance Unit plans to undertake this year.

My staff have met with members of the Toronto Police Service's Professional Standards Division to discuss our proposed work plan for 2001 and the activities the Quality Assurance Unit plans to undertake. In future, the respective work plans of the City Auditor and the Quality Assurance Unit will be prepared in conjunction with each other, to ensure the optimal use of resources and that the overall needs of and risk areas in the Toronto Police Service have been appropriately addressed. A strong and open working relationship between the two groups will also help identify projects that could be more effectively completed by partnering with each other.

Conclusions:

City Audit Services' 2001 audit work plan for the Toronto Police Service is attached as Appendix I to this report. Certain of the projects identified in the work plan are already in progress. The reports resulting from the projects in this work plan, as well as any special requests received from the Board during the year, will be forwarded directly to the Board, after consultation with the Chief of Police. Reports emanating from audits requested by the Chief of Police will be forwarded directly to the Chief. It will be up to the Chief to forward those reports to the Board.

The Chief of Police will be reporting to the Toronto Police Services Board on the mandate, responsibilities and work plan of the Toronto Police Service's recently established Quality Assurance Unit, as well as any audits the Chief of Police has requested the City Auditor to carry out. That report and the City Auditor's work plan will provide the Toronto Police Services Board with a more comprehensive understanding of the internal audit and quality assurance activities to be carried out in 2001.

My office and the Quality Assurance Unit will work together to help avoid any duplication of activities and ensure that high-risk and potentially problematic areas receive proper and timely attention. A good working relationship between these two groups will also help ensure that value added internal audit and quality assurance services are effectively provided to the Chief of Police and the Toronto Police Services Board.

Contact:

Tony Veneziano, Director of Audit Services

Tel: (416) 392-8353, Fax (416) 392-3754 E-Mail: Tvenezia@city.toronto.on.ca

List of Attachments:

Appendix I: 2001 Audit Work Plan – Toronto Police Service

Appendix II: Toronto Police Services Board, Policy and Directions –TPBS POL-027 Effective Management-Auditing

Jeffrey Griffiths, City Auditor, City of Toronto, was in attendance and responded to questions by the Board about the proposed 2001 Audit Work Plan.

The Board approved the following Motions:

- 1. THAT recommendation no. 1 of the foregoing report be approved with the exception of:**
 - Toronto Police Service – Opportunities for Civilianization**
- 2. THAT the “Opportunities for Civilianization” request be referred back to the City of Toronto Budget Advisory Committee to clarify the reasons for this request and that the Budget Advisory Committee identify and fund an external source, other than the City Auditor, to meet this request;**
- 3. THAT recommendation no 2 be approved; and**
- 4. THAT, with regard to recommendation no. 3, a copy of the foregoing report be provided to the City of Toronto Audit Committee for information.**

City of Toronto Audit Services
2001 Audit Work Plan – Toronto Police Service

Air Support Unit Pilot Project Evaluation:

As requested by Toronto City Council, Audit Services will conduct an independent evaluation of the Toronto Police Service six-month helicopter Air Support Unit Pilot Project. The evaluation started in late 2000 and will be completed in March 2001. The overall objective of the evaluation is to perform a fair, complete and objective assessment of the helicopter Air Support Unit Pilot Project, so that the Chief of Police, the Toronto Police Services Board and City Council have the necessary information to make an informed decision on the establishment of an Air Support Unit on an ongoing basis.

Toronto Police Service Complaints Handling Process

As requested by the Toronto Police Services Board, Audit Services will review the Chief of Police's administration of the complaints process to ensure the process is effective, impartial, fair, thorough, consistent and conducted in a timely manner. The review will assess the effectiveness of and extent of compliance with existing guidelines and policies.

Audit of Human Resource Management System (HRMS) and or the Professional Standards Information System (PSIS)

As requested by the Toronto Police Services Board, Audit Services will review enhancements to the HRMS or PSIS to ensure these systems adequately maintain personnel and related information in an accurate, complete and comprehensive manner. This audit, which was prompted by concerns and recommendations made by the Ontario Civilian Commission on Police Services, will effectively determine how well the processes and current information systems facilitate the collection and retention of personnel information.

Toronto Police Service – Opportunities for Civilianization

During the 2000 budget deliberations, the Budget Advisory Committee requested the City Auditor to review and report "on what additional functions now performed by police officers could be civilianized and/or contracted out to further reduce costs and rationalize the Police Services." In addition to determining what and whether certain functions can be civilianized, this review will also attempt to estimate the costs, savings and service improvements that could be expected as a result of civilianizing these functions. Previous work done by the Toronto Police Service on this issue, as well as the results of the Chief of Police's "90 day review" will be taken into account in planning and performing this review.

Toronto Police Service SAP Financial Information System Implementation:

City Audit Services will continue to be involved in the design and implementation of the SAP project of the Toronto Police Service. Audit Services' role is to add assurance that appropriate security and control procedures have been incorporated into the system. The audit related experience gained by Audit Services during the City's implementation of this system and the experience gained through working with external consultants will ensure that issues of control and security are addressed at the earliest possible time and in a cost effective manner.

Implementation of Integrated Fire and Police Radio System

City Audit Services staff act as an advisor to the Steering Committee responsible for overseeing the implementation of this project. Audit Services ensure that financial and other issues relating to the management and implementation of this project are appropriately addressed.

Follow-up Reviews

To determine the status and extent of implementation of recommendations made in previous audits completed by City Audit Services, specifically:

- Review of Parking Enforcement Function; and
- Review of Police Overtime and Premium Pay.

TORONTO POLICE SERVICES BOARD POLICY AND DIRECTIONS

TPSB POL - 027

Effective Management - Auditing

<input checked="" type="checkbox"/>	New	Board Authority:	156/00; 211/00
<input type="checkbox"/>	Amended	Board Authority:	
<input type="checkbox"/>	Reviewed – No Amendments		

BOARD POLICY

The Board has retained the City Auditor as the principal auditor for the Toronto Police Services Board and the Toronto Police Service. The Board's audit process parallels the process used at the City of Toronto.

The Board's policy is in support of an OCCPS recommendation that stated "the Board must fulfil its governance role and assert control over the systems and policies for which it is accountable by periodically requiring audits of the Service's implementation of its lawful directions and policies (OCCPS Fact-Finding, Recommendation #7)".

Annual Audit Workplan

1. The City Auditor shall develop an annual audit workplan for the Toronto Police Services Board.
2. The Auditor shall conduct a risk analysis in the development of an audit workplan.
3. The workplan will be developed by the City Auditor with input from the Board and the Chief of Police.
4. The workplan will be approved by the Board.

Reporting and Review Process

5. Prior to submitting the audit report to the Board, the City Auditor shall discuss the audit's findings with the Chief of Police, or his designate.
6. The City Auditor shall submit his reports directly to the Board in a timely manner.
7. The Chief of Police may submit a supplementary report regarding a City Auditor report at the same time as the City Auditor submits his report.
8. The Board shall refer the City Auditor's report to the Chief of Police for comment if no supplementary report is received in conjunction with the City Auditor report.
9. The Chief of Police shall provide a report to the Board containing his comments.
10. The Board shall then review both the Chief's report and the City Auditor's report and determine whether the Board accepts or rejects the City Auditor's recommendations.

Tracking of Audit Recommendations

11. The Chief of Police shall have three months to respond to the City Auditor's report if no supplementary report is provided.
12. The Chief of Police shall provide the Board with an annual report that tracks the implementation status of internal and external audit recommendations.

Audits requested by the Chief of Police

- 13. The City Auditor shall perform audits as requested by the Chief of Police.
- 14. These audits will be issued directly to the Chief of Police.
- 15. The Chief of Police shall decide whether audits he has requested shall be submitted to the Board.

Relationship with City Council and the City's Audit Committee

- 16. All audits requested by City Council would be forwarded to the Board for consideration.
- 17. The Board shall give consideration to forwarding individual audit reports to the City's Audit Committee.
- 18. When the Board forwards reports to the City Audit committee, the Board shall send these reports for information.

REPORTING: Annual audit workplan

LEGISLATIVE REFERENCE

Act	Regulation	Section
Police Services Act R.S.O. 1990 as amended		Section 31(c)
	Adequacy Regulation	Section 35

BOARD POLICY SUPERSEDED/OBSOLETED:

SERVICE PROCEDURES

Number	Name	Routine Order #
16-06	Quality Assurance Unit	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P140. QUALITY ASSURANCE PLAN

The Board was in receipt of the following report APRIL 02, 2001 from Julian Fantino, Chief of Police:

Subject: Quality Assurance 2001 Workplan

Recommendation:

It is recommended that: the Board receive the Professional Standards - Quality Assurance 2001 Workplan for information.

Background:

This report is meant to provide information on the annual workplan of Professional Standards - Quality Assurance as requested by the Board. (Board minutes 115/00 and 211/00 refer) The methodology applied by the Service in identifying potential areas of review has always been risk-based utilizing the criteria of dealing with critical risk issues and high impact operational necessities.

Meetings have taken place with the City Auditor, members of Professional Standards - Quality Assurance and the Service's Executive Review Committee to ensure that the respective workplans do not duplicate effort and that, in the spirit of co-operation, the workplans compliment each other to ensure critical risk issues are addressed. The City Auditor was present at the last meeting of the Executive Review Committee, held on March 27, 2001, and the respective workplans were finalized.

The following projects have been identified by Professional Standards - Quality Assurance. I have requested the City Auditor to conduct a review of Information Technology Services on my behalf. The City Auditors workplan will be submitted to the Board in a separate report.

PROJECT	AUTHORITY	DESCRIPTION
Provincial Adequacy Standards	Provincially Mandated	Compliance Review of Ontario Regulation 3/99; Executive Review Committee Mandatory Audits will become part of the Adequacy Standards review. They include: <ul style="list-style-type: none"> • 329 Fund • Flashroll • Drug Repository • Firearms Unit • Public Property Bureau • Intelligence Services Records Management Section Database
Property & Evidence Management Unit	Executive Review Committee request	Review of Automated Control of Evidence (ACE) open files
Recommendation Tracking	Executive Review Committee and Police Service Board requests	TPS Audit Recommendations City Audit Recommendations OCCPS Recommendations SIU Investigations Coroners Jury Recommendations Chief's 90 Day Review

Staff Superintendent David Dicks, Professional Standards, will be in attendance to answer any questions the Board may have.

The Board was also in receipt of the following report MAY 09, 2001 from Julian Fantino, Chief of Police:

Subject: Operational Procedure 16-06, Quality Assurance Process

Recommendation:

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

Background:

At its meeting of January 25, 2001 the Police Services Board requested that a review of Operational Procedure 16-06 regarding the Quality Assurance Process be conducted to ensure that the requirements of the Provincial Adequacy Standards were met and that the City Auditor was not duplicating roles within the Quality Assurance Process Procedure. (BM# P31/01 refers.)

Service Procedures entitled 'Self Audit' (16-06) and 'Audit Process' (16-07) were reviewed and replaced by a new procedure entitled 'Quality Assurance Process' (16-06) to ensure compliance with the Provincial Adequacy and Effectiveness of Police Services Regulation (Ontario Regulation 3/99). The Board at its meeting of December 14, 2000 approved this Procedure. (BM# C333/00 refers.)

The Service's quality assurance process provides an objective review of the Services' operations through a professional and systematic approach thereby contributing to the achievement of the Services' Vision Statement, Mission Statement, Core Values and Priorities.

Meetings have taken place with the City Auditor, members of Professional Standards, Quality Assurance and the Service's Executive Review Committee to ensure that the respective workplans do not result in any duplication of efforts and that, in the spirit of co-operation, the workplans compliment each other to ensure critical risk issues are addressed. The City Auditor was present at the last meeting of the Executive Review Committee held on March 27, 2001, and the respective workplans were finalized. The City Auditors and Quality Assurance workplans have been submitted to the Board for approval at its meeting of May 24, 2001.

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions the Board may have in regard to this matter.

The Board received the foregoing reports.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P141. BY-LAW No. 139: ATTENDANCE AT FALSE ALARMS – AMENDMENT
TO BY-LAW No. 110**

The Board was in receipt of the following report MARCH 28, 2001 from Julian Fantino, Chief of Police:

Subject: Attendance at False Alarms – Amendment to By-law 110

Recommendation:

It is recommended that:

- 1) the Board enact a by-law to increase the fee per attendance at a false alarm to \$83.50 from \$73.50, and
- 2) forward the by-law to City Council for approval.

Background:

The Service has been charging alarm companies \$73.50 for attendance at false alarms since 1996 (BM#298/96 refers). The Service attended 24,862 false alarms in 2000. Prior to the introduction of the \$73.50 fee in 1995, the Service attended 69,014 false alarms. The 2001 estimated attendance at false alarms is 24,490 for a budgeted revenue of \$1.8 million.

The \$73.50 fee has not increased since 1996 as the alarm industry was challenging the By-law 110 that allowed for the fee. The industry was unsuccessful with the challenge. A recent reassessment of the costs involved in attending a false alarm indicate that a fee of \$83.50 would more appropriately reflect the costs incurred by the Service. Increasing the fee will likely result in a decrease in the number of false alarms attended by the Service as users will find it more financially feasible to switch to the private sector for the same service. Assuming a 5% drop in the number of false alarms attended by the Service, the estimated increase in revenues as a result of the fee increase would be about \$70,000 in 2001 with an annualized amount of \$140,000.

I recommend that the Board enact the by-law appended to this report as drafted by the City Legal Department. This by-law will amend By-law No. 110 and come into force when City Council passes a resolution approving this by-law.

Mr. Frank Chen, Chief Administrative Officer, will be present at the Board meeting to respond to any questions.

Mr. Frank Chen, Chief Administrative Officer, was in attendance and, following an inquiry by the Board, advised that the proposed \$83.50 fee represented full cost-recovery to Service.

The Board approved the foregoing.

TORONTO POLICE SERVICES BOARD

BY-LAW No. 139

**To Amend By-law No. 110 Authorizing the Charging of Fees
to Recover the Costs of Providing Police Services
in Response to False alarms**

WHEREAS on August 22, 1996, the Toronto Police Services Board (the "Board") adopted By-law No. 110 imposing a fee of \$73.50 on alarm businesses to recover the Board's costs of responding to false alarms and the costs incurred in recovering and refunding any fees payable pursuant to that by-law (the "By-law");

AND WHEREAS the aforementioned costs have increased since the Board's adoption of the By-law and the Board wishes to recover those additional costs;

NOW, THEREFORE, the Board HEREBY ENACTS as follows:

1. Section 2 of the By-law is repealed and the following substituted therefor:
 2. An alarm business which reports the activation of an alarm system to the Service which is determined to be a false alarm shall pay a fee of \$83.50 (the "fee") and any applicable taxes on such fee.
2. This by-law shall come into force on the date the Council of the City of Toronto passes a resolution approving this by-law pursuant to subsection 220.1(8) of the *Municipal Act*.

ENACTED AND PASSED this 24th day of May , 2001.

Norman Gardner
Chairman

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P142. REVIEW OF COMPLAINT ABOUT THE SERVICE OF THE TORONTO
POLICE SERVICE – TPS FILE NO. 2000-0619**

The Board was in receipt of the following report APRIL 27, 2001 from Norman Gardner, Chairman:

Subject: REVIEW OF COMPLAINT ABOUT THE SERVICE OF THE TORONTO
POLICE SERVICE – TPS FILE NO. 2000-0619

Recommendation:

It is recommended that:

- (1) The Board review the service complaint summarized in this report
- (2) The Board determine whether to concur with the Chief's decision that no further action be taken with respect to the complaint
- (3) The Chief of Police and the complainant be notified of the outcome of the Board's review.

Background:

The Police Services Board has received a request to review the Chief's disposition of a complaint with respect to the service of the Toronto Police Service.

Legislated Requirements

The Police Services Act establishes that the Chief of Police is responsible for adjudicating complaints about the policies and the service of the police service. If the Chief decides to take no action with respect to the complaint, the complainant must be provided with reasons for that decision. The complainant must also be advised that an opportunity exists to request that the Board review the Chief's decision.

In reviewing a policy or service complaint, the Board has procedural options. The Board may:

- Appoint a committee of at least 3 members to review the complaint and make recommendations back to the Board
- Hold a public meeting with respect to the complaint

Discussion

The nature of the complainant's allegation is summarized as follows:

- The complainant placed a call to the Communications Bureau with respect to an obstructed driveway
- The Communications Bureau indicated to the complainant that the call would be referred to the Parking Enforcement Unit however, the complainant insisted that the complaint be dealt with by a police officer rather than by a Parking Enforcement Officer
- The complainant made several additional calls to the Communications Bureau requesting the attendance of a police officer
- The complainant was advised that there were pending calls for service in the Division and that they had been assigned a higher priority (for example, pending calls were classified as domestic violence, missing person, and a medical complaint)
- The police attended approximately 45 minutes after the complainant placed the initial call
- The complainant alleges that there was an unreasonable delay in responding to his call for service

The Chief's Decision and Reasons

On March 22, 2001 the Service corresponded with the complainant to advise that the complaint had been reviewed and that no further action would be taken. The Service gave the following reasons for their decision:

- the Service determined that the complainant's call had been responded to properly taking into account the relevant circumstances, including the human resources available and the priority assigned to calls which were outstanding at the same time as the complainant's call
- the communications operator established that the complainant was not in danger at the time he contacted police
- the complaint would have received swifter response if the complainant had agreed to the referral of the matter to Parking Enforcement

Conclusion

The complainant has requested that the Board review the Chief's decision. It is the Board's responsibility to review the Chief's reasons. The Board must determine whether it is satisfied that the Chief's decision to take no further action is reasonable.

I therefore recommend that the Board determine whether to concur with the Chief's decision that no further action be taken with respect to the complaint and that the Chief of Police and the complainant be notified of the outcome of the Board's review.

The Board approved the foregoing report and, with regard to recommendation no. 2, concurred with the Chief's decision that no further action be taken with respect to the complaint.

A copy of the Service's letter to the complainant which contains the Chief's decision and the Report of Investigation was provided to the Board during the in-camera meeting (Min. No. C83/01 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P143. RELATIONSHIP BETWEEN CRIMINAL CHARGES AND
DISCIPLINARY CHARGES**

The Board was in receipt of the following report MARCH 21, 2001 from Julian Fantino, Chief of Police:

Subject: RELATIONSHIP BETWEEN CRIMINAL AND DISCIPLINARY
CHARGES

Recommendations:

It is recommended that:

- (1) the Board receive this report for information
- (2) the Board not seek an amendment to the Police Services Act in regard to the withholding of a criminal charge

Background:

At its meeting of January 25th, 2001, the Board received a report from Hicks Morley Hamilton Stewart (HMHS) for information and based upon recommendations contained in that report, passed several motions. In addition, the Board requested a response from the Service for its April meeting. (Board Minute P26/2001 refers)

The Board specifically requested information on three of the HMHS recommendations, but as they are so closely tied, this report will address all of the issues raised.

Recommendation 1

In order to assist the Board in monitoring this issue, the format of the Professional Standards Annual Review should be revised to make it possible to "track" easily the treatment of all PSA disciplinary cases where there has been either an acquittal on or a withdrawal of related criminal charges.

The Professional Standards Report is currently being amended. The lengthy, and duplicitous text detailing the various matters heard by the Tribunal is being eliminated from the report. This information is presented to the Board monthly, in great detail, on a case by case basis.

The report will now incorporate a table or graph profiling the criminal versus disciplinary matters to meet the requirements outlined in the recommendation.

Recommendation 2

The Board may wish to recommend changes to the Police Services Act which either i) would permit a Chief, to withhold a criminal charge against a member of his/her police service where in his or her opinion, it is in the public interest to proceed expeditiously with disciplinary charges under the Police Services Act or ii) would expressly require the Crown Attorney, in exercising his/her discretion under Section 69 (16), to consider whether or not the public interest is best served by allowing PSA disciplinary charges to proceed expeditiously. In either case, the amendment could specify a number of factors which the Chief or the Crown attorney would have to take into consideration in reaching their decision.

Simply put, the withholding of a criminal charge would result in, at least temporarily, police officers having immunity from prosecution. This would not be in the best interests of the administration of justice and would definitely not foster public confidence in the role of the police.

A criminal charge is more serious than a PSA disciplinary allegation. The former has a penal consequence and is demanded by the State (society); the latter has no such penal sanction but is simply an administrative remedy to an employer-employee labour situation.

It is therefore recommended that the Board not seek amendments to the Police Services Act.

Recommendation 3

Pending amendment of the PSA, the Board may wish to recommend to the Chief that i) he discuss the issue of priorities generally with the Regional Crown Attorney for Toronto, and ii) that, in any event, where particular Criminal Code charges have actually been laid against a member of the TPS and the Chief is of the view that the interests of the community are best served by proceeding expeditiously under the PSA disciplinary process, the Chief should actively attempt to persuade the Crown Attorney not to stay the disciplinary proceedings under subsection 69 (16) of the Act.

The Regional Crown Attorney for Toronto has been approached a number of times regarding the authority outlined above. The Crown's position remains the same in each instance, that where criminal and disciplinary charges arise from the same incident, the authority to stay disciplinary matters will always be invoked. The Crown is adamant about this course of action and it is unlikely that any form of persuasion could be used to sway this decision.

Recommendation 4

Where the Prosecution Office seeks leave to withdraw a pending disciplinary charge due to an acquittal/withdrawal in the criminal context, the Prosecutor should place on the record not only the request and the general reasons lying behind the request (e.g. "adverse credibility findings regarding a key witness"), but as well a detailed explanation as to why the disciplinary

complaint should be withdrawn, including a brief description of the investigative and analytical steps which the Prosecutions Office has taken subsequent to the withdrawal/acquittal (e.g. review of criminal transcript, discussion with Crown, re-interview of witnesses, etc.) which have persuaded the Prosecutor that there is no longer any reasonable prospect of a finding of misconduct or unsatisfactory work performance under the Police Services Act.

The Prosecutions Office uses a four-part test, similar to that adopted by the Ministry of the Attorney General, in determining a "reasonable prospect of conviction" for each matter. The test is comprised of: an assessment of the probative value of the evidence, an assessment of the credibility of witnesses, a consideration on the admissibility of evidence and a consideration of any defences that should reasonably be known or that have come to the attention of the prosecutor. In seeking a withdrawal, the facts established by the test are included in the submissions. As required under legislation, these submissions are recorded and a written transcript is prepared.

No further action is required with regard to this recommendation.

Recommendation 5

Either through the Professional Standards Annual Review or on a case by case basis, the Board should be provided with detailed information as to the reasons for and analytical steps undertaken by the Prosecutions Office following an acquittal on or a withdrawal of criminal charges in support of a decision to withdraw related disciplinary charges. This could take the form either of a transcript of the Prosecutor's submission seeking leave to withdraw (assuming Recommendation 4, above, is acted upon) or a written report.

A study was conducted of all disciplinary cases concluded for 1999 and 2000, where a criminal charge was involved. Of 28 matters in 1999, 13 were withdrawn based upon the outcome of the criminal case. In the year 2000, three cases were withdrawn from a total of 13 criminally related matters. In each and every report to the Board for the 16 items identified, a summary of the actions and the Prosecutor's submissions was provided. This practice will continue with all future reports.

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions that the Board members may have.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P144. AWARDING OF THE QUOTATIONS FOR THE SUPPLY AND
DELIVERY OF VARIOUS VEHICLES**

The Board was in receipt of the following report APRIL 11, 2001 from Julian Fantino, Chief of Police:

Subject: AWARDING OF THE QUOTATION FOR THE SUPPLY AND DELIVERY OF
VARIOUS VEHICLES

Recommendation:

It is recommended that: the Board award the quotation for the supply and delivery of the forty (40) vehicles to the indicated dealers listed below:

- 10 Ford Taurus LX P52 to Bramview Ford Sales Ltd at a total cost of \$235,637.50
- 10 Pontiac Grand AM SE 2NE69 to Roy Foss Motors at a total cost of \$237,937.50
- 10 Chevrolet Malibu IND69 to West York Chev Olds Inc at a total cost of \$224,218.00
- 10 Chrysler Intrepid LHDH41 to Davidson Chrysler Dodge Jeep at a total cost of \$249,653.00

The total cost of these vehicles is \$947,446.00 including all applicable taxes. The Chief Administrative Officer, Corporate Support Command, has certified that funding is available from the City Equipment Reserve.

Background:

A request for quotation for the supply and delivery of various vehicles was recently issued by the City of Toronto, Purchasing and Materials Management, on behalf of the Toronto Police Service. These vehicles are required to replace current vehicles that have deteriorated to the point where they impact on the operational activities of the Service.

Quotations have now been received, as outlined on the attached summary, and reviewed by appropriate Service personnel. I, therefore, recommend that the quotation be awarded to the dealers, as listed above, who have submitted the lowest bids, meeting all specifications and conditions.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer any questions the Board may have.

The Board approved the foregoing.

SUMMARY OF PRICES
 0112-01-3087
 MARCH 28, 2001

FOR THE SUPPLY AND DELIVERY OF THE UNDER-NOTED VEHICLES TO THE TORONTO POLICE SERVICES, FLEET MANAGEMENT SERVICES, 2859 JANE STREET, TORONTO

DESCRIPTION	WESTON CHEV DECS INC	BRIARWOOD CHEV DECS LTD	LEXWINE INC	BRAMVIEW FORD TRUCKS LTD	ROYAL WOODS FORD LINCOLN DEALERS LTD	OTHER
10 ACQUISITION ASSIST CHEVROLET MALIBU DEALER CODE IN09 DEALER CODE A31, POWER WINDOWS WITH DUAL MIRRORS	PRICE EACH: \$19,432.00 TOTAL PRICE: \$194,320.00	\$19,808.00 \$198,080.00	\$19,990.00 \$199,900.00	NO BID NO BID	NO BID NO BID	
STATE YEAR, MAKE & MODEL NUMBER OF VEHICLE OFFERED	2001 CHEV MALIBU	2001 CHEV MALIBU	2001 CHEV MALIBU	NOT STATED	NOT STATED	NK
QUARANTEED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	APPROX 30 DAYS	30 DAYS	APPROX 6-8 WEEKS	NOT STATED	NOT STATED	NK
STATE LAST DATE TO PLACE A FACTORY ORDER	APRIL 5, 2001	APRIL 5, 2001	APRIL 6, 2001	NOT STATED	NOT STATED	NK
10 ACQUISITION ASSIST FORD TAURUS LX DEALER CODE PS2 DEALER CODE 052, ABS BRAKES	PRICE EACH: NO BID TOTAL PRICE: NO BID	NO BID NO BID	NO BID NO BID	\$20,425.00 \$204,250.00	\$20,430.00 \$204,300.00	
STATE YEAR, MAKE & MODEL NUMBER OF VEHICLES OFFERED	NOT STATED	NOT STATED	NOT STATED	2001 FORD TAURUS LX	2001 FORD TAURUS LX	2001 FC
QUARANTEED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	NOT STATED	NOT STATED	NOT STATED	30-90 DAYS	30-90 DAYS	A
STATE LAST DATE TO PLACE A FACTORY ORDER	NOT STATED	NOT STATED	NOT STATED	APPROX MAY 28-NOT YET CONFIRMED BY FORD	T.B.D.	
10 ACQUISITION ASSIST PONTIAC GRAND AM SE DEALER CODE 2N599 DEALER CODE LX1 3.4L ENGINE MTD 4 SPEED AUTOMATIC TRANSMISSION	PRICE EACH: NO BID TOTAL PRICE: NO BID	NO BID NO BID	NO BID NO BID	NO BID NO BID	NO BID NO BID	
STATE YEAR, MAKE & MODEL NUMBER OF VEHICLES OFFERED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NK
QUARANTEED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NK
STATE LAST DATE TO PLACE A FACTORY ORDER	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NK
10 ACQUISITION ASSIST CHRYSLER PT CRUISER DEALER CODE LHD H41 220 QUICK ORDER PACKAGE, 20-TRX ANTI-LOCK BRAKES	PRICE EACH: NO BID TOTAL PRICE: NO BID	NO BID NO BID	NO BID NO BID	NO BID NO BID	NO BID NO BID	
STATE YEAR, MAKE & MODEL NUMBER OF VEHICLE OFFERED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NO
QUARANTEED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NO
STATE LAST DATE TO PLACE A FACTORY ORDER	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NOT STATED	NO
OPTIONS: STATE THE ADDITIONAL COST PER VEHICLE EXCLUDING ALL TAXES FOR THE FOLLOWING:						
1. MANUFACTURERS EXTENDED WARRANTY	COMPLETE VEHICLE: NOT STATED POWER TRAIN ONLY: NOT STATED ANTI-CORROSION: NOT STATED	\$1,395.00 \$1,295.00 \$190.00	NA NA —	NA NA NA	NA NA NA	
2. MANUALS	PARTS: NOT STATED SERVICE: \$53.00/SET EMISSIONS: NOT STATED	NOT STATED \$290.00 NOT STATED	— GM SET \$225.00 —	\$70.00 \$130.00 \$160.00	NA & WIRING \$183.00 \$160.00	
FUEL TAX FOR CONSERVATION (EACH VEHICLE)	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	
SPARE SET OF KEYS (EACH SET)	\$7.50	\$20.00	DKC	\$20.00	\$20.00	3 KEYS DMV KEY FIFTS ALL LOCKS \$39.00
STATE IF ENVIRONMENTALLY PREFERRED PRODUCTS/SERVICE IS BEING OFFERED	NOT STATED	NOT STATED	YES	YES	NOT STATED	
STATE BRIEFLY THE ENVIRONMENTAL BENEFIT OF THE PRODUCT/SERVICES OFFERED	NOT STATED	NOT STATED	GM EXCEEDS GUIDE LINES	MEET EMISSIONS STANDARD	NOT STATED	
TERMS	NET	NET	NET	NET	NET	
CANADIAN CONTENT	100%	100%	100%	100%	100%	

DESCRIPTION		PRICE EACH	TOTAL PRICE	STATE YEAR, MAKE & MODEL, NUMBER OF VEHICLES OFFERED	QUANTIFIED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	STATE LAST DATE TO PLACE A FACTORY ORDER
18	REGISTRATION FEE CHEVROLET MALIBU DEALER CODE 9808 DEALER CODE 834, POWER WINDOWS WITH DUAL MIRRORS	NO BID	NO BID	NOT STATED	NOT STATED	NOT STATED
	PRICE EACH	NO BID	NO BID			
	TOTAL PRICE	NO BID	NO BID			
	STATE YEAR, MAKE & MODEL, NUMBER OF VEHICLES OFFERED	NOT STATED	NOT STATED			
	QUANTIFIED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	NOT STATED	NOT STATED			
	STATE LAST DATE TO PLACE A FACTORY ORDER	NOT STATED	NOT STATED			
19	REGISTRATION FEE FORD TAURUS LX DEALER CODE 763 DEALER CODE 862, AIR WARRANT	NO BID	NO BID	NOT STATED	NOT STATED	NOT STATED
	PRICE EACH	NO BID	NO BID			
	TOTAL PRICE	NO BID	NO BID			
	STATE YEAR, MAKE & MODEL, NUMBER OF VEHICLES OFFERED	NOT STATED	NOT STATED			
	QUANTIFIED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	NOT STATED	NOT STATED			
	STATE LAST DATE TO PLACE A FACTORY ORDER	NOT STATED	NOT STATED			
20	REGISTRATION FEE PONTIAC GRAND AM SE DEALER CODE 3308 DEALER CODE LX1 S&L SHINE 300 4 SPEED AUTOMATIC TRANSMISSION	NO BID	NO BID	NOT STATED	NOT STATED	NOT STATED
	PRICE EACH	NO BID	NO BID			
	TOTAL PRICE	NO BID	NO BID			
	STATE YEAR, MAKE & MODEL, NUMBER OF VEHICLES OFFERED	NOT STATED	NOT STATED			
	QUANTIFIED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	NOT STATED	NOT STATED			
	STATE LAST DATE TO PLACE A FACTORY ORDER	NOT STATED	NOT STATED			
21	REGISTRATION FEE CHEVROLET SPENNO DEALER CODE 110 111 200 QUOTE OFFER PACKAGE 30 400 AIR-LOCK B/WHEEL	\$1,082.00	\$28,547.00	2001 CHEVROLET SPENNO 3001 CHEVROLET SPENNO	APPROX. 90 DAYS	APPROX. MAY 30 STAMFORD - JUNE 2001
	PRICE EACH	\$1,082.00	\$28,547.00			
	TOTAL PRICE	\$28,547.00	\$28,547.00			
	STATE YEAR, MAKE & MODEL, NUMBER OF VEHICLES OFFERED	2001 CHEVROLET SPENNO	3001 CHEVROLET SPENNO			
	QUANTIFIED DELIVERY AFTER RECEIPT OF A PURCHASE ORDER	APPROX. 90 DAYS	APPROX. 90 DAYS			
	STATE LAST DATE TO PLACE A FACTORY ORDER	APPROX. MAY 30	APPROX. MAY 30			
1	MANUFACTURER'S EXTENDED WARRANTY COMPLETE VEHICLE POWER STEER ONLY ANTI-LOCK BRAKE	NOT AVAILABLE	\$1,540.00			
		\$1,540.00	\$1,540.00			
2	MANUAL POWER WINDOWS EXTERIOR	NO NO NO	\$1,100.00			
			\$1,100.00			
	FUEL TAX FOR CONSERVATION (EACH VEHICLE)		\$300.00			
			\$300.00			
	SEPARATE SET OF KEYS (EACH SET)	SECURITY COMPANY'S KEY	NO			
	STATE IF ENVIRONMENTALLY PREFERRED PRODUCT/VEHICLE IS BEING OFFERED	NO	NO			
	STATE IF SUPPLY THE ENVIRONMENTAL BENEFIT OF THE PRODUCT/ SERVICE OFFERED	NOT STATED	NOT STATED			
	TERMS	NET	NET			
	CASH ON DELIVERY	NO	NO			

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P145. RECLASSIFICATION OF CONSTABLES

The Board was in receipt of the following report APRIL 10, 2001 from Julian Fantino, Chief of Police:

Subject: RECLASSIFICATION OF POLICE CONSTABLES

Recommendation:

It is recommended that: the Board approve the reclassifications outlined below.

Background:

The following constables have served the required period in their current classification and are eligible for reclassification as indicated. They have been recommended by their Unit Commander as of the dates shown.

Second Class Constable

BARNES, Dwayne	5270	55 Division	2001.05.07
BENOIT, Jason	7582	54 Division	2001.05.07
CORMACK, David	86219	42 Division	2001.05.07
DIZON, Jose	5242	33 Division	2001.05.07
FERGUSON, Saint	5263	41 Division	2001.05.07
HAREGUY, Shari	5251	32 Division	2001.05.07
KALTEIS, Marc	5264	53 Division	2001.05.07
LETSCHKE, Douglas	5275	41 Division	2001.05.07
MOORE, Scott	5257	55 Division	2001.05.07
SKINNER, Kelly	5268	31 Division	2001.05.07
VERISSIMO, Joe	5274	14 Division	2001.05.07
ZAVAGNO, Aimee	5250	51 Division	2001.05.07
WESLEY, Jeffrey	7788	51 Division	2001.05.11

Third Class Constable

TAYLOR, Bryn	5377	14 Division	2001.05.22
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As requested by the Board, the Service's files have been reviewed for the required period of service to ascertain whether the members recommended for reclassification have a history of misconduct, or any outstanding allegations of misconduct/*Police Services Act* charges. The review has revealed that these officers do not have a history of misconduct, nor any outstanding allegations of misconduct on file.

It is presumed that the officers recommended for reclassification shall continue to perform with good conduct between the date of this correspondence and the actual date of Board approval. Any deviation from this will be brought to the Board's attention forthwith.

The Chief Administrative Officer has confirmed that funds to support these recommendations are included in the Service's 2001 Operating Budget. The Service is obligated by its Rules to implement these reclassifications.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P146. PROFESSIONAL STANDARDS: 2000 ANNUAL REPORT & LESS-
LETHAL WEAPONS EVALUATION**

The Board was in receipt of the following report APRIL 13, 2001 from Julian Fantino, Chief of Police:

Subject: Professional Standards 2000 Annual Report

Recommendation:

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

Background:

At its meeting of June 13, 1996, the Board approved the replacement of all previously submitted Professional Standards reports with the Toronto Police Service Professional Standards Report, to be submitted on a semi annual basis (Board Minute No. 199/96 refers). The Toronto Police Service Professional Standards 2000 Annual Report is appended to this report.

Revised and additional reporting requirements as outlined in Direction 32 of the Toronto Police Services Board's Complaints Policy Directive have been incorporated into this report. It should be noted, however, that until such time as historical data can be generated for the newly defined classifications and indicators, trend analysis will be limited to those areas where there is appropriate and comparable historical data.

At its meeting of February 22, 2001, the Board approved the motion "that the evaluation of the M26 Advanced Taser and Bean Bag and Stock Round Kinetic Energy Impact Projectiles be provided to the Board in the next semi-annual Professional Standards report expected for the May 24, 2001 meeting." Due to the nature and complexity of the evaluation, it will be submitted separately for the May 24, 2001 Board Agenda and, therefore, does not form part of this report.

It is recommended that the Board receive this report from Professional Standards for information. Staff Superintendent David Dicks, Professional Standards, will be in attendance to answer any questions if required.

The Board was also in receipt of the following report APRIL 13, 2001 from Julian Fantino, Chief of Police:

Subject: Less Lethal Weapons Evaluation

Recommendation:

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

Background:

At its meeting of February 22, 2001, the Board approved the motion “that the evaluation of the M26 Advanced Taser and Bean Bag and Stock Round Kinetic Energy Impact Projectiles be provided to the Board in the next semi-annual Professional Standards report expected for the May 24, 2001 meeting.” Due to the nature and complexity of the evaluation, it is submitted separately and is appended to this letter.

It is recommended that the Board receive this report from Professional Standards for information. Staff Superintendent David Dicks, Professional Standards, will be in attendance to answer any questions if required.

The Board received the foregoing reports.

Copies of the executive summary to the Professional Standards report and the report on the testing and evaluation of less-lethal weapons are appended to this Minute for information.

Executive Summary

The *Toronto Police Service Professional Standards Report* was designed to amalgamate all Professional Standards reporting requirements into a single report to facilitate comparison, examination of trends, and a more comprehensive analysis of officer conduct and discipline. The proposed report format, based on the anticipated data capture and analysis capabilities of the Professional Standards Information System (PSIS), was approved by the Board at its meeting of June 13, 1996 (Minute 199/96 refers). However, due to the delayed implementation of the PSIS, the *Toronto Police Service Professional Standards Report* remains a transition report². As far as possible, this report is ordered in the approved reporting format, however, its scope reflects the more limited capabilities of the existing user-specific Professional Standards systems. Revisions to the appropriate sections of the *Toronto Police Service Professional Standards Report*, as required by Direction 32 of the *Toronto Police Services Board's Complaints Policy Directive*, have been incorporated into this report (Board Minute 5/98 refers). It should be noted, however, that until such time as historical data can be generated for the newly defined classifications and indicators, trend analysis will be limited to those areas where there is appropriate and comparable historical data.

Highlights

- During 2000, a total of 819 complaints were made by members of the public – 738 complaints about officer conduct, 14 about Service policy and 41 about the level of service provided. The number of complaints in 2000 reflects a 30% increase from the number of complaints in 1999, however, it remains well below the levels reported between 1990 and 1996.
- Although a definitive explanation for the increase in complaints is not clear, potential impacts include changes to the complaints process in respect of informal resolutions in the first instance, increased number of officers on the street, increased emphasis on traffic enforcement, possible increase in public awareness of and confidence in revised complaints process and increased accessibility to the process.
- The Police Services Act provides that if a complainant is not satisfied with either the classification or disposition of their complaint, the complainant may request the Ontario Civilian Commission on Police Services (OCCOPS) to review the classification or disposition decision and, if appropriate, reclassify the complaint or overrule the Service's disposition. Of the 819 complaints classified in 2000, ten classifications were challenged by the complainant – nine were returned for further review. Of the 740 complaints concluded during this same period, OCCOPS reviewed 91 dispositions at the request of the complainant; seven decisions were over-ruled and eleven reviews are on-going.

² In December 1996, a decision was made to place the development of the Professional Standards Information System on hold until such time as the impact of revisions to the *Police Services Act* could be evaluated. The final legislative changes were assessed in 1998, however, the development of PSIS was delayed again pending a review of budget and technical staff resources. Funding for this system was included and approved in the Service's 2000 to 2004 Capital Budget. Project completion is scheduled for late 2001.

- A total of 806 officers were cited as Subject Officers in a total of 819 complaints during 2000; approximately one in every 6 officers was involved in complaints.
- In 2000, 140 complaints were concluded by informal resolution, an increase of 50% from 1999.
- A review of the 740 complaints concluded in 2000 showed that, on average, complaints were concluded within 74 days of being received by this Service, an increase from the 60 days reported in 1998. More than half of the complaints were concluded within 64 days and about 35% were outstanding more than 90 days.
- During 2000, a total of 462 charges, relating to 105 cases of alleged misconduct, were laid. The number of cases opened during 2000 is more than two and one half times the number of cases in 1999 and an increase of almost 70% over the average number of cases opened during the previous five years. Both the number of cases opened and the number of charges laid were impacted by exceptional circumstances. Holding aside these exceptional cases/charges, the number of cases and charges drops to 61 and 153 respectively; the number of cases is below the average number of cases over the past five years and charges are slightly higher than average.
- Police Services Act charges were laid against 79 individual officers, approximately 1.5% percent of all officers or about one in every 65 officers of this Service; more than 60% of all charges laid during this period were laid against 7 officers, less than 0.1% of all officers.
- During 2000, a total of 45 cases (183 charges) were concluded.³ On average, these cases were open about 20 months, however, the duration ranged from 29 days to slightly more than six years. For cases concluded during this period where there was no criminality involved, the average duration was about 13 months.
- A total of 1,639 Use of Force Reports were submitted during 2000, approximately 11% more than the 1,471 reports submitted during 1999, and almost 13% higher than the average number of reports submitted in the previous five years. Of the total reports submitted, 1,326 reports (81%) were submitted by individuals and 313 reports (19%) were submitted by a team.
- Firearms, more than 50% of which are semi- or fully-automatic weapons, and edged weapons, almost exclusively knives, are consistently the most likely subject weapons encountered by police officers and account for more than 70% of weapons found in the possession of subjects. Weapons were found in slightly more than 20% of all reported instances of the use of force.

³ Details regarding the disposition of Police Service Act charges, previously "Section 3 – Police Service Act Charges, Discipline Disposition" of the *Professional Standards Report* has been eliminated from the report; inclusion was unnecessary as the Board receives this information on a monthly basis.

- During 2000, the Special Investigations Unit commenced a total of 25 investigations. In 22 of the 23 investigations concluded to date, the SIU found no criminality on the part of the police officers. In one case the SIU charged four officers with Manslaughter in relation to an in-custody death. Two SIU investigations are on-going.
- During 2000, a total of 438 Service Awards were presented to members of the Toronto Police Service. Service Awards presentations included one Chief of Police Award, ten Chief of Police Excellence Awards, two Medals of Merit, 53 Commendations, 95 Teamwork Commendations, and 277 Letters of Recognition. A total of 580 police officers and civilian were presented long service awards – 357 crested watches to commemorate 25 years of service and 223 long service awards to recognise twenty and thirty years of dedicated service by police officers, civilians, and auxiliary police officers.
- The number of service awards presented in 2000 has decreased almost 20% from 1999, as have the number of incidents recommended for Service Awards. It is believed that this decrease reflects the use of Award Time – members who may have been recommended for service awards in past years, are being given a Time Award.
- The following table summarises the single most frequent data occurrence for each trend indicator, by reporting section. (Data may not be considered to be correlated.)

	Public Complaints	Discipline Charges	Use of Force
Subject Officer			
Length of Service	Less than 5 years	More than 25 years	5 - 10 years
Function		Divisional Uniform	Not Available
Rank	Constable	Police Constable	Not Available
Attire			Uniform
Incident			
Command	Central Field Command	Central Field Command	Central Field Command
Time of Incident			2000 to 2400 hours
Source/Origin	Unit/Division	Unit	
Duty Status		On-duty	
Premise/Location	Street		Not Available
Precipitating Factor	Investigation		
Reason for Force			Not Available
Type of Force Used			Handgun drawn and pointed
Number of Subjects			Not Available
Report Type			Individual

Report on the Testing and Evaluation of Less Lethal Weapons
Toronto Police Service 2000-2001

Minimizing use of force, especially deadly force, is a goal of the Toronto Police Service. It is recognized that the utilization of appropriate less lethal weapons plays a significant part in achieving this goal.

For several decades the Toronto Police Service has actively and consistently researched and tested less lethal devices as they became available to law enforcement. During 1997 in particular, a comprehensive study of less lethal weapons was conducted as part of the Use of Force Committee that was established by then Chief David Boothby.

Research and evaluation of less lethal weapons has continued since the 1997 study. Two promising technologies that have been further researched and evaluated are the electronic stunning device known as the TASER and kinetic energy impact projectiles called “bean bag” or “sock” rounds fired from 12 gauge shotguns.

The TASER

The TASER is an electronic stun device that was invented by a Mr. Jack Cover in 1976. Apparently, Mr. Cover was a fan of the Tom Swift science fiction books. TASER is in fact an acronym for “Thomas A. Swift Electric Rifle.”

The TASER is of course not really a rifle at all, but rather a handgun type device that fires two barbed electrode probes attached to high-voltage insulated trailing wire. These barbed probes are contained in a cartridge cassette that is loaded into the front of the TASER. Depending on the manufacturer, the electrode probes are propelled by compressed air, compressed nitrogen or a ballistic rifle primer in conjunction with a small amount of smokeless gunpowder. The initial velocity of the probes is approximately 200 feet per second. For the TASER to work, both probes must contact the subject, otherwise there will be no electronic stunning effect.

The probes affix to the suspect’s skin or clothing and are attached on the other end to the hand held power unit by 15 foot trailing wires. If the probes penetrate the skin they usually leave only small bee sting like wounds of little consequence. The TASER is usually effective through 1.5 to 2 inches of clothing depending on the clothing type. Penetration of the skin by the probes is not necessary for the device to work although heavy or layered clothing can render it ineffective. Most TASER units are powered by either a 9-volt transistor battery or a series of AA alkaline batteries.

In addition to actually firing the barbed electrode probes at a subject, the TASER may also be used to “touch TASER”. This is done by simply placing the device (without cartridge cassette loaded) against the intended subject and activating the current.

The TASER has also proven to be a strong psychological deterrent. Many persons have a healthy fear of electricity and because of this it is sometimes only necessary to *demonstrate the intention to use the device* against a violent subject in order to gain compliance with police demands. This “demonstrated force presence” can be achieved by verbal warning, by activating the TASER and displaying the electrical spark zapping between the two touch prongs or by activation of the laser sighting system used to aim the device.

The TASER is designed to deliver a medically safe, high voltage, low amperage shock to the body thereby temporarily immobilizing a violent subject by causing involuntary muscle contractions. Typically, the subject collapses to the ground in quivering, spasmodic movements, virtually incapacitated. This then allows police to safely effect control of the individual. The person may remain dazed for a short period of time, but otherwise will not be affected.

The TASER has been widely used in the United States since the early 1980s, particularly in Southern California where heavy layered clothing is not often worn. It has proven quite effective with a reported suspect incapacitation rate of over 80%. Los Angeles police officers have used the TASER on literally thousands of people with minimal resulting medical implications.

The M26 Advanced TASER

In September of 1999 the Armament Section of Training & Education (T&E) and the Training Office of the Emergency Task Force (E.T.F.) commenced an evaluation of a promising new prototype unit designated the M26 Advanced TASER. TASER International of Scottsdale, Arizona manufactures this weapon.

The M26 Advanced TASER was tested for:

- accuracy
- minimum/maximum effective range
- extreme temperature performance
- battery life
- water resistance
- compatibility with Body Guard oleoresin capsicum spray

Dozens of volunteer police officers wearing a variety of light to heavy clothing were subjected to the effects of the M26. All were rapidly incapacitated upon application of the device. None of the officers suffered any injury or complained of any other adverse effects from the TASER.

The testing verified the manufacturer’s claims and demonstrated that the M26 offered considerable improvement as compared with previous stun technology weapons, particularly in the areas of incapacitation effectiveness, maximum range and weapon tracking technologies.

M26 TASER Effectiveness

Unlike traditional stun technology weapons that operate in a 7-14 watt range and interfere with the communication signals within the nervous system of the target, the M26 uses Electro-Muscular Disruption (EMD) technology to completely override the central nervous system and directly control the skeletal muscles. This is achieved by using an 18 to 26 watt electrical signal. This powerful charge is capable of physically debilitating a subject regardless of pain tolerance

or mental focus. Whereas testing demonstrated that some volunteer subjects were able to “fight through” the effects of the traditional TASER, almost 100% of those hit with the M26 Advanced TASER were immobilized within ½ second.

M26 Range

Traditional TASER devices have a maximum range of 15 feet, the length of the trailing wires. The M26 is available with charge cartridges having a maximum range of 21 feet. This provides somewhat greater standoff distance between an officer and violent subject. It should be noted however, that the ideal range for all TASER devices is between 7-12 feet. If the unit is used at closer distances there may be insufficient separation between the probes to allow an effective incapacitating shock. At greater distances there may be too great a spread between the probes. This could result in one probe missing the subject altogether, rendering the device ineffective. Ideally, the spread between the probes should be 18-24 inches.

M26 Weapon Tracking Technologies

Another advantage of the M26 over traditional TASER technology is its advanced weapon tracking technologies. The M26 has a data port located on the back of the unit. Every time the M26 is fired, it stores the time and date. This data can protect officers from claims of excessive force by providing complete and accurate documentation of the time and date for each firing. The M26 also provides law enforcement with a powerful management tool to track usage patterns and prevent abuse. Data can be downloaded to Service computer equipment. Further, every time the M26 is fired, up to 40 small confetti-like identification tags called AFIDS are ejected. Each AFID is printed with the serial number of the cartridge permitting identification of the officer who fired it.

M26 Medical Safety

The M26 Advanced TASER is well within the medically established safe range for human beings. The TASER electrical charge does not harm nerves, muscles, or any other parts of the human body. The United States Consumer Protection Safety Commission, after completing an intensive review and medical analysis of the weapon, publicly announced that the TASER was “non-lethal to normal, healthy adults.”

The M26 has no effect on heart rhythms. Studies have shown that there are no long-term effects from being shot with the TASER. A study performed at the University of Southern California Medical Center concluded that in addition to its non-lethality, the 7-watt TASER leaves 0% long-term injuries. Testing of over 120 human volunteers with the M26 Advanced TASER also found 0% injuries.

M26 Advanced TASER Pilot Project

Upon conclusion of the initial testing of the M26 during the spring of 2000, staff of the Armament Section of T & E and the E.T.F. training office were of the opinion that the device showed sufficient promise to warrant an operational evaluation. Permission to conduct this operational evaluation was obtained from the Honourable David Tsubouchi, then Solicitor General of Ontario.

The T.P.S. pilot project would utilize Special Weapons Team Personnel of the Emergency Task Force. Each Emergency Task Force Vehicle (5 in total) would be equipped with an M26 Advanced TASER that would be available for exclusive use by E.T.F. Officers under appropriate circumstances.

In order to facilitate this project, key personnel from both the Emergency Task Force and the Training & Education Unit received factory instructor training on the M26. These personnel in turn trained all remaining E.T.F. Officers. Tactical Paramedics, who are part of the tactical response in Toronto, were also trained in post application care.

Eight M26 TASER units and sufficient training and operational charge cassettes were purchased at a total price of approximately \$21,000.

A TASER Use of Force Policy and TASER Standard Operating Procedure were developed. It was established that the TASER may be used to:

- Prevent being overpowered when violently attacked
- To prevent a prisoner being taken from police custody
- To disarm an apparently dangerous person armed with an offensive weapon
- Control a violent situation when other use of force alternatives is not viable

The initial pilot project commenced 1 December 2000 and was to conclude 31 March 2001. However, on the 30 March 2001 an indefinite extension was granted by the Honourable David Turnbull, Solicitor General of Ontario permitting the project to continue.

TASER Pilot Project Results To Date

At the time of this report (April 2001) there have been a total of sixty-four (64) incidents in which E.T.F. officers have used the M26 Advanced TASER:

- In fifty-two (52) incidents, the M26 was used successfully in a *demonstrated force presence mode*, the laser sighting system being activated and the subject(s) being warned that the weapon would be fired if they did not cease their violent activity.
- In twelve (12) incidents the M26 was *fully deployed*, the unit being fired and electrical charge applied to a violent subject in order to cause incapacitation.
- Of the twelve full deployments, the M26 TASER was rated as being *effective* in nine cases, *partially effective* in one case, and *ineffective* in the remaining two instances.
- Of the two instances where the TASER was deemed ineffective, one case has been attributed to insufficient dart spread and in the other instance it is believed that only one dart contacted the subject.

Although it has not been 100% effective operationally, reaction to the M26 Advanced TASER by the E.T.F. Officers who have used it is quite favorable. It is recognized as a valuable addition to the array of less lethal tools already available to them, providing the officers with even greater flexibility when dealing with violent non-compliant individuals.

Further operational evaluation of the M26 TASER is necessary before its overall effectiveness and ultimate deployment strategy within the Toronto Police Service can be determined.

Bean Bag Round and Sock Round Kinetic Energy Impact Projectiles

Another category of less lethal weapons that is currently being researched and tested are the kinetic energy impact projectiles called bean bag and sock rounds. There are many types of these rounds available to law enforcement.

The concept is simple. The bean bag or sock round is fired from a 12-gauge shotgun at relatively low velocity, typically about 300 feet per second. The projectile is designed to deliver a debilitating body blow to a subject's abdomen comparable to a vigorous punch, thus incapacitating the individual without causing dangerous penetration wounds that normal bullets would cause.

The bean bag rounds are not bean bags at all but rather are small, square or round, pliable fabric pouches filled typically with #9 lead shot. They are rolled or folded to fit into 12 gauge shotgun cartridge cases. When fired, they are supposed to unroll or unfold to full size and strike the intended target fully open and face on, distributing their impact energy evenly.

The more recently introduced sock round is much the same except that the design of the projectile is similar to a sock in shape. The lead shot is secured at the front of the sock by tying off the fabric around the shot, leaving a fabric only tail. This makes the sock round more aerodynamically form stable than the bean bag round and aids in accuracy. The sock round also utilizes a 12-gauge cartridge case.

Bean bag rounds were evaluated during the 1997 T.P.S. study of less lethal weapons. It was determined that bean bag rounds have several shortcomings including;

- These rounds can kill if used at closer than recommended range or if a subject is hit in the head, throat or heart area. Numerous deaths have been attributed to improper use of the projectiles at close range or unintended strikes to the head, neck etc.
- Testing showed that bean bag rounds sometimes do not open fully when fired, instead impacting the target still partially folded or rolled. When this happens operationally, serious injuries may result.
- Poor accuracy. The shape and design of beanbag rounds prevents them from flying in an aerodynamic, stable fashion. The accuracy required for precise shot placement is not possible with bean bag rounds.

Bean bag round technology has progressed only marginally since the 1997 study, the major limitation of these devices being poor accuracy compared with the sock round. For this reason bean bag rounds are not recommended for use by the Toronto Police Service.

The more recently developed sock rounds are currently being evaluated on three main criteria; *accuracy, effectiveness and the potential for causing serious injury or death.*

The primary *concern* of course is causing unintended serious injury or death. These types of less lethal devices walk a fine line; enough kinetic energy to cause incapacitation while not so much as to likely cause serious injury or death through penetration or blunt trauma.

The primary *consideration* when evaluating the projectiles is accuracy. Testing and field experience by other agencies has shown accuracy to be a key issue. Effectiveness and death/injury potential are directly related to shot placement on the subject. In other words, if you can't control where the projectile hits, your ability to ensure it does not strike high risk areas such as the head or neck is greatly reduced. This is especially important when used in circumstances that would not justify deadly force.

Recent testing has shown the sock rounds currently being marketed are a considerable improvement over the bean bag round with regard to the accuracy attainable. However, they still must be considered a very powerful level of less lethal weapon and therefore one with some potential for causing serious injury or death. Ultimately, as with all less lethal weapons, the final decision whether to deploy them operationally will have to be made in the context of *the dangers of deployment vs. the dangers of non-deployment.*

Conclusion

The Toronto Police Service continues to actively test and evaluate less lethal force technology as part of an overall strategy to reduce the need to resort to force, especially deadly force. Of the two technologies investigated, the M26 TASER in particular is showing promise. At present, further evaluation and testing of both the TASER and sock rounds is necessary before final determinations can be made concerning their overall effectiveness, appropriateness and potential method of deployment within the Toronto Police Service.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P147. SPECIAL CONSTABLES ANNUAL REPORTS 2000 – UNIVERSITY OF
TORONTO AND TORONTO TRANSIT COMMISSION**

The Board was in receipt of the following report APRIL 30, 2001 from Julian Fantino, Chief of Police:

Subject: SPECIAL CONSTABLES ANNUAL REPORTS 2000 - UNIVERSITY OF
TORONTO, TORONTO TRANSIT COMMISSION AND METRO TORONTO
HOUSING CORPORATION

Recommendation:

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

Background:

Section 45 of the agreement between the Police Services Board and the University of Toronto regarding Special Constables indicates:

The University shall provide to the Board an annual report with statistical information including but not limited to information as to enforcement activities, training, supervision, complaints and other issues of concern to the parties and such further relevant information as may be requested by the Board.

Please find attached copies of the 2000 Annual Reports from the Scarborough and St. George Campuses of the University of Toronto for information.

Section 54 of the agreement between the Police Services Board and the Toronto Transit Commission regarding Special Constables indicates:

The Commission shall provide to the Board an annual report with statistical information including but not limited to information regarding enforcement activities, training, supervision, complaints, and other issues of concern to the parties and such further categories of information as may be requested by the Board from time to time.

Please find attached a copy of the 2000 Annual Report from the Toronto Transit Commission for information.

There is no Annual Report from the Metro Toronto Housing Corporation at this time by virtue of the fact that their Special Constables were just recently appointed on December 1, 2000.

In the future, the University of Toronto, Toronto Transit Commission, and the Metro Toronto Housing Corporation Annual Reports will be submitted to the Board in April of each year, beginning in April 2002.

Staff Superintendent David Dicks of Professional Standards will be in attendance at the meeting to respond to any questions that the Board may have.

The Board received the foregoing.

UNIVERSITY OF TORONTO POLICE
St. George Campus



ANNUAL REPORT

2000

MISSION

Purpose Statement

The University of Toronto Police Service is dedicated to creating a safe, secure and equitable environment for students, staff, faculty and visitors.

Mandate

To support the academic mission of the University, the Police work in partnership with our community:

- to protect persons and property by developing programs and conducting activities that promote safety and security;
- to prevent crime, maintain the peace, resolve conflicts and promote good order;
- to deliver non-discriminatory, inclusive programs to our diverse community;
- to remain accountable to our community.
- to provide referral to community services;
- to respond to emergencies and provide assistance to faculty, students and staff;
- to ensure University policies and regulations are followed, and
- to enforce the criminal code and selected provincial and municipal statutes as necessary;

Values

The University of Toronto Police Service is accountable to our community and guided by the following principles and values:

- respect for the dignity, privacy, worth and diversity of all persons;
- fair and impartial treatment of all individuals;
- a departmental philosophy that promotes safety and security as a responsibility of all members of the community;
- reliability, competence, accountability, teamwork and open communication, and
- an approach to campus policing that welcomes and encourages community involvement and promotes equity

COMMUNITY-BASED POLICING

Community-Based Policing is a proactive approach to crime prevention and safety awareness that places much of the emphasis and initiative for safety in the hands of the community. The Campus Police are committed to the needs of the community and act as partners with the community in establishing and maintaining a safe and secure environment. The Community Safety Co-ordinator's position, in particular, is responsible for coordinating ongoing education and outreach initiatives directed at improving personal safety and security on campus, and for the coordination of the university's personal safety program.

Community Partnerships

Status of Women Office

The University of Toronto Police (St. George Campus), in partnership with the Status of Women Office - 'Take Our Daughters to Work Day', hosted two personal safety presentations for all participants. The two sessions, one for girls 12 and under and the other for girls 13 and over, focussed on the issues of safety, street proofing and peer pressure as they relate to the teens and pre-teens of today. Experienced University Police Officers, using video clips and interactive group discussions presented all sessions.

First Nation House

The University of Toronto Police Service has formed a partnership with First Nation House. Regular meetings take place, to discuss and address safety and security issues. The University Police have been exposed to Aboriginal Culture through attending the Aboriginal training session in Espanola, Ontario.

Lesbians, Gays, Bisexual and Transgender of U of T (LGBT-OUT)

University Police are dedicated to supporting the priority needs of the gay, lesbian, bisexual, and transgender community and to promoting the expansion of programs and services to meet those needs. The Service has participated in numerous LGBT-OUT functions in the past few years. An on-going communication and dialogue with student volunteers at the newly created LGBT-OUT office in the Sir Daniel Wilson residence has been developed.

Alcohol Awareness Day

Each fall the University of Toronto Police work in partnership with the Student Administrative Council and Health Services to host Alcohol Awareness Day on campus. Participants in this event include the Toronto Police Traffic Services, Mothers against Drunk Drivers, and 'A' Towing. The objective of this event is to promote public awareness of issues relating to the use of beverage alcohol.

University of Toronto Housing Services

In partnership with Housing Services a web page was created to assist students in identifying safety and security issues when seeking housing off campus.

UTS School

The University of Toronto Police, in partnership with the UTS School hosted personal safety presentations for all students. These sessions focus on the issues of safety, street proofing and peer pressure as they relate to the teens and pre-teens. All sessions were presented by using video clips and interactive group discussions.

Keeping the Community Informed

- Distributed a daily summary of occurrences on campus to 437 e-mail addresses. The daily summary is also available on the University Police website: <http://police.sa.utoronto.ca>.
- Development and delivery of personal safety seminars, self-defence and protective skills course for members of the campus community.
- Issued 20 Community Advisory alerts to the community.
- Participated in the Student Leaders Orientation Training. Providing information to attendees on their responsibilities on holding safe orientation events and non-offensive "scavenger hunts".
- Organizing Safety Awareness Week with booths and presentations throughout the campus.
- University Police Events Calendar, which is used to show upcoming events.
- False Alarm Reduction Program is designed to reduce the false intrusion alarms through co-operation and education.

Personal Safety Education

Personal safety and Crime Prevention education has the potential to vastly improve the safety of community members thereby enhancing the quality of their campus life. To improve safety through education and awareness of crime, the University of Toronto Police provided a variety of programs to the University community. These programs targeted significant topics ranging from personal safety/crime prevention strategies to teaching women how to defend themselves. Programs include:

- Co-ordinating, scheduling and promotion of 14 self-defence/protective skills courses for 220 community members.
- Facilitating 2 six-hour Non-violent Crisis Intervention Courses for staff members
- University of Toronto Police web site features information on police programs, services, campus safety and security features and Campus resources
- Children's safety talks at various day care centers on campus with a child's puppet show promoting traffic safety.

Crime Prevention Programs

- Operation Provident Program is designed for business to serve as a deterrent to theft of property by providing a means of identifying property and returning recovered stolen property to the owner.

- Operation Property Identification is a program designed to discourage theft of valuables from an office or residence.
- Building Watch Program is a partnership program, organized by the University Police and co-ordinated by concerned building occupants. The program's objectives are to create an awareness of criminal activities in the building, and to encourage all building occupants to become more responsible for the overall safety and security of their building.
- Work Alone Program is available to all members of the community who work on the campus during the quiet hours of the evening, weekends and statutory holidays.
- Bicycle anti theft registration program is a voluntary program aimed at reducing the number of bikes stolen each year by allowing the University Police to verify the ownership of a bicycle.
- Help the Homeless Project was formed to address safety Issues and the needs of homeless individuals on or near the University of Toronto campus.
- Date Rape Drug information and education training for women
- Graffiti alert program was introduced to identify and reduce graffiti on campus

Services

- Co-ordinated the WALKsafer/WORKsafer student services which provide escorts to persons on campus at night and selected patrols of campus buildings
- Distributed emergency telephone stickers and computer mouse pads to community members.
- The University Police Ride Along Program gives community members the opportunity to patrol with a University Police Officer. It affords interested members of the community the opportunity to learn about the University Police, its personnel, policies and procedures. Participants are encouraged to become involved in various programs.
- Hosting a Community Pancake Breakfast. The purpose of having this event is to introduce new community members to the University Police and our services.
- On-line safety and security material available to the community include: Safety Audit Guidelines, How to use 978-2222 Emergency Service, Safer Campus Survey, Violence Management Guide, Guide to Crisis, Response and Management, How to stop criminal harassment, Dating Abuse Prevention, Cyberstalking, A Guide to Suicide Prevention,

Community Involvement

Members of the Police Service recognize the importance of participating in the community through the initiation and support of a variety of special events and fund raising campaigns.

- Volunteering officers represented the University Police at the Women's World Hockey Championships, PRIDE parade, cops for cancer, Special Olympics and Police week at Nathan Phillips Square;
- Participating in students orientation week events;
- A University Police Officer was invited to sing the National Anthem at Varsity Stadium and at the Skydome for charity events;
- Organising a CHUM CITY toy, food and clothing drive to assist community agencies

Training

The University is committed to recruiting constables who have exhibited high standards of achievement in their academic and previous work histories. An ongoing training program ensures that skills and knowledge are pertinent, relevant and tailor-made to the University environment.

How our training needs are determined

Our training mandate is designed to meet the needs of the University in combination with directives from the Toronto Police Services Board, law, court decisions and Federal and Provincial standards that follow current law enforcement trends. Our contract with the Toronto Police Services Board requires that training be maintained at a standard acceptable to the Board. Members are requalified annually. All active members successfully qualified during 2000.

The program is developed through consultation with the community, other institutions and as a result of debriefing situations we have managed during the year. The Service welcomes constructive comment from its clients. Recommendations from all levels of police personnel contribute to the process of designing the courses so that they meet the specific needs of the University police and the community.

The training curriculum is designed to ensure a balanced mix of skills training, sensitivity to the University environment and practical field experience. The use of classroom lectures, seminars and participation in-group discussions approximate campus-policing situations. Campus resources are used whenever possible, but due to the unique style of policing that is required on campus, outside resources are occasionally used.

Recruit Training

In accordance with the Agreement between the University of Toronto and the Toronto Police Services Board, a prospective candidate for employment must have graduated from a recognized Community College Police Foundations program or have obtained a two year Law and Security Diploma. The two-year programs provide a solid foundation for campus policing. It balances a combination of social sciences, social awareness and police-related law with an intense focus on community policing.

Most candidates have additional credentials to augment the minimum requirements. Recruits receive the core-training program outlined below within the first year of employment. Working under the guidance of an experienced constable or corporal for the first six months, they are assigned to increasingly more difficult tasks. The Coach Officer is responsible for ensuring that the recruit receives wide exposure to university policing situations, University policies and procedures, and learns the physical campus.

Core-Training Program

Because law and procedures change with great frequency, members need to be kept current. Resources are drawn from law, court decisions (which become law once accepted at the appeal levels), Federal and Provincial standards and current law enforcement trends. Every member attends refresher courses that provide up to date information.

The program meets the standards set by the Toronto Police Services Board.

Core Training Programs 2000	
Course/Topic	Duration (Hours)
Arrest Authorities	3 hours
First Aid/CPR Recertification	8 hours
First Officer / Crime Scene Management	2 hours
Hate Crimes	2 hours
Non Violent Crisis Intervention	6 hours
Sexual Assault / Criminal Harassment	2 hours
Trespass To Property Act	1 hour
Use of Force/Criminal Code (annual re-qualification is mandatory)	2 hours
Use of Force Options (annual re-qualification is mandatory)	6 hours
Criminal Harassment/Domestic Violence Seminar	12 hours
Counterfeit Money Recognition	2 hours
Controlled Substances Act	2 hours
First Nations Awareness	4 hours
Interviewing Techniques	16 hours
Investigative Note Taking	6 hours
Mediation Training	32 hours
Radiation Awareness	3 hours
Sexual Assault Investigators Seminar	40 hours
Suicide Prevention	16 hours

Instructor Development

In some instances, it is cost effective to train our personnel to be the instructors in specific job-related skills. The scope of these courses provide selected members with the skills needed to train adults in such areas as Officer Safety, First Aid/CPR, Rape Aggression Defence [RAD] and Police Mountain Bike Operation. During the past year, qualification was obtained as outlined below.

Instructor Development Programs	
Course/Topic	Duration/Hours
International Police Mountain Bike Conference	56 hours
Non Violent Crisis Intervention Instructor	40 hours
First Aid/CPR Instructor Requalification	16 hours
Use of Force Trainer Qualification	16 hours
First Nations Awareness	40 hours

Specialised Courses

The Manager of Police Services receives numerous requests from members to attend courses in addition to the mandatory ones that are attended yearly [Core]. The criteria used to select who attends is transparent in nature, but there are some guidelines in place that assist in the decision making process. Firstly, the member must have demonstrated an interest and above average skills in the course topic, which must be either a job related or a community need. The information obtained from the course requested must be applicable to an existing community policing program, or will assist in the development of a new one.

As part of the Police Service, the Community Safety Co-ordinator is a valuable resource to the campus community. The issues dealt with in this office include self-defence courses, criminal harassment, critical incident response and on-going support, information and referrals. We are able to provide a holistic approach to situations requiring more than a law enforcement approach.

Future Development

Courses are being developed to deal with Mental Health Issues and Alternatives, Policing a Diverse University Community, University Policy on Sexual Harassment and Human Rights and the Student Code of Conduct. Additional training is being developed on Risk Management, the Fire Code, Occupational Health and Safety Investigation including workplace accidents and dispute resolution through mediation.

COMPLAINTS

February 2000

The Police investigated an individual whose behaviour was reported as being unusual. The individual alleged that the officers were unprofessional and intimidating. A review did not substantiate the complaint.

April 2000

A student who had been served with a notice under the Trespass to Property Act was found at the same location again. The department called police when he returned to the campus. He was approached by a University Police Officer and asked to leave. The male alleged that the officer was rude and unjustified in his actions. An investigation determined that the officer's actions were professional and appropriate.

March 2000

A porter called the police office to report that a male person was indecently exposing himself outside a resident's window. The porter subsequently complained that the duty officer failed to respond appropriately to the complaint. An investigation determined that the officer failed to notify the Duty Sergeant of the incident and did not dispatch an officer to the residence. Disciplinary action was taken in accordance with the Collective Agreement.

STATISTICS - A FIVE YEAR COMPARISON

Crime And Occurrence Reports

REPORTS	2000	1999	1998	1997	1996
CRIME OCCURRENCES					
Assaults (all except Sexual)	21	21	22	31	31
Sexual Assaults	6	4	2	4	4
Threats/Harassment	48	59	110	73	71
Theft - U of T Property	84	117	95	104	99
Theft - Personal Property (Except Bike)	364	524	529	369	377
Theft - Bikes/Bike parts	68	99	74	103	50
Break, Enter and Theft	45	43	55	106	73
Mischief (Damage) - U of T	85	104	172	167	245
Mischief (Damage) – Personal	30	39	42	61	46
Trespass (cautioned)	98	143	133	148	208
Trespass (charged)	45	59	56	60	52
Liquor Licence Act	29	45			
Municipal (By-Law)	1	7			
Miscellaneous	100	100	45	92	92
TOTAL:	1,024	1,364	1,335	1,318	1,348
NON-CRIME OCCURRENCES					
Personal Injury/Sickness	148	155	165	157	185
Property related	937	949 ⁴	895	1026	748
TOTAL:	1085	1104	1,060	1,183	933

⁴ Fire alarms and related calls for service were not reported in 1999. This oversight has been corrected.

MONETARY VALUES

CATEGORY	2000	1999
THEFTS		
U of T	\$106,400	\$214,700
Personal Property	\$384,100	\$264,700
MISCHIEF		
U of T	\$12,200	\$50,600
Personal Property	\$1,400	\$7,800
RECOVERY		
U of T	\$15,600	\$9,000
Personal Property	\$6,600	\$31,700

STATISTICAL OVERVIEW

There were 1,024 crimes reported to the University of Toronto Police in 2000, representing a decrease of 340 incidents over 1999. The reasons for the decreases are open to conjecture but the Service's community policing program is believed to be a factor with active participation from vulnerable sites.

Despite a drop in the actual number of occurrences of theft of personal property (364 versus 524 in 1999), the value increased significantly. A number of the thefts have involved large amounts of cash from backpacks and lockers, laptop computers and other electronic devices, and designer clothing such as jackets.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P148. RECOGNITION PROGRAM - 2000EXPENDITURES

The Board was in receipt of the following report APRIL 30, 2001 from Norman Gardner, Chairman:

Subject: RECOGNITION PROGRAM – 2000 EXPENDITURES

Recommendation:

It is recommended that the Board receive the following report.

Background:

At its meeting on August 27, 1992, the Board granted standing authority to the Chairman, Police Services Board, to approve expenditures from the Special Fund for costs associated with the Board's awards and recognition program (Min. No. 463/92 refers).

The total amount paid in 2000 was \$18,841.39. A detailed list of the individual expenditures is attached for information.

The Board received the foregoing.

Subsequent to the Board meeting, it was noted that Invoice #1635 from Artmetal, contained in the attached summary, should have indicated that the costs were related to a die charge and the purchase of 800 new School Crossing Guard Long-Service pins and presentation boxes rather than two retirement certificates.

TORONTO POLICE SERVICES BOARD
PAYMENTS FROM SPECIAL FUND FOR RECOGNITION PROGRAM
2000

Expenditures from the Special Fund:

Re: Minute No. 408/92

<u>Cheque Date</u>	<u>Service</u>	<u>Total</u>
Jan. 22/00 Cheque #135	SHAND CALLIGRAPHY Medal of Merit Invoice #1679	25.00
Feb. 11/00 Cheque #1361	B.H. CUSTOM FRAMING Matting, mounting and framing Medal Of Merit for Chief Boothby Invoice #352300	184.58
Feb 11/00 Cheque #1360	ARTMETAL 2 Retirement Certificates Invoice #1635	2706.53
Mar 8/00 Cheque #1373	CUSTOM ART CONCEPTS LIMITED 31 Framed Commendation and Teamwork Certificates - Invoice #8077	1818.15
Mar 8/00 Cheque #1374	SHAND CALLIGRAPHY Oath of Office Scroll for Chief Fantino Invoice #1911	135.00
Mar 8/00 Cheque #1372	VANESSA LE PAGE Cake for Service Awards Ceremony	150.00
Mar 27/00 Cheque #1394	CUSTOM ART CONCEPTS LIMITED Framing and refitting of Merit Mark Invoice #8167	75.90
Apr 25/00 Cheque #1403	BOND BOYD & CO Civilian long service pins Invoice #40101	3403.37
May 4/00 Cheque #1412	VANESSA LE PAGE Cake for Service Awards Ceremony	150.00
May 11/00 Cheque #1417	FRAMEWORTH CUSTOME FRAMING Framing of Community Members Awards Invoice #22486 & 22487	2041.25
June 22/00 Cheque #1428	VANESSA LE PAGE Cake for Service Awards Ceremony	150.00

Jul 11/00 Cheque #1440	FRAMEWORTH CUSTOME FRAMING Framing of Commendations Invoice #23613	676.20
Aug. 29/00 Cheque #	B.H. CUSTOM FRAMING Matting, mounting and framing Medal Of Merit Invoice #352349	577.30
Sep. 19/00 Cheque #1476	CUSTOM ART CONCEPTS LIMITED Framed Council photos Invoice #9154	275.08
Oct. 5/00 Cheque #1485	TIDY'S FLOWERS Flowers for outgoing Board Member Invoice #290068	48.25
Nov. 24/00 Cheque #1493	FRAMEWORTH CUSTOME FRAMING Framing of Community Members Awards Invoice #26204	1811.25
Dec. 6/00 Cheque #1497	VANESSA LE PAGE Cake provided at Community Awards	160.00
Dec. 6/00 Cheque #1495	FRAMEWORTH CUSTOME FRAMING Framing and mounting of Board Members ID badge - Invoice #26711	67.28
Dec. 12/00 Cheque #1501	FRAMEWORTH CUSTOME FRAMING Framing of Commendation, Teamwork and Partnership Certificates Invoice #26802	3105.00
Dec. 12/00 Cheque #1502	FRAMEWORTH CUSTOME FRAMING Framing of Commendation, Teamwork and Community Awards Invoice #27033 & 27035	1121.25
Dec. 21/00 Cheque #1507	VANESSA LE PAGE Cake provided at Community Awards	160.00
	TOTAL	18,841.39

May 1, 2001

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P149. CATERING SERVICES – 2000 EXPENDITURES

The Board was in receipt of the following report APRIL 30, 2001 from Norman Gardner, Chairman:

Subject: CATERING SERVICES – 2000 EXPENDITURES

Recommendation:

It is recommended that the Board receive the following report.

Background:

At its meeting on August 27, 1992, the Board granted standing authority to the Chairman, Police Services Board, to approve expenditures from the Special Fund for costs associated with providing refreshments at Board and other special community meetings (Min. No. 463/92 refers).

The total amount paid for catering services in 2000 was \$17,468.09. A detailed list of the expenditures and meetings to which refreshments were provided is attached for information.

The Board received the foregoing.

TORONTO POLICE SERVICES BOARD
PAYMENTS FROM SPECIAL FUND FOR CATERING SERVICES
 2000

Re: Minute No. 463/92

<u>Cheque Date</u>	<u>Service & Invoice #</u>	<u>Meetings</u>	<u>Total</u>
Feb. 24/00 Cheque #1362	VILLAGE HOST CATERING Jan.12 - 28/00 Inv. #3271	- Board Meeting - Board Trn., True Blue mtg - Budget & Policy, Audit - Deloitte focus grp., CAC mtg.	702.07
Mar. 20/00 Cheque #1379	CAFÉ ON THE SQUARE Feb 14/00 Inv. #158096	- Management Review Taskforce	44.33
Mar. 20/00 Cheque #1382	VILLAGE HOST CATERING Feb. 2 - 24/00 Invoice #3279	- Board Meeting x2 - Youth Grp. X2, Race Relations - OAPSB mtg.	1010.33
Mar. 20/00 Cheque #1376	VILLAGE HOST CATERING Feb. 22/00 Invoice #3275	- Service Award	1863.60
Apr. 25/00 Cheque #1065	VILLAGE HOST CATERING Invoice #1471	- Citizenship Ceremony	234.31
Apr. 25/00 Cheque #1405	VILLAGE HOST CATERING Invoice #3881	- Board Meeting - Youth Grp, Policy & Budg	518.57
May. 11/00 Cheque #1415	VILLAGE HOST CATERING Invoice #3890	- Award Ceremony	2182.40
May. 11/00 Cheque #1414	VILLAGE HOST CATERING Invoice #3893	- Race Relations, Board Retreat - Policy & Budget	606.86

Jun. 22/00 Cheque #1432	VILLAGE HOST CATERING Invoice #	- Board Mtg., Towing - Performance Review	644.12
Jun 22/00 Cheque #1430	VILLAGE HOST CATERING Invoice #3908	- Service Awards	1498.80
Aug. 3/00 Cheque #1465	VILLAGE HOST CATERING Invoice #3919	- Race Rel, Board Mtg x2 - Youth Cmte., Policy & Budg - Discipline Hearing	738.43
Sep. 19/00 Cheque #1483	VILLAGE HOST CATERING Invoice #3923	- Board Mtg., Mangmnt. Review	317.86
Sep. 19/00 Cheque #1475	VILLAGE HOST CATERING Invoice #3930	- Board Mtg., TPABargaining	426.53
Oct. 24/00 Cheque #1487	SELECT SANDWICH Invoice #360821	- OAPSB Zone 3 Mtg.	502.26
Dec. 6/00 Cheque 1494	VILLAGE HOST CATERING Invoice #3945	- Youth Cmte., Business Plan - Sexual Assault Audit, Brd. mtg.	1276.28
Dec. 12/00 Cheque #1500	VILLAGE HOST CATERING Invoice #	- Board mtg., Board Training. - Sexual Assault Audit	536.54
Dec. 12/00 Cheque #1503	VILLAGE HOST CATERING Invoice #3947 & 3954	- Service Awards	4364.80

April 30/01

TOTAL **17,468.09**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P150. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: 2001
UPDATE TO THE ENVIRONMENTAL SCAN**

The Board was in receipt of the following report APRIL 19, 2001 from Julian Fantino, Chief of Police:

Subject: 2001 UPDATE TO THE ENVIRONMENTAL SCAN

Recommendation:

It is recommended that: the Board approve the request for a one month extension to submit the 2001 update to the Environmental Scan.

Background:

The Environmental Scan provides a review of the external factors impacting on the need for police service and the internal challenges affecting the Service's ability to respond. This document provides a framework for priority setting during the budget process and the unit-level planning processes. Due to the long-term nature of many trends outlined in the Environmental Scan, a comprehensive scanning process is not carried out every year. For the years in which a complete Scan is not produced, Corporate Planning provides a brief statistical update of the major chapters.

In the past, the Environmental Scan, or update, has only rarely been produced in final version prior to June. This timeline is due to a number of factors. These factors include the time required to finalise year-end data in the Service's information systems, the time required to compile and analyse year-end data from the Service and other sources (e.g. Statistics Canada, Toronto Transit Commission, etc.), and then the time required to prepare and review written analyses of the data. A draft of the Scan or update is typically available for Command review in the late spring.

Given this timeline, I will provide the Board with a copy of the 2001 update to the Environmental Scan at the June 21st, 2001, Board meeting. As per the Board's recommendation, crime and traffic statistics are included in the Scan update (Board Minutes No. P5/01 and No. 156/00 refer).

Chief Administrative Officer Frank Chen, Corporate Support Command, will be in attendance to respond to any questions.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P151. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:
STRATEGIES TO ADDRESS SERVICE PRIORITIES**

The Board was in receipt of the following report APRIL 19, 2001 from Julian Fantino, Chief of Police:

Subject: STRATEGIES TO ADDRESS SERVICE PRIORITIES

Recommendation:

It is recommended that: the Board approve a request for a one month extension to submit the report on the strategies that will be used to address the 2001 Service Priorities.

Background:

In December 2000, the Board approved the Toronto Police Services Board 2001 Governance Plan and Business Plan. Included within this document were the Service's 2001 Priorities. With the distribution of the final version of the 2001 Priorities to Command officers and unit commanders, planning for the achievement of the goals within each Priority was begun. As noted in the Business Plan, a Command or Senior Officer was made responsible for coordinating the Service's response to each of the Priorities. At its meeting of December 14th, 2000, it was requested that the Chief provide a copy of these strategies to the Board (Board Minute 524/00 refers). The Board at its meeting on March 22nd, 2001, approved a two month extension for this report (Board Minute P102/00 refers).

While strategies have been submitted to address a number of the Priorities, strategies addressing the remaining Priorities are still being developed and refined. This process will now be completed in by the end of May 2001. Rather than provide the Service's strategies to the Board in two separate submissions, I am requesting that the Board receive all strategies at the June 21st, 2001, Board meeting.

Chief Administrative Officer Frank Chen, Corporate Support Command, will be in attendance to respond to any questions.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P152. STATUS REPORT ON OCCUPATIONAL HEALTH & SAFETY ACT
ISSUES**

The Board was in receipt of the following report APRIL 30, 2001 from Norman Gardner, Chairman:

Subject: STATUS REPORT ON OCCUPATIONAL HEALTH AND SAFETY ACT
ISSUES

Recommendation:

It is recommended that:

- (1) The Chief of Police prepare a report for the July 26, 2001 Board meeting to include:
 - (a) In consultation with the City of Toronto Legal Department, a brief synopsis of the Board's obligations under the Occupational Health and Safety Act (the Act),
 - (b) A comprehensive list of all facilities, activities, equipment and other significant areas where there is a risk of, or an actual breach, of the obligations of the Board, as the employer, to ensure compliance with the Act,
 - (c) A priority list of action that the Service will take to achieve compliance with the Act, including target dates for compliance and an assessment of the risk, to the Board, where it is projected that compliance will not be achieved,
 - (d) The cost of all required action and, specifically, which items identified in the list requested in item (b) will be dealt with in the revised 2001-2005 capital program,
 - (e) The contingency plans that are in place to address potential Ministry of Labour orders to comply with the Act; and,
 - (f) The number of Ministry of Labour orders issued since the 1995 Nelson Wong report and the status of each.

Background:

The condition of Toronto Police Service infrastructure and the Service's health and safety programs and practices are of direct concern to the Board because of its obligations, as the employer, under the Occupational Health and Safety Act.

Discussion

In 1995 Nelson Wong Architects Inc. inspected and assessed each police facility and produced a report that provided a number of recommendations to extend the lifespan of existing facilities.

This study recommended both facility maintenance and facility renovations and included cost projections.

During the recent deliberations with respect to the Services 2001-2005 Capital Program, the Board received a confidential report which detailed the findings of an occupational health and safety audit of a number of TPS Divisions (Board Minute C50/01 refers). In approving the Capital Program, the Board also considered a report that identified occupational health and safety issues at 11, 14, 23 and 51 Divisions that will be rectified through facility replacement. In addition, the Board was informed that funds have been included in the capital program for 'state of good repair' which includes addressing some occupational health and safety issues at other facilities (Board Minute P73/01 refers).

As the employer, the Board is legally obligated to ensure that occupational health and safety issues are promptly addressed and that, notwithstanding fiscal constraints, budgetary allocations and Service programs, policies and activities have been structured to ensure that statutory occupational health and safety responsibilities receive priority response.

Conclusion

For the reasons noted, I am recommending that the Chief of Police provide the Board with a comprehensive report detailing both the Board's statutory obligations and the Service's assessment of the current status of occupational health and safety issues.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

**#P153. AUDIT OF THE TORONTO POLICE SERVICE PUBLIC COMPLAINTS
PROCESS**

The Board was in receipt of the following report MAY 01, 2001 from Jeffrey Griffiths, City Auditor, City of Toronto:

Subject: Audit of the Toronto Police Service Public Complaints Process

Purpose:

The purpose of this report is to establish a Terms of Reference for the audit of the Toronto Police Service public complaints process.

Financial Implications and Impact Statement:

There are no financial implications resulting from this report.

Recommendations:

It is recommended that the attached Terms of Reference for the audit of the Toronto Police Service public complaints process be approved.

Background:

The Toronto Police Service Board has a statutory responsibility, under Section 31(1) of the Police Services Act, to establish guidelines for dealing with complaints, review the Chief of Police's administration of the complaints system under Part V and to receive regular reports from the Chief of Police on his or her administration of the complaints system as set out in Part V of the Police Services Act.

In response to a request from the Toronto Police Services Board, the City Auditor reported at the September 28, 2000 meeting of the Board that he would include the audit of the police public complaints process in the 2001 Audit Workplan for the Toronto Police Service.

Comments:

The focus of this audit will be to examine the processes established by the Toronto Police Service for handling public complaints, as set out in Part V of the Police Services Act.

A review of the disciplinary practices of the Toronto Police Service was recently completed in 1999 by the Ontario Civilian Commission on Police Services. Given that the Chief of Police is in the process of responding to the recommendations in that report, we have not included a review of the discipline component in our audit.

Conclusions:

The attached terms of reference provide the background, legislative environment, scope, objectives and time frame for our audit of the Toronto Police Service public complaints handling process.

The overall goal of this audit is to determine whether the complaints process, from receipt of a complaint to its resolution, complies with applicable legislation and policies established by the Toronto Police Services Board, and whether the process is effective, impartial and transparent, such that the integrity of and confidence in the process is maintained.

Contact:

Tony Veneziano, Director, Audit Services, Tel: (416) 392-8353, Fax: (416) 392-3754
Tvenezia@city.toronto.on.ca

List of Attachments:

Audit Services, Terms of Reference – Toronto Police Service Public Complaints Process Review

The Board approved the foregoing and agreed to forward a copy to the City of Toronto Audit Committee for information



AUDIT SERVICES
TERMS OF REFERENCE

Department/Board:	TORONTO POLICE SERVICE	
Division:	Professional Standards	Unit: _____
Project Name:	Public Complaints Process Review	Year of Audit: 2001

A. Background

In response to a request from the Toronto Police Services Board, the City Auditor reported at the September 28, 2000 meeting of the Board that he would include the audit of the police public complaints process in the 2001 Audit Work Plan for the Service.

B. Legislative Authority/Operational Highlights

According to Part V of the Police Service Act (PSA), any member of the public may make a complaint about the policies of or services provided by a police force or about the conduct of a police officer. A Police Service Board has a statutory responsibility, under Section 31(1) of the PSA, to establish guidelines for dealing with complaints, to review the Chief of Police's administration of the complaints system under Part V, and to receive regular reports from the Chief of Police on his or her administration of the complaints system, as set out in Part V of the PSA. According to Section 41(1) of the PSA, the duties of the Chief of Police include the administration of the complaints process, as set out in Part V of the PSA.

The Chief of Police has delegated the administration of the complaints process to the Professional Standards Division of the Toronto Police Service. This division consists of five units and is headed by a Staff Superintendent who reports directly to the Chief of Police. The five units within the Division include Public Complaints Investigation Bureau (PCIB), Internal Affairs, Complaints Review, Quality Assurance and Prosecution Services. In addition, Unit Complaint Co-ordinator positions (UCCs) have been established in the various police divisions and units to handle less serious complaints that can be resolved at the police division or unit level.

In 2000, the Toronto Police Service received a total of 819 complaints; 762 of these complaint files have been closed and 57 remain outstanding as at March 31, 2001. The majority (477) of complaints received in 2000 were classified as "conduct less serious"; 251 complaints were classified as "conduct serious". The remainder were classified as "policy" or "service" complaints. A complaint was active on average for 69 days from date received by the Toronto Police Service to final decision or close date.

C. Audit Scope and Objectives

The focus of this audit will be to examine the processes established by the Toronto Police Service for handling public complaints as set out in Part V of the PSA. Public complaints are classified as “conduct”, “service” or “policy” complaints. Our audit will focus on “conduct” related complaints. The analysis of individual cases will be restricted to a sample of complaints received between January 1 and December 31, 2000, as well as any complaints received prior to January 2000 that remain outstanding. To gain an understanding of the complaints process, a review of some of the active complaints will also be undertaken.

The overall goal of this audit is to determine whether the complaints process, from receipt of a complaint to its resolution, complies with applicable legislation and policies established by the Toronto Police Services Board; and whether the process is effective, impartial and transparent, such that the integrity of and confidence in the process is maintained.

The specific objectives of this review are to:

- a) determine the level of awareness of the public complaints process among members of the Toronto Police Service, as well as Toronto residents;
- b) assess the effectiveness of the organizational structure, as well as the roles and responsibilities within the Toronto Police Service related to the public complaints process;
- c) evaluate the criteria in place to ensure the proper classification of complaints;
- d) determine the level of consistency practised among Unit Complaints Co-ordinators and staff at divisional front desks (responsible for answering queries from the public) in handling public complaints and related enquiries;
- e) assess the level of access to the complaints process available to the general public;
- f) assess the type and level of training made available to Unit Complaint Co-ordinators and other members of the Toronto Police Service with respect to the handling of public complaints;
- g) assess if resources and time used to resolve complaints are tracked and are appropriate relative to the type and nature of the complaint;
- h) ensure that adequate documentation to support conclusions is contained in complaint files, that investigations are thorough, and that there is evidence of adequate supervisory review to support the dispensation of the complaint;
- i) ensure that effective management information systems are in place to enable the availability of timely and complete information, identify problem areas and trends as well as to facilitate decisions;

- j) ensure that proper quality assurance mechanisms exist in the process to give the Chief of Police and the Toronto Police Services Board the necessary assurance with respect to the integrity of the complaints process; and
- k) ensure the existence, reasonableness and effectiveness of performance indicators used by the Toronto Police Service to monitor and report on their performance relating to the complaints process.

In satisfying the above noted objectives, we will review the existing management structure, communication channels and administrative processes, as well as reporting protocols. In addition, we will interview community and other stakeholders, service members, as well as survey other jurisdictions. We will also review a sample of complaint files and conduct other procedures we deem necessary to satisfy our audit objectives.

In order to conduct our audit we will need the full co-operation of the Toronto Police Service and be able to access complaint related files and information maintained by the Toronto Police Service.

D. Project Time Frame

Terms of Reference – to the Toronto Police Services Board Meeting of May 24, 2001

Final Report – to the Toronto Police Services Board Meeting of September 25, 2001

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MAY 24, 2001**

#P154. ADJOURNMENT

Norman Gardner
Chairman