



Public Meeting

October 20, 2016

**Auditorium – Police Headquarters
1:00 PM**

Public Meeting - Agenda

Auditorium
40 College Street, 2nd Floor
Toronto, Ontario
www.tpsb.ca

Thursday,
October 20, 2016
at 1:00 PM

Opening of the Meeting

1. Declarations of Interest under the Municipal Conflict of Interest Act.
2. Confirmation of the Minutes from the meeting held on September 15, 2016.

Deferred from the Previous Meeting

3. Minute No. P228/16 from the Meeting held on September 15, 2016
Re: **Body-Worn Camera Pilot Project – Request for Funds**

- 3.1 Copy of Body-Worn Camera Pilot Project Evaluation Report
A copy of the report is available: [-click here-](#)

Report to be Received

4. September 30, 2016 from Mark Saunders, Chief of Police
Re: **Chief's Administrative Investigation into the Custody Injuries to Otmar Inglesberger**

Reports to be Approved

5. September 08, 2016 from Chin Lee, Vice Chair, Toronto Police Services Board
Re: **Abuse and Misuse of Accessible Parking Permits**

6. September 21, 2016 from Mark Saunders, Chief of Police
Re: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Ian Glendon Pryce

7. September 14, 2016 from Drew Johnston, Manager, Labour Relations
Re: Supplementary Legal Services for Employment and Labour Law: 2017-2019

8. October 04, 2016 from Andy Pringle, Chair
Re: Request for Funds: The Gatehouse Healing the Voice within Art Exhibit

Next Meeting

Date: Thursday, November 17, 2016
Time: 1:00 PM

Members of the Toronto Police Services Board

Andy Pringle, Chair
Chin Lee, Councillor & Vice-Chair
Shelley Carroll, Councillor & Member
Ken Jeffers, Member

Marie Moliner, Member
Dhun Noria, Member
John Tory, Mayor & Member

Declarations of interest under the *Municipal Conflict of Interest Act*.

Confirmation of the Minutes from the meeting held on September 15, 2016.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 15, 2016**

#P228. EVALUATION OF THE BODY-WORN CAMERA PILOT PROJECT

The Board was in receipt of the following report September 13, 2016 from Mark Saunders, Chief of Police:

Subject: BODY WORN CAMERA PILOT PROJECT EVALUATION REPORT

Recommendation:

It is recommended that:

- (1) The Board approve the inclusion of a body worn camera system project in the Toronto Police Service's 2017-2026 capital program, in the amount of \$500,000, to cover the cost of a fairness commissioner and other external expertise required to effectively oversee, manage and analyse the body worn camera non-binding Request for Proposals process, including the evaluation of proposals.

Financial Implications:

Cost of Body Worn Camera Pilot Project:

The Toronto Police Service (Service) allocated \$495,000 to fund the requirements of the Body Worn Camera (BWC) pilot project. The actual cost of the pilot was \$432,000. This cost was funded from the Service's operating budget, and covered the cost of cameras and other required infrastructure (e.g. servers for storage of videos).

Estimated Cost of Body Worn Camera Rollout:

The estimated cost of operating the program, using on-premise storage, varies depending on the number of officers that will be deployed with the cameras. If the Service were to equip all frontline uniform officers, the cost which includes cameras, servers, workstations, licence fees, integration software, infrastructure upgrades, would be \$85 million over ten years. These costs were validated by an independent reviewer.

It should also be noted that the above estimate is based upon on-premise storage, since cloud based solutions were not available in Canada when the pilot started. They are now available in Canada and would be considered as part of the non-binding Request for Proposals (RFP). Preliminary research suggests a potential for savings over on-premise storage.

Other hard and soft costs that must be considered:

While the most significant cost is the storage of videos, it is important to note that the cost of the cameras (one-time and replacement) and servers represent a significant expenditure. Furthermore, there are costs to support and maintain the system, and redact and retrieve videos that are required for investigative and court purposes.

Costs are also associated to a number of administrative and support positions necessary to manage, administer, and support BWC program, for example, front-line supervisors, professional standards investigators, criminal investigators, video technicians, and Freedom of Information analysts. These costs are not included in the \$85 million dedicated to the BWC system referenced above.

Officers equipped with the cameras spent as much as two hours per shift performing administrative functions. These functions were necessary to upload, classify, and redact the videos. Performing these functions meant that officers were not available on the road to perform their primary mandate. The opportunity cost of an officer performing these administrative duties amounts to as much as \$20,000 per officer annually. This issue becomes even more important as the Service reduces its uniform strength, as part of the implementation of the transformation task force recommendation to reduce the uniform officer establishment.

Cost of the Request for Proposals:

The implementation of BWCs will be a large and complex project, requiring a significant investment with many factors and issues that must be properly addressed. The Service, therefore, will issue a non-binding RFP for a BWC solution.

To ensure that the RFP process is open and fair to all qualified vendors, the Service will engage a fairness commissioner.

Other resources (e.g. financial analysis) may also be required to assist with the analysis and other components of the RFP. These resources will be hired if necessary as the process is rolled out. The estimated cost of the RFP phase is \$500,000. The Board will be advised if any additional funds are required as the project progresses.

Purpose:

The Board at its meeting of April, 2016 approved the motion:

- (1) That the Chief provide the final evaluation report on the Body Worn Camera Pilot Project to the Board for its September 2016 meeting. (Min. No. P68/2016 refers).*

This report responds to the Board's request and provides the findings and conclusions from the BWC project.

Background:

In February 2014, the Service decided that in keeping with its commitment to maintain public trust, to provide professional and unbiased policing, and be a world leader in policing, it would conduct a pilot project to test, evaluate and report on equipping front line officers with BWCs.

The Service started the project by consulting with the Information and Privacy Commission, the Human Rights Commission, and the Ministry of the Attorney General, to address potential privacy, human rights and evidentiary issues associated to the use of police BWCs.

An external group of advisors was also established for the pilot project and included: the Ministry of the Attorney General, the Information and Privacy Commission, the Human Rights Commission, the Office of the Independent Police Review Director, the Special Investigations Unit, the Ontario Association of Chiefs of Police, mental health consumers, the Chief of Police Consultative Committees, the Community Police Liaison Committees, the Canadian Association of Chiefs of Police, Police and Community Engagement Advisory group, and the Toronto Police Services Board.

An internal working group included: the Toronto Police Association, Operational Support Command, Freedom of Information, Legal Services, Information Security, Information Technology, Specialized Operations Command, Video Evidence Section, Toronto Police College, Intelligence Unit, Court Services, TAVIS, D43 CRU, D55 PRU, Traffic Services Motor Squad, and Community Safety Command.

A requirements document was produced as a result of the internal and external consultations. From this list of requirements, a RFP was issued to solicit vendors who could provide an on-premise solution for body worn cameras which included cameras, storage, and infrastructure. Two vendors were selected.

In February of 2015, the Service started a 12-month pilot project to explore the benefits, challenges, and issues surrounding the use of BWC in Toronto.

The pilot project tested two vendor's cameras and storage. The BWCs are designed to capture and record on-duty officer interactions with the community. These cameras are small compact military grade devices. They were mounted to the officer's outerwear at chest level.

The BWC pilot was governed by a pilot policy and according to a set of objectives. Those objectives included:

- Enhance public trust and police legitimacy;
- Enhance public and police officer safety;

- Enhance the commitment to bias free service delivery by police officers to the public;
- Provide improved evidence for investigative, judicial and oversight purposes; and
- Provide information as to the effectiveness of Service procedures and training.

The Pilot Project consisted of three phases:

- Training,
- Field testing, and
- Evaluation.

The Service's evaluation was assisted by an external Evaluation Advisory Committee, comprised of evaluation and data specialists. This independent panel of experts who provided advice on and monitored the quality of the evaluation were:

- Mr. Harvey Low – City of Toronto
- Dr. Flora Matheson – St. Michael's Hospital
- Dr. Sara Thompson – Ryerson University

On May 18, 2015, field testing started with designated officers in the following units:

- 55 Division - "D" platoon,
- 43 Division - Community Response Unit,
- Traffic Services – Motor Squad,
- Toronto Anti Violence Initiative Rapid Response Team – Blue Team 2.

These units were selected so that the cameras and systems could be assessed in a variety of conditions, circumstances and situations.

On Thursday March 31, 2016, the pilot project concluded.

Discussion:

This section of the report provides the results of the pilot project and important considerations learned. It is important to note that the technology has progressed since the beginning of the pilot, and continues to evolve.

Did the BWC pilot project meet its objectives?

The majority of the community canvassed said that they felt that BWCs would help make the community safer. Most people felt that the cameras would make the police more accountable and improve public trust in the police. Many officers felt that the cameras helped deter assaults against police and make people less confrontational.

Those community members canvassed also felt that BWCs could provide an unbiased account of interactions between people and the police, and could help ensure that

officers treated everyone fairly and impartially. Officers said they were more likely to clearly articulate reasons for an interaction.

There was no evidence that the BWC pilot had an effect on the rates of public complaints, officer conduct, or Special Investigations. However, six public complaints were made during the pilot but with the assistance of the camera none were substantiated. In addition, two Special Investigative Unit files were opened but again with the assistance of the camera, the officers were cleared. Finally, three potential complaints were resolved before they were submitted, in part because of the cameras.

To date there have been few cases where BWC evidence was used in court making it difficult to assess its usefulness. However, investigators in the pilot divisions agreed that videos from BWCs were a valuable tool for them.

Finally, officers were generally positive about both the Procedure and training. Officers were particularly positive about the scenario training that gave them hands-on experience with the cameras before they had to use them in the field.

With respect to the technical aspect of the pilot, neither vendor's solution met the needs of the Service. In the main, the limitations were associated to battery life, hardware and software stability, and data corruption.

Overall, though, there was strong community support for the BWCs, with people believing that the cameras will make the police more accountable, improve public trust in police, and help to ensure professional service. Officers too, became more supportive of the cameras over the pilot project.

Was cloud storage considered for the pilot?

Until recently, BWC cloud storage solutions did not exist in Canada. Now they do, and could potentially mitigate storage costs.

Conclusion/Next Steps:

The BWC final evaluation provides an assessment of our use of the technology, the sentiments of the community and officers, and the challenges moving forward. The evaluation demonstrated that BWCs could be a benefit to the Service.

The Service recognizes that the decision to implement BWCs will require a significant investment and must therefore be made carefully. The pilot concluded that BWCs were strongly supported by the community as well as our officers. However, there are issues of cost and how the administrative processes (uploading, classification and tagging of videos) impact an officer's public safety responsibilities and productivity.

Given the benefits identified in the evaluation and the fact that cloud storage solutions are now available in Canada, the Service will issue a non-binding RFP. Due to the fact

that the RFP will be large and complex, the Service believes it would be prudent to engage a fairness commissioner to oversee and advise on the RFP.

At the request of the Board, a presentation will be made at the Board's meeting in September 2016. Chief Mark Saunders will be in attendance to answer any questions that the Board may have regarding this report.

The following were in attendance and delivered a presentation with regard to this report:

**Deputy Chief Mike Federico, Community Safety Command
Insp. Michael Barsky, Communications Services
Carrol Whynot, Strategic Planning**

A copy of the presentation slides in on file in the Board office.

Chair Pringle stressed the importance of the Board reviewing a detailed evaluation of the pilot project and expressed particular interest in receiving information about the experience that other jurisdictions have had with respect to body-worn cameras.

The Board approved the following Motions:

- 1. THAT the Board receive the presentation; and**
- 2. THAT the Board refer consideration of the foregoing report to the October 20, 2016 meeting for the purpose of receiving depositions on this matter.**

**Moved by: J. Tory
Seconded by: C. Lee**

Later in the meeting, the Board was advised that the TPS had publicly released a copy of the TPS Body-Worn Cameras evaluation report (dated June 2016) and, therefore, approved the following Motion:

THAT the Board re-open the foregoing matter.

**Moved by: J. Tory
Seconded by: C. Lee**

Copies of the evaluation report were provided to the Board.

The Board agreed to receive the evaluation report and refer it to the October 2016 meeting for consideration in conjunction with the report noted in Motion No. 2 above.

Moved by: J. Tory
Seconded by: C. Lee

The full evaluation report is available on the Board's website at www.tpsb.ca or can be viewed by [clicking here](#).

Body-Worn Camera Pilot Project Evaluation Report – dated June 2016

A copy of the report is available: [-click here-](#)



Toronto Police Services Board Report

October 13, 2016

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Chief's Administrative Investigation into Custody Injury to Mr. Otmar Inglesberger.

Recommendation(s):

It is recommended that the Board receive this report.

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On September 28, 2015, at 1030 hours, a case worker contacted the Toronto Police Service (Service) and advised that one of her clients had reported to her that he had been assaulted by uniformed officers from 41 Division on September 11, 2015.

The client, who was later identified as Mr. Otmar Inglesberger, stated that on September 11, 2015, at 0005 hours, he was outside his residence on Kingston Road when he was approached by uniformed officers. One of the officers pushed him against a fence and then physically took him to the ground. Once on the ground, the officer knelt on his back and handcuffed him to the rear. He remained seated on the ground in handcuffs for 10 to 15 minutes before he was brought to his feet and released by the officers.

The male returned to his residence at approximately 0400 hours and reportedly felt pain in his left side and asked for medical assistance. Mr. Inglesberger was transported by ambulance to the hospital where he was examined and diagnosed with fractures to the 6th, 7th, and 8th ribs on the left side, with partial displacement of the 8th rib. He was later released from hospital with medication for pain; however, no further medical treatment was required.

On September 28, 2015, at 1040 hours, a preliminary investigation was conducted into the information provided by the complainant. The investigation confirmed that Service records indicate that on September 11, 2015, at 0003 hours, uniformed officers from 41 Division attended the area of Kingston Road and Birchcliff Road, near the complainant’s residence. The officers had observed a group of males on the sidewalk and one of the males assaulted another of the males in the group. The officers stopped to investigate the matter and requested the assistance of other officers as a crowd was gathering. The investigation also confirmed the reported injuries sustained by Mr. Inglesberger.

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

The S.I.U. had designated one officer as a subject officer in its investigation and eight additional officers as witnesses.

In a letter to the Service dated July 15, 2016, Acting Director Joseph Martino of the S.I.U. advised that the investigation was complete, the file had been closed, and no further action was contemplated.

Summary of the Service's Investigation:

The Professional Standards Support unit conducted an investigation pursuant to Ontario Regulation 267/10.

The Professional Standards Support unit examined the use of force and the injury sustained in relation to the applicable legislation, Service procedures, and the conduct of the involved officers.

The Professional Standards Support Unit investigation reviewed the following Service procedures:

- Procedure 01-01 (Arrest)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Memorandum Books and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-17 (In-Car Camera System)

The Professional Standards Support Unit investigation also reviewed the following legislation:

- *Police Services Act*, Section 113 (Special Investigations)
- *Ontario Regulation 267/10* (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- *Ontario Regulation 926*, Section 14.2 (Use of Force Qualifications)

The Professional Standards Support Unit investigation determined that Service policies and procedures associated with the applied use of force were found to be lawful, in keeping with current legislation and written in a manner that provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

Acting Deputy Chief Richard Stubbings, Operational Support Command, will be in attendance to answer any questions that the Board members may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS:ck
File name: siinglesbergerpublic.docx



Toronto Police Services Board Report

September 8, 2016

To: Chair and Members
Toronto Police Services Board

From: Councillor Chin Lee
Vice Chair

Subject: Abuse and Misuse of Accessible Parking Permits

Recommendation(s):

It is recommended that the Board request the Chief to provide information regarding the enforcement of the use of accessible parking permits, including information about the abuse and/or misuse of such permits, and detailing any challenges being faced by Service members in this regard, as well as possible suggestions for improvements.

Financial Implications:

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

Background / Purpose:

I have recently received a number of complaints and concerns from residents regarding the abuse and/or misuse of accessible parking permits. I have been told that they are sometimes used inappropriately by individuals who have not been personally granted use of the permit. It is particularly frustrating for a permit holder to find a reserved permit spot full, and subsequently to discover that the spot has been taken by an apparently able-bodied person in a car with a displayed permit.

Discussion:

As a result, on Thursday September 1, 2016, I met with Service representatives to discuss this issue, including the role of the Toronto Police Service in enforcement as it relates to the abuse and/or misuse of accessible parking permits. I was informed that these permits are issued by the Ministry of Transportation to individuals with certain health conditions and must be signed off on by a licensed practitioner. They are assigned to individuals and cannot be transferred; only the person named on the permit may use it. And the permit may not be used concurrently for all vehicles owned or used by that person.

I was also provided with an overview of the investigative process that Service members use if there is a complaint or allegation of misuse or abuse of accessible parking permits. I was told that if an officer determines that a permit is being used by someone other than the person to whom it has been issued, the officer may retain that permit under the *Highway Traffic Act*.

It is clear that this is a complex issue, involving not only the Toronto Police Service, but also the Ministry of Transportation, which issues the permits, and the City of Toronto, which has developed exemptions for permit holders in certain circumstances.

At this time, I believe that the Board requires additional and detailed information about this issue.

In particular, I am recommending that the Board request the Chief to provide information related to the following questions:

- How many accessible parking permits do Service members inspect on an annual basis and of these, how many are retained/seized?
- How many tickets are issued on an annual basis related to the abuse or misuse of accessible parking permits?
- How do the exemptions provided for by the City of Toronto impact the enforcement of abuse or misuse of accessible parking permits?
- What challenges does the Service face in enforcement in this area?
- Are there any recommendations or suggestions for improved enforcement?

At this time, I am requesting this information from the Chief, as well as any additional context or suggestions he can provide with respect to this important issue. Once the Board has received this information, it can then decide how to proceed in terms of making any recommendations to or requests of the Ministry of Transportation, the City of Toronto and any other relevant parties or agencies.

Conclusion:

Therefore, It is recommended that the Board request the Chief to provide information regarding the enforcement of the use of accessible parking permits, including information about the abuse and/or misuse of such permits, and detailing any challenges being faced by Service members in this regard, as well as possible suggestions for improvements

Respectfully submitted,

Councillor Chin Lee
Vice Chair



Toronto Police Services Board Report

September 21, 2016

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Mr. Ian Glendon Pryce

Recommendation(s):

It is recommended that:

- (1) the Board receive this report for information; and
- (2) the Board forward a copy of this report to the Chief Coroner for the Province of Ontario.

Financial Implications:

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

Background / Purpose:

At its meeting on May 19, 2016, the Board received a report entitled "Inquest into the Death of Ian Glendon Pryce – Verdict and Recommendations of the Jury" (Min. No. P111/16 refers). This report summarized the outcome of the Coroner's inquest into the death of Mr. Ian Glendon Pryce.

The inquest was conducted in the city of Toronto during the period of April 4, 2016 to April 21, 2016. As a result of the inquest, the jury directed 9 of 12 recommendations to the Toronto Police Service (Service).

The following is a summary of the circumstances of the death of Mr. Ian Glendon Pryce and issues addressed at the inquest, as delivered by Dr. John Carlisle, Presiding Coroner.

Summary of the Circumstances of the Death:

On November 13th, 2013 at approximately 12:30 pm two Toronto Police Service officers were on general patrol driving along Sherbourne Street when one of the officers recognized Mr. Pryce walking along the sidewalk. Recalling that Mr. Pryce was wanted by Police, the officers drove up to Mr. Pryce's location and called out to him. Mr. Pryce ignored the officers so both officers exited the vehicle to approach Mr. Pryce on foot. Mr. Pryce ran from the officers and as he did he was observed fidgeting with the front of his jacket. Mr. Pryce raised his left arm, turned slightly, and one of the officers saw a firearm pointed at him.

Mr. Pryce took cover in the alcove at the front doors of a building, pointed the firearm at one of the officers, and then fired several shots. Following the shots Mr. Pryce ran up the street into the rear of 437 Sherbourne Street. The officers followed Mr. Pryce to 437 Sherbourne Street and saw that Mr. Pryce had taken up a position on the porch near the rear of the building.

The two officers continued to engage Mr. Pryce in conversation in an attempt to reason with him but Mr. Pryce told the officers to get back into their cruiser and leave. Other officers from 51 Division arrived to assist with containing Mr. Pryce, and one of them negotiated with him from an apartment window at 435 Sherbourne Street.

The Emergency Task Force (E.T.F.) arrived and took over containment. One E.T.F. officer engaged Mr. Pryce in conversation attempting to have him surrender. During the negotiations, which went on for approximately 29 minutes, one of the E.T.F. officers announced over the simplex radio that Mr. Pryce was pointing his firearm toward the team of E.T.F. officers on Sherbourne Street. Two E.T.F. officers who were separately positioned in the apartment building at 435 Sherbourne Street fired their rifles almost simultaneously and Mr. Pryce was fatally wounded.

A coroner was summoned and a post-mortem examination was conducted at the Forensic Services and Coroner's Complex in Toronto. The post-mortem examination revealed a gunshot wound to Mr. Pryce's back and a second gunshot wound to his temple. The cause of death was the gunshot wound to Mr. Pryce's back.

The firearm possessed by Mr. Pryce was later found to be a realistic BB or pellet gun which qualifies as a firearm because it discharges a pellet at a velocity sufficient to cause serious bodily injury.

The jury heard from 22 witnesses over 9 days, considered 21 exhibits and deliberated approximately 6 hours before reaching a verdict.

Discussion:

Professional Standards Support – Governance was tasked with preparing responses for the jury recommendations directed to the Service from the Coroner's inquest into the death of Mr. Ian Glendon Pryce.

Service subject matter experts from the Toronto Police College (T.P.C.), Emergency Task Force (E.T.F.) and Communications Services contributed to the responses contained in this report.

Response to the Jury Recommendations:

Recommendation #1:

We recommend an amendment to the TPS 10-05 Incidents Requiring the Emergency Task Force, under Supervisory Officer #9 fourth bullet and Emergency Task Force #12 seventh bullet to read as follows: Assess and consider the safety of civilians and officers throughout the incident; including identifying the location of civilians on or near the scene of a high risk incident, and securing their safety as soon as possible.

The Service concurs and has implemented this recommendation.

Procedure 10-05, "Incidents Requiring the Emergency Task Force", has been amended to reflect that supervisory officers and supervisory E.T.F. officers shall assess and consider the safety of civilians and officers throughout the incident. The amended procedure was published and communicated to all Service members via a Routine Order in April 2016.

Recommendation #2:

The training of police officers should include the following: In situations in which a person contained by police officers is refusing to surrender but provides the name of a third party, the officers should immediately initiate an investigation, to determine if the third party can provide information and/or assistance that might help to resolve the situation.

The Service concurs with this recommendation and is in compliance.

Specialized negotiation training is given to members of the E.T.F., Mobile Crisis Intervention Team (M.C.I.T.) and hostage negotiators. Investigation and consideration of whether a third party may be able to provide assistance is a topic covered during this training. This communication would be included in what the Provincial Use of Force Model describes as the process of continuous assessment of a situation, and would

have to be weighed along with the subject's behaviour, officer's perception and tactical considerations.

The Service's annual In-Service Training Program (I.S.T.P.) incorporates training in crisis communication and negotiation, de-escalation and containment measures. Training stresses that officers consider various communication strategies aimed at de-escalating those situations and officers are instructed to continually re-assess the situation. The objective of this training is to reinforce sound judgement based on the Provincial Use of Force Model and the National Use of Force Framework.

Recommendation #3:

The training of police officers with respect to negotiations should include the following: In situations in which police officers recognize that there is a realistic possibility that they might employ lethal force against a person undergoing a mental health crisis who is contained by the officers, the officers should immediately seek assistance of a mental health professional.

The Service concurs with this recommendation and is in compliance.

The E.T.F. unit is notified to attend the scene when a person is undergoing a mental health crisis, including suicide interventions. Members of the E.T.F. have access to an on-call psychiatrist 24 hours a day. The E.T.F. teams regularly contact this psychiatrist to assist with negotiations where a person is undergoing a mental health crisis and there is a possibility that lethal force might be employed.

In response to recommendations from The Honourable Frank Iacobucci's 2015 report entitled *Police Encounters with People in Crisis* (Iacobucci report), as well as jury recommendations from the Coroner's inquest into the deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon (J.K.E. inquest), the Service made a number of policy changes related to calls for service for a person undergoing a mental health crisis (Min No.P232/15 refers), including updates to training curriculums and Service procedures.

Service Procedure 06-04, "Emotionally Disturbed Persons" was amended to instruct that officers shall notify and request the attendance of an M.C.I.T. when there is information that a person is suspected of undergoing a mental health crisis. M.C.I.T.s are comprised of a specially trained police officer and a mental health nurse. The Service currently has 6 M.C.I.T.s that cover all 17 Service divisions. These teams operate 7 days a week, and are available between 06:00 and 23:00 hours. The amended procedure was published and communicated to all Service members via a Routine Order in September 2015.

Public and officer safety remain paramount to the Service's response to crises in the community. The Service provides training to help all its police officers develop appropriate responses to interactions with emotionally disturbed persons. The content

of the training reflects the latest knowledge and practices in the field of mental health, crisis resolution and police use of force.

Recommendation #4:

Provide formal training in basic negotiations for all new and current police officers.

The Service concurs with this recommendation and is in compliance.

The I.S.T.P. delivered by the T.P.C. is a mandatory annual use of force requalification course for all front-line officers and officers in identified high-risk plainclothes units. The Recruit Training Program (R.T.P.) is delivered to all new police officers. Both the I.S.T.P. and R.T.P. contain a negotiation component.

In 2015, the Negotiator Workshop was introduced as part of the I.S.T.P. This workshop reinforces the best practices of crisis negotiation training as defined by the Canadian Police College, which is the national certifying agency for negotiation training. In 2016, the Negotiator Workshop was expanded upon and enhanced.

The skills learned in the Negotiator Workshop are further reinforced by way of Dynamic Scenario Training, where officers participate in resolving real-life scenarios which utilize training officers as actors. To successfully complete this component, officers are evaluated for their performance and the utilization of skills learned within the Negotiator Workshop.

A failure to demonstrate aptitude as assessed by supervising instructors during the I.S.T.P. in either the Negotiator Workshop or Dynamic Scenario Training results in officers having to relinquish their use of force options until they are able to show competence.

Both the Negotiator Workshop and the Dynamic Scenario Training are included in the 2016 R.T.P. All new recruits must attend and pass the evaluation process prior to being sworn in as Toronto Police Officers.

Recommendation #5:

Upon joining the E.T.F. individuals that demonstrate further interest and/or aptitude in negotiations should be provided with continuous advance negotiator training such that each E.T.F. team could have access to such a trained negotiator.

The Service concurs and is in compliance with this recommendation.

As of June 2016, 41 members of the E.T.F. have successfully completed the Crisis Negotiators training course or re-qualification course, which is more than half of the active complement of E.T.F. officers (76 total).

The only 2 government-accredited training courses for crisis negotiation in Canada are run by the Canadian Police College (C.P.C.) and Canadian Critical Incident Incorporated (C.C.I.I.). The Service endeavours to send as many members of the E.T.F. on courses run by C.P.C. or C.C.I.I. as possible, however spots are limited and this training is highly sought after by police services across Canada and internationally.

The Service will continue to send any E.T.F. officers that display an aptitude for negotiations on negotiator training courses where possible.

Recommendation #6:

Amend the Communications High Risk Incident Procedure to require a dispatcher to verbally notify officers on scene of important information and verify acknowledgement.

The Service concurs and has implemented this recommendation.

Communications Services unit-specific policy C10-05, "High Risk Incidents", has been amended to reflect that dispatchers must ensure that all pertinent information is relayed to and received by officers on scene. The amended policy was published and distributed to all members of Communications Services in May 2016.

Recommendation #7:

Call taker training should be enhanced to ensure that no suggestion be made to a caller that risks personal safety and to review the flow of information from call taker to dispatcher.

The Service concurs with the spirit of this recommendation and has captured and addressed it within the current Communications Services training program.

Training for all call takers and dispatchers is provided in-house at Communications Services. The duration of formal call taker training for new communications operators is 16 weeks in length, and includes 6 weeks of classroom time, followed by "on-desk training", consisting of one-on-one training with an experienced on-desk trainer. Written and practical exams are regularly administered in the classroom, and trainees must successfully pass all testing and a final exam before proceeding to the on-desk portion of their training.

After successfully completing call taker training, trainees are then scheduled into a dispatcher training class. Dispatcher training follows a similar training model and includes 5 weeks of formal classroom instruction followed by 10 weeks of on-desk

training and monitoring by a supervisor. Trainees must successfully pass all classroom exams and tests before progressing to the on-desk portion of their training.

One of the competencies that trainees are evaluated on by their on-desk trainers, in both the call taking and dispatching training programs, is demonstrating concern for the safety of others and taking action to ensure safety in emergency situations. Following the successful completion of the call taker and dispatcher training programs, all communications operators also participate in a yearly In-Service Training Program (I.S.T.P.).

The fundamental steps of effectively communicating safety information – both to other Service members and to members of the public – are routinely covered throughout all Communications Services training courses and are reinforced with unit-specific policies.

Communications Services continually examines and assesses its training curriculum, including information flow from call taker to dispatcher, to ensure members are provided with sound knowledge of the best practices and techniques required in the performance of their duties.

Recommendation #8:

A study should be undertaken to determine if improvements can reasonably be made in the technology available to enable negotiations to be heard by all officers involved in the incident and be recorded for use in future negotiation training. The study should include consideration of portable devices to allow remote communications at greater distances.

The Service concurs with the intent of this recommendation and recognizes the benefit of continuing to study emerging technologies in this field.

The E.T.F. currently employs a number of different portable devices for the purpose of assisting with and recording negotiations. All E.T.F. Supervisory Officers are equipped with digital recorders, which are employed when E.T.F. officers are involved in a negotiation. As well, E.T.F. teams also have access to a sophisticated negotiator kit, which includes a “throw phone”, to assist with communicating during negotiations if necessary.

The Service will continue to research and assess technological improvements in the field of communication devices.

Recommendation #9:

To study emerging less-lethal technology and consider making these tools available to the Emergency Task Force.

The Service concurs and is in compliance with this recommendation.

The Service continues to identify, research and review available and emerging less-lethal use of force technologies and best practices. The Service is also a member of the Provincial Use of Force Committee, making recommendations to the government on such equipment.

In April 2016, the Service introduced a new less-lethal shotgun use of force option. These easily distinguishable shotguns discharge a Combined Tactical Systems (C.T.S.) sock round, a less-lethal impact projectile capable of providing a pain compliance response to an individual. Officers must be qualified by the Armament Section of the T.P.C. prior to being assigned to use a less-lethal shotgun. T.P.C. instructors have trained a number of Service personnel, and all Divisions now have the less-lethal shotgun available for deployment as a use of force option.

The E.T.F. also employs other less-lethal use of force options, including the Anti-Riot Weapon Enfield (A.R.W.E.N.) less-lethal launcher, which fires a 37mm baton round. The E.T.F. have also purchased and will soon be deploying the Security Devices Inc. (S.D.I.) blunt impact projectile, a less-lethal impact round that allows for both long and short range use.

All front line supervisors and E.T.F. members are equipped with a conductive energy weapon (C.E.W.) in addition to all of the use of force options required by legislation. These options include a firearm, oleoresin capsicum (O.C.) aerosol spray and a baton, which are issued to all officers.

Conclusion:

As a result of the Coroner's inquest into the death of Mr. Ian Glendon Pryce, and the subsequent jury recommendations, the Service has conducted a review of Service governance, training and current practices.

As a part of the Service's business process, we will continue to review options that will improve our service in similar situations.

In summary, the Service concurs with the recommendations contained in this report and is either currently in compliance or taking steps to ensure compliance with these recommendations.

Acting Deputy Chief Richard Stubbings, Operational Support Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS/em

Filename: Pryce Inquest.docx

Attachments:

Appendix A – Jury Verdict & Recommendations (Pryce Inquest)

Appendix A



Office of the
Chief Coroner
Bureau du
coroner en chef

Verdict of Coroner's Jury Verdict du jury du coroner

The Coroners Act - Province of Ontario
Loi sur les coroners - Province de l'Ontario

We the undersigned / Nous soussignés,

_____ of / de _____
 _____ of / de _____

the jury serving on the inquest into the death(s) of / membres d'ament assermentés du jury à l'enquête sur le décès de :

Surname / Nom de famille Pryce	Given Names / Prénoms Ian Glendon
-----------------------------------	--------------------------------------

aged 31 held at Toronto, Ontario
à l'âge de tenue à

from the April 4th to the April 21st 20 16
Du au

By Dr. / John Carlisle Coroner for Ontario
Par coroner pour l'Ontario

having been duly sworn/affirmed, have inquired into and determined the following:
avons fait enquête dans l'affaire et avons conclu ce qui suit :

Name of Deceased / Nom du défunt
Ian Glendon Pryce

Date and Time of Death / Date et heure du décès
November 13, 2013 at 1:57 p.m.

Place of Death / Lieu du décès
437 Sherbourne Street, Toronto

Cause of Death / Cause du décès
Gunshot Wound to the Back

By what means / Circonstances du décès
Homicide

Original signed by: Foreman / Original signé par : Président du jury

Original signed by jurors / Original signé par les jurés

The verdict was received on the 21st day of April 20 16
Ce verdict a été reçu le (Day / Jour) (Month / Mois)

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) Dr. John Carlisle	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/ddd) 2016/04/21
--	---

Coroner's Signature / Signature du coroner

We, the jury, wish to make the following recommendations: (see page 2)
Nous, membres du jury, formulons les recommandations suivantes : (voir page 2)



Office of the
Chief Coroner
Bureau du
coroner en chef

Verdict of Coroner's Jury
Verdict du jury du coroner

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

Inquest into the death of:
Enquête sur le décès de :

Ian Glendon PRYCE

JURY RECOMMENDATIONS
RECOMMANDATIONS DU JURY

To the Toronto Police Service:

1. We recommend an amendment to the TPS 10-05 Incidents Requiring the Emergency Task Force, under Supervisory Officer #9 fourth bullet and Emergency Task Force #12 seventh bullet to read as follows: Assess and consider the safety of civilians and officers throughout the incident; including identifying the location of civilians on or near the scene of a high risk incident, and securing their safety as soon as possible.
2. The training of police officers should include the following: In situations in which a person contained by police officers is refusing to surrender but provides the name of a third party, the officers should immediately initiate an investigation, to determine if the third party can provide information and/or assistance that might help to resolve the situation.
3. The training of police officers with respect to negotiations should include the following: In situations in which police officers recognize that there is a realistic possibility that they might employ lethal force against a person undergoing a mental health crisis who is contained by the officers, the officers should immediately seek assistance of a mental health professional.
4. Provide formal training in basic negotiations for all new and current police officers.
5. Upon joining the ETF individuals that demonstrate further interest and/or aptitude in negotiations should be provided with continuous advanced negotiator training such that each ETF team could have access to such a trained negotiator.
6. Amend the Communications High Risk Incident Procedure to require a dispatcher to verbally notify officers on scene of important information and verify acknowledgement.
7. Call taker training should be enhanced to ensure that no suggestion be made to a caller that risks personal safety and to review the flow of information from call taker to dispatcher.

To Toronto Police Service and Ministry of Community Safety and Correctional Services:

8. A study should be undertaken to determine if improvements can reasonably be made in the technology available to enable negotiations to be heard by all officers involved in the incident and be recorded for use in future negotiation training. The study should include consideration of portable devices to allow remote communications at greater distances.
9. To study emerging less-lethal technology and consider making these tools available to the Emergency Task Force.

To the Minister of Justice Canada:

10. It is not currently an offence to possess a replica firearm, even though possession of one in certain circumstances may lead members of the public or law enforcement officials to react as if the replica firearm were capable of firing a projectile that is capable of causing serious bodily injury or death. Consideration should be given to regulating the acquisition/possession of replica firearms to reduce the risk of harm to the person possessing the replica firearm, members of the public and law enforcement officials.

To the Minister of Justice (Canada) and the Minister of Community Safety and Correctional Services (Ontario):

11. There are firearms which are currently unregulated because they fire a projectile at a velocity of less than 500 feet per second. Possession or use of such firearms in certain circumstances may lead members of the public and law enforcement officials to react as if the firearm is one that is regulated. Consideration should be given to regulating the import/manufacturing/sale/possession and/or use of firearms that discharge a projectile at a velocity of less than 500 feet per second, to reduce the risk of harm to the person who has the firearm, members of the public and law enforcement officials.

To the appropriate Ministers with the Governments of Canada and Ontario:

12. Require manufacturers to include a warning label on packaging of replica firearms and firearms which are currently unregulated to inform consumers that these products will be treated as real firearms by law enforcement.

Personal information contained on this form is collected under the authority of the Coroners Act, R.S.O. 1990, c. C.37, as amended. Questions about this collection should be directed to the Chief Coroner, 25 Mortar Shulman Ave., Toronto ON M3M 0B1, Tel.: 416 314-0000 or Toll Free: 1 877 991-9959.
Les renseignements personnels contenus dans cette formule sont recueillis en vertu de la Loi sur les coroners, L.R.O. 1990, chap. C.37, telle que modifiée. Si vous avez des questions sur la collecte de ces renseignements, veuillez les adresser au coroner en chef, 25, avenue Mortar Shulman, Toronto ON M3M 0B1, tél. : 416 314-4000 ou, sans frais : 1 877 991-9959.

Verdict Explanation

Inquest into the Death of Ian Glendon Pryce

Coroners Courts
25 Morton Shulman Ave
Toronto, Ontario
April 4, 2016 to April 21, 2016

I intend to give a brief synopsis of the issues presented at this inquest. I would like to stress that much of this explanation will be my interpretation of both the evidence presented and of the jury's reasoning in making recommendations. The sole purpose of this explanation is to assist the reader in understanding the verdict and recommendations made by the jury. This explanation is not to be considered as actual evidence presented at the inquest and is in no way intended to replace the jury's verdict.

Participants:

Coroner's Counsel	Michael Blain Chief Counsel Office of the Chief Coroner 25 Morton Shulman Ave. Toronto, ON M3M 0B1 647-329-1850
Coroner's Constable	S.A. (Scott) Lambert Detective Constable #9125 OPP Office of the Chief Coroner 25 Morton Shulman Ave. Toronto, ON M3M 0B1 647-329-1732
Coroner's Investigator	Heather McCallum Detective Constable #13227 OPP Office of the Chief Coroner 25 Morton Shulman Ave. Toronto, Ontario M3M 0B1 647-515-0049

Court Reporter

Jovana Velimurovic
Network Reporting Services
100 King St. W., Suite 900
Toronto, ON M5X 1E3
416-359-0305
Fax: 416-359-1611

Parties with Standing:

Represented By:

Chief of the Toronto Police Service

Marianne Wright, Gail Glickman, Sharon Wilmot
40 College St. Suite 805
Toronto, ON M5G 2J3
416-808-8057

Toronto Police Services Board

Glenn Chu
55 John St., Ste #7
Toronto, ON M5V 3V8
416-397-5407

Officers Kraeling and Smith

Jimmy Lee
170 Bloor St. W., Suite 702
Toronto, ON M5S 1T9
647-999-8912

Officer McKenzie

Lawrence Gridin, Joseph Wilkinson
1800-151 Yonge St.
Toronto, ON M5C 2W7
416-306-5765

Officer Monteiro

David Butt
130 Spadina St., Suite #606
Toronto, ON M5V 2L4
416-361-9609

Heather Thompson

Peter Rosenthal, Vibhu Sharma
226 Bathurst St., Suite #200
Toronto, ON M5T 2R9
416-924-2257

Family

Ruchelle Heckburn
104 Edenbrook Hill Dr.
Brampton, ON L7A 2P2
416-897-8594

Summary of the Circumstances of the Death:

On November 13th, 2013 at approximately 12:30 pm two Toronto Police Service officers were on general patrol driving along Sherbourne Street when one of the officers recognized Mr. Pryce walking along the sidewalk. Recalling that Mr. Pryce was wanted by Police, the officers drove up to Mr. Pryce's location and called out to him. Mr. Pryce ignored the officers so both officers exited the vehicle to approach Mr. Pryce on foot. Mr. Pryce ran from the officers and as he did he was observed fidgeting with the front of his jacket. Mr. Pryce raised his left arm, turned slightly, and one of the officers saw a firearm pointed at him.

Mr. Pryce took cover in the alcove at the front doors of a building, pointed the firearm at one of the officers, and then fired several shots. Following the shots Mr. Pryce ran up the street into the rear of 437 Sherbourne Street. The officers followed Mr. Pryce to 437 Sherbourne Street and saw that Mr. Pryce had taken up a position on the porch near the rear of the building.

The two officers continued to engage Mr. Pryce in conversation in an attempt to reason with him but Mr. Pryce told the officers to get back into their cruiser and leave. Other officers from 51 Division arrived to assist with containing Mr. Pryce, and one of them negotiated with him from an apartment window at 435 Sherbourne Street.

The Emergency Task Force (ETF) arrived and took over containment. One ETF officer engaged Mr. PRYCE in conversation attempting to have him surrender. During the negotiations, which went on for approximately 29 minutes, one of the ETF officers announced over the simplex radio that Mr. Pryce was pointing his firearm toward the team of ETF officers on Sherbourne Street. Two ETF officers who were separately positioned in the apartment building at 435 Sherbourne Street fired their rifles almost simultaneously and Mr. Pryce was fatally wounded.

A coroner was summoned and a post-mortem examination was conducted at the Forensic Services and Coroner's Complex in Toronto. The port-mortem examination revealed a gunshot wound to Mr. Pryce's back and a second gunshot wound to his temple. The cause of death was the gunshot wound to Mr. Pryce's back.

The firearm possessed by Mr. Pryce was later found to be a realistic BB or pellet gun which qualifies as a firearm because it discharges a pellet at a velocity sufficient to cause serious bodily injury.

The jury heard from 22 witnesses over 9 days, considered 21 exhibits and deliberated approximately 6 hours before reaching a verdict.

Verdict:

Name of the Deceased: Ian Glendon Pryce

Date and Time of Death: November 13, 2013 at 1:57 PM

Place of Death: 437 Sherbourne Street, Toronto

Cause of Death: Gunshot Wounds to the Back

By What Means : Homicide

Recommendations:

To the Toronto Police Service:

1. We recommend an amendment to the TPS 10-05 Incidents Requiring the Emergency Task Force, under Supervisory Officer #9 fourth bullet and Emergency Task Force #12 seventh bullet to read as follows: Assess and consider the safety of civilians and officers throughout the incident; including identifying the location of civilians on or near the scene of a high risk incident, and securing their safety as soon as possible.

Coroner's Comments:

The jury heard evidence that during the incident there were, at all times, citizens inside the premises at 437 Sherbourne Street. The jury heard that despite several calls to 911, the residents could not get assistance in evacuating the house. The jury heard that at all relevant times these citizens were potentially in serious danger.

The jury wished to make certain that there was a clear responsibility for senior officers on the scene of such an incident to make proper enquiries and take proper steps to protect the lives of innocent bystanders to a high risk firearm emergency.

2. The training of police officers should include the following: In situations in which a person contained by police officers is refusing to surrender but provides the name of a third party, the officers should immediately initiate an investigation, to determine if the third party can provide information and/or assistance that might help to resolve the situation.

Coroner's Comments:

The jury heard evidence that, during the negotiations, Mr. Pryce gave police officers the name and telephone number of a female person stating that she could "explain everything". Police indicated that there are concerns about involving a third party in negotiations, but if time permitted, at some point, they would have investigated this information and possibly attempted to contact that person. The jury, while understanding evidence about the hazards of putting a person in mental health crisis in touch with someone who's effect on the negotiation would be unknown, felt that police should at least initiate investigation of the possibility that such a person might exist and might contribute positively toward a resolution as soon as reasonably possible.

3. The training of police officers with respect to negotiations should include the following: In situations in which police officers recognize that there is a realistic possibility that they might employ lethal force against a person undergoing a mental health crisis who is contained by the officers, the officers should immediately seek assistance of a mental health professional.

Coroner's Comments:

The jury heard evidence that emergency task force officers have available to them the resources of a psychiatrist on call at all times. They may contact this physician for advice regarding negotiations with persons who are apparently in mental health crisis. The jury also heard that some police divisions have access to mental health crisis teams consisting of specially trained officers and psychiatric nurses. Such teams are not permitted to attend the scenes of dangerous and violent situations but may be able to provide advice. The jury felt that where it was recognized that lethal force might be used such assistance should be sought immediately.

4. Provide formal training in basic negotiations for all new and current police officers.

Coroner's Comments:

Self-explanatory

5. Upon joining the ETF individuals that demonstrate further interest and/or aptitude in negotiations should be provided with continuous advanced negotiator training such that each ETF team could have access to such a trained negotiator.

Coroner's Comments:

The jury heard that specialized negotiation training is available at the Canadian Police College in Ottawa. The evidence was that many of the officers of the Emergency Task Force have taken this training. The jury felt that all suitable officers should be afforded an opportunity to take this training.

6. Amend the Communications High Risk Incident Procedure to require a dispatcher to verbally notify officers on scene of important information and verify acknowledgement.

Coroner's Comments:

The jury heard evidence that call takers in the police call center were receiving important information during the negotiation. They heard that call takers were entering this information by typing it into the computerized police information system which information could then be read on screens located in the police cruisers. Officers involved with Mr. Pryce however, were not in their cruisers but were at the scene of the negotiation. They could not read this information at that scene.

The jury heard that call takers receiving such important information could communicate it either electronically or verbally to a police radio dispatcher who could broadcast this information over the police radio so that officers on the scene would receive it on their portable radios. The jury felt that in critical incidents such information should always be broadcast over the police radio.

The jury also heard that because of their focus on the emergency situation and the negotiations some of the officers sometimes turned the volume on their radios down so as not to be distracted. The jury felt that the dispatcher broadcasting critical information should always require that the receipt of such information be acknowledged in order to be sure that officers had received it.

7. Call taker training should be enhanced to ensure that no suggestion be made to a caller that risks personal safety and to review the flow of information from call taker to dispatcher.

Coroner's Comments:

The jury heard that during the negotiations a police call taker receiving information that civilians were still inside 437 Sherbourne Street suggested to the caller inside that house that he should go outside and speak to the police officers in order to get instructions regarding evacuation. It was clear that had

he done so, he may well have walked into a dangerous situation where he might have found himself in the line of fire.

The jury felt that call takers should be carefully trained never to make a suggestion to a caller which might place the caller in danger. The jury felt that call takers in all critical situations and in the case of any doubt about safety, should communicate the situation to a police radio dispatcher who would be in a position to determine safe action by communicating with officers actually on the scene.

To Toronto Police Service and Ministry of Community Safety and Correctional Services:

8. A study should be undertaken to determine if improvements can reasonably be made in the technology available to enable negotiations to be heard by all officers involved in the incident and be recorded for use in future negotiation training. The study should include consideration of portable devices to allow remote communications at greater distances.

Coroner's Comments:

The jury heard that Mr. Pryce had barricaded himself at the east end of a narrow alleyway between two buildings. Police officers negotiating with him were at the west end of this narrow space. The evidence was that it was windy and that thus, a sort of wind tunnel effect made it hard for officers to hear Mr. Pryce at times. In addition there was a media helicopter hovering above the noise from which also made it difficult to hear.

Officers were also stationed in various windows of the building at 435 Sherbourne Street and they could not always hear both sides of the negotiation conversation. Just before Mr. Pryce was shot the negotiators had asked him to speak louder and perhaps move forward so that he could be heard. Officers in 435 Sherbourne Street could not hear this conversation.

The jury felt that the situation might be improved if all officers could hear the negotiations clearly. The jury thought that, if it were technologically possible, some system might be found which would allow all officers to hear the conversation. The evidence was that no such system was known but the jury felt that the matter should be studied.

The jury also felt that a system might be developed that somehow would allow a communication device to be provided to a person like Mr. Pryce so that he could communicate with police at a greater distance and thus perhaps be perceived to present a lower level of risk. The evidence was that there is a device referred to as a "throw phone" which might be useful in some circumstances but could not practically have been used in the case of Mr. Pryce. The jury felt that the matter should be studied to see if there exists a device which might be used in circumstances similar to those of Mr. Pryce.

9. To study emerging less-lethal technology and consider making these tools available to the Emergency Task Force.

Coroner's Comments:

The jury heard evidence that there are a number of less lethal use of force devices available for use by police. The evidence explained that none of these were practical or appropriate in a case such as that of Mr. Pryce where the subject possesses, points and is said to have discharged a firearm. The jury heard that there are additional less lethal use of force options becoming available and/or in the process of evaluation by Toronto Police and the jury felt that these studies should be pursued.

To Minister of Justice Canada:

10. It is not currently an offence to possess a replica firearm, even though possession of one in certain circumstances may lead members of the public or law enforcement officials to react as if the replica firearm were capable of firing a projectile that is capable of causing serious bodily injury or death. Consideration should be given to regulating the acquisition/possession of replica firearms to reduce the risk of harm to the person possessing the replica firearm, members of the public and law enforcement officials.
11. There are firearms which are currently unregulated because they fire a projectile at a velocity of less than 500 feet per second. Possession or use of such firearms in certain circumstances may lead members of the public and law enforcement officials to react as if the firearm is one that is regulated. Consideration should be given to regulating the import/manufacturing/sale/possession and/or use of firearms that discharge a projectile at a velocity of less than 500 feet per second, to reduce the risk of harm to the person who has the firearm, members of the public and law enforcement officials.

Coroner's Comments:

The jury heard evidence that, but for his possession and brandishing of what appeared to all observers both civilian and police to be a real (or "Regulated") handgun, Mr. Pryce would likely not have been shot.

*The jury heard that there are three categories of weapon which might be identical in appearance, but which are regulated under Canadian law in very different manners.
Please see the attached explanatory diagram.*

*Firstly there are **replica guns**. These are imitation guns which closely resemble real firearms, but fire projectiles with a muzzle velocity of less than 246 feet per second. They are prohibited devices in*

Canada and may not be manufactured imported or sold but those possessed by a person as of Dec. 31, 1998 may be possessed and used without any permit or background check.

Secondly there are **regulated firearms**. These are "real" guns such as those used by police that fire projectiles at greater than 500 feet per second muzzle velocity and are heavily regulated in Canada. They may not be purchased, transported, possessed, carried or sold without permits requiring background checks.

There is also a category of imitation handguns called **unregulated firearms**. These weapons discharge pellets between 246 feet per second and 500 feet per second. They can cause serious bodily harm or death. They are firearms, under Canadian Federal law, but are essentially unregulated. They may be sold, possessed or carried without any form of permit or background check. The weapon possessed by Mr. Pryce fell into this category.

The evidence was that no person, no matter what their level of training, could distinguish between these various categories of weapon without actually having it in their hands and inspecting it closely.

The jury felt that both **replica handguns** and **unregulated firearms** in the third category such as the one possessed by Mr. Pryce, should be more closely regulated and that possession and sale of such weapons should be regulated in Canada so that they would be less likely to come into the possession of persons with mental health challenges.

The jury observed from the evidence that the high risks created by easy acquisition and possession of these weapons threaten not only the mentally ill persons who may be carrying them but also first responders and members of the general public who may find themselves exposed to gunfire because of the perceived danger from these imitation handguns. The jury thought that the Federal government of Canada should consider implementing appropriate legislation and regulations.



To the appropriate Ministers with the Governments of Canada and Ontario:

- Require manufacturers to include a warning label on packaging of replica firearms and firearms which are currently unregulated to inform consumers that these products will be treated as real firearms by law enforcement.

Coroner's Comments:

The jury recognized that the facts drawing them to make recommendations number 10 and 11 might not be known to most citizens and felt that, so long as it is possible to purchase these imitation guns in Canada without any permit process, consumers should be made aware that if such a weapon is seen by police they may have no alternative but to react to the weapon as if it were a real gun.

The jury probably considered that there have been a number of cases in which deaths have occurred as a result of this situation and even cases in other jurisdictions where children have been shot by police after brandishing such imitation guns.

The jury felt that those who purchase such imitation guns should be clearly warned that they will be treated by police as if they are real guns and felt that this might best be accomplished by appropriate authorities imposing a requirement for package labeling giving that warning.

Closing Comments

In closing, I would like to stress once again that this document was prepared solely for the purpose of assisting interested parties in understanding the jury's verdict. It is worth repeating that this is not the verdict. Likewise, many of the comments regarding the evidence are my personal recollection of the same and are not put forth as actual evidence. If any party feels that I made a gross error in my recollection of the evidence, it would be greatly appreciated if it could be brought to my attention so that any error can be corrected.



John R. Carlisle M.D., LL.B., FCLM

Coroner





Toronto Police Services Board Report

September 14, 2016

To: Chair and Members
Toronto Police Services Board

From: Drew Johnston
Manager of Labour Relations

Subject: Supplementary Legal Services for Employment and Labour Law: 2017 - 2019

Recommendation(s):

It is recommended that:

- (1) the Board approve the selection of the law firm Hicks Morley Hamilton Stewart Storie L.L.P. (Hicks Morley) to provide supplementary legal services in the area of employment and labour law to the Toronto Police Services Board (Board), from January 1, 2017 to December 31, 2019; and
- (2) the Board authorize the Chair to execute an agreement, subject to approval by the City Solicitor as to form, between the Board and Hicks Morley for the period of January 1, 2017 to December 31, 2019, including an option for the Board to extend this period for up to two (2) additional one (1) year terms at its sole discretion.

Financial Implications:

Any financial implications related to this recommendation will be included as part of the Board's 2017 operating budget. The annual budget is based on anticipated needs and historical spending for supplementary legal services. Funding for budgeted expenditures for supplementary legal services is drawn from the Legal Reserve.

Background/Purpose:

At its meeting on October 15, 2012, the Board approved the selection of Hicks Morley to provide supplementary legal services in the area of employment and labour law to the Board. The Chair was authorized to execute an agreement between the Board and Hicks Morley for a two-year and eleven-month period, to September 30, 2015 (Min. No. P265/12 refers).

At its meeting on October 19, 2015, the Board approved an extension of the agreement between the Board and Hicks Morley for the period from October 1, 2015 to September 30, 2016, in addition to a single source extension of the agreement for three (3) additional months until December 31, 2016, in order to align the agreement with the Board's annual operating budget from January to December of each year (Min. No. P261/15 refers).

The purpose of this report is to advise the Board of the Request for Proposal (R.F.P.) procurement process for supplementary legal services for employment and labour law for the period from January 1, 2017 to December 31, 2019, and to recommend that the Board approve the successful proponent.

Discussion:

An R.F.P. for supplementary legal services for employment and labour law was issued on June 14, 2016 by Purchasing Services. The R.F.P. was advertised on MERX, an electronic tendering service designed to advertise opportunities for the procurement of goods and services worldwide. Sixteen (16) vendors downloaded the R.F.P. document. The closing date for the R.F.P. was July 18, 2016 and responses were received from the following three (3) proponents: Hicks Morley, Filion Wakely Thorup Angeletti L.L.P. (Filion Wakely), and Mathews Dinsdale & Clark L.L.P. (Mathews Dinsdale).

The submissions were reviewed by the members of the evaluation committee in consultation with Purchasing Services. A two (2) stage, two (2) envelope process was used. At the first stage, the members of the evaluation committee considered the following criteria: understanding of the assignment, demonstrated experience and qualifications, range and quality of services offered, and relevant references. The first stage was worth 80% of the overall score and proponents had to obtain a score of 80% in the first stage in order to proceed to the second stage.

The second stage was worth 20% of the overall score and evaluated pricing on the basis of the lowest combined hourly fee proposal. The pricing envelope was not opened until the evaluation committee reviewed and scored all submissions based on the criteria in the first stage. Two proponents, Hicks Morley and Filion Wakely, were successful in proceeding to the second stage.

Based on the criteria in the first and second stages, Hicks Morley achieved the highest overall score and was unanimously selected by the evaluation committee as the successful proponent in the R.F.P. process.

Conclusion:

Hicks Morley has consistently provided high quality legal services in all aspects of employment and labour law to the Board. In particular, Hicks Morley continues to provide specialized legal expertise in areas of employment and labour law which are

unique to the Board, including the significant and complex labour relations and collective bargaining implications of the Transformational Task Force Interim Report and the Board's vision for a modern Toronto Police Service. We would therefore respectfully request that the Board approve the recommendation to continue to retain Hicks Morley as discussed above.

I will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Drew Johnston
Manager of Labour Relations

DJ:pm

Board Report – Supplementary Legal Services for Employment and Labour Law 2017-2019.docx



Toronto Police Services Board Report

October 4, 2016

To: Members
Toronto Police Services Board

From: Andy Pringle
Chair

Subject: Request for Special Fund – The Gatehouse Healing the Voice within Art Exhibit

Recommendation(s):

It is recommended that:

1. as an exception to the Special Fund Policy, the Board approve \$5,000 from the Special Fund to support The Gatehouse, Healing the Voice Within inaugural annual art exhibit; and
2. the Board approve the use of the Board crest by The Gatehouse, specifically for recognition purposes as outlined in this report.

Financial Implications:

If the Board approves the recommendation contained in this report, the Special Fund will be reduced by \$5,000. The Special Fund current balance is \$919,287.

Background/Purpose:

The Gatehouse, located at 3101 Lakeshore Blvd. West, Toronto, is a unique community based centre in Canada. It provides support, resources and advocacy on behalf of those impacted by childhood sexual abuse. It is the only community-based setting that provides services for adults, children and youth in one location. The Gatehouse offers services and programs to children/youth, families, investigating officers and child welfare personnel to support the investigation of child sexual abuse cases. Also, The Gatehouse provides both a safe place for children to disclose abuse to police and child welfare personnel, as well as support services and programs for adults whose lives have been affected by childhood sexual abuse. It has been designated by police

services as a best practice site for conducting investigations related to childhood sexual abuse.

Since opening its door in June 1998, The Gatehouse has provided services to over 15,000 people, at no cost to the users. The Gatehouse does not duplicate services but fills the gaps between services that are not readily available to the victim. From 2011-2014 collectively, 351 child abuse investigation interviews have been conducted at The Gatehouse, with approximately 95% of usage from Toronto Police Divisions. As well, other agencies and police services including Peel, Halton, and the OPP have used The Gatehouse. Additionally, The Gatehouse deliver presentations at the Toronto Police College in the Child Abuse Investigators course to raise awareness of The Gatehouse and the services offered. Most recently, Toronto Police Officers participated in a two day Gatehouse Training component aligned with the police service training initiatives related to Mental and Community Health. In addition to investigations, The Gatehouse offers a number of innovative programs and initiatives aimed at supporting and sustaining new ways of living and new paths for recovery; and work with a myriad of community and social services organizations. The feedback on that training has set the stage for more ongoing training opportunities for members of the Toronto Police Service with The Gatehouse.

Ongoing sustainable funding is the greatest challenge faced by The Gatehouse. Despite extensive time spent fundraising, The Gatehouse does not receive core or ongoing funding from any one source. As a community based organization The Gatehouse relies on fundraising and in-kind support to operate. Financial support from the Toronto Police Service Board in 2011 allowed The Gatehouse to update equipment through the purchase of state of the art audio/video recording equipment used to conduct investigative interviews. Additional financial contribution from the Board totalling \$150,000 over three years, subsidized The Gatehouse core funding from 2015-2017.

Discussion:

I am in receipt of correspondence from Mr. Alok Mukherjee requesting support for The Gatehouse's inaugural Annual Healing the Voice within Art Exhibit. The event is a one of a kind art exhibit being held to give voice to sexual abuse survivors, promote awareness about the important work of The Gatehouse and raise much needed funds for its programs and services. The exhibit will be held on October 26, 2016, at The Spoke Club, 600 King Street West, Toronto, from 7 to 10 pm.

Provision in the Special Fund policy prohibits the Board from committing to recurring donations or to the on-going funding of particular initiatives/projects. However, the Board can, on a case-by-case basis, consider exceptions to this policy. Taking into consideration the important work of The Gatehouse and its relationship with the Toronto Police Service, the Board in 2015, made an exception to its policy and approved a one-time three year funding. The Board supports the work of The Gatehouse and agree that

the services and programs provided by The Gatehouse are vital to the community. Therefore, I am recommending that the Board consider a financial contribution of \$5,000 in support of the Healing Art Exhibit. At this sponsorship level the Board will receive 10 tickets to the event. The Board will also receive recognition for its contribution by use of the Board's image on promotional materials, media events, social media and The Gatehouse website in promotion of the art exhibit.

Conclusion:

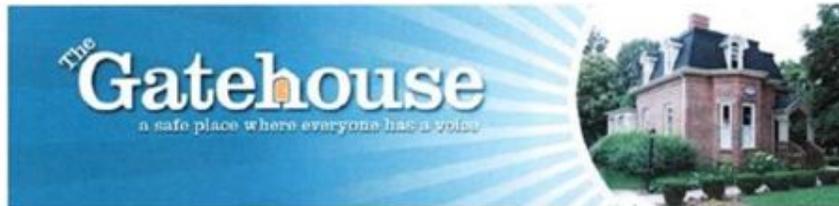
Therefore, it is recommended that:

1. as an exception to the Special Fund Policy, the Board approve \$5,000 from the Special Fund to support The Gatehouse, Healing the Voice Within inaugural annual art exhibit; and
2. the Board approve the use of the Board crest by The Gatehouse, specifically for recognition purposes as outlined in this report.

If the Board approve the request, tickets will be available to Board Members that are interested in attending exhibit.

Respectfully submitted,

Andy Pringle
Chair



September 16, 2016

Dear Friend:

I am writing to invite you and to request your support for a fundraiser that is very close to my heart, *Healing the Voice Within*, an annual art exhibit event hosted by The Gatehouse.

In recognition of October as the "Child Abuse Prevention Month," the event will be held on October 26, 2016, at The Spoke Club in Toronto.

The Gatehouse:

The Gatehouse is a unique, community based organization helping those traumatized by childhood sexual abuse. Located in Toronto's Lakeshore area, it works with individuals; trains and provides placement to students of social work and police foundations programs of Humber College, Lakeshore Campus; and hosts an annual international conference to build a global network of organizations providing healing and empowerment to those traumatized by childhood sexual abuse within a transformational framework.

In addition, it offers a safe space for police officers from Toronto and Peel Region to interview children who have been targets of sexual violence.

I have been a supporter for many years of this organization's unique, community-based work, and this year, was pleased to join The Gatehouse Board of Directors.

The Event:

We are putting on this one-of-a-kind art exhibit to give voice to sexual abuse survivors; promote awareness about the important work of The Gatehouse; and raise much-needed funds for its programs and services.

Healing the Voice Within will feature dozens of powerful art images that come from a 12-week visual arts support group at The Gatehouse facilitated by Lacey Ford and Pearl Lee, of Full Circle Art Therapy Centre. This is just one of the many valuable Gatehouse programs that teach positive coping techniques to address the anxiety, nightmares and depression resulting from childhood sexual abuse.

Your Support:

The Gatehouse is a community-based charitable organization that can only achieve its goals with the assistance of generous donations from people like you. The organization does not receive any core funding from any government agency and relies on the kind support of individual donors, foundations, corporations and volunteers.

Our goal is to raise \$25,000 from this event. Our organization relies on the generosity of engaged community members like you. I would greatly appreciate if you would consider buying tickets for the event, becoming a monetary sponsor or donating to our silent auction table, like a gift certificate or merchandise. Every dollar we raise helps bring healing to victims and creates healthier, stronger communities.

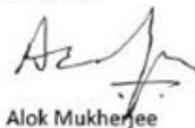
I very much hope that besides supporting this year's inaugural art exhibit, you will consider including The Gatehouse, and especially its annual *Healing the Voice Within* art exhibit, in your annual personal or corporate giving.

Please feel free to contact me for any additional information on donating to this worthy evening, organization and amazing initiatives that are helping children, youth and adults find a voice and a life after such a horrific crime. I can be contacted by email at amukherjee@ryerson.ca or by phone at 416-979-5000, ext. 3614 (office) or 647-522-8946 (cell).

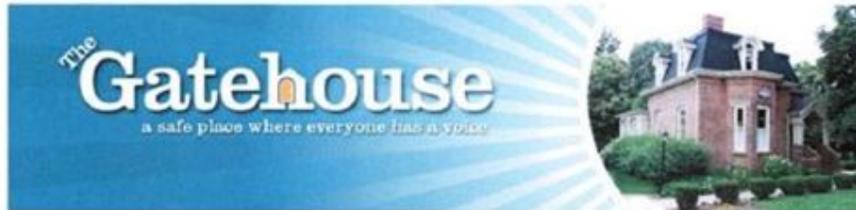
You can make a donation by cheque or money order payable to The Gatehouse and mail to 3101 Lake Shore Blvd. W., Toronto, ON, M8V 3W8. All donations over \$25 CAD will receive a charitable tax receipt in the mail. The Gatehouse will acknowledge your donation on its website, program brochure and all other events.

I very much appreciate your support.

Sincerely



Alok Mukherjee



HEALING THE VOICE WITHIN

THE GATEHOUSE'S INAUGURAL ANNUAL HEALING ART EXHIBIT

OCTOBER 26, 2016

7 – 10 PM

THE SPOKE CLUB, 600 KING ST., TORONTO

- This year's "Healing the Voice Within" is The Gatehouse's inaugural Annual Art Exhibit and silent auction
- It is a one-of-a-kind art exhibit that gives voice and healing to those traumatized by childhood sexual abuse, and will help raise awareness and much-needed funds for important initiatives at The Gatehouse
- Dozens of powerful art images on display come from a 12-week visual arts support group at The Gatehouse facilitated by Lacey Ford and Pearl Lee of Full Circle Art Therapy Centre
- This art support group offers abuse survivors the opportunity to break the silence and is just one of the many therapeutic initiatives at thegatehouse.org
- The Gatehouse's inaugural Annual Healing Art Exhibit is an extension of its mission to provide a safe place where everyone has a voice, and finds healing and empowerment by putting into pictures and words the trauma, struggle and challenges that are indescribable to many survivors
- Partnerships are welcomed to support the fund-raising event and lend support to those healing from sexual violence
- Donations are needed for the silent auction in order to help The Gatehouse facilitate empowerment, programs, and provide a safe community for sharing and caring
- Sponsors donating \$5,000 or more to the Annual Healing Art Celebration will receive:
 - 10 tickets to the event
 - Corporate logo on all Digital Media
 - Promotion in media sponsors
 - Promotion at the event

