



**Public Meeting  
Wednesday ,  
July 31, 2019**

**40 College Street  
2nd Floor  
Auditorium**

<https://www.ontario.ca/laws/statute/90m50>

## PUBLIC MEETING AGENDA

Wednesday, July 31, 2019 at 1:30 PM  
Auditorium 40 College Street, 2<sup>nd</sup> Floor

[www.tpsb.ca](http://www.tpsb.ca)

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Call to Order

Indigenous Land Acknowledgement

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

1. Confirmation of the Minutes from the meeting held on [June 27, 2019](#).

### Presentation

2. **Mending A Crack In The Sky**  
Presentation by the Somali Mothers Movement (Midaynta Community Services) – 10 minutes

### Items for Consideration

3. July 15, 2019 from Mark Saunders, Chief of Police  
**Re: Medal of Merit – Sergeant Michael Fonseca (5390)**
4. July 12, 2019 from Wendy Walberg, City Solicitor, Legal Services  
**Re: Agreement with the City of Toronto Regarding Traffic Agents**
5. June 26, 2019 from Mark Saunders, Chief of Police  
**Re: Special Constable Appointments and Re-Appointments – July 2019**
6. July 2, 2019 from Andy Pringle, Chair  
**Re: Canadian Association of Police Governance (CAPG) 2019 Annual Conference**
7. July 10, 2019 from Andy Pringle, Chair  
**Re: City of Toronto Council Decision – Hate Sponsored Rallies**

8. July 4, 2019 from Andy Pringle, Chair  
**Re: City of Toronto Council Decision – Establish Places of Worship Security Task Force**
  
9. July 12, 2019 from Andy Pringle, Chair  
**Re: Independent Civilian Review into Missing Persons Investigations – Account for Professional Service**

Consent Agenda

10. July 4, 2019 from Andy Pringle, Chair  
**Re: Toronto Police Services Board Special Fund – Annual Specified Procedures Report for the Year Ended December 31, 2019**
  
11. July 22, 2019 from Andy Pringle, Chair  
**Re: City of Toronto Council Decision – Initiative to Reduce the Number of Unwanted Firearms in Toronto**
  
12. July 22, 2019 from Wendy Walberg, City Solicitor  
**Re: Jury Recommendations from the Inquest into the Death of Todd Feairs**
  
13. July 11, 2019 from Mark Saunders, Chief of Police  
**Re: 52 Division Renovation – Project Closeout Report**
  
14. July 2, 2019 from Mark Saunders, Chief of Police  
**Re: 2018 Annual Report: Toronto Transit Commission – Special Constables**
  
15. July 2, 2019 from Mark Saunders, Chief of Police  
**Re: 2018 Annual Report: Toronto Community Housing Corporation – Special Constables**
  
16. July 2, 2019 from Mark Saunders, Chief of Police  
**Re: 2018 Annual Report: University of Toronto Police – Special Constables**

17. March 12, 2019 from Mark Saunders, Chief of Police

**Re: Chief's Administrative Investigation into the Custody Injury to Mr. Kyle Pecoskie**

18. March 12, 2019 from Mark Saunders, Chief of Police

**Re: Chief's Administrative Investigation into the Custody Injury to Mr. Matias Veneces**

Adjournment

Next Meeting

**Date: Thursday, September 19, 2019 at 1:30PM at  
40 College Street, 2nd Floor, Auditorium**

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**Members of the Toronto Police Services Board**

Andy Pringle, Chair

Uppala Chandrasekera, Member

Michael Ford, Councillor & Member

Ken Jeffers, Member

Marie Moliner, Vice-Chair

Frances Nunziata, Councillor & Member

John Tory, Mayor & Member

# Mending A Crack In The Sky

Somali Mothers Movement.

Toronto Police Board Deputation  
July 31<sup>st</sup>, 2019



# Agenda:

- ▶ Video Introduction
- ▶ Introduction - Midaynta Community Services Propose of Deputation
- ▶ Our Stories, Our Truth. - Mending A Crack in the Sky
  - ▶ 1. **Transparency**: Implementation of Score Card Initiative In Northwest Toronto
  - ▶ 2. **Building Trust**: Integrated Collaboration with Neighbourhood Officers
  - ▶ 3. **Community Safety**: Implementation of Mother Outreach Worker

## VIDEO LINK

- ▶ <https://www.youtube.com/watch?v=3eR0n7MHwhE&feature=youtu.be>



## INTRODUCTION

- ▶ In partnership with Midaynta Community Services, a three-phase community healing initiative was developed to address youth violence in the greater Toronto area, titled Mending a Crack in the Sky (MCIS). MCIS is a dynamic program that consists of a dedicated group of mothers who are passionate about creating safe spaces to heal, engage in transformative community change and activism. A Somali proverb states that “if people come together, they can even mend a crack in the sky.” This sentiment has been the basis of a community led action plan to address the alarming rates of primarily male youth violence among Somali Canadians, that has exacerbated community trauma and fragmentation. The core group is made up of Somali mothers, who have lost their loved ones due to violence in the community. The group also consists of additional community members and leaders who support the mothers in reaching their goals. The group meets bright and early on Saturday mornings from 7-10am, at the Somali Immigrant Aid Organization facility.

## Purpose of Police Deputation

“Mending a Crack in the Sky,” meets regularly to understand, navigate and implement strategies to combat community violence and enhance safety in our Toronto Neighbourhoods. In 2017, The Transformational Task Force, provided the **Toronto Police Services (TPS)** with key recommendations to enhance and modernize current policing, which resulted in the release of the report; Action Plan: The Way Forward.

This report provided tangible and practical recommendations for TPS, which included strategies to provide trusted, honest and efficient services to community members. As such, this document has been an important tool to help the mothers identify collaborative methods and strategies to work more efficiently with the Toronto Police Services.

MCIS has been generously supported by board member Ken Jefferson, who has volunteer his time to support the team to better understand the process of completing a police deputation. Ken, has presented many initiatives, plans and strategies that have been identified by communities in the past, however they have not been implemented or sustained.

Today, we would like to present a deputation to the Toronto Police Board to provide sustainable and concrete recommendations to work in partnership with the Community.



Mending A Crack in The Sky

OUR STORIES.  
OUR TRUTH.

## Transparency: Score Card

### ▶ Recommendation 1

- ▶ The MCIS group would like to initiate a Score Card training session with Toronto Police Services. In order to evaluate the effectiveness and efficiency of community policing in various neighbourhoods, community members need to understand how the score card process is implemented and evaluated. This training would then result in having regular meetings and opportunities to provide on-going feedback to service providers as well as to community members.

#### Outcome:

- ▶ The enhanced understanding of the Score Card process will provide community members with the confidence to interact and have open-dialogue with Toronto Police Members.
- ▶ Once a core group of community members are trained in the process, they can then provide additional **direction** to neighbours such as peers, youth and families, to also engage them in the process and enhance overall civic engagement within the community.
- ▶ TPS will have direct feedback in regards to each neighbourhood and can use this information to determine best practices for each neighbourhood.

# Community Consultations

This year, the MCIS members conducted a series of community safety consultations in seven Toronto Housing Communities (Driftwood, The East Mall, Falstaff, Jamestown, Jane and Finch Regent Park, and The West Mall) and as a result have met with over 100 mothers in Toronto, to discuss the key issues impacting mothers, youth and the communities at large. This community-based approach influenced an authentic conversation around community safety, key concerns, empowerment, social engagement and strategies and recommendations for reconciliation.

## ▶ Community Concerns Regarding Toronto Police Services

- ▶ There is a real concern with the relationship the community has with the police. Community voices channel a strong sense of the mistrust and criminalization without evidence.
- ▶ Investigations continue to be on hold, unsolved and without closure. Community often feels that their trauma and concerns are unheard and dismissed by law enforcement even when they participate in the processes.
- ▶ Often, individuals are forced to prove their experiences when they report to police
- ▶ Ongoing violence brings renewed surveillance and harassment of the youth who are not engaging in appropriate behaviour. Youth are stigmatized and vilified even though they are the ones traumatised by the violence in their communities.
- ▶ There is little to no follow up from the police when community members communicate with them.

MCIS members are here today to voice and address these concerns and more importantly to begin the process of a collaborative and trusted partnership.

## Building Trust: Partnership with Neighbourhood Officers on 3 years Tenure

### ▶ Recommendation 2

- ▶ An integral component of a modernized police force is developing a trusted relationship with community members and service providers. The report suggests that “neighborhood officers will work in partnership with communities and service-delivery agencies to address crime, disorder, and community safety issues with an understanding of the complex needs specific to each neighborhood” (p.23). MCIS members would like to increase the level of trust between community members and police by facilitating co-development solutions in the form of collaborative community workshops, coordinated outreach events as well as direct prevention opportunities with the assigned neighbourhood police. This collaborative effort will provide an opportunity for neighbourhood police to obtain direct community feedback and understand the complex needs of specific neighbourhoods by working with members directly.

### Outcome:

- ▶ The enhanced relationship will promote community collaboration that will facilitate an increased use of preventative collaboration and service delivery.
- ▶ A collaborated effort will increase the use of neighbourhood police officers which will ultimately decrease the number of direct calls to local police divisions.

# Community Safety - Mother Outreach Workers (MOWs)

## Recommendation 3

The most requested objective from community feedback and assessment of "Mending a Crack in the Sky" was to address the negative impact of social isolation that acute violence brings to a community. From this assessment MCIS demonstrated that connecting survivors; mothers who lost children to gun violence and their peers supported community inclusion and strengthened resiliency, where survivors and their families were more likely to stay connected with the adequate institutional supports and where they sustained a long term relationship with a Mother Outreach Worker with the same lived-experience there was the reinforcement of their own recovery and re-integration. This is Mothers supporting Mothers.

- ▶ MCIS has now formalized its development of the Mother Outreach Workers who have a two-fold approach in working with community members on public safety matters. Their dual foci will be Peer Support and Crisis Support.
- ▶ Firstly, they will function with a Peer support model in which they will utilize their lived experience with trauma caused by acute violence experiences to assist clients in setting goals for their recovery, accessing funds allotted to them, and encouraging and supporting witnessing, statement procurement and other judicial actions available. They will focus primarily on bridging people back into community whilst debriefing on community strategies to reduce vulnerabilities to victimization. They will be a shared learner with clients, rather than being a therapist or treatment provider. They will connect with clients on an individual basis and also as a peer facilitator in groups. In addition, they will be part of a team including the neighbourhood police officers assisting individuals to access mental health specialists and/or hospitals and to coordinate referrals, linkages and follow-up to appropriate community support services. In working with crisis support for communities experiencing acute violence or trauma they will work closely with neighbourhood officers in being a key source of information and referral assistance through crisis assessment, interventions and brief companionship counseling. Their collaborative work with clients will involve the role of a coach and liaison and assisting clients to advocate for themselves in seeking justice and restorative outcomes.

# Mother Outreach Workers Outcome:

- ▶ The role of the Mother Outreach Worker (MOWs) is to collaboratively work with Community members by acting as an on-call liaison and peer when critical incidences occur in the neighborhood.
- ▶ Information gathering on the specific community needs and trends.
- ▶ Strengthening Communities ability to respond at the preventative stages of the violence.
- ▶ The benefit of the worker is the ability to identify community members and support TPS to de-escalate crisis situations as well as provide an enhanced cultural and religious awareness as well as to support the language barriers persistent among community members.
- ▶ Healing for acute violence survivors has a longer timeline than what crisis and emergency services are equipped in serving presently. The MOWs act as an ongoing resource post crisis points.
- ▶ The MOWs will be trained to de-escalate situations and provide additional safety to the individuals involved.
- ▶ Establish standing relationships with the Toronto police board, mental health committee, anti-racism committee as well as attend board meetings regularly to stay informed.
- ▶ The MOWs will provide immediate access to community members such as, Victim Services, Crisis Management Unit, Youth Outreach and Mental Health support.



## Toronto Police Services Board Report

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July 22, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: Medal of Merit – Sergeant Michael Fonseca (5390)**

### **Recommendation:**

It is recommended that the Toronto Police Services Board (Board) award a Medal of Merit to Sergeant Michael Fonseca (5390).

### **Financial Implications:**

A Medal of Merit will be withdrawn from the Board's inventory. The cost of engraving the medal and preparing an accompanying framed certificate will be approximately \$400.00 excluding tax. Funds related to the presentation of medals and awards are available in the Board's Special Fund – Recognition Program.

### **Background / Purpose:**

The Board presents a number of awards in recognition of various achievements, acts of personal bravery or outstanding police service. These awards, which can be awarded to police officers or civilian members of the Toronto Police Service (Service), are all individually approved by the Board under the Awards Program.

A Medal of Merit is the second highest award that can be granted to a police officer or civilian member. It can be awarded in response to an outstanding act of personal bravery or in recognition of highly meritorious police service. On the occasions when the Board has approved Medals of Merit for highly meritorious service, the recipients have been concluding active police service with the Service after long and outstanding careers characterized by dedication to providing the best policing service possible.

## **Discussion:**

On June 13, 2018, Sergeant Michael Fonseca was off duty and asleep in his residence which is in a rural area of Burlington, Ontario. The still of that early morning was abruptly broken by a sound that was unmistakable to Sergeant Fonseca. As a qualified bomb technician and former member of the Toronto Police Emergency Task Force, he was acutely aware that the sound was none other than that of a propane tank that had been super-heated and was expelling its gas before it exploded.

Sergeant Fonseca quickly ensured that his residence was not involved and upon looking out a window he observed his elderly neighbours home to be fully engulfed in visible orange flames. He quickly called 9-1-1 to ensure that Fire and Ambulance were on the way. Because of the rural setting, he knew that the emergency responders would take some time to arrive and as such, he was gravely concerned for his elderly neighbour's safety. Sergeant Fonseca took it upon himself to personally ensure they had gotten out of the burning home.

Sergeant Fonseca crossed over the distance in darkness to get to his neighbours home. The home is described as a single family dwelling, approximately 50 years old and built of wood with vinyl siding and asphalt roof shingles. Sergeant Fonseca knew that the home had 2 propane tanks on the property at the time. One being a normal barbecue type and the other a larger industrial sized 120 lb tank used for heating and cooking. Sergeant Fonseca knew, from his experience, that the high pitched sound he was hearing meant the tank was close to explosion, but he did not know which tank it was. From his training, he knew that the small tank had a blast radius of 160 feet and the larger one, 800 feet. The explosive force, and or associated shrapnel, from one or both tanks would not only level the home but kill anyone within it or nearby.

With complete disregard for his personal safety, Sergeant Fonseca entered the burning residence which had thick black smoke billowing from the front door. The sound of the fire was deafening and the smoke and heat were intense, making it nearly impossible to see. Just inside the front door, he found his elderly female neighbour frantically yelling to her husband who was nowhere to be seen. Sergeant Fonseca asked her where her husband was and she advised he was in the bedroom. Sergeant Fonseca gently took her by the arm and removed her to a place of safety outside and then rushed back into the home.

Sergeant Fonseca's lungs filled with smoke and he had extreme trouble breathing while he navigated through the home. He called out in the blackness and heavy smoke without success which searching all of the bedrooms. Within 2 minutes, he eventually found the husband in the kitchen which was fully engulfed at the time. The male was approximately 15 feet from the larger propane tank at that time. Despite feeling the effects of smoke inhalation, Sergeant Fonseca led the elderly male to safety and reunited him with his wife outside.

Upon ensuring that the residents were only suffering smoke inhalation, Sergeant Fonseca then ran out to the end of the lane-way to direct the arrival of emergency services personnel. Sergeant Fonseca briefed the arriving emergency services and directed them to the injured parties, insisting that they be treated before him. Both parties were subsequently transported to hospital for significant smoke inhalation and were admitted. Sergeant Fonseca was given oxygen at the scene but declined further treatment.

#### Awarding the Medal of Merit:

Sergeant Fonseca's actions are in the finest traditions of the Police Service and have brought credit upon himself, his Unit and the Service as a whole. His superior dedication to duty and genuine concern for the safety of vulnerable persons overrode any concern for his own safety. Without protective equipment, he wilfully entered a fully engulfed residence where he knew of the mass explosion hazard posed by the two propane tanks. He successfully rescued two elderly persons who most likely would have perished were it not for his heroism.

In recognition of his dedicated and honourable service to our community, I am recommending that the Board award Sergeant Michael Fonseca with a Medal of Merit for highly meritorious police service.

#### **Conclusion:**

It is therefore recommended that the Board award a Medal of Merit to Sergeant Michael Fonseca.

Respectfully submitted,

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

\*original copy with signature on file in Board office



Wendy Walberg LL.B., LL.M., C.S.

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*\* Certified by the Law Society as a Specialist  
in Municipal Law: Local Government*

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Reply To: Jane Burton  
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E-Mail: Jane.Burton@toronto.ca

File No. 206456944

July 12, 2019

To: Chair and Members  
Toronto Police Services Board

From: Wendy Walberg  
City Solicitor, Legal Services

**Subject: Agreement with the City of Toronto Regarding Traffic Agents**

**Recommendation:**

It is recommended that the Board:

- (1) approve the Agreement between the Board and the City of Toronto regarding the appointment and governance of traffic agents as special constables, attached as Appendix "A" to this report;
- (2) forward the draft agreement to the Solicitor General for review and approval; and
- (3) authorize the Chair to execute the agreement on behalf of the Board, subject to the Solicitor General's approval, and on terms and conditions satisfactory to the Chair and in a form satisfactory to the City Solicitor.

**Financial Implications:**

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

**Background/Purpose:**

At its meeting held on November 22, 2018, the Board approved a request from the City

of Toronto (the "City") to establish a traffic warden program as detailed in the business case attached to the report (Minute No. P219/18 refers). The Board was advised that the Toronto Police Service (T.P.S.) and the City were in the process of drafting a Memorandum of Understanding (the "Agreement") in relation to what privileges the traffic agents would be granted with the special constable designation. The traffic agents will be appointed as special constables by the Board, but at all times will be employees of the City.

The parties have now settled on the terms and conditions set out in the Agreement and the purpose of this report is to obtain the Board's approval of the Agreement, as well as authority for the Chair, on behalf of the Board, to execute the Agreement if and when it is approved by the Solicitor General.

### **Discussion:**

After several months of negotiations between representatives of the Service and the City, the parties have developed an Agreement that will govern the appointment of City Traffic Agents (CTAs) (renamed from "traffic wardens") as special constables to assist them in carrying out their functions. The Agreement is similar to agreements already in place between the Board and the Toronto Transit Commission and the University of Toronto.

The Special Constable Liaison Office will administer the Agreement on behalf of the Service and the Board. The Special Constable Liaison Office maintains the partnerships between the Service and the third party agencies that employ special constables. This includes monitoring compliance with the Agreements, review and submission of all requests for special constable appointments and communication with the Ministry in relation to matters concerning special constables.

The Agreement sets out, among other things, the following:

- the appointment process – candidates must be employees of the City, pass background investigations and complete all required training
- the powers of the CTAs
- reporting requirements – these include daily occurrence reporting to the Special Constable Liaison Office and an annual report to the Board containing statistical information regarding CTAs assistance in the movement of traffic on City highways and the safe and orderly flow of traffic on City highways, including its impact, training, supervision and complaints
- the processes to be followed regarding exchange of information
- the processes to be followed with respect to complaints about a CTA including a complaints investigation procedure
- the identification to be used by CTAs in the course of carrying their duties
- training – details of the training requirements and the process for updating training
- the equipment to be issued to CTAs

Section 53 of the Police Services Act requires the Solicitor General's approval of the Board's appointment of special constables. While the Act does not specifically address the Solicitor General's approval of an agreement between the Board and an entity with which the Board has instituted a special constable program, the Board has historically sought approval of the Solicitor General for these types of agreements. Given that the Agreement will govern the activities of those ultimately designated as special constables, approval of the Agreement is intertwined with the Solicitor General's approval of the appointments. Therefore, it is recommended that if the Board approves the Agreement, it should provide the draft Agreement to the Solicitor General for review and approval prior to execution. Once such approval has been obtained, the Board and the City may execute the Agreement. The City can then submit applications to the Board for the appointment of some CTA's as special constables, which, again, would have to be approved by the Minister subsequent to appointment by the Board.

**Conclusion:**

The parties have now settled on the terms and conditions set out in the Agreement attached as Appendix A and it is recommended that the Board approve the Agreement and authorize the Chair, on behalf of the Board, to execute the Agreement.

The Chief has been consulted in the preparation of this report and is in agreement with the content.



Wendy Walberg  
City Solicitor

THIS AGREEMENT MADE THIS \_\_\_\_th DAY OF \_\_\_\_\_, 2019

BETWEEN:

**TORONTO POLICE SERVICES BOARD**

- and -

**CITY OF TORONTO**

**BACKGROUND:**

- A. The Toronto Police Services Board (the "Board") is responsible for the provision of adequate and effective police services in the City of Toronto pursuant to the provisions of Part III of the *Police Services Act*, R.S.O. 1990 Chap. P-15, (the "PSA").
- B. The Toronto Police Service delivers police services to the City of Toronto in accordance with the *PSA*.
- C. The City of Toronto (the "City") has jurisdiction or joint jurisdiction, as the case may be, over certain Highways located in the City under section 33 of the *City of Toronto Act, 2006*, S.O. 2006, c. 11, Schedule A, as amended (the "COTA").
- D. The City provides by-law administration and enforcement services in the City of Toronto, including targeted strategies, business licensing and permitting, waste, parks and illegal posterage.
- E. The City has established a City Traffic Agent Program to assist in the movement of traffic on City Highways and ensure the safe and orderly flow of traffic on City Highways.
- F. The Board has authority pursuant to section 53 of the *PSA* to appoint individuals as special constables, for such period, area, and purpose that the Board considers expedient, subject to the approval of the Ontario Minister of the Solicitor General or such person designated under the *PSA* to provide such approval.
- G. The City will apply to the Board to have some of the persons it employs within the City Traffic Agent Program appointed as special constables within the geographical area of the City of Toronto.
- H. The Board considers it expedient to have certain of the City Traffic Agent Program personnel appointed as special constables in order to provide the functions of a City Traffic Agent set out below in this Agreement.

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*Agreement is still draft, subject to the approval of the Solicitor General*

- I. On March 26, 2019, the Ontario Government's Comprehensive Ontario Police Services Act, 2019, or Bill 68, received royal assent. Bill 68 amends policing legislation in the province including the Police Services Act which will eventually be replaced by the new Community Safety and Policing Act, 2019. The Parties anticipate that at some point during the term of this Agreement, this new policing legislation (referred to herein as New Legislation), will come into force and result in changes with respect to the appointment, regulation and/or complaint procedures in relation to special constables.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants set forth below, the parties agree as follows:

### **ARTICLE 1 – DEFINITIONS AND INTERPRETATION**

1.1 In this Agreement,

“**Act**” or “**Regulation**” are defined in the *Interpretation Act, R.S.C., 1985, c. I-21*, or, as defined in section 87 of the *Legislation Act, 2006, S.O. 2006, c. 21, Schedule F*, whichever applies.

“**Agreement**” means this Agreement setting out the requirements relating to the appointment of persons employed by the City as special constables in accordance with section 53 of the *PSA* and the New Legislation upon its coming into force.

“**Chief**” means the Chief of Police for the Toronto Police Service.

“**City**” means the City of Toronto as a party to this Agreement.

“**City Traffic Agent**” or “**CTA**” means a person employed by the City who has been appointed by the Board, and approved by the Minister, as a special constable in accordance with section 53 of the *PSA* or the New Legislation upon its coming into force, with powers and duties as set out in the appointment and this Agreement.

“**City Traffic Agent Program**” means the program established by the City to: (a) assist in the movement of traffic on City Highways and ensure the safe and orderly flow of traffic on City Highways, (b) govern the appointment process of a City Traffic Agent, (c) monitor the on-going conduct of City Traffic Agents, and (d) ensure compliance with the terms and conditions of this Agreement.

“**Claims**” has the meaning as set out in section 14.4 of this Agreement.

“**City of Toronto Traffic Agent Code of Conduct**” means the written policy the City shall have in accordance with sections 4.16, 6.4(b) and Schedule “A” of this Agreement setting out the roles and responsibilities of City Traffic Agents.

“**Complaint**” means a written and signed allegation from:

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*Agreement is still draft, subject to the approval of the Solicitor General.*

- (a) a member of the public concerning the conduct of a City Traffic Agent;
- (b) a member of the public concerning the policies of, or the services provided by, the City Traffic Agent Program;
- (c) sources internal to the Service concerning the conduct of a City Traffic Agent; or
- (d) sources internal to the City concerning the conduct of a City Traffic Agent.

**“Complaints Investigation Procedure”** means the complaint investigation procedure developed in accordance with Article 9 and Schedule “D” of this Agreement.

**“Emergency”** means a situation that poses an immediate or imminent risk to the life or the health of an individual and may or may not involve acts of violence. An emergency may include criminal offences in progress if there is a likelihood that if the commission of the offence continues, harm to an individual is foreseeable.

**“Equipment”** means the equipment and vehicles used by City Traffic Agents in the performance of their duties, as identified in Article 12 of this Agreement.

**“GM”** means the City's General Manager, Transportation Services, or his or her designate or successor.

**“Highway”** means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Initial Term”** has the meaning as set out in section 5.1 of this Agreement.

**“Indemnified Parties”** has the meaning as set out in sections 14.4 of this Agreement.

**“Minister”** means the Ontario Minister of the Solicitor General or any other Minister responsible for special constables under the *PSA* or the New Legislation.

**“Ministry”** means the Ontario Ministry of the Solicitor General or any other ministry responsible for special constables under the *PSA* or the New Legislation.

**“New Legislation”** means the new policing legislation described in Background section I which will alter the appointment, regulation and/or complaint procedures with respect to special constables and is expected to come into force after the execution of this Agreement.

**“Parties”** means collectively the Board and the City, and **“Party”** means either the Board or the City.

“**Renewal Term**” has the meaning set out in section 5.1 of this Agreement.

“**Schedules**” means the following Schedules to this Agreement:

- Schedule “A” – City Traffic Agent Acknowledgement Form;
- Schedule “B” – Training Requirements;
- Schedule “C” – Response and Reporting Requirements;
- Schedule “D” – Complaints Investigation Procedure Criteria; and
- Schedule “E” – CUPE Local 79 Investigation Protocol.

“**Service**” or “**TPS**” means the Toronto Police Service.

“**Special Constable Liaison Office**” means the liaison officer(s) designated by the Chief pursuant to section 2.4 of this Agreement.

“**Toronto Area**” means the city as defined in section 125 (1) and (2) of the *COTA* and contained within the geographical boundaries of Steeles Avenue to the north, Lake Ontario to the south, between the east side of Etobicoke Creek and Highway 427 to the west, and the west side of the Rouge River and Rouge Park to the east.

“**Training Requirements**” means the training course developed jointly by the City and the TPS for City Traffic Agents and delivered by a third party agency as procured by the City in accordance with Article 11 and Schedule “B” to this Agreement and, upon the New Legislation coming into force, the training required by the New Legislation.

- 1.2 Any technical term used in this Agreement that is not defined will have the generally accepted policing or technical meaning given to such term.
- 1.3 The division of this Agreement into Articles, Sections, Schedules (A – E) and the insertion of headings are for convenience and reference only and shall not affect the construction or interpretation of this Agreement.
- 1.4 In this Agreement, words in the singular include the plural and vice versa and words in one gender include all genders and "includes" or “including” mean “including without limitation” and is not to be construed as limiting any general statement which it follows to the specific or similar items or matters immediately following it.
- 1.5 This Agreement, including all Schedules and Attachments hereto, constitutes the entire agreement between the Parties pertaining to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written, of the Parties and there are no representations, warranties, conditions or other agreements between the Parties in connection with the subject matter hereof except as specifically set forth herein.
- 1.6 This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

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*Agreement is still draft, subject to the approval of the Solicitor General.*

**ARTICLE 2 - ADMINISTRATION OF AGREEMENT**

- 2.1 (a) If this Agreement is breached by the City and such breach is not rectified to the satisfaction of the Board within thirty (30) days after written notice of such breach is given by the Board to the City, the Board may:
- (i) suspend or terminate the special constable appointment of any CTA, either individually or collectively as the case may be, subject to the requirements set out in subsections 53(6) and 53(8) of the *PSA*, or any successor provisions, or the procedural requirements of the New Legislation upon its coming into force; and
  - (ii) terminate this Agreement.
- (b) If an obligation of the CTA as set out in this Agreement is breached by a CTA, the Board may suspend or terminate his or her appointment immediately, subject to the requirements set out in subsections 53(6) and 53(8) of the *PSA*, or any successor provisions, or the procedural requirements of the New Legislation upon its coming into force.
- 2.2 This Agreement may be amended from time to time by written consent of the Parties, subject to any required notification to, and approval of, the Minister under section 53 of the *PSA* or the New Legislation upon its coming into force.
- 2.3 For the purposes of the administration of this Agreement, the Board may designate the Chief to perform some or all of the Board's administrative functions under this Agreement, and will notify the City accordingly.
- 2.4 The Chief may designate one or more members of the Service as Special Constable Liaison Officers with respect to one or more operational aspects of this Agreement as specified from time to time, and will notify the GM accordingly.
- 2.5 For the purposes of the administration of this Agreement, the City may designate the GM to perform some or all of the City's administrative functions under this Agreement, and will notify the Board accordingly.
- 2.6 The GM may designate one or more employees of the City as a liaison officer with respect to one or more operational aspects of this Agreement as specified from time to time, and will notify the Chief accordingly.
- 2.7 In order to ensure accountability, the Board, or its designate, may audit the City's Traffic Agent Program in order to ensure compliance with the terms and conditions of this Agreement and any appointment of a CTA. The compliance audit shall be conducted in a manner that minimizes disruptions to the City's operations.

- 2.8 Should any dispute arise between the City and the Service in respect to the administration of this Agreement delegated by the Board and the City pursuant to this Article, it shall be resolved by discussion between their respective liaison officers, failing which it will be referred to the Chief and the GM for resolution.

**ARTICLE 3 – CANDIDATES FOR THE APPOINTMENT OF  
CITY TRAFFIC AGENTS**

- 3.1 The City shall ensure that all candidates for appointment as special constables meet all of its own internal selection criteria for employment and the then current Ministry's publication entitled: "Special Constables: A Practitioner's Handbook", section 3; *Selection of Special Constables*, or any successor publication, before it offers the candidate for consideration for appointment.
- 3.2 In addition to section 3.1, upon the New Legislation coming into force, the City shall not put candidates forward to the Board for appointment or reappointment as a special constable unless the City is authorized as a special constable employer, if so required, in accordance with the New Legislation. The City shall only put candidates forward to the Board for appointment or reappointment as special constables in accordance with the terms and conditions of the City's authorization as a special constable employer, and shall notify the Board should the terms and conditions of the City's authorization as a special constable employer change at any time during the Initial Term or any Renewal Term.
- 3.3 At the recommendation of the Chief, the Board may appoint an applicant who has been put forward by the City for appointment as a special constable in accordance with the *PSA* and the New Legislation upon its coming into force, and who has met the qualifications set out in this Agreement, subject to the approval of the Minister.
- 3.4 The Parties agree that the term of the appointment of any individual as a special constable under this Agreement which takes place during the Term of this Agreement will expire at the same time as the expiration of the Initial Term or Renewal Term, as applicable, of this Agreement. At the expiry of the Initial Term and any Renewal Term of this Agreement, the City Traffic Agent Program will be reviewed and all candidates will be put forward for re-appointment as special constables and the City shall put forward a recommendation to the Chief for consideration of appointment or re-appointment by the Board. Notwithstanding any of the foregoing, the term of appointment for any individual as a special constable made under this Agreement prior to the New Legislation coming into force shall not run longer than the term permitted under the New Legislation upon the New Legislation coming into force.
- 3.5 The City shall ensure that each CTA is aware of and understands the provisions of this Agreement relating to his or her powers and duties as a CTA, and shall ensure that each CTA is provided with a copy of the document appended to this Agreement as Schedule "A".

**ARTICLE 4 - APPOINTMENT PROCESS**

- 4.1 In addition to the requirements as set out in section 3.1, the City must be satisfied with the good character, reputation, and suitability of each applicant before his or her candidacy for appointment as a special constable is considered. To be considered for appointment, an applicant must:
- (a) be an employee of the City;
  - (b) be able to pass all background investigations, and security clearances conducted by or on behalf of the City and/or the Service, as applicable;
  - (c) successfully complete all training provided by or through the City for applicants, including the training identified in Schedule "B", as amended from time to time; and
  - (d) meet the requirements of the New Legislation, including any prescribed training or other requirements, upon the New Legislation coming into force.
- 4.2 The City shall, at its own expense, conduct or cause to be conducted for each applicant such reasonable background investigations and tests as the Board requires to determine the suitability of the applicant to be a special constable.
- 4.3 As part of its background investigation of an applicant, the City will require applicants to complete the Preliminary Background Questionnaire (PBQ) and will adhere to the following guidelines in administering the PBQ to serve to enhance the integrity of applicant information:
- The City shall appoint one or more employees who will be responsible for the administration of the application process relating to the PBQ who will be trained by the Service (the "Applicant Administrators").
  - Only Applicant Administrators trained by the Service shall conduct the application process.
  - An Applicant Administrator shall ensure that the candidates complete the appropriate paperwork themselves.
  - Any questions from the candidate shall only be answered by an Applicant Administrator.
  - An Applicant Administrator shall supervise a candidate at all times during the completion of the application paperwork.
  - When the candidate has completed all of the application paperwork, an Applicant Administrator shall review the documents for completeness, accuracy, and legibility.
  - An Applicant Administrator shall ensure that the candidate understands and signs the Service waiver form authorizing a background investigation to be conducted.

- 4.4 The Service shall provide the City with a copy of the complete application form, Service guidelines and PBQ.
- 4.5 If the results of the background investigations for an applicant are unsatisfactory to the City, the City shall not put forward that applicant for appointment as a special constable to the Chief for recommendation, or to the Board for approval.
- 4.6 The Board may choose not to appoint an applicant as a special constable if the results of the background investigations for that applicant are unsatisfactory to the Board, in its sole and unfettered discretion.
- 4.7 The Board shall be solely responsible for submitting all documents and information to the Ministry for the approval of special constable appointments.
- 4.8 The City shall provide to the Board for consideration in respect of each applicant:
- (a) the results of its background investigations set out in section 4.2 of this Agreement;
  - (b) completed waivers and consent forms signed by the applicant to authorize such background investigations; and
  - (c) written confirmation of the applicant's successful completion of the training required by this Agreement.
- 4.9 The Board may request such further or other reasonable information as it requires in respect of an applicant and the City shall provide such information if requested.
- 4.10 The City undertakes that it will make best efforts to ensure that all information provided for the Board to consider regarding an applicant shall be true, accurate and reliable.
- 4.11 If any misrepresentation or omission is discovered by the Board to have been made in connection with any applicant, including the answers supplied to the background investigations referred to in this Article, whether or not the City was aware of the misrepresentation or omission at the time of making the request for appointment or providing the information to the Chief or the Board, the Board may immediately suspend or terminate the appointment of that CTA, subject to the requirements set out in subsections 53(6) and 53(8) of the *PSA*, or any successor provisions, or any other procedural requirements of the New Legislation upon the New Legislation coming into force.
- 4.12 The City shall be solely responsible for all expenses associated with the application and appointment process.
- 4.13 The Service may recover costs from the City for any background investigation conducted by the Service concerning an applicant or a CTA provided that the Service gives the City at least thirty (30) days' notice containing an estimate of those costs and allows the City an opportunity to raise any concerns it may have regarding the estimated costs. Within

the thirty-day period following the City's receipt of the estimated cost notice from the Service, the City may elect to withdraw the applicant or CTA from consideration for appointment or re-appointment. In such event, the City will provide the Service with written notice of such withdrawal and the Service shall not proceed with the background investigation or be entitled to recover any costs from the City with respect to such background investigation.

- 4.14 Upon the New Legislation coming into force, the City shall ensure that all CTAs take oaths or affirmations of office and secrecy as required by the New Legislation at the time of the CTA's appointment.
- 4.15 The City shall advise the Board, in writing, when an individual that has been appointed as a special constable pursuant to this Agreement:
- (a) ceases to be employed by the City;
  - (b) is no longer employed as part of the City Traffic Agent Program (or any other successor unit, department or group responsible to provide CTA functions within the City);
  - (c) is suspended from duties as a result of disciplinary action respecting his or her performance of duties as a CTA;
  - (d) has any other change to their employment status as a CTA occur; or
  - (e) the City becomes aware of any information that might reasonably affect an assessment of whether the individual is of good character or is physically and mentally able to perform the duties of a CTA.
- 4.16 The City shall have a City of Toronto Traffic Agent Code of Conduct setting out the roles and responsibilities of a CTA, which policy shall require a CTA to comply with the terms and conditions of this Agreement as they relate to the CTA and the City of Toronto Traffic Agent Code of Conduct. A copy of the City of Toronto Traffic Agent Code of Conduct shall be attached to Schedule "A" of this Agreement and provided to each CTA and to the Board.

#### **ARTICLE 5 – PERIOD, AREA AND PURPOSE OF APPOINTMENT**

- 5.1. This Agreement commences on the date of its final execution by the Parties and continues for a period of five (5) years (the "Initial Term") and shall automatically renew, on the same terms, or as modified in writing by the Parties in accordance with its terms, for unlimited successive five (5) year terms (the "Renewal Terms") unless terminated by one of the parties upon ninety (90) days written notice to the other Party (collectively the "Term") at any time during the Term.
- 5.2 The Ministry shall be notified of the termination of this Agreement as soon as is reasonably

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practicable subject to the giving of notice as provided in subsection 53(6) of the *PSA* or the procedural requirements of the New Legislation upon its coming into force.

- 5.3 The Board considers it expedient that in addition to the powers conferred on a CTA for the administration and enforcement of City bylaws, a CTA who is performing the normal duties of a CTA shall only have the powers of a police officer for the purposes of, and only as it relates to, sections 134 and 134.1 of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended.
- 5.4 The powers conferred by way of this Agreement only extend to public Highways under the jurisdiction of the City.
- 5.5 Where a young person within the meaning of the *Youth Criminal Justice Act S.C. 2002, c. 1* as amended, (the *YCJA*) is dealt with by a CTA, in the course of carrying out his or her duties, all provisions of the *YCJA* apply. Nothing within this Agreement affects or changes the statutory requirements and obligations of the *YCJA* in relation to young persons.

#### **ARTICLE 6 – ACCOUNTABILITY AND RISK MANAGEMENT**

- 6.1 The City shall be accountable to the Board for all actions taken in relation to the exercise of the powers granted by this Agreement by both the City and the CTAs.
- 6.2 The City shall ensure compliance by CTAs with the applicable sections of the *PSA* or the New Legislation, upon its coming into force, relating to the appointment of any City employee as a CTA, the applicable regulations thereunder, all internal policies and procedures of the City, and all Service policies, standards, and procedures applicable to the duties, powers, and responsibilities of CTAs as provided to the City in accordance with this Article.
- 6.3 The City shall ensure that CTAs comply with the applicable sections of the *PSA* or the New Legislation, upon its coming into force, relating to their appointment as a special constable, the applicable regulations thereunder, all internal policies and procedures of the City, and all Service policies, standards, and procedures applicable to the duties, powers, and responsibilities of CTAs as provided to the City in accordance with this Article 6, including any directives or policies of the Board for any CTA appointed by the Board.
- 6.4 At all times during the Term, the City shall maintain adequate and effective supervision of any employee who has been appointed as a CTA by the Board pursuant to this Agreement. The City shall, at a minimum, establish and maintain:
- (a) written policies and procedures with respect to the duties, powers and responsibilities of CTAs;

- (b) a City of Toronto Traffic Agent Code of Conduct for CTAs, as described in section 4.16 of this Agreement;
- (c) a written procedure for supervising and evaluating CTAs' powers; and
- (d) a written disciplinary process regarding all matters relating to any allegation of improper exercise of any power or duty of a CTA as granted pursuant to this Agreement.

Copies of all materials identified in this section shall be provided to the Service and the Board.

- 6.5 In any matter where a CTA is involved in an investigation, the City shall cooperate with the Service in such matter, and the City shall direct the CTA to cooperate with the Service in such matter.

#### **ARTICLE 7- REPORTING REQUIREMENTS**

- 7.1 The City recognizes that the Service has responsibility for responding to and investigating all criminal occurrences on Highways.
- 7.2 The City acknowledges that a CTA must request police attendance in circumstances involving criminal occurrences on or in the vicinity of a Highway, including all actual or potential occurrences of violence where an injury has occurred or is likely to occur, utilizing the current reporting process utilized by the Service as identified in Schedule "C" to this Agreement. In circumstances where there is an Emergency, the CTA should contact 911 immediately. Where the circumstances are not considered to be an Emergency, the CTA should contact the Service through the non-Emergency number of the Service's Communications Services Unit and a police officer will attend in priority sequence. Where a police officer is unable to attend the CTA shall call the non-Emergency phone number for Service's Communications Services Unit and follow the reporting requirements set out in Schedule "C".
- 7.3 If the Service attends, the City shall ensure the CTAs inform the first attending police officer of the circumstances, provide assistance and follow his or her instructions regarding further action.
- 7.4 The City shall require that a CTA completes the Service's "Use of Force" – Form 1 in accordance with the *Ontario Regulation 926/90* on every occasion that "use of force" options beyond physical control are exercised and which use of force has caused injury that requires medical attention in accordance with Service Procedure 15-01, Use of Force. The use of force reports shall be provided by the City to the Service as soon as possible.
- 7.5 Each day, the City shall forward to the Service, through the Special Constable Liaison Office, a written report summarizing all instances relating to their duties outlined in this Agreement involving interactions with members of the Service in which CTAs have been involved within the previous twenty-four (24) hour period, including the badge number of

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any member of the Service consulted by, or giving direction to, CTAs.

- 7.6 The City shall provide to the Board an annual report with statistical information including information regarding CTAs assistance in the movement of traffic on City Highways and the safe and orderly flow of traffic on City Highways, including its impact, training, use of force activities, supervision, complaints, and other issues of concern to the Parties and such further categories of information as may be requested by the Board or the Chief, and as agreed to by the City, from time to time.
- 7.7 At any time, if requested by the Board, the City shall report to the Board on any aspect of this Agreement, including its operation and administration, within the reasonable time specified by the Board in such request.

### **ARTICLE 8 - EXCHANGE OF INFORMATION**

- 8.1 All Service policies, standards, and procedures applicable to the duties, powers, and responsibilities of CTAs, including any directives or policies of the Board generally governing any CTA appointed by the Board, in effect as of the date of the execution of this Agreement, shall be forwarded to the City by the Board within 30 days of the date of execution of this Agreement.
- 8.2 Prior to any amendment or modification to any policy, standard, or procedure referred to in section 8.1 of this Agreement and applicable solely to the CTAs, the Board agrees to consult with the City.
- 8.3 The Service will provide the City with any amended or modified policies, standards, or procedures referred to in section 8.1 of this Agreement on a semi-annual basis. Despite anything in this Agreement to the contrary, the City is only obligated and shall only be required to ensure that CTAs comply with the updated policies, rules, standards, and procedures from 30 days after receipt of same from the Board.
- 8.4 The City's current enforcement policies, rules, standards, and procedures for CTAs will be provided to the Board and the Service within 30 days of the date of the execution of this Agreement.
- 8.5 The City shall consult with the Board and the Service prior to changing its enforcement policies, rules, standards, or procedures for CTAs and shall forward copies of any such change to the Board and the Service upon its enactment by the City.
- 8.6 Upon the New Legislation coming into force, the City and the Service shall review all policies, standards, rules or procedures applicable to the duties, powers and responsibilities of CTAs under this Article to ensure that they comply with the requirements of the New Legislation. Should amendments to the policies, standards, rules or procedures be needed to ensure compliance with the New Legislation, the City and Service agree that the City or Service shall amend them in order to ensure compliance and provide the other Party with notice of any needed amendments and copies of such updated policies, standards, rules or

procedures upon enactment or adoption.

- 8.7 For the sole purpose of carrying out their duties under this Agreement, CTAs may be provided by the Service with such confidential police information requested by them, subject to the unfettered discretion of the Service to refuse to provide some or all such information.
- 8.8 The City shall ensure that its CTAs maintain the confidential nature of the information referred to in section 8.7 of this Agreement and shall comply with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* in this regard.
- 8.9 When considering a personal information sharing initiative other than as identified in this Agreement, the City and the Service will satisfy itself that the sharing is lawful. This means that once each of the City and the Service has defined what, how, why and with whom they want to share personal information, they will analyze the applicable laws, including regulations, to ensure that they have the legal authority to do so. The intended recipient of the information will be required to ensure that it has its own statutory authority to carry out the proposed data sharing activity. Where information is sought and received, the disclosing entity will ensure its own lawful authority to share the subject information. Sharing, publication, dissemination, use or disclosure of any shared personal information may only occur with the written consent of the City or the Service that originally provided the information or as may be legally required.
- 8.10 Neither Party will surrender any document(s) or property owned by the other Party or that has been prepared by a member of the other Party, unless legally required by due process. If one Party is requested or legally required to disclose documents or property that is owned by the other Party or prepared by an employee or member of the other Party, the Party receiving the request or order to surrender the property or document shall advise the other Party as soon as possible. For the purposes of this section, "Party", when used in respect to the Board, includes the Service.
- 8.11 The Parties recognize the importance of and need for timely and appropriate exchanges of information and agree to inform the other of material matters relevant to this Agreement, not otherwise addressed in this Agreement, as soon as practicable. For the purposes of this section, "Party", when used in respect to the Board, includes the Service.
- 8.12 Any existing memorandum of understanding as between the Board or the Service and the City in relation to the exchange of information relevant to this Agreement shall be preserved. Without limiting the obligations as set out in section 8.8 above, the City undertakes to maintain the confidential nature of any information obtained through the provisions of any memorandum of understanding as between the Board or the Service and the City.
- 8.13 The City shall at all times be governed by the provisions of the *Youth Criminal Justice Act* S.C. 2002, c.1. in the management, storage and sharing of information in relation to any young person's records.

- 8.14 No Canadian Police Information Centre or other police information obtained through this Agreement may be used or shared by the City for any employment purpose, except as permitted in this Agreement.

**ARTICLE 9 - INVESTIGATION OF COMPLAINTS**

- 9.1 Subject to section 9.2 of this Agreement, upon the City's receiving a Complaint concerning a CTA's work conduct when performing special constable duties, or the City Traffic Agent Program, the City shall immediately forward the Complaint to the Service's Special Constable Liaison Office. In the case of a Complaint concerning a CTA, the Service will, within a reasonable time, assess whether the Complaint will be classified as one involving major or minor misconduct in accordance with Service policies, standards and procedures. The Service shall, within a reasonable time, determine if the Complaint will be investigated by the Service, as it involves major misconduct, or assigned to the City, as it involves minor misconduct, to be investigated in accordance with its Complaints Investigation Procedure. However, regardless of the classification of the Complaint, the Service retains the sole discretion to retain any Complaint if it considers such investigation appropriate in the circumstances. In all cases where the Service investigates the Complaint, the City will not initiate their own investigation, pursuant to section 9.5, until the Services' investigation is complete.
- 9.2 Upon receiving a Complaint concerning a CTA, the Service shall investigate the Complaint, within a reasonable time. The Service agrees to comply with the Investigation Protocol, as amended, agreed to by the City and Canadian Union of Public Employees Local 79 and assume the obligations of the City under the Investigation Protocol when the Service conducts an investigation that may result in the discipline of a CTA. A copy of the current Investigation Protocol is attached to this agreement as Schedule "E".
- 9.3 Where a Complaint has been assigned to the City for investigation and/or the Service has notified the City that the Services' investigation pursuant to section 9.1 is complete, the City shall provide the Service's Professional Standards Unit with its results, in writing, within 60 days from the date the Complaint was assigned to the City and/or date of notification.
- 9.4 The City shall have a written Complaints Investigation Procedure relating to any Complaint concerning the conduct of a CTA or the City Traffic Agent Program. The Complaints Investigation Procedure shall be established consistent with the criteria set out in Schedule "D" of this Agreement and this Article and a copy shall be provided to the Service and the Board. The Complaints Investigation Procedure shall include a review process which shall be undertaken by the Office of the Ombudsman of the City, or such other independent third party selected jointly by the parties if the Office of the Ombudsman declines or is unable to undertake the review process. The review will be limited to the issue of whether the City has complied with the Complaints Investigation Procedure. The Complaints Investigation Procedure shall be made available to the public and shall be made available through the City's website – [www.toronto.ca](http://www.toronto.ca).

- 9.5 Notwithstanding sections 9.1 and 9.6, all Complaints concerning a CTA or the City Traffic Agent Program shall be investigated by the City in accordance with its Complaints Investigation Procedure.
- 9.6 At any time, whether before, during or after completion of the City's investigation of a Complaint concerning a CTA or before the making of any findings on the Complaint investigation by the City, the Board, in its sole discretion, may request the Service to undertake an investigation of the Complaint concerning the conduct of a CTA.
- 9.7 Subject to any applicable laws, in addition to any findings of misconduct following a Complaint investigation pursuant to sections 9.1 or 9.5 of this Agreement, the City shall immediately forward to the Board, for the Board's review and action, any information the City receives or has in its possession concerning misconduct or alleged misconduct, including a breach of any provision of this Agreement by a CTA whether allegedly committed before or after the date of his or her appointment as a CTA, occurring up to one year prior to the date of his or her appointment as a CTA pursuant to this Agreement and from the date of execution of this Agreement forward, which has not resulted in a Complaints investigation by either the Service or the City in accordance with sections 9.1 or 9.5 of this Agreement.
- 9.8 Upon being provided with a finding of misconduct by a CTA or a substantiated Complaint regarding the policies of, or the services provided by, the City Traffic Agent Program, pursuant to sections 9.1 or 9.3 of this Agreement, or, with information regarding misconduct by a CTA, pursuant to section 9.7 of this Agreement, the Board may immediately:
- (i) suspend or terminate that CTA's appointment subject to the requirements set out in subsections 53(6) and 53(8) of the *PSA*, or the procedural requirements of the New Legislation upon its coming into force; and/or
  - (ii) in the case of a substantiated Complaint regarding the policies of, or the services provided by, the City Traffic Agent Program, terminate the Agreement in accordance with section 2.1(a) of this Agreement.
- 9.9 The Service may recover costs from the City for any Complaint investigation conducted by the Service concerning a CTA or the City Traffic Agent Program provided that the Service gives the City at least thirty (30) days written notice containing an estimate of those costs and allows the City to review, dispute, and approve costs, for which approval will not be unreasonably withheld.
- 9.10 The City will ensure that CTAs, upon becoming aware of the following, notify an immediate supervisor forthwith:
- (a) when charged with a provincial offence, other than a violation of the *Highway Traffic Act*, for which no power of arrest is provided;

- (b) when suspected of, under investigation for, or charged with, a criminal offence; or
  - (c) when involved in any incident in which any of the following occurs: the death of a person, the serious injury of a person or the discharge of a firearm at a person.
- 9.11 When a supervisor from the City is advised of an incident as described in section 9.10, the supervisor shall ensure that the Service's Special Constable Liaison Office is immediately notified utilizing the established process and shall notify the appropriate Ministry official as required by the New Legislation upon its coming into force.
- 9.12 Where the City receives a Complaint, other than a Complaint from sources internal to the City, concerning the conduct of a CTA, the City shall follow any complaint process established by the New Legislation once it comes into force.

**ARTICLE 10 - IDENTIFICATION OF CITY TRAFFIC AGENTS**

- 10.1 Upon the appointment by the Board, and approval of the Minister, of a City employee as a special constable in accordance with Article 4, the applicant shall be identified as a CTA with the powers and duties of a special constable under his or her appointment and this Agreement.
- 10.2 The City shall ensure that a CTA carries photographic identification at all times while on duty that indicates his or her status as a CTA. The identification shall include:
- (a) the name of the CTA;
  - (b) a colour photograph of the CTA;
  - (c) clear indication that the identification is issued to a CTA;
  - (d) the appointing authority (Toronto Police Services Board);
  - (e) signature of the GM or any City designate;
  - (f) the appointment and expiry date of the CTA appointment; and
  - (g) the words "Special Constable" prominently displayed.
- 10.3 When an individual's status as a CTA has expired, been terminated or suspended, the City shall ensure that the individual returns his or her special constable identification.
- 10.4 The City shall not display or use the word "police" on any of its vehicles, uniforms, insignia, or other materials, except where permitted by legislation or approved by the Minister. CTAs shall not identify or otherwise represent themselves to the public as a police officer.

- 10.5 The City acknowledges that a CTA is prohibited from identifying himself or herself as a police officer or in any way holding himself or herself out as a police officer or as an employee or member of the Toronto Police Service.
- 10.6 Nothing in this Agreement shall be construed to deem an applicant or a CTA to be an employee or member of the Toronto Police Service.

#### **ARTICLE 11 - TRAINING**

- 11.1 The City is, and shall remain, responsible for procuring a third party agency or organization that will provide applicants and CTAs with the training standards as set out in section 11.2 of this Agreement.
- 11.2 The City is, and shall remain, responsible for the training of applicants and CTAs in accordance with training standards prescribed by the Service, as modified from time to time, with the approval by the Board, for CTAs based on their duties, powers, and responsibilities. The minimum training requirements are more particularly set out in Schedule “B”.
- 11.3 Every applicant being considered for appointment as a special constable shall be trained and every CTA shall remain trained in all components of his or her duties, powers, and responsibilities in accordance with the Training Requirements. Each applicant and CTA shall have successfully completed the Training Requirements.
- 11.4 The City shall inform the Board and the Service of changes and updates to the Training Requirements, which information shall include a detailed explanation and rationale as to the change and update to the Training Requirements, and, provided the Board has approved such changes and updates, the City shall forthwith provide such modified or additional training for its applicants and CTAs.
- 11.5 The City is, and shall remain, responsible for all costs and expenses incurred by the City associated with the training of applicants and CTAs under this Agreement. The City agrees that these costs will not be charged back to the Service.
- 11.6 The Board, in its sole and unfettered discretion, may partially or wholly exempt an applicant or CTA from some or all of the required training, upon the presentation of evidence, satisfactory to the Board, that the applicant or CTA has already completed training satisfactory to the Board.
- 11.7 The City shall designate an employee as a Training Liaison, who shall be responsible for ensuring training is conducted in relation to any changes in legislation, Service rules, governance, the Service’s reporting process and up-grades to reporting mechanisms.

#### **ARTICLE 12 – EQUIPMENT AND UNIFORMS**

- 12.1 A CTA may only be issued with the following equipment, at the time of appointment:

- (a) Memobook;
  - (b) Mobile phone; and
  - (c) Personal protective equipment, including:
    - i) a whistle
    - ii) white gloves
    - iii) reflective vest and/or jacket
    - iv) reflective hat
- 12.2 All Equipment, uniforms and insignia issued to or worn by a CTA shall be paid for by the City.
- 12.3 All Equipment, uniforms and insignia issued or used by a CTA in the performance of his or her duties shall comply with the recommendations contained in the Ministry's publication "Special Constables: A Practitioner's Handbook" or a successor publication, any applicable legislation and any other requirements as established by the Board.
- 12.4 No substantial change or modification in any Equipment will be made without prior approval of the Board.

### **ARTICLE 13 - MEDIA AND COMMUNICATIONS**

- 13.1 The City shall make best efforts to ensure that CTAs, or any representative of the City, shall refrain from commenting to the media on any matter involving the exercise of a CTAs duties and obligations, as set out in this Agreement, without first contacting City Strategic Communications. "Commenting to the media" includes conducting news conferences and interviews, issuing news releases and the use of social media such as blogs, social networking sites or any other similar platform.
- 13.2 City Strategic Communications will consult with the Service's Corporate Communications Unit before the release of any comment to the media.

### **ARTICLE 14 – INSURANCE AND INDEMNITY**

- 14.1 At all times during the Term, the City agrees to provide and maintain in force, at its own expense, a \$5,000,000.00 per occurrence limit of Commercial General Liability insurance coverage.
- 14.2 The insurance policy maintained by the City in accordance with section 14.1 of this Agreement shall include the following:
- (a) name the Province of Ontario and the Ministry of the Solicitor General as additional insured;
  - (ii) personal injury liability; a cross-liability/severability of interest; broad form contractual liability; contingent employer's liability; and non-owned automobile liability; and

- (iii) the insurer will endeavour to provide thirty (30) days' prior written notice of cancellation to the Province of Ontario and Ministry of the Solicitor General.

At the expiry date of the policy, the City shall provide a certificate evidencing renewal or replacement to the Board prior to the expiration date of the original policies, without notice or request by the Board.

- 14.3 Deductible amounts of the insurance policies as noted above shall be borne by the City.
- 14.4 The City shall indemnify and save and hold harmless the Board, the Chief, and all members of the Service, the Province of Ontario and the Ontario Ministry of the Solicitor General (the "Indemnified Parties") from and against all loss, liability, damage, expenses or costs (the "Claims") which the Indemnified Parties, or any of them, may incur arising out of or related to the activities of the City and its employees appointed as CTAs, save and except to the extent that any Claims arise from the negligent act or omission of any of the Indemnified Parties. In addition to the foregoing, the City shall indemnify the Board, the Chief and all members of the Service for all acts or omissions related or connected to an alleged misconduct investigation by the Service in accordance with sections 9.1 and 9.2.
- 14.5 If any of the Indemnified Parties are, without liability on their part, made a party to any litigation commenced by or against the City and/or the City's said employees (excepting litigation commenced by the City against the Board) the City shall,
  - (i) protect, indemnify and hold harmless the Indemnified Parties; and
  - (ii) pay all costs, expenses and reasonable legal fees that may be incurred by any of the Indemnified Parties in enforcing the terms, covenants and conditions of this Agreement, unless a court shall decide otherwise.
- 14.6 The provisions of sections 14.4 and 14.5 shall survive the termination or expiry of this Agreement.

#### **ARTICLE 15– NOTICE**

- 15.1 Any notice, demand or other communication (in this section 15.1, a "notice") required or permitted to be given or made hereunder shall be in writing and shall be sufficiently given or made if:
  - (a) delivered in person during normal business hours on a business day and left with a receptionist or other responsible employee of the relevant Party at the applicable address set forth below;
  - (b) sent by prepaid first class mail; or

- (c) sent by any electronic means of sending messages, including facsimile transmission, which produces a paper record (in this section 15.1, “Electronic Transmission”) during normal business hours on a business day;

in the case of a notice to the Board, to:

Toronto Police Services Board  
40 College Street  
Toronto, Ontario M5G 2J3  
Attention: Executive Director  
Fax No.: 416-808-8082

and, in the case of a notice to the City, to:

City of Toronto  
100 Queen Street West, City Hall, 24<sup>th</sup> Floor, East Tower  
Toronto, Ontario M5H 2N2  
Attention: General Manager, Transportation Services  
Fax No.: 416-696-3743

15.2 Each notice sent in accordance with this Agreement shall be deemed to have been received:

- (a) on the day it was delivered;
- (b) at start of business on the third business day after it was mailed (excluding each business day during which there existed a general interruption of postal services due to strike, lockout or other cause); or
- (c) on the same day that it was sent by Electronic Transmission or at the start of business on the first business day thereafter if it was sent after 4:00 pm or if the day on which it was sent was not a business day.

Either Party may change its address for notice by giving notice to the other Party (as provided in this section).

#### **ARTICLE 16 – GENERAL PROVISIONS**

- 16.1 If any of the provisions or part thereof contained in this Agreement is found by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity, legality or enforceability of the remaining provisions or parts thereof contained herein shall not be in any way affected or impaired thereby.
- 16.2 No supplement, modification or termination of this Agreement shall be binding unless executed in writing by the Party to be bound thereby.
- 16.3 No waiver of or consent to depart from the requirements of any provision of this

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*Agreement is still draft, subject to the approval of the Solicitor General.*

Agreement shall be binding against either Party unless it is in writing and is signed by the Party giving it. Such waiver or consent shall be effective only in the specific instance and for the specific purpose for which it has been given and shall not be deemed or constitute a waiver of any other provisions (whether or not similar) nor shall such waiver constitute a continuing waiver unless otherwise expressly provided. No failure on the part of either Party to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver of such right. No single or partial exercise of any such right shall preclude any other or further exercise of such right or the exercise of any other right.

16.4 This Agreement may be executed in any number of counterparts. Either Party may send a copy of its executed counterpart to the other Party by facsimile transmission or by email in .pdf format instead of delivering a signed original of that counterpart. Each executed counterpart (including each copy sent by facsimile transmission or email) shall be deemed to be an original; all executed counterparts taken together shall constitute one agreement.

16.5 The Parties acknowledge and agree that upon the enactment of the New Legislation, amendments to this Agreement may be required to ensure compliance with the New Legislation. As such, upon the enactment of the New Legislation, the Parties agree to review this Agreement, including the attached schedules, to ensure it complies with the Parties' obligations under the New Legislation. Should either Party identify the need to amend this Agreement to ensure compliance with their respective obligations under the New Legislation, the Parties agree to enter into negotiations to amend this Agreement forthwith to ensure compliance. The Parties acknowledge and agree that the New Legislation shall, upon its coming into force, take precedence over the requirements of this Agreement, and neither Party shall be in breach or default of this Agreement where it has acted contrary to the requirements of this Agreement for the purposes of complying with its obligations under the New Legislation.

IN WITNESS WHEREOF the parties have executed this Agreement.

) **TORONTO POLICE SERVICES BOARD**  
)  
) Per: \_\_\_\_\_  
)  
)  
)  
) **CITY OF TORONTO**  
)  
) Per: \_\_\_\_\_

**SCHEDULE “A” – CITY TRAFFIC AGENT ACKNOWLEDGEMENT FORM**

In accordance with the Agreement between:

**TORONTO POLICE SERVICES BOARD**

- and -

**CITY OF TORONTO**

I acknowledge that:

1. The City of Toronto (City) has submitted my name to the Toronto Police Services Board (Board) for appointment as a special constable in accordance with s. 53 of the *Police Services Act, R.S.O. 1990 C. P-15* as amended to assist in carrying out the duties of a City Traffic Agent.
2. The City has provided me with a copy of the City’s Code of Conduct as it relates to the roles and responsibilities of a City Traffic Agent.
3. The City has notified me of my responsibilities regarding the powers and duties assigned to me as a City Traffic Agent.

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

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*Agreement is still draft, subject to the approval of the Solicitor General*

**SCHEDULE “B”- TRAINING REQUIREMENTS  
(ARTICLE 11)**

**TRAINING**

- B.1 The City shall ensure every applicant and every CTA is trained to standards prescribed by the Service, and as set out in the Ministry’s publication “Special Constables: A Practitioner’s Handbook” and the requirements of the Ministry of the Solicitor General, in order to fulfill the duties, powers and responsibilities of a CTA. The City shall further ensure that every applicant and every CTA is trained in accordance with the requirements of the New Legislation upon its coming into force.
- B.2 The City shall submit annually to the Service a copy of course outlines, course curricula and, when requested by the Service, lesson plans and course instructors curriculum vitae. The Service’s Toronto Police College (TPC) will review these materials to ensure that the training being provided by the City to applicants and CTAs complies with the training standards prescribed by the Service and the requirements of the New Legislation upon its coming into force. Where the training standards prescribed by the Service and the requirements of the New Legislation are in conflict upon the New Legislation coming into force, the Parties agree that the requirements of the New Legislation will govern.
- B.3 The TPC will ensure that the course outlines, course curriculum and, when requested, lesson plans and course instructors curriculum vitae, are kept secure with access only to those Service members authorized.
- B.4 Representatives from the Service may, at their discretion, attend in-class academic courses and use of force training sessions in person to offer feedback on training.
- B.5 The Service and the City shall seek out opportunities to keep each other up-dated on changes in training, Service procedures, case law or any other material changes that may have an effect on CTAs' performance of their duties and responsibilities.
- B.6 The City shall notify the TPC of any additional training for CTAs with respect to their special constable duties that should be provided to its CTAs. If upon reviewing this additional training the TPC determines that the additional training is outside of the scope of the CTAs duties and responsibilities, it shall be submitted to the Board for approval.

- B.7 The City shall ensure every CTA is trained in the following topics and which training,
- a) shall be determined in consultation with the Service;
  - b) shall be included in the City's syllabus, and
  - c) may change in accordance with the New Legislation upon its coming into force:

<b>COURSES</b>
Accessibility for Ontarians with Disabilities Act
Arrest Authorities
Arrest/Search Incident to Arrest
By-law Enforcement
Case Preparation Provincial Offences
Community Mobilization/Community Policing
Traffic/Crime Scene Management
City Traffic Agent Status – Roles & Responsibilities
Criminal Offences
Diversity Awareness and Human Rights Issues
Persons in Crisis/Mental Health Act
Ethics and Professionalism
Field Interviewing/Taking Statements
First Aid/CPR (including Naloxone)
Highway Traffic Act and Traffic Direction
Incident Management
Introduction to Law
Memorandum Books/Note-Taking
Occupational Health & Safety
Occurrence/Report Writing/Field Information Report
Ontario Traffic Manual Book 7
Ontario Traffic Manual Book 18
Provincial Offences Act
Public Safety Foundations
Road to Mental Readiness
Search and Seizure Authorities
Testimony/Criminal/Provincial Justice System/Rules of Evidence
Traffic Management

Transportation Services
YCJA

<b>USE OF FORCE/TACTICAL TRAINING</b>
Basic Self Defense (not yearly qualification)
Crisis Resolution
Tactical Communications

**SCHEDULE “C” - RESPONSE AND REPORTING REQUIREMENTS  
(ARTICLE 7)**

**PROCEDURE FOR REPORTING INCIDENTS AND GUIDELINES FOR  
ACTION**

As provided for in the *PSA*, the Service has primary responsibility for responding to policing matters on Highways. Nothing in this Agreement shall be interpreted so as to restrict the authority of the Service to address this responsibility. Article 5 of the Agreement continues to apply.

- C.1 In all circumstances in which the CTAs assist Service personnel in the conduct of an investigation, the CTAs shall, in addition to any City internal reporting requirements, complete detailed notes regarding the incident, obtain the incident number from a TPS member and attend the involved or nearest police District to provide a copy of their notes to be attached to the occurrence or record of arrest.
- C.2 Where a CTA, as a function of his or her normal duties, comes into possession of information relevant to incidents being investigated by the Service, he or she will immediately submit his or her notes and attend the involved police District to provide any other information to the assigned Service investigator. Where the information is of an urgent nature, he or she shall immediately contact the Service’s Communications Services Unit.
- C.3 A CTA who concludes that a situation is a serious threat to personal and/or public safety based on the reasonable judgment of a trained special constable, shall disengage from the situation and in each case, and where appropriate, the CTA will:
- render assistance to the victim,
  - take precautions to ensure the safety of the members of the public,
  - advise the Service of the crime and ascertain if a police officer will be attending,
  - secure the area of the investigation to prevent any destruction of evidence and maintain the integrity of the crime scene,
  - identify witnesses, and
  - complete memobook notes detailing his or her involvement.
- C.4 Situations may arise that are not covered by this Schedule “C”. In these instances the investigating CTA(s), shall call 911 if the situation appears to be an Emergency or the non-Emergency number of the Service’s Communications Services Unit if the situation does not appear to be an Emergency.

## **CALL FOR SERVICE**

- C.5 When calling the Service for assistance, which may relate to a criminal offence, CTAs shall:
- (a) immediately notify the Service's Communications Services Unit of the incident;
  - (b) remain at the scene of the incident;
  - (c) attend the police District assigned to investigate the incident when requested to do so; and
  - (d) not conduct any form of forensic work or photograph any evidence, individuals, or scenes relating to an incident to which the police have been called.
- C.6 Where a police officer is unable to attend CTAs shall:
- (a) call the non-Emergency number of the Service's Communications Services Unit prior to the CTA leaving the area;
  - (b) advise the call taker that the CTA is leaving and obtain an event number;
  - (c) advise the call taker of the CTAs contact information to add to the call details; and
  - (d) complete their notes, documenting their observations and interactions and attend the nearest police District to provide a copy of their notes.

## **USE OF FORCE**

- C.7 CTAs shall submit a Use of Force – Form 1 to the Service in accordance with *Ontario Regulation 926/90* through the Service's Special Constables Liaison Office where the force was used and in accordance with Service Procedure 15-01, Use of Force.
- C.8 The City shall ensure that it retains, tracks and conducts periodic audits on the Use of Force – Form 1 documentation submitted by all CTAs.

**SCHEDULE “D” - COMPLAINTS INVESTIGATION PROCEDURE CRITERIA  
(ARTICLE 9)**

**PUBLIC COMPLAINTS INVESTIGATION PROCEDURE**

- D.1 The City shall ensure that it has a Public Complaints Procedure for receiving, investigating, and adjudicating Complaints from members of the public and others concerning the policies of the City Traffic Agent Program, or services provided by, or the conduct of, a CTA.

The City’s Public Complaint procedure shall be consistent with the principles set out in this Schedule.

- D.2 The City shall ensure that its Public Complaint Procedure contains the following elements:

- (a) Promotes public awareness of the Complaint process, including posting of the Public Complaints Procedure on the City website – [www.toronto.ca](http://www.toronto.ca);
- (b) A process for members of the public to file a Complaint to the City in either writing, by e-mail or by fax, concerning its policies relating to the City Traffic Agent Program, or the services provided by, or the conduct of a CTA;
- (c) Upon the New Legislation coming into force, a process regarding the disclosure of professional misconduct that is alleged to have been engaged in by a CTA, including:
  - i. A procedure to address how a member or former member of the Service, or a CTA or former CTA, may make disclosures of professional misconduct, including giving directions as to the persons to whom disclosures may be made;
  - ii. A procedure to protect the identities of persons involved in the disclosure process, including persons who make disclosures, witnesses and persons alleged to be responsible for professional misconduct; and
  - iii. A procedure to provide for exceptions to be made to procedures described in clause (ii) where the interests of fairness require that a person’s identity be disclosed to one or more persons;
- (d) All Complaints received concerning the conduct of a CTA or the policies of, or the services provided by, the City Traffic Agent Program, shall be immediately forwarded to the Service’s Special Constables Liaison Office on the prescribed form for classification and referral; the Service’s Professional Standards Unit may investigate the Complaint, or return it to the City for investigation. The City shall not investigate any Complaints against a CTA without approval from the Service’s Professional Standards Unit;

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*Agreement is still draft, subject to the approval of the Solicitor General.*

- (e) Upon the New Legislation coming into force, where the City receives a Complaint other than a Complaint from sources internal to the City concerning the conduct of a CTA, the City shall notify the complainant of the provincial official available to receive and investigate such a complaint under the New Legislation and may forward such a complaint to that provincial official in accordance with the New Legislation;
- (f) Every Complaint returned to the City for investigation shall be investigated by a designated Complaint Coordinator who has been trained by the Service's Professional Standards Unit;
- (g) Every Complaint returned to the City for investigation shall be investigated and reported on, in writing to the Service's Professional Standards Unit, within 60 days from the date the Complaint was assigned to the City. If the Complaint investigation is not able to be completed within 60 days, the City shall notify the Service and complainant, in writing, before the 60 day investigation period has expired;
- (h) The complainant shall be kept advised of the outcome of the investigation of the Complaint, in writing; and
- (i) There shall be a review process available to complainants to consider whether the City has complied with this Public Complaints Procedure. This review shall be undertaken by the Office of the Ombudsman of the City of Toronto or such other independent third party selected jointly by the parties if the Office of the Ombudsman declines or is unable to undertake the review process. The Office of the Ombudsman shall provide the results of the review to the City and the City shall provide the Board with a copy of the review results.

**SCHEDULE “E” - CUPE LOCAL 79 INVESTIGATION PROTOCOL**

E.1 Where the City conducts an investigation which may result in the discipline of a Local 79 employee(s), the employee(s) who is the subject of the investigation will be informed of the nature of the meeting and their right to Local 79 representation. The City shall inform the Chief Steward or designate of Local 79 about the pending investigation meeting and the nature of the meeting.

Where practical, the employee will receive twenty-four (24) hours’ notice of the investigation meeting.

At the meeting, the City will disclose the nature of the investigation including the nature of any complaints received.

At the meeting, the employee and the Local 79 Steward or representative will be informed if the City has contacted or intends to contact the police, children’s aid societies or a professional regulatory body regarding the matters under investigation.

Once the investigation is completed, the employee will be informed of the outcome of the investigation in a timely manner.



## Toronto Police Services Board Report

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June 26, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: Special Constable Appointments and Re Appointments –  
July 2019**

### **Recommendation:**

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

### **Financial Implications:**

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

### **Background / Purpose:**

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry of the Solicitor General. Pursuant to this authority, the Board now has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P154/14 refer).

The Service has received requests from UofT and T.C.H.C to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Request
University of Toronto– St. George Campus	Ajitpaul Singh GILL	Appointment
University of Toronto	Derrick INGRAM	Appointment
University of Toronto– St. George Campus	Hollis Patrick MILROY	Appointment
University of Toronto– St. George Campus	Ashley Louis TOLLAR	Re - Appointment
Toronto Community Housing Corporation	Sean BROSNAN	Appointment

**Discussion:**

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

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

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

Table 2 Name of Agency, Approved Strength and Current Number of Special Constables

Agency	Approved Strength	Current Complement
University of Toronto St. George Campus	50	28

Agency	Approved Strength	Current Complement
University of Toronto Scarborough Campus	25	12
Toronto Community Housing Corporation	300	140

**Conclusion:**

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

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

Respectfully submitted,

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

\*original with signature on file at Board office



## Toronto Police Services Board Report

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July 24, 2019

To: Members  
Toronto Police Services Board

From: Andy Pringle  
Chair

**Subject: Canadian Association of Police Governance (CAPG) 2019 Annual Conference**

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

1. That, as an exception to its Special Fund Policy, the Board approve an expenditure in the amount of \$7,500.00 from the Board's Special Fund to sponsor the Canadian Association of Police Governance ("CAPG") 2019 Annual Conference; and,
2. That the Board approve the conference attendance and estimated cost-related expenditures for interested Board members and Board staff members to attend the CAPG 2019 Annual Conference and Annual General Meeting

### **Financial Implications:**

If the Board approves the recommendation contained in this report, the Special Fund will be reduced by \$7,500.00. The current balance of the Special Fund is approximately \$746,671.39 as at June 19, 2019.

Additionally, funds are available within the business travel account of the Board's 2019 operating budget to fund the expenditures of interested Board members and Board staff members who wish to attend.

### **Background / Purpose:**

Each year, CAPG hosts an annual conference which is one of only two annual opportunities for professional development for Board members and staff. This conference provides an opportunity for networking with Boards from across Canada.

The theme this year is "Community Safety, Community Service, Community Strength." The conference will be held in Calgary, AB from August 9 -11, 2019. The sessions will cover a broad range of topics relevant to the Board.

In conjunction with the conference, the CAPG also holds its Annual General Meeting (AGM) at this time. Members discuss issues, consider resolutions and elect officers of the organization at this AGM.

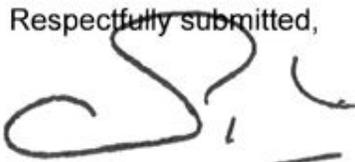
A sponsorship package and the full conference program from CAPG are attached for your consideration. It is customary for the association to seek sponsorship from member boards. TPSB has historically been a supporter of this important national conference, along with its fellow large boards and commissions.

**Conclusion:**

It is, therefore, recommended that the Board:

1. That, as an exception to its Special Fund Policy, the Board approve an expenditure in the amount of \$7,500.00 from the Board's Special Fund to sponsor the Canadian Association of Police Governance ("CAPG") 2019 Annual Conference; and,
2. That the Board approve the conference attendance and estimated cost-related expenditures for interested Board members and Board staff members to attend the CAPG 2019 Annual Conference and Annual General Meeting

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AP', with a horizontal line underneath it.

Andy Pringle  
Chair



## Toronto Police Services Board Report

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July 10, 2019

To: Members  
Toronto Police Services Board

From: Andy Pringle  
Chair

**Subject: City of Toronto Council Decision – Hate Sponsored Rallies**

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

It is recommended that:

- 1) the Board request that the Chief of Police report to the Board on the matters requested by City Council; and,
- 2) the Board forward a copy of this report and any accompanying Board meeting minutes to the Executive Committee.

### **Financial Implications:**

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

### **Background/Purpose:**

The Council decision related to this item is available at this link:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX5.3>

### **Discussion:**

In considering this item, City Council adopted the following recommendations:

**9. City Council request the Toronto Police Services Board to request the Toronto Police Service and the Attorney General to take swift and immediate action against any group found to be contravening the law and advocating anti-Semitism, Islamophobia, homophobia or any other forms of hatred contrary to the Criminal Code.**

**10. City Council request the Toronto Police Services Board to request the Toronto Police Service to review procedures on collecting evidence of hate crimes at rallies and to review procedures for individuals to report hate crimes, and to review again the events of the 2018 Al Quds Day rally to determine whether a hate crime occurred.**

**11. City Council request the Toronto Police Services Board to request the Toronto Police Service to review its training of officers and processes for the creation of the Toronto Police Service General Occurrence (G), for the detailing instances of hate, including speech, music, expressive clothing, placards, pamphlets, and other forms of hate dissemination at public events.**

**Conclusion:**

It is, therefore, recommended that:

- 1) the Board request that the Chief of Police report to the Board on the matters requested by City Council; and,
- 2) the Board forward a copy of this report and any accompanying Board meeting minutes to the Executive Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andy Pringle', written over a horizontal line.

Andy Pringle  
Chair



Ulli S. Watkiss  
City Clerk

City Clerk's Office

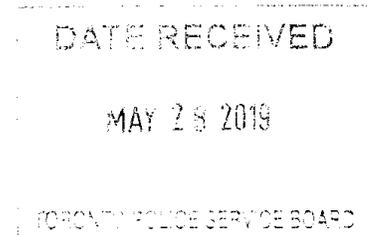
**Secretariat**  
Marilyn Toft  
Council Secretariat Support  
City Hall, 12<sup>th</sup> Floor, West  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Tel: 416-392-7032  
Fax: 416-392-2980  
e-mail: Marilyn.Toft@toronto.ca  
web: www.toronto.ca

**In reply please quote:  
Ref.: 19-EX5.3**

May 23, 2019

Mr. Andrew Pringle  
Chair  
Toronto Police Services Board  
40 College Street  
Toronto, Ontario M5G 2J3



Dear Mr. Pringle:

**Subject: Executive Committee Item 5.3  
Hate Sponsored Rallies (Ward All)**

City Council on May 14 and 15, 2019, considered this Item, and a copy is attached for your information or appropriate action.

Yours truly,



for City Clerk

M. Toft/sb

Attachment

Sent to: Attorney General, Province of Ontario  
Chair, Toronto Police Services Board

c. City Manager

## Executive Committee

EX5.3		Adopted		Ward: All
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### Hate Sponsored Rallies

#### City Council Decision

City Council on May 14 and 15, 2019, adopted the following:

1. City Council reaffirm its absolute and unwavering opposition to hate speech in the City of Toronto.
2. City Council direct the City Manager to inform organizers of events which occur regularly without a permit of the City's policies towards hate speech and hate activities.
3. City Council direct the Executive Director, People, Equity and Human Rights and the General Manager, Parks, Forestry and Recreation, in consultation with City Agencies and Corporations, to develop a policy to refuse permits for any events advocating hatred or violence against any faith, race, or sexual orientation on City property.
4. City Council direct the General Manager Parks, Forestry and Recreation to monitor rallies in City parks and work with the Toronto Police Service on-site in order to enforce by-law contraventions, including opportunities to charge event organizers for operating without a permit.
5. City Council request the City Manager to, where possible, issue trespass or trespass warning letters to identifiable participants engaged in hate activities at rallies on City property.
6. City Council request the City Manager and the Chief Financial Officer and Treasurer to, whenever possible, make efforts to obtain reimbursement from organizers of events engaged in hate activities on City property for all City-incurred expenses.
7. City Council request the Executive Director, People, Equity and Human Rights and the City Solicitor to conduct a bi-annual review of the Hate Activity Policy and make any changes necessary to ensure it protects against hate activity on City property to the maximum extent permitted under the law.
8. City Council, request the City Solicitor to monitor Bill 84, "An Act to amend the Legislative Assembly Act respecting demonstrations that promote hatred on legislative precinct grounds" and make comments based on the City's anti-hate policies.
9. City Council request the Toronto Police Services Board to request the Toronto Police Service and the Attorney General to take swift and immediate action against any group found to be contravening the law and advocating anti-Semitism, Islamophobia, homophobia or any

other forms of hatred contrary to the Criminal Code.

10. City Council request the Toronto Police Services Board to request the Toronto Police Service to review procedures on collecting evidence of hate crimes at rallies and to review procedures for individuals to report hate crimes, and to review again the events of the 2018 Al Quds Day rally to determine whether a hate crime occurred.

11. City Council request the Toronto Police Services Board to request the Toronto Police Service to review its training of officers and processes for the creation of the Toronto Police Service General Occurrence (G), for the detailing instances of hate, including speech, music, expressive clothing, placards, pamphlets, and other forms of hate dissemination at public events.

12. City Council request the Attorney General to investigate the feasibility of creating a process to remove some discretion from decisions to lay charges for hate activities similar to those used for cases of domestic violence.

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### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council reaffirm its absolute and unwavering opposition to hate speech in the City of Toronto.
2. City Council direct the City Manager to inform organizers of events which occur regularly without a permit of the City's policies towards hate speech and hate activities.
3. City Council direct the Executive Director, People, Equity and Human Rights and the General Manager, Parks, Forestry and Recreation, in consultation with City Agencies and Corporations, to develop a policy to refuse permits for any events advocating hatred or violence against any faith, race, or sexual orientation on City property.
4. City Council direct the General Manager Parks, Forestry, and Recreation to monitor rallies in City parks, and work with Toronto Police Services on-site in order to enforce by-law contraventions, including opportunities to charge event organizers for operating without a permit.
5. City Council request the City Manager to, where possible, issue trespass or trespass warning letters to identifiable participants engaged in hate activities at rallies on City property.
6. City Council request the City Manager and Chief Financial Officer and Treasurer to, whenever possible, make efforts to obtain reimbursement from organizers of events engaged in hate activities on City property for all City incurred expenses.
7. City Council request the Executive Director, People, Equity and Human Rights and the City Solicitor to conduct a bi-annual review of the anti-hate policy and make any changes necessary to ensure it protects against hate activity on City property to the maximum extent permitted under the law.
8. City Council, request the City Solicitor to monitor Bill 84, "An Act to amend the Legislative Assembly Act respecting demonstrations that promote hatred on legislative precinct grounds"

and make comments based on the City's anti-hate policies.

9. City Council request the Toronto Police Services Board to request the Toronto Police Service and the Attorney General to take swift and immediate action against any group found to be contravening the law and advocating anti-Semitism, Islamophobia, homophobia or any other forms of hatred contrary to the Criminal Code.

10. City Council request the Toronto Police Services Board to request the Toronto Police Service to review procedures on collecting evidence of hate crimes at rallies and to review procedures for individuals to report hate crimes, and to review again the events of the 2018 Al Quds Day rally to determine whether a hate crime occurred.

11. City Council request the Toronto Police Services Board to request the Toronto Police Service to review its training of officers and processes for the creation of the Toronto Police Service General Occurrence (G), for the detailing instances of hate, including speech, music, expressive clothing, placards, pamphlets, and other forms of hate dissemination at public events.

12. City Council request the Attorney General to investigate the feasibility of creating a process to remove some discretion from decisions to lay charges for hate activities similar to those used for cases of domestic violence.

### **Origin**

(April 15, 2019) Report from the Executive Director, People, Equity and Human Rights

### **Summary**

This report responds to 2019.EX3.3 and outlines the following:

- a. the Toronto Police Services Board's process for the referral to the Office of the Attorney General of allegations of hate activity on City property;
- b. the results of the consultation and survey conducted in response to 2018.EX35.6 related to the City's Hate Activity Policy and the feasibility of the City addressing non-permitted protests featuring hate speech, including the possibility of recovering costs; and
- c. the outcome of inquiries made to the Toronto Police Services Board and the Ministry of the Attorney General as directed in 2019.EX3.3.

### **Background Information (Committee)**

(April 15, 2019) Report from the Executive Director, People, Equity and Human Rights on Hate Sponsored Rallies

<http://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132059.pdf>

Addendum 1 - Corporate Security Flow Charts entitled "Corporate Security Unplanned Hate Rallies Response Plan and Corporate Security Planned Hate Rallies Response Plan"

<http://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132188.pdf>

Addendum 2 - Chart Summarizing Hate Activity Policy Survey Responses

<http://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132189.pdf>

Addendum 3 - Response from the Ministry of the Attorney General dated April 10, 2019

<http://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132190.pdf>

### **Communications (Committee)**

(April 26, 2019) Letter from Dr. Atif Kubursi (EX.Supp.EX5.3.1)

- (April 30, 2019) E-mail from George Turner (EX.Supp.EX5.3.2)  
(April 30, 2019) E-mail from Murray Lumley (EX.Supp.EX5.3.3)  
(April 30, 2019) Letter from Mariam Karim, University of Toronto, Graduate Students' Union (EX.Supp.EX5.3.4)  
(<http://www.toronto.ca/legdocs/mmis/2019/ex/comm/communicationfile-93974.pdf>)  
(April 29, 2019) Letter from Robert Massoud (EX.Supp.EX5.3.5)  
(May 1, 2019) Submission from Reverend Karen Rodman, Just Peace Advocates (EX.Supp.EX3.5.6)  
(May 1, 2019) Submission from Suzanne Weiss (EX.New.EX5.3.7)

### **Communications (City Council)**

- (April 30, 2019) Submission from Michael Mostyn (CC.Main.EX5.3.8)  
(May 12, 2019) Letter from Dr. Atif Kubursi, Chair, Board of Trustees, Canadian Arab Federation (CC.Supp.EX5.3.9)  
(<http://www.toronto.ca/legdocs/mmis/2019/cc/comm/communicationfile-94547.pdf>)  
(May 13, 2019) E-mail from Murray Lumley (CC.Supp.EX5.3.10)  
(May 13, 2019) Submission from Dimitri Lascaris, A. Dimitri Lascaris Law Professional Corporation (CC.New.EX5.3.11)

### **Speakers**

Michael Mostyn, B'nai Brith Canada  
Stephen Ellis  
Dimitri Lascaris  
Robert Massoud, Beit Zatoun House Cultural Centre  
Dr. Atif Kubursi, Canadian Arab Federation  
Jake Javanshir  
Jamila Khader, University of Toronto, Graduate Students' Union  
Karin Brothers  
Derek Moran  
Meir Weinstein, Jewish Defence League  
Mariam Karim, University of Toronto, Graduate Students' Union  
Noah Shack, Centre for Israel and Jewish Affairs  
Suzanne Weiss  
Reverend Karen Rodman, Just Peace Advocates  
Elizabeth Block, Independent Jewish Voices  
Michael Keefer



## Toronto Police Services Board Report

---

July 4, 2019

To: Members  
Toronto Police Services Board

From: Andy Pringle  
Chair

**Subject: City of Toronto Council Decision – Establish Places of Worship Security Task Force**

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

It is recommended that:

- 1) the Chief of Police report to the Board on what approach is currently in place and utilized by the Service to address security and community safety issues concerning places of worship in Toronto, and whether, from the Chief of Police's perspective, the establishment of a new Task Force would enhance the current approach; and,
- 2) the Board forward a copy of this report and the report ultimately provided by the Chief of Police in response to the Executive Committee of the City Council.

### **Financial Implications:**

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

### **Background/Purpose:**

City Council, at its meeting on May 14 and 15, 2019 considered a Motion to create a places of Worship Security Task Force. The Council decision related to this item is available at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM7.4>

### **Discussion:**

In considering this item, City Council adopted the following:

City Council request the Toronto Police Services Board to consider and report back to the Executive Committee on the feasibility of establishing a Task Force to examine issues related to security, safety and public safety in places of worship, the role a Task Force might play in creating a security plan for the City of Toronto's places of worship, and possible mandate, Terms of Reference and composition, including working with City divisions, agencies and Federal and Provincial Governments.

**Conclusion:**

It is, therefore, recommended that:

- 1) the Chief of Police report to the Board on what approach is currently in place and utilized by the Service to address security and community safety issues concerning places of worship in Toronto, and whether, from the Chief of Police's perspective, the establishment of a new Task Force would enhance the current approach; and,
- 2) the Board forward a copy of this report and the report ultimately provided by the Chief of Police in response to the Executive Committee of the City Council.

Respectfully submitted,



Andy Pringle  
Chair



Ulli S. Watkiss  
City Clerk

City Clerk's Office

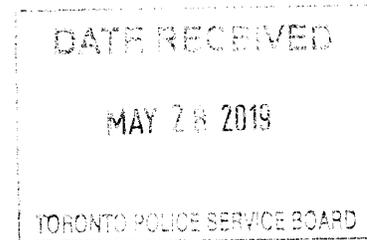
**Secretariat**  
Marilyn Toft  
Council Secretariat Support  
City Hall, 12<sup>th</sup> Floor, West  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Tel: 416-392-7032  
Fax: 416-392-2980  
e-mail: Marilyn.Toft@toronto.ca  
web: www.toronto.ca

**In reply please quote:  
Ref.: 19-MM7.4**

May 23, 2019

Mr. Andrew Pringle  
Chair  
Toronto Police Services Board  
40 College Street  
Toronto, Ontario  
M5G 2J3



Dear Mr. Pringle:

**Subject: Member Motion 7.4  
Establish Places of Worship Security Task Force**

City Council on May 14 and 15, 2019, considered this Item, and a copy is attached for your information or appropriate action.

Yours truly,

for City Clerk

M. Toft/sb

Attachment

c. City Manager



## City Council

### Member Motions - Meeting 7

MM7.4	ACTION	Adopted		Ward: All
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### **Establish Places of Worship Security Task Force - by Councillor Mike Colle, seconded by Councillor James Pasternak**

#### **City Council Decision**

City Council on May 14 and 15, 2019, adopted the following:

1. City Council request the Toronto Police Services Board to consider and report back to the Executive Committee on the feasibility of establishing a Task Force to examine issues related to security, safety and public safety in places of worship, the role a Task Force might play in creating a security plan for the City of Toronto's places of worship, and possible mandate, Terms of Reference and composition, including working with City divisions, agencies and Federal and Provincial Governments.

#### **Summary**

The purpose of this Motion is to create a places of Worship Security Task Force with appropriate City of Toronto services and approach Federal and Provincial Governments for their participation and possible resources to support these security initiatives.

#### **Background Information (City Council)**

Member Motion MM7.4

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-132794.pdf>)



## Toronto Police Services Board Report

---

July 12, 2019

To: Chair and Members  
Toronto Police Services Board

From: Andy Pringle  
Chair

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

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

It is recommended that the Board approve payment of an invoice dated June 28, 2019, in the amount of \$162,064.42 and that such payment be drawn from the Board's on-going operating budget for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP.

### **Financial Implications:**

The total amount invoiced to date is \$935,746.88

### **Background / Purpose:**

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

The City has agreed to provide funding to the Board to pay for the cost of the Review (Min.P112/18 refers).

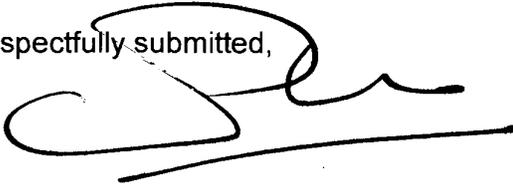
### **Discussion:**

I have attached a copy of the Review's detailed account for services renders, up to and including June 28, 2019, in the amount of \$162,064.42. A detailed statement is included on the in-camera agenda for information.

**Conclusion:**

It is, therefore, recommended that the Board approve payment of an invoice dated June 28, 2019, in the amount of \$162,064.42, and that such payment be drawn from the Board's on-going operating budget for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Pringle', with a long horizontal line extending to the right below the signature.

Andy Pringle  
Chair

Approved By: 

Andy Pringle #82420  
Chair  
Toronto Police Services Board

IN ACCOUNT WITH

COOPER, SANDLER  
SHIME & BERGMAN LLP  
BARRISTERS & SOLICITORS

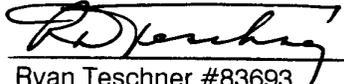
SUITE 1900  
439 University Avenue  
Toronto, Ontario  
M5G 1Y8

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

June 28, 2019

**PRIVATE AND CONFIDENTIAL**

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

Approved By: 

Ryan Teschner #83693  
Executive Director  
Toronto Police Services Board

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

---

FOR SERVICES RENDERED: From May 29, 2019 to June 28, 2019

Total Fees	\$49,975.50	
HST on Fees (13%)	6,496.82	
<b>Total Fees &amp; HST</b>		<b>\$56,472.32</b>
Disbursements Sub-total	\$93,991.99	
HST on Disbursements (13%)	11,600.11	
<b>Total Disbursements &amp; HST</b>		<b>\$105,592.10</b>
<b>TOTAL FEES AND DISBURSEMENTS</b>		<b>\$162,064.42</b>
for this account dated	May 28, 2019	
<b>BALANCE OWING</b>		<b>\$305,883.32</b>

THIS IS OUR ACCOUNT HEREIN

Cooper Sandler Shime & Bergman LLP

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

---

Mark J. Sandler

E. & O.E.

Total HST \$18,096.93

HST #:122552227



## Toronto Police Services Board Report

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July 4, 2019

To: Members  
Toronto Police Services Board

From: Andy Pringle  
Chair

**Subject: Toronto Police Service Board Special Fund – Annual Specified Procedures Report for the Year Ended December 31, 2018**

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

It is recommended that the Board receive the annual Specified Procedures Report, performed by Price Waterhouse Coopers LLP.

### **Financial Implications:**

There are no financial implications associated with the recommendation contained in this report.

### **Background / Purpose:**

Attached is the Specified Procedures Report which provides results of the audit of the Police Services Board Special Fund, for the year ended December 31, 2018. The audit is performed by independent external auditors, to assist the Board in evaluating the application and disbursement procedures and processes related to the Special Fund.

It was determined that an audit that assesses the Special Fund procedures and processes is a more useful approach, as it tests the degree to which the Board is adhering to its policy governing the Special Fund.

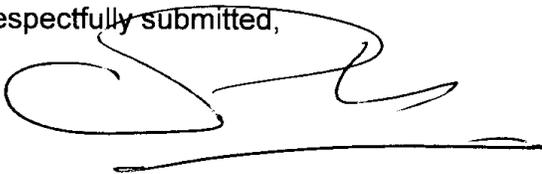
The 2018 audit included a review of Special Fund disbursements, bank statements, bank deposits, disbursements that are an exception to the policy, account balance, record keeping, signatories, etc. The audit revealed that the Board is in compliance with the administrative processes as outlined in the Board's Special Fund Policy.

A copy of the auditor's findings is attached to this report.

**Conclusion:**

Therefore, it is recommended that the Board receive the annual Specified Procedures Report, performed by Price Waterhouse Coopers LLP.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Andy Pringle', written over a horizontal line.

Andy Pringle  
Chair



July 5, 2019

**Report in connection with the Toronto Police Services Board Special Fund (the TPSB Special Fund)**

**To the Toronto Police Services Board:**

As agreed with you, we have performed the procedures enumerated in Appendix 1, solely to assist you in evaluating the application and disbursement procedures and processes related to the TPSB Special Fund during the year ended December 31, 2018.

As a result of applying the procedures outlined in Appendix 1, we report our findings attached in Appendix 2.

These procedures do not constitute an audit of the TPSB Special Fund as at and for the year ended December 31, 2018 and, therefore, we express no opinion on these account balances as at December 31, 2018 or the transactional activity for the year ended December 31, 2018. Had we performed additional procedures or had we made an examination of the account balances and transactional activity of the TPSB Special Fund, other matters might have come to our attention that would have been reported to you.

It is understood that this report is intended solely for the information of the Toronto Police Services Board. Consequently, the report should not be distributed to other parties. Any use that a third party makes of this report, or any reliance or decisions made based on it, are the responsibility of such third party. We accept no responsibility for any loss or damages suffered by any third party as a result of decisions made or actions taken based on this report.

*PricewaterhouseCoopers LLP*

**Chartered Professional Accountants, Licensed Public Accountants**

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*PricewaterhouseCoopers LLP*  
*PwC Tower, 18 York Street, Suite 2600, Toronto, Ontario Canada M5J 0B2*  
*T: +1 416-863-1133, F: +1 416-365-8215, [www.pwc.com/ca](http://www.pwc.com/ca)*

\*PwC\* refers to PricewaterhouseCoopers LLP, an Ontario limited liability partnership.



## ***Appendix 1: Specified procedures***

### **Application and disbursement procedures**

Haphazardly select 25% of the number of annual disbursements (cheques) from the Toronto Police Services Board Special Fund (TPSB Special Fund) general ledger and:

1. Ensure that Board approval has been obtained for the disbursement.
2. Ensure that the cheque amount agrees to the approved amount, and that such amount is recorded in the TPSB Special Fund general ledger (book of accounts).
3. Ensure that a Board report which includes an overview of the funding proposal is submitted to the Board for approval in accordance with the TPSB Special Fund Policy.
4. Ensure that the cheque is signed by the appropriate signatories in accordance with the TPSB Special Fund approval guidelines and policies.

### **General procedures**

5. Haphazardly select ten disbursements from the TPSB Special Fund and ensure that the funding is provided prior to the date of the event/activity, as specified in the funding application.
6. Haphazardly select six bank statements and ensure that the account balance does not fall below \$150,000 during the period covered by the statement, as set out in the TPSB Special Fund Policy.
7. Request the Board office to provide a listing of disbursements which were exceptions to the policy, and ensure that the Board approved the disbursement despite the exception by reference to the Board minutes.
8. Haphazardly select ten deposits within the bank statements and ensure that they are from authorized revenue sources as allowed by the Police Services Act.



**Appendix 2: Findings**

- 1.-4. We haphazardly selected 24 disbursements from the TPSB Special Fund bank statements for testing, itemized below, for the year ended December 31, 2018, representing 25% of the total number of annual disbursements for the year ended December 31, 2018.

For each disbursement selected, we completed procedures 1 through to 4 and have noted no exceptions.

<b>Disbursements (cheque numbers)</b>					
1325	1326	1333	1334	1338	1339
1342	1343	1346	1356	1360	1363
1366	1367	1371	1375	1384	1386
1390	1391	1396	1397	1404	1413

5. We haphazardly selected ten disbursements, itemized below, from the TPSB Special Fund bank statements and ensured that the funding was provided prior to the date of the event/activity, as specified in the funding application.

For each disbursement selected, we have noted no exceptions.

<b>Disbursements (cheque numbers)</b>				
1325	1346	1360	1363	1371
1375	1386	1390	1391	1404

6. We haphazardly selected six bank statements of the TPSB Special Fund, itemized below, and ensured that the account balance did not fall below \$150,000 during the period covered by the statement, as set out in the TPSB Special Fund Policy.

We have noted no exceptions as a result of completing this procedure.

<b>Monthly Bank statements</b>		
February 2018	March 2018	May 2018
July 2018	September 2018	November 2018

7. Based on enquiry of Sheri Chapman (Executive Assistant to the Chair, Toronto Police Services Board), there were 17 exceptions to the policy, itemized below, during the year ended December 31, 2018. We have reviewed the minutes of the Board meeting outlining the exception. No issues noted as a result of completing this procedure. No further exceptions to report.  
The following are exceptions as they do not fall into one of the six approved categories according to the Toronto Police Services Board Special Fund policy:



<b>Exceptions to the Policy</b>		
<b>Exception #</b>	<b>Description</b>	<b>Board minutes reviewed</b>
1	Retention of Organizational Change Management Consultant	BM – August 24, 2017
2	Contribution to OAPSB's Review of Bill 175	BM – January 18, 2018
3	Retention of Organizational Change Management Consultant	BM – August 24, 2017
4	Retention of Organizational Change Management Consultant	BM – August 24, 2017
5	To Sponsor The OAPSB 2018 Spring Conference	BM – April 18, 2018
6	Retention of Organizational Change Management Consultant	BM – August 24, 2017
7	Retention of Organizational Change Management Consultant	BM – August 24, 2017
8	TPSB Support To The CAPG 2018 Annual Conference	BM – May 17, 2018
9	Retention of Organizational Change Management Consultant	BM – August 24, 2017
10	Retention of Organizational Change Management Consultant	BM – August 24, 2017
11	Retention of Organizational Change Management Consultant	BM – August 24, 2017
12	Retention of Organizational Change Management Consultant	BM – August 24, 2017
13	Retention of Organizational Change Management Consultant	BM – August 24, 2017
14	Retention of Organizational Change Management Consultant	BM – August 24, 2017
15	Cheque issued because there was an outstanding bill that should have been paid before unused funds were approved by the board (Pearls in Policing Conference)	BM – May 23, 2017
16	Retention of Organizational Change Management Consultant	BM – August 24, 2017
17	Retention of Organizational Change Management Consultant	BM – August 24, 2017



8. We haphazardly selected ten deposits to the TPSB Special Fund, itemized below, and ensured that they were from authorized revenue sources as allowed by the Police Services Act.

We have no exceptions to report as a result of completing this procedure.

<b>Deposit Date</b>	<b>Revenue Source</b>
March 1, 2018	Unclaimed Cash
May 8, 2018	Unclaimed Cash
June 22, 2018	Unclaimed Cash
August 7, 2018	Unclaimed Cash
November 23, 2018	Unclaimed Cash
April 9, 2018	Police Auction Proceeds
June 25, 2018	Police Auction Proceeds
March 16, 2018	Police Auction Proceeds
August 2, 2018	Police Auction Proceeds
December 11, 2018	Police Auction Proceeds



## Toronto Police Services Board Report

---

July 22, 2019

To: Members  
Toronto Police Services Board

From: Andy Pringle  
Chair

**Subject: City of Toronto Council Decision – Initiative to Reduce the Number of Unwanted Firearms in Toronto**

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

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

### **Financial Implications:**

At its meeting held on May 14 and 15, 2019, City Council approved a \$750,000 gross and net increase to the Toronto Police Service's 2019 City Council-Approved 2019 Operating Budget, funded by the 2019 non-program expenditure budget, to provide one-time funding of up to the same amount for a gun buyback initiative.

### **Background/Purpose:**

The report detailing the City's consideration of this item is available at this link:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX5.7>

### **Discussion:**

At its meeting held on May 14 and 15, 2019, City Council approved an increase to the Toronto Police Service's 2019 operating budget to provide one-time funding of up to \$750,000. for a gun buyback initiative in an effort to reduce the presence of unwanted firearms in Toronto. For this initiative, there were 901 handguns and 2,278 long guns turned in.

**Conclusion:**

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

Respectfully submitted,

Andy Pringle  
Chair

\*original copy with signature on file in Board office



**Wendy Walberg LL.B., LL.M., \*C.S.**

City Solicitor  
Legal Services  
55 John Street  
Stn. 1260, 26<sup>th</sup> Flr., Metro Hall  
Toronto ON M5V 3C6  
Tel. (416) 392-8047  
Fax (416) 397-5624

*\* Certified by the Law Society as a Specialist  
in Municipal Law: Local Government*

---

Reply To: Fred Fischer  
Tel: 416.392-7224  
Fax: 416.397-5624  
E-Mail: fred.fischer@toronto.ca

File No. N/A

**To:** Chair and Members of the Toronto Police Services Board

**From:** Wendy Walberg  
City Solicitor

**Date:** July 22, 2019

**Reference:** Jury Recommendations from the Inquest into the Death of  
Todd Feairs

**Recommendation:**

It is recommended that:

1. The Board receive the jury's verdict and request a report from the Chief of Police in relation to the feasibility, usefulness and implementation of the jury recommendations directed at the Toronto Police Service ("TPS").

**Background:**

We are in receipt of the Verdict of the Coroner's Jury from the inquest into the death of Todd Feairs, as well as the Verdict Explanation of the presiding coroner. We have attached both for your review.

The Board did not seek or have standing in this inquest. The Chief of Police was represented at the inquest by the TPS Legal Services Unit.

Mr. Feairs was a construction worker. He died on October 12, 2016 after being struck by a car on a construction site on Eglinton Ave. near Midland Ave.

Mr. Feairs was struck by a car that sped away from police. A TPS police officer noticed the car 500 meters from the construction site. It was driving in a suspicious manner and bore unattached plates that were not authorized to be affixed to that particular vehicle. The officer tried to pull the vehicle over, but it moved into a closed

lane and accelerated away at a high speed. The officer did not pursue, because of public safety. Seeing the construction site, the officer did identify the possible danger and honked his horn to warn workers.

The car drove into the construction zone at almost 100 km/hr. The workers had no warning, because of the work and noise on site. A TPS paid duty officer was on the construction site when Mr. Fearis was struck by the oncoming car. The driver did not stop or return to the site.

The death was investigated by multiple agencies and no issues of policy, procedure or compliance with either was identified.

A coroner inquest was mandatory because the death occurred on a construction site.

### **The Verdict and Recommendations:**

The jury answered the five mandatory questions as follows:

Name of Deceased – Todd Feairs  
Date and Time of Death – October 16, 2016  
Place of Death – Eglinton Ave. East at Midland Ave, Scarborough  
Cause of Death – Multiple blunt force trauma  
By What Means – Accident

The jury adopted 2 recommendations – both were directed at the TPS. Specifically, the jury recommended:

1. That the Toronto Police College review the facts of this inquest in future training of police cadets and police officers in relation to suspect apprehension pursuits.

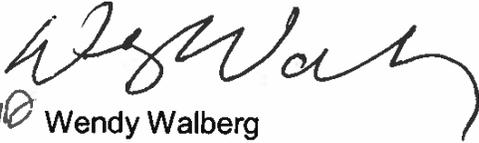
***Coroner's Comment:** The jury heard that the circumstances here required the police officers involved to make rapid and difficult decisions which balanced the need to apprehend a suspect against the risk to public safety during a police pursuit.*

2. That the TPS review how paid duty officers working in noisy construction sites can maintain necessary communications with police radio and construction workers, especially in situations where personal ear protection is used.

***Coroner's Comment:** The jury heard that the construction site was very noisy, because the work involved cutting pavement. The paid-duty officer had hearing protection and a radio, but did not have equipment suitable for monitoring the radio in a noisy environment. In this case, there was discussion on the police radio of the fleeing vehicle. If paid duty officers could monitor the radio in other noisy construction zone scenarios, this may provide them the opportunity to warn workers in those circumstances.*

**Conclusion:**

We recommend that the Board receive the jury's verdict and request a report from the Chief of Police in relation to the feasibility, usefulness and implementation of the recommendations.

  
DWB Wendy Walberg  
City Solicitor



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 dûment assermentés du jury à l'enquête sur le décès de :

Surname / Nom de famille Feairs	Given Names / Prénoms Todd
------------------------------------	-------------------------------

aged / à l'âge de 41 held at / tenue à 25 Morton Shulman Avenue, Toronto, Ontario

from the / du 6<sup>th</sup> day of May to the / au 8<sup>th</sup> day of May 20 19

By / Par Dr. / Dr David Eden Coroner for Ontario / 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  
Todd Feairs

Date and Time of Death / Date et heure du décès  
October 12, 2016 at 11:23 am

Place of Death / Lieu du décès  
Eglinton Avenue East at Midland Avenue, Scarborough, Ontario

Cause of Death / Cause du décès  
Multiple blunt force trauma

By what means / Circonstances du décès  
Accidental

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 / Ce verdict a été reçu le 8<sup>th</sup> day of May 20 19  
(Day / Jour) (Month / Mois)

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) <u>Dr. David Eden</u>	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/dd) <u>2019/05/08</u>
--	---

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 :**

**Todd Feairs**

### **JURY RECOMMENDATIONS RECOMMANDATIONS DU JURY**

1. That the Toronto Police College review the facts of this inquest in future training of police cadets and police officers in relation to suspect apprehension pursuits.
2. That the Toronto Police Service review how paid duty officers working in noisy construction sites can maintain necessary communications with police radio and construction workers, especially in situations where personal ear protection is used.

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 Morton Shulman Avenue, Toronto ON M3M 0B1, Tel: 416 314-4000 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 Morton Shulman, Toronto ON M3M 0B1, tél. : 416 314-4000 ou, sans frais : 1 877 991-9959.

# **Verdict Explanation**

## **Inquest into the Death of Todd FEAIRS**

**Dr. David Eden, Presiding Coroner  
May 6 - 8, 2019  
Forensic Services and Coroner's Complex  
25 Morton Shulman Avenue, Toronto**

### **Opening comment:**

This verdict explanation is intended to give the reader a brief overview of the circumstances surrounding the death of Todd Feairs, along with some context for the recommendations made by the jury. The synopsis of events and coroner's comments herein are based on my recollection, as presiding coroner of the evidence presented, and on what I believe to be the jury's findings of fact from that evidence. This explanation has been written to assist in understanding the intent of the various recommendations so that recipient organizations, agencies and ministries of government might be in a better position to consider their implementation.

### **Participants:**

<b>Counsel to the Coroner:</b>	Mr. Jason Balgopal Assistant Crown Attorney Scarborough Crown Attorney's Office 1911 Eglinton Avenue East Toronto ON M1L 4T4
<b>Investigating Officer:</b>	Detective Sanjeev Singh Peel Regional Police Service Inquest Unit 25 Morton Shulman Avenue Toronto ON M3M 0B1
<b>Coroner's Constable:</b>	Constable Ann Murden Ontario Provincial Police Inquest Unit 25 Morton Shulman Avenue Toronto ON M3M 0B1

**Court Reporter:**

Ms. Devon Lockett  
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**Parties with Standing:**

**Represented by:**

**Toronto Police Service:**

**Chief of Police**

Gail Glickman & Jerry Leung, Counsel  
Toronto Police Service, 40 College St  
Toronto ON M5G 2J3

**Officer Clarke**

Jimmy Lee, Counsel  
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Toronto ON M5H 2S6

**Officer Black**

Gary Clewley, Counsel  
703-357 Bay St  
Toronto ON M5H 2T7

**Enbridge Gas**

Guri Pannu, Counsel  
Enbridge Inc.  
500 Consumers Rd  
North York ON M2J 1P8

**Summary of the Circumstances of the Death**

Todd Feairs was forty-one years old at the time of his death. On October 12, 2016, Mr. Feairs was struck by a car while working in a construction site. Mr. Feairs' death due to an injury at a construction site required a mandatory inquest under the Coroners Act.

The jury heard evidence that the construction site was on Eglinton Avenue near Midland Avenue in Toronto. It is a busy arterial road. The construction zone was clearly signed, and lanes had been closed with pylons.

Approximately 500 metres away, at Kennedy and Eglinton, a Toronto Police officer in a marked cruiser identified a car which was being driven in a manner that the officer considered suspicious, and which bore unattached plates that were not authorized to be affixed to that motor vehicle. The officer attempted to pull the car over. The driver of the car swerved into a closed lane, then accelerated away at high speed from the cruiser in the closed lane. The officer in the cruiser opted not to pursue because the risk to public safety outweighed the benefit of apprehending the driver. The officer saw the construction site, identified the possible danger, and honked the cruiser's horn in an effort to warn workers.

The car entered the construction zone at a speed later determined to be almost 100 km/h. Workers there, including a paid duty police officer, were not aware of the approaching vehicle and had no opportunity to evade it, because of factors including the fact that their attention was directed to their work, and the construction site noise. The car struck Mr. Feairs, inflicting fatal traumatic injuries and throwing his body underneath a construction vehicle parked nearby. The driver did not stop or return to the collision scene.

The death was investigated by police, coroner, the contractor, and Ministry of Labour. The police investigation resulted in the arrest of the driver, and a criminal conviction in Mr. Feairs' death. Enbridge Gas Inc. conducted an internal review following the incident and determined all applicable procedures and standards were followed. The Ministry of Labour identified no workplace safety issues.

The jury sat for three days, during which time they heard evidence from eight witnesses, reviewed 16 exhibits and deliberated for two hours in reaching their verdict.

**Verdict:**

<b>Name of Deceased:</b>	Todd Feairs
<b>Date and Time of Death:</b>	October 12, 2016 at 11:23 am
<b>Place of Death:</b>	Eglinton Avenue East at Midland Avenue, Scarborough, Ontario
<b>Cause of Death:</b>	Multiple blunt force trauma
<b>By What Means:</b>	Accident

**Recommendations:**

1. That the Toronto Police College review the facts of this inquest in future training of police cadets and police officers in relation to suspect apprehension pursuits.

*Coroner's Comment: The jury heard that the circumstances here required the police officers involved to make rapid and difficult decisions which balanced the need to apprehend a suspect against the risk to public safety during a police pursuit.*

2. That the Toronto Police Service review how paid duty officers working in noisy construction sites can maintain necessary communications with police radio and construction workers, especially in situations where personal ear protection is used.

*Coroner's Comment: The jury heard that the construction site was very noisy, because the work involved cutting pavement. The paid-duty officer had hearing protection and a radio, but did not have equipment suitable for monitoring the radio in a noisy environment. In this case, there was discussion on the police radio of the fleeing vehicle. If paid duty officers could monitor the radio in other noisy construction zone scenarios, this may provide them the opportunity to warn workers in those circumstances.*

**Closing comment:**

In closing, I reiterate that this document has been prepared solely for the purpose of assisting interested parties in understanding the jury's verdict and providing some context for its recommendations so that their intent might be better understood. The comments are based on my personal recollection of the evidence, and on what I believe to be the jury's findings of fact. Should the reader contest any of my recollection of the evidence, I would defer to the official record maintained by the court reporter.



David Eden, M.D.  
Presiding Coroner

June 19, 2019



## Toronto Police Services Board Report

---

July 11, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: 52 Division Renovation – Project Closeout Report**

### **Recommendation:**

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto's Chief Financial Officer and Treasurer to close out the 52 Division Renovation capital project.

### **Financial Implications:**

The original approved capital budget for the 52 Division renovation project was \$8.3 Million (M). Funding for the project was included in the Toronto Police Service's (Service) capital program (Min. No. P262/14 refers).

The project also included state of good repair work planned by the City of Toronto (City) to repair the building envelope and modernize the elevator. In 2016, the City provided the Service with \$0.53M to incorporate this work as part of the project.

Subsequently, the City transferred an additional \$0.4M to the project for other City identified state of good repair items that included the replacement of major heating, venting, and air conditioning equipment (HVAC) that the Service would also perform as part of this renovation (Min. No. P124/16 refers). As a result, the revised total project budget was \$9.27M.

The final cost for 52 Division capital project, including the City repair work is \$9.17M, which is \$0.1M below approved the capital budget of \$9.27M.

### **Background / Purpose:**

The Service's project management framework requires the completion of a closeout report for all major capital projects. The project closeout report outlines the results of the project and provides:

- confirmation that project objectives and deliverables were successfully completed;
- an analysis of project performance in terms of budget, schedule, and resource utilization;
- a summary of success factors, challenges, and lessons learned; and
- any outstanding issues that need to be resolved

The submission of this report has been delayed due to a dispute with the general contractor in relation to identified deficiencies. In August 2018, City Legal was able to negotiate an agreement with the general contractor, and in accordance with the Minutes of Settlement, the respective trades have completed the work necessary to resolve the outstanding items.

### **Discussion:**

The 52 Division renovation project objectives were to address a number of accessibility, mechanical, and electrical issues, as well as to resolve building envelope deficiencies and improve the overall functionality, circulation, and space utilization within the facility (Min. No. P152/16 refers).

A preliminary space planning design study was completed by the project architect in September 2013 showing the existing and proposed layout for the renovated facility.

In accordance with the Service's procurement practices, a Request for Tender (R.F.T.) #1159262-15 was issued by the Service's Purchasing Services unit to firms on the Board approved pre-qualified list of general contractors (Min. No. P192/15 refers). D.P.I. Construction Management Incorporated was the lowest compliant bidder, and was awarded the contract for the 52 Division renovation.

Details regarding project deliverables and outcomes, final costs in comparison to the original budget forecast, and current project status are included in this report.

### **Project Management Framework/Steering Committee**

In accordance with the Service's project management framework, a Steering Committee comprised of 52 Division personnel (including the unit commander and the Staff Superintendent overseeing 52 Division), Facilities and Finance staff, the Chief Administrative Officer and other key stakeholders was established to provide oversight and guidance to the project.

### **Project Budget**

The approved budget for the 52 Division renovation project was \$9.27M. The project budget included funds for the complete renovation of architectural, mechanical,

electrical, communication, audio visual, security, and structural scopes of work. The final cost of the project is \$9.17M, which is under the approved budget.

### **Project Scope and Deliverables**

A project charter was developed to identify the following:

- Project objectives and deliverables
- Proposed phasing and timelines
- Items specifically excluded from the project scope
- Anticipated risks and mitigation strategies
- Cost estimates and related assumptions and dependencies
- Assigned resources
- Roles, responsibilities, approval process and reporting structure for key resources and Steering Committee members

The project scope, as outlined in the charter, included renovations to the ground floor, the second floor, and part of the third floor of the building, which spans approximately 51,700 square feet. The work was performed in phases, modernizing and upgrading all critical components of the building such as:

- The building's interior systems, layout and finishes, including asbestos abatement
- Replacement and/or upgrade to the building's mechanical and electrical systems
- Extension of the elevator to the third floor
- Replacement of inefficient glass block exterior walls with energy efficient glazed curtain wall

The changes referenced above were intended to modernize the building and improve building efficiencies. Officers and support staff continued to occupy the facility while the renovations were being completed.

At its March 23, 2017 meeting, the Board was advised that the renovated facility was fully occupied and operational, and further, that the project was nearing substantial completion (Min. No. P60/17 refers). However, the project's health status reverted from Green to Yellow as City Legal, at the Service's request, was engaged to negotiate the completion of outstanding deficiencies with the general contractor (Min. No. P75/18 refers). These issues have now been resolved to the Service's satisfaction.

### **Project Schedule**

The commencement of the project was delayed by several months due to resource constraints in the Service's Facilities Management unit, as well as competing pressures from other facility related priority projects.

The general contractor commenced work on site in October 2015. The detailed project schedule and phasing plan developed by the Service's Senior Project Coordinator was refined over the course of the project in an effort to meet the overall target timeline for project completion.

Some of the challenges faced by the project included the following:

- Maintaining operations in a fully occupied 24 hour police division while facilitating a major renovation
- Consultant and contractor resource turnover during the course of the project
- Compressed construction schedule

### **Key Success Factors and Future Considerations**

The 52 Division renovation was a complex project and lessons learned will assist the Service in mitigating risks on future projects.

#### *Preparation of Preliminary Space Planning Study*

The preliminary space planning work performed by the project architects in 2013 proved to be invaluable. This springboard allowed the project team to complete the design and be ready for tender within six months. Combined with the phasing and construction schedule prepared by the Service's Senior Project Coordinator, the detailed space planning aided in keeping the project on track despite the shortened timelines and other challenges encountered over the course of the project.

#### *Collaboration and Joint Initiatives with the City of Toronto*

Through ongoing collaboration between the Service's Senior Project Coordinator and City of Toronto partners, City initiatives and funding were incorporated into the renovation of 52 Division, resulting in a facility that is fully code compliant, energy efficient, and meets the Service's operational requirements for years beyond the building's original life expectancy. Incorporating the additional City work within the Service's project avoided the City having to do this necessary work as separate projects and reduced disruption to the 52 Division operations.

#### *Preliminary Abatement Management Plan Investigation*

As the project got underway, the Service's Facilities Management unit ordered additional testing of some materials that had not been identified in the Abatement Management Plan. This testing indicated the presence of asbestos containing material under the existing ceramic floor that had not previously been known to contain asbestos. Action was taken by the Service's Facilities staff to remediate the situation. This included the engagement of external resources and City staff and the tenting of affected areas so that abatement work could proceed as expeditiously as possible.

### *General Contractors and Sub-Trades Skillsets*

Retaining a general contractor with the right personnel, experience, and skillsets is crucial to the success of any project. This applies as well to site supervisors and the sub-trades that the general contractor engages to complete the work.

During the 52 Division renovation, this factor became critical as the general contractor's supervisory personnel were lacking the required skill set in the area of civil and curtain wall experience, which were two major components of the project. Project demands necessitated extensive involvement of the Service's Senior Project Coordinator and the prime consultant (project architect) to manage the project schedule and contract administration, and liaise with the general contractor's management team. The Service brought performance issues to the general contractor's attention, and the site supervisor was eventually replaced. In addition, some of the sub-trades had performance issues that may have contributed to building deficiencies, which in turn led to project delays.

### **Conclusion:**

The 52 Division renovation was a complex project that presented various challenges from the deferred start and compression of the construction schedule to the ongoing turnover of resources assigned to the project by the general contractor. These challenges resulted in delayed project completion and the engagement of City Legal to resolve a dispute with the general contractor regarding acceptance of work standards and the resolution of outstanding deficiency items.

The corrective work is now complete to the satisfaction of the Service. A certificate of substantial performance has been signed and published in the Daily Construction News. The Lien period related to this work has expired, and with no further claims for Lien, final payments are being made to the contractor to close out the project.

Despite the scheduling and other challenges, the project scope was achieved and the project, including City work that was added during the project, was completed under the approved capital budget.

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

Respectfully submitted,

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



## Toronto Police Services Board Report

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July 2, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: 2018 Annual Report: Toronto Transit Commission – Special Constables**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

Section 8.9 of the agreement between the Toronto Police Services Board and Toronto Transit Commission (T.T.C.) regarding special constables states that:

*“The T.T.C. shall provide to the Board an annual report with statistical information including information regarding enforcement activities, training, use of force, supervision, complaints and other issues of concern to the Parties and such further categories of information as may be requested by the Board or the Chief, from time to time”.*

### **Discussion:**

As directed by the Board, appended to this report is the 2018 Annual Report from the T.T.C. regarding special constables. The report is consistent with the reporting guidelines established by the Board.

**Conclusion:**

The Toronto Police Service has established a strong working relationship with the Toronto Transit Commission. The mandate of the T.T.C. Transit Enforcement Unit is to protect the integrity of the transit system, perform security functions with respect to T.T.C. properties and assets and to ensure that the transit system remains a safe and reliable form of transportation.

Deputy Chief James Ramer, Specialized Operations 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

\*original with signature on file at Board Office

Toronto Transit Commission

# TRANSIT ENFORCEMENT DEPARTMENT

2018 Annual Report to the Toronto Police Services Board



1900 YONGE ST, 6<sup>TH</sup> FLOOR  
TORONTO, ONTARIO  
M4S 1Z2

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## **EXECUTIVE SUMMARY**

### **2018 TRANSIT ENFORCEMENT SPECIAL CONSTABLE ANNUAL REPORT Toronto Transit Commission**

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The Toronto Transit Commission (TTC) is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

Transit Enforcement Officers focused much of their activities on the TTC's corporate interests and business needs including: customer service, fare enforcement, law enforcement, asset protection and addressing customer and employee safety and security needs.

Transit Enforcement Officers exercise the powers and authorities granted by the Toronto Police Services Board (TPS Board) in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system. Transit Enforcement Officers provide a consistent standard of service accountable to both the TTC and the TPS Board.

The activities of Transit Enforcement Officers remain consistent with the Ministry of Community Safety and Correctional Services guidelines and enable the TTC to more effectively serve the special interests of the organization, and also the public interest in preservation of order, protecting property, and providing limited law enforcement.

Transit Enforcement Officers responded to 20,582 calls for service in 2018. 84.91% (17,477) of these calls for service were subway related. 14.21% (2,924) of these calls for service were surface related (bus and streetcar). 0.88% (181) of these calls for service were Scarborough Rapid Transit (or Line 3) system related.

The 2018 TTC Transit Enforcement Department Annual Report provides the Toronto Transit Commission Board (TTC Board) and the TPS Board with information on the TTC's Special Constable Program and more specifically: the structure of the department, effective supervision, current staffing, ongoing training, uniform standards and distinction, the use of the authorities granted by the TPS Board, governance, occurrence reporting as well as a summary of public complaints. The report concludes with some highlights of the reporting year.

## **BACKGROUND**

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

The TTC has authority to enact bylaws regulating the use of its transit system and has enacted Bylaw No. 1 – a bylaw regulating the use of the Toronto Transit Commission local passenger transportation system.

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

Final 2018 Ridership number is 521.4 million.

In July 1987, at the request of the TTC and with the approval of the then Solicitor General, members responsible for safety and security on the transit system were appointed as Provincial Offences Officers for the purposes of enforcing provisions of TTC Bylaw #1 and the Trespass to Property Act. These officers provided a visible presence, response to calls for service, and carried out activities to preserve the peace, protect the safety of TTC customers and employees and protect TTC assets.

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

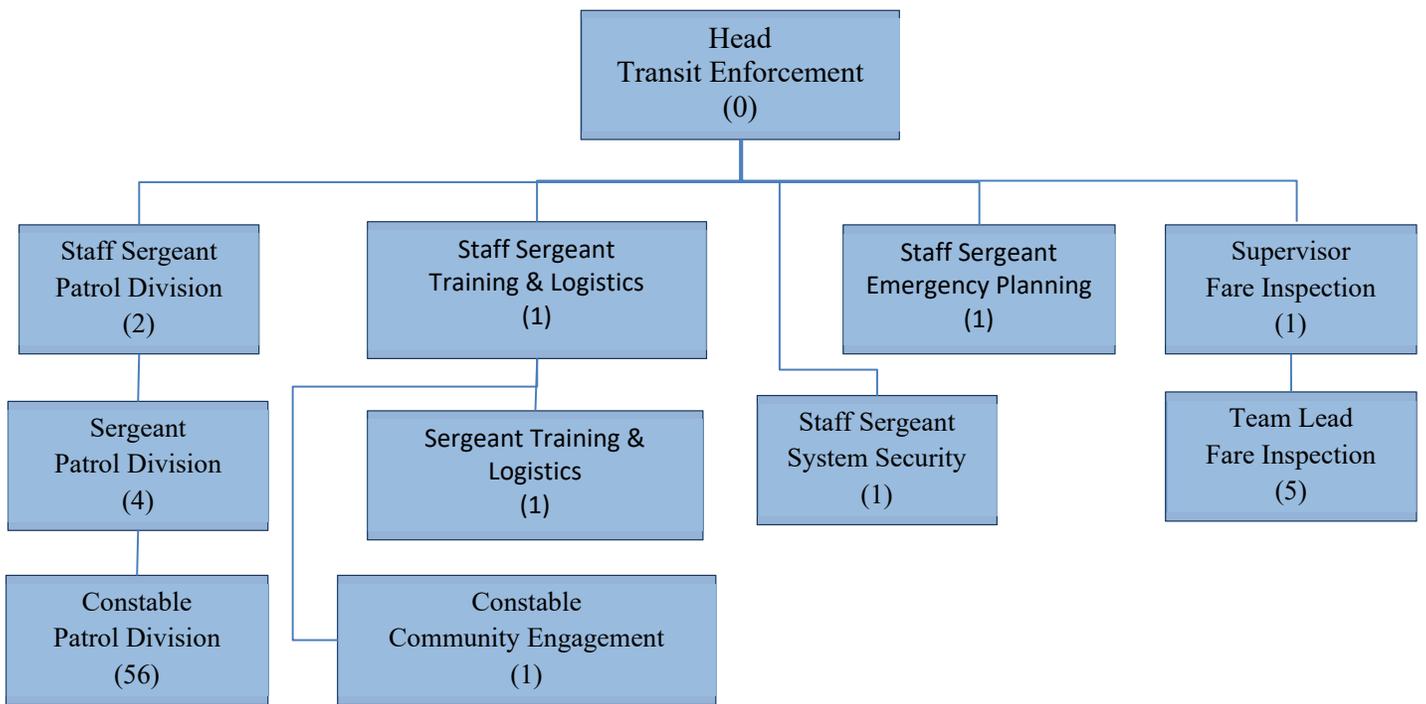
In June 1997, at the request of the TTC and with the approval of the then Solicitor General, the TPS Board designated certain employees of the TTC responsible for providing safety and security services to the transit system, as Special Constables. These Special Constables were conferred with limited law enforcement powers and authorities in accordance with Section 53 of the Police Services Act. This designation was governed by a contractual agreement between the TPS Board and the TTC. These enhanced authorities were designed to increase the level of effectiveness and efficiency in delivering security and limited law enforcement services in cases where it was neither possible nor practical for a police officer to respond in a timely manner.

Since that time the TTC and the Toronto Police Service have relied on a partnership to deliver policing and security services to the TTC’s employees and patrons.

On May 15, 2014, a new Special Constable Agreement was executed between the TTC and the TPS Board to designate the newly rebranded Transit Enforcement Officers as Special Constables restoring limited powers and authorities under selected federal and provincial statutes.

## **SUPERVISION**

General supervision of members of the Transit Enforcement Department is under the authority of the Head-Transit Enforcement who holds the rank of Chief Special Constable. The Chief Special Constable has delegated this authority through the organizational chart below. This organizational chart reflects the actual workforce appointed as Special Constables as of December 31, 2018.



## **APPOINTMENTS**

The following chart represents Special Constable appointments for the reporting year and reflects the actual strength at December 31, 2018. At the time of this report, there were 12 applications under consideration for approval by the Board in 2019.

Total Applications	New Appointments	Total Special Constables (as at December 31, 2018)
12	12	71

## **DEPARTURES**

Number of Terminations	Number of Suspensions	Number of Resignations	Number of Retirements
1	1	2	1

## **TRAINING**

All TTC Special Constable training is reviewed and approved by the Toronto Police Service on an annual basis.

Pursuant to the Special Constable Agreement between the TTC and the Toronto Police Services Board, the Transit Enforcement Department has an obligation to train Special Constables in the following areas:

- Arrest Authorities
- Arrest/Search Incident to Arrest
- Canadian Police Information Centre (CPIC) Use
- Case Preparation Provincial Offences
- Communicable Diseases
- Community Mobilization/Community Policing
- Controlled Drugs and Substances Act
- Crime Scene Management
- Criminal Offences
- Diversity Awareness and Human Rights Issues
- Emotionally Disturbed Persons/Mental Health Act
- Ethics and Professionalism in Policing
- Field Interviewing/Taking Statements
- First Aid/CPR
- Introduction to Law
- Liquor License Act
- Memorandum Books/Note-Taking
- Occurrence/Report Writing/Field Information Report
- Provincial Offences Act
- Search and Seizure Authorities
- Sex Offences
- TTC Transit Enforcement Officer Status – Roles & Responsibilities
- Testimony/Criminal/Provincial Justice System/Rules of Evidence
- Trespass to Property Act
- Use of Force Legislation and Reporting
- Vehicle Operations
- Young Persons and the Law

The TTC Special Constable Training Program is continually evolving in order to provide an up-to-date curriculum that meets Ontario police standards. The training program consists of instructor-led lecture formats complimented by practical skills training and dynamic simulations in the actual work environment. Key focuses throughout the training curriculum are crisis communication, de-escalation, mental health awareness, officer safety, and use of force legislation and application.

The Special Constable Recruit Training Program is 45 training days for a total of 360 hours. This includes mandatory TTC training outside the requirements of the Special Constable Agreement, such

as subway rulebook training, defensive driving and suicide intervention awareness. The academic and practical skills training program is followed by a comprehensive Field Training Program of up to six months with a Coach Officer.

The Special Constable annual recertification training program is three days for a total of 24 hours and includes mandatory defensive tactics and use of force training. This year’s module was developed and delivered specifically to build on de-escalation and crisis communication through holistic, reality based simulations in the actual transit environment. As per the Special Constable Agreement, all TTC Special Constable Training is reviewed and approved by the Toronto Police College on an annual basis.

Transit Enforcement Officers are trained and authorized to take an investigation to its completion. This could include arrest, apprehension (in the case of the Mental Health Act), release, transport to a police division, or unconditional release within the parameters of the Special Constable Agreement.

As Transit Enforcement Officers have significant public contact and perform both enforcement and customer service functions, equity becomes an important factor in their roles. Challenges serving customers in a diverse population and living with mental illness will arise. The importance of having the skills necessary to ensure all customers are treated equally and with dignity and respect is crucial.

All new frontline members of the Transit Enforcement Department participate in a mandatory five-day mental health awareness training program. This training program covers such topics as Understanding Mental Illness, Psychological First Aid, Crisis Intervention and De-Escalation, Self-Care: Maintaining Health and Well-Being, and includes an interactive panel discussion with community members living with a mental illness. Members also participate in instructor-led training delivered by the Alzheimer’s Society of Toronto and the City of Toronto Streets to Homes program. Transit Enforcement Officers participate in holistic simulation-based training as part of the curriculum.

All frontline members of the Transit Enforcement Department also participate in mandatory e-learning diversity and inclusion training as facilitated by the Ontario Police Video Training Alliance and the TTC’s instructor-led or e-learning diversity and inclusion and human rights training. In addition to the aforementioned diversity and inclusion training, all new Transit Enforcement Officer Recruits also participate in an extra one-day, interactive, instructor-led diversity course. In 2018, an additional half day of training was facilitated by members of the Toronto Police LGBTQ2S Liaison Office of the Divisional Policing Support Unit.

As training programs evolve, and should equity issues be identified, they will be resolved using a collaborative approach with appropriate stakeholders consulted, best practices identified, and policy and procedural changes made as required.

### **Mandatory Training**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
Special Constable Recruit Training	Third Party Provider/Toronto Transit Commission	45 days	24
Annual Use of Force and Legislative Update Block Training	Third Party Provider	3 days	105
Standard First Aid	EMS	2 days	25

## **Additional In-Service Training**

(\*Supervisory/Management level training only)

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
IMS 200	Toronto Police College	2 days	25
IMS 300	Metrolinx	4 days	2
Cannibis Legislation	CPKN	3 hours	72 - TEO
Counter Terrorism Information Workshop	Royal Canadian Mounted Police	3 days	1 - TEO
MCIT (Mobile Crisis Intervention Team) Level 1 Training	Toronto Police	5 days	1 - TEO
VTRA (Violent Threat Risk Assessment) Training – Level 1	Toronto Police College	2 days	3 - TEO
VTRA (Violent Threat Risk Assessment) Training – Level 2	Toronto Police College	2 days	3 - TEO

## **EQUIPMENT**

Pursuant to the Agreement with the Board, Transit Enforcement Officers are issued with the following equipment:

- Uniform
- One wallet badge, appropriate wallet and agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One container of oleoresin capsicum foam with appropriate carrying case
- One expandable baton with appropriate carrying case
- One approved memo book
- One flashlight with appropriate carrying case
- One Provincial Offences Notice book and appropriate hard cover
- One TTC Transit Enforcement Department Policies, Procedures and Rules Manual

## **REPORTING AND STATISTICS**

### **CALLS FOR SERVICE**

Transit Enforcement Officers received 20,582 calls for service in 2018, a 30% increase over 2017.

Mode	Calls Received	% of Total
Scarborough RT	181	0.88
Subway	17,477	84.91
Surface	2,924	14.21
Total	20,582	

### **CRIME AND ORDER MANAGEMENT - ARREST/APPREHENSION TOTALS**

Transit Enforcement Officers submitted 273 records of arrest for Criminal Code offences in 2018, a 33.8% increase over 2017. They also made 145 apprehensions under the Mental Health Act, representing a 33% increase over 2017.

Authority	Total Arrested/Charged/Apprehended	Released on POT/ Form 9/ Summons	Unconditional Release	Transported to Mental Health Facility	Turned over to TPS Custody
Criminal Code	273	82	27		164
Mental Health Act	145	N/A	N/A	145	N/A
Liquor License Act	71				
Trespass To Property Act	110				
Provincial Offences Act - Sec. 75					
Controlled Drugs and Substances Act					

### **REPORTING**

General Occurrence Reports and Records of Arrest	No.
Aggravated Assault - Patron	2
Armed Robbery Employee	1
Arson	1
Assault Bodily Harm Or W/ Wpn - Operator	10
Assault Bodily Harm Or W/ Wpn- Misc Employee	1
Assault Bodily Harm Or W/ Wpn- Patron	24
Assault Bodily Harm Or W/ Wpn- TEO	2
Assault To Resist Arrest	2
Attempt Fraud Transportation	1
Attempt Robbery Patron	4
Attempt Robbery TTC	1

Attempt Theft From Patron	4
Bomb Threat No Bomb Found	2
Breach Of Probation	3
Breach Of Recognizance	1
Break And Enter Gateway Newsstand	1
Cause Disturbance	22
Common Assault - Collector	15
Common Assault - Misc Employee	30
Common Assault - Operator	247
Common Assault - Patron	178
Common Assault - Route Supervisor	22
Common Assault - TFI	11
Common Assault - Transit Enforcement Officer	13
Escape Custody	1
Fail To Comply	13
Forcible Confinement	1
Fraud	39
Fraud Transportation	7
Harassment (Criminal)	5
Indecent Exposure	12
Indecent Show	2
Mischief	348
Other Weapon Offences	1
Personate Peace Officer	1
Pickpocket Under \$5000	1
Poss - Prps Trafficing D Act	1
Poss Instrmts Break Into Coin Op Device	1
Poss. Of Cannabis	1
Poss. Prop. Obtained By Crime	1
Possession Counterfeit Money	1
Possession Offensive Weapon	2
Robbery Patron	6
Robbery Patron - Swarming	2
Sexual Assault	18
Theft Bicycle Under \$5000	3
Theft Frm Emp Over \$5000	1
Theft Frm Emp Under \$5000	28
Theft Frm Tenant Und \$5000	6
Theft Frm Ttc Under \$5000	19
Theft From Patron Under \$5000	45
Theft Under \$5000	1
Threatening	196
Uttering Counterfeit	7
Voyeurism	1

<b>Other TTC Internal Incident Reports (Transit Enforcement and other TTC Divisional Supervisory Reports)</b>	<b>No.</b>
Abandoning Child	1
Administer Noxious Substance	1
Aggravated Assault - Patron	3
Arson	2
Assault CBH Or W/Wpn	26
Attempt Abduction	1
Attempt Fraud	1
Attempt Robbery Patron	5
Attempt Theft	3
Break And Enter	3
Bomb Threat No Bomb Found	3
Breach Of Probation	1
Breach Of Recognizance	1
Capital Murder	2
Carry Concealed Weapon	3
Cause Disturbance	66
Common Assault	139
Counterfeit Money Passed	4
Drive Ability Impaired	1
Fail To Comply	4
Fraud	201
Harassment (Criminal)	4
Indecent Exposure	11
Invitation To Sexual Touching	1
Mental Health Act	51
Mischief	157
Other Weapon Offences	4
Possession Offensive Weapon	14

## **PROPERTY**

The Transit Enforcement Department is responsible for keeping all evidence and property seized in connection with their duties except in the following circumstances:

- Where Toronto Police request the evidence be turned over to them
- Where an accused is held in Toronto Police custody
- All drugs seized/found
- All firearms seized/found

All property and evidence seized from persons that is not turned over to the Toronto Police Service is stored, preserved and disposed of in a manner consistent with Toronto Police Service standards and procedures for the storage and disposition of property. In 2018, the Transit Enforcement Department processed 2,831 pieces of property into their property vault. This total includes property seized by Transit Fare Inspectors.

## **PUBLIC COMPLAINTS**

Pursuant to the agreement between the TPS Board and the Transit Enforcement Department there is a comprehensive public complaints policy in place. Public complaints relating to the conduct of Transit Enforcement Officers may be filed in the following manner: at a Toronto Police Service Division, to the TTC directly, in person at 1900 Yonge Street, Toronto, by telephone at 416-393-3111, by e-mail or fax, by mail, by completing a general TTC complaint form, or on the TTC website at www.ttc.ca.

All public complaints relating to conduct of Transit Enforcement Officers are forwarded to the Toronto Police Service's Professional Standards Unit for assessment. The Toronto Police Service classifies each complaint as either serious (i.e. criminal allegation) or less serious (i.e. minor breach of discipline).

Serious public complaints are investigated by the Toronto Police Service. Less serious public complaints are investigated by the TTC's Unit Complaints Co-ordinator. Assigned to the TTC People Group, the TTC Unit Complaints Co-ordinator is trained by the Toronto Police Service.

Adjudication and appropriate penalties are the responsibility of the Head of Transit Enforcement (Chief Special Constable). Complainants are advised of the findings of all investigations and are advised of the right to request a review of the adjudication by the City of Toronto Ombudsman's Office. All investigations are conducted in accordance with TTC Transit Enforcement Department policy and procedures.

The investigation findings categories are:

**Unsubstantiated:** No evidence exists to support the allegation. Evidence exists, and if believed would not constitute misconduct. The identification of the officer involved cannot be established.

**Substantiated:** Complaint found to be supported by statements or evidence.

**Informal Resolution:** Mediation and successful conclusion of a less serious complaint.

**Pending:** Investigation not yet completed.

There were 11 Code of Conduct complaints received by the Complaints Co-ordinator in 2018: four were investigated by TPS; four were investigated internally; and three were screened out either as not in the public interest or no jurisdiction. Of the eight allegations investigated, six were found to be unsubstantiated.

Total Number of Complaints	Investigated by TTC	Investigated by Toronto Police	Screened Out
11	4	4	3

Code of Conduct Violation Investigation	Criminal Investigation
11	0

Unsubstantiated	Substantiated	Complaints Closed	Complaints Outstanding
6	2	11	0

## **USE OF FORCE REPORTING**

Transit Enforcement Officers are bound by Ontario Regulation 926/90, which compels Police Officers to submit a Use of Force Report (UFR Form 1) to the Chief of Police when a Police Officer who, when in the performance of their duties, uses force on another person that results in an injury requiring medical attention or uses a weapon on another person.

However, in an effort to improve transparency in use of force reporting by all members of the Transit Enforcement Department, the Head of Transit Enforcement has ordered that a Use of Force Report must be submitted in all cases where a member uses force beyond compliant physical control and handcuffing.

In 2018, there were two incidents reported to the Chief of Police as per the Police Services Act, both were incidents where officers deployed OC foam during attempting to arrest assaultive suspects. The following chart further summarizes the category of offence involved in each type of force application:

### **As per Police Services Act:**

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA)
Impact Weapon	0	0	0	0
OC Foam	2	2	1	1
Empty Hand Techniques	0	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>

\* Multiple Use of Force reports submitted, one per individual officer attending the same incident

There were 77 incidents in 2018 in which internal 147 Use of Force reports were submitted as per departmental policy. In three of these incidents, batons or OC Foam were presented, but not used during interactions with assaultive subjects.

### **As per Transit Enforcement Department Policy:**

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA) or Other
Physical Control-Soft	51	126*	62	67
Physical Control-Hard	13	17	7	7
Baton or OC Foam Presented- Not Used	3	4*	4	0
<b>Total</b>	<b>67</b>	<b>147</b>	<b>73</b>	<b>74</b>

\* Multiple Use of Force reports submitted, one per individual officer attending the same incident

## **INJURY REPORTING**

### **Suspects**

A total of 30 Injury Reports were submitted by Transit Enforcement Officers on behalf of the accused in 2018, nine more reports than the 21 submitted in 2017. Five of the 30 reports were as a result of police action; either use of physical force or handcuff rub. 10 of the 30 were self-inflicted injuries caused by the suspect.

#### **Prior to Arrest:**

19 of these 30 injury reports were submitted in relation to pre-existing conditions or injuries presented by the accused prior to the arrest, such as visible cuts and abrasions, soreness, intoxication and sprains. Five of these 19 incidents resulted in the accused being transported to hospital for treatment of minor cuts and abrasions. 11 incidents required no medical aid, or medical aid was refused by the accused.

#### **During Arrest:**

Eight of these reports were submitted in relation to minor injuries sustained during the course of an arrest. Five of these eight incidents resulted in the accused being transported to hospital for treatment. Two incidents required no medical aid, or medical aid was refused by the accused.

#### **After Arrest:**

Three of these reports were submitted in relation to medical conditions, which presented following an arrest. Two incidents resulted in the accused being transported to hospital for treatment of lacerations and bumps to the head.

### **Transit Enforcement Officers**

A total of 46 Occupational Injury Reports were submitted by Transit Enforcement Officers in 2018. 28 of these reports were precautionary and reflected minor cuts, scrapes, bumps and bruises sustained by officers during the course of their duties, most often during an arrest, or for possible exposure to bodily fluids or contaminants.

Eight injury reports resulted in lost-time injuries. Two lost-time injuries were sustained by officers outside of contact with another person or vehicle, during the course of their duties. One was an ankle injury, sustained while descending a station stairwell and the other was a pulled muscle, aggravated while assisting a customer who had fallen to track level. The third injury was broken skin and swelling, which occurred during the course of an arrest when the officer was bitten by the subject of arrest. The final injury was an acute emotional event, experienced when the officer had to seek refuge while responding to a call at track level.

## **GOVERNANCE**

The business of the Transit Enforcement Department is governed by the TTC's agreement with the TPS Board in areas of appointment, identification, equipment, training, powers and responsibilities.

Pursuant to Article 6 of the Agreement entitled, "Accountability and Risk Management", the TTC is accountable to the Board for all actions taken in relation to the exercise of the powers and authorities granted by the Agreement to Transit Enforcement Officers who have been appointed as Special Constables.

Transit Enforcement Officers must comply with all Toronto Police Service policies and procedures applicable to the duties and responsibilities of Special Constables, including any directives or policies of the Board.

In addition, pursuant to the agreement with the Board, the Transit Enforcement Department has established a complaint investigation procedure for the intake and investigation of complaints concerning the conduct of a Transit Enforcement Officer.

The TTC must ensure compliance by Transit Enforcement Officers with the applicable sections of the Police Services Act (PSA) relating to the appointment of any TTC employee as a Special Constable, the applicable regulations thereunder, all internal policies and procedures of the TTC, and all Service policies, standards and procedures applicable to the duties, powers and responsibilities of Transit Enforcement Officers as provided to the TTC in accordance with the Special Constable Agreement.

A Transit Enforcement Officer must comply with the applicable sections of the PSA relating to his or her appointment as a special constable, the applicable regulations thereunder, all internal policies and procedures of the TTC, and all Service policies, standards and procedures applicable to the duties, powers and responsibilities of Transit Enforcement Officers as provided to the TTC in accordance with the Special Constable Agreement, including any directives or policies of the Board for any Special Constable appointed by the Board.

At all times during the term of the agreement, the TTC must maintain adequate and effective supervision of any employee who has been appointed as a Special Constable by the Board pursuant to the Agreement.

The TTC shall, at a minimum, establish and maintain:

- (a) written policies and procedures with respect to the duties, powers and responsibilities of Transit Enforcement Officers;
- (b) a Code of Conduct for Transit Enforcement Officers, as described in the Agreement;
- (c) a written procedure for supervising and evaluating Transit Enforcement Officers' powers and;
- (d) a written disciplinary process regarding all matters relating to any allegation of improper exercise of any power or duty of a Transit Enforcement Officer as granted pursuant to the Agreement.

The TTC and Transit Enforcement Officers must co-operate with the Toronto Police Service in any matter where a Transit Enforcement Officer has been involved in an investigation.

The Transit Enforcement Department maintains written policies, procedures and rules with respect to the duties, authorities and responsibilities of all members. TTC Enforcement Unit members are expected to comply with the departmental Code of Ethics and Core Values. In addition, a TTC Corporate Discipline Policy is in place to manage the conduct of all Enforcement Officers.

## **HIGHLIGHTS OF THE REPORTING YEAR**

The TTC is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

In 2018, Transit Enforcement Officers continued to focus much of their activities on employee and community engagement and the TTC's corporate interests and business needs, including: customer service, fare enforcement, law enforcement, asset protection and addressing customer and employee safety and security needs.

The role of the Transit Enforcement Officer is clear and includes response to TTC emergencies, security related incidents and disruptions to transit service. The transit system is a very specialized environment with unique needs and circumstances that are not found in other agencies that employ special constables.

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

Transit Enforcement Officers exercise the powers and authorities granted by the Board in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system. Transit Enforcement Officers provide a consistent standard of service accountable to both the TTC and the Toronto Police Services Board.

### **COMMUNITY OUTREACH**

Currently, the Transit Enforcement Unit has dedicated one Transit Enforcement Officer to the Community Outreach Unit as a specialized unit. This position reports to the Staff Sergeant of Training and Logistical Support who is responsible for community outreach, public awareness and recruiting.

The following is a current list of projects assigned to the Community Outreach Officer:

#### **Project R.E.A.C.H. (Return Everyone's Attention to Community Help)**

Allows the TTC to fit the needs of the patrons using the system for transportation purposes, while also addressing the needs of the patrons with mental health issues; and allows for our community stakeholders to become actively involved in the solution of issues that affect the TTC ridership, stakeholders, properties and businesses that will ultimately improve the TTC's image and contribute to the TTC's vision of *a transit system that makes Toronto proud*.

Project R.E.A.C.H. had three keys phases of implementation that allowed the Community Outreach Officer to strategically engage stakeholders to bring resources and initiatives to this project that will execute a sustainable solution. Through Project R.E.A.C.H., participation in F.O.C.U.S. Toronto came to fruition.

## **F.O.C.U.S. Toronto**

Furthering Our Community by Uniting Services (or FOCUS Toronto) is an innovative project servicing Toronto. This initiative is led by the City, United Way Greater Toronto and Toronto Police Service and aims to reduce crime, victimization and improve community resiliency in the Toronto area. The initiative brings together the most appropriate community agencies in a situation table model that provides a targeted, wraparound approach to individuals and families that are experiencing high levels of risk for crisis or trauma. The tables seek to intervene in situations that are identified as being at acutely elevated risk – that is any situation where circumstances indicate an extremely high probability of the occurrence of harms or victimization. The Community Outreach Officer now represents the Transit Enforcement Department at the situation tables, allowing the department to bring forward individuals or families experiencing high levels of risk for crisis or trauma for assistance. FOCUS Toronto has opened the door to further partnerships and corroboration, including training opportunities.

### **Mental Health Training / Partnerships**

The Community Outreach Officer has created partnerships with the following agencies in order to directly assist with project REACH: Streets to homes, Gerstein Crisis Centre, Mental Health Commission of Canada, Toronto Police MCIT.

### **Community Recruitment Initiatives**

The Community Engagement Unit has attended community colleges, such as Durham College and Humber College as well as community events, such as the Public Safety Job Fair and New Comers day in Toronto.

### **Customer Concerns**

The Community Engagement Unit, in conjunction with the Patrol Division, has assisted in addressing multiple individual customer concerns in relation to various subway stations and bus routes. During the course of the investigations, the Community Engagement Unit has attended high schools and worked in co-operation with principals and vice-principals to address disorderly behaviour.

### **Corporate Stakeholder Concerns**

The Community Engagement Unit continues to work with stakeholders, such as Downtown Yonge Business Improvement Association, City Councillor Kristyn Wong-Tam, City of Toronto Public Health, Children Services and Toronto Police - Community Police Liaison Committees in efforts to address concerns of safety for patrons throughout the transit system.

## **EVENTS SUPPORT BUS PROGRAM**

To assist the Toronto Police Service in enhancing public safety at various large scale events, the Transit Enforcement Unit Training and Logistical Support Unit co-ordinates the deployment and use of six decommissioned TTC buses now used as Events Support Buses. To support the program, the Transit Enforcement Unit has trained eight Special Constables to operate these buses through the three-week Operator Initial Training and Licensing program.

## **PATROL DIVISION QUARTERLY HIGHLIGHTS**

The following summarizes other noteworthy highlights of the reporting year:

## Quarter 1:

- In response to concerns raised by Stations staff, officers responded to multiple service requests to assist other TTC personnel with fare evasion, belligerent patrons, problem youths, speeding, panhandling, robberies and illegal entry issues;
- Special Constables spent more than 200 labour hours on a Traffic Safety Initiative for Non-Revenue vehicles;
- Special Constables were in place for York University strike;
- Community Engagement Special Constable Moskowitz met with York Region officials regarding concerns over the newly opened Vaughn Metropolitan Centre Station;
- Community Engagement Unit attended Association of Black Law Enforcers Career Fair at Humber College, conducted a recruitment and community engagement information session at Durham College, attended Dixon Grove Junior to co-ordinate a safety presentation;
- 12 Special Constable Recruits completed training and were deployed.



## Quarter 2:

- Special Constables were first on scene during the Yonge Street van attack and were also recognized for their life-saving efforts by Prime Minister Justin Trudeau;
- Members from Transit Enforcement attended the annual Art of Leadership for Women Conference;
- Special Constables were in place for York University strike;
- Community Engagement Unit attended City of Toronto New Comer Day, International Emergency Response Day Community Event, Transit Safety to Scouts Canada Troop, Transit Safety to TPS 11 Division Platoons.



## Quarter 3:

- Transit Enforcement Officers assisted with customer service and conducted high visibility patrols and safety details on or around major transit routes for multiple summer events, including: Caribana, VELD Music Festival, CNE, Nuit Blanche as well as Wonderland Crowd Control concerns at VMC Station.
- Cst Chojecki and Cst Lia participated in the 2018 Ride to Remember Event, where a group of 150-170 cyclists rode 700+KM from the Ontario Police College to Parliament Hill (Ottawa) in honour of officers killed in the line of duty;
- TPS recognized Special Constables Leslie Kampf, Mitch McFarlane, Sean Salmon and Martin Stewart for professionalism and bravery. Each received a Chief of Police Recognition for assistance in apprehending a man with a firearm at Spadina Station on June 1.
- Community Engagement Unit met with City of Toronto Crisis Outreach and met with Victim Services “DANDY” re: Assistance to TTC Employees in Crisis.
- Community Engagement attended Warden Woods Community Centre Outreach Event and Protection Forces and Public Safety Career Expo.
- TTC 101 Back to School Project commenced for the month of September.
- First Annual Transit Special Constable Women’s Symposium held on August 25 at Humber College;
- CN Rail – Charity Train Pull.



## Quarter 4:

- Transit Enforcement Officers participated in the annual Breast Cancer Awareness pink epaulette program;
- 12 Special Constable Recruits completed training and were deployed;
- Special Constables took part in the 2018 Poppy Campaign Kick-off;
- Transit Enforcement Department received a 2018 CUTA Award for Innovation for the Transit Special Constable Women's Symposium;
- Special Constable Chad Minter proudly represented the TTC at the Toronto Zoo's 33rd Annual Remembrance Day Ceremony;
- In partnership with the Toronto Police Service, Transit Enforcement Officers provided high visibility crowd control support for many large scale events in the city including: Remembrance Day Parade, Santa Claus Parade, Cavalcade of Lights, and New Year's Eve;
- As part of the New Year's Eve Emergency Operations Plan, a senior member staffed the TTC Desk at the Toronto Police Major Incident Command Centre (MICC). This member acted as the TTC liaison from Transit Enforcement to the MICC in order to have direct links to other policing agencies and first responders ensuring a co-ordinated response to order maintenance issues or emergencies affecting TTC service;
- Departmental members including Staff Sergeants, Sergeants, Officers and Civilian staff attended the graduation ceremonies for the most recent classes of Transit Enforcement Officers on October 10 at the Toronto Police College
- Community Engagement unit attended Centennial College Career Booth, Leslie Barns Open House, HMCS Public Safety Career Booth at Fort York, VMC Out of Cold Planning, Humber College Justice Studies presentations, ABLE Career Booth, Rexdale Community Network Event, ONGIA five-day conference.



## **CONCLUSION**

The Transit Enforcement Department is responsible for protecting the integrity of the transit system and performing law enforcement and security functions with respect to TTC properties and assets in order to ensure that they are protected and the transit system remains a safe and reliable form of transportation. The Transit Enforcement Department is committed to working in partnership with the Toronto Police Service, TTC employees and the community to support the TTC's vision of *a transit system that makes Toronto proud.*

## **CONTACT INFORMATION**

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## Toronto Police Services Board Report

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July 2, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: 2018 Annual Report: Toronto Community Housing Corporation – Special Constables**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

Section 53 of the agreement between the Board and Toronto Community Housing Corporation (T.C.H.C.) regarding special constables states that:

*“The T.C.H.C. 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”.*

### **Discussion:**

As directed by the Board, appended to this report is the 2018 Annual Report from the T.C.H.C. regarding special constables. The report is consistent with the reporting guidelines established by the Board.

### **Conclusion:**

The Service has established a strong working relationship with the T.C.H.C. The mandate of the T.C.H.C. Community Safety Unit is to partner with communities to

promote a safe environment for residents and to preserve the assets, buildings and properties that are managed and owned by T.C.H.C.. As outlined in the Special Constable Annual Report for 2018, a number of community outreach initiatives have been undertaken throughout the year. These initiatives are consistent with the community policing model employed by the Service and align with the Way Forward Goal of the TPS to Embrace partnerships to create safe communities.

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

Respectfully submitted,

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

\*original with signature on file at Board office

**TORONTO COMMUNITY HOUSING  
COMMUNITY SAFETY UNIT**

**931 Yonge Street  
Toronto Ontario M4W 2H2**

General (416) 921-2323



**2018 ANNUAL REPORT  
to the  
TORONTO POLICE SERVICES BOARD**

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## **EXECUTIVE SUMMARY**

### **2018 SPECIAL CONSTABLE ANNUAL REPORT Toronto Community Housing Corporation**

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Toronto Community Housing's Special Constable Program has been established since March 2000; and as of December 31, 2018, there were 102 sworn members within the Community Safety Unit (CSU). The objectives of the program are to:

- strengthen relationships between the CSU and the Toronto Police Service (TPS)
- enhance law enforcement activities as required
- reduce the level of crime/antisocial behavior in Toronto Community Housing (TCHC) communities
- improve residents' feelings of safety and security
- improve officer safety
- ensure officers are able to spend more time in TCHC communities

Having Special Constables allows Toronto Community Housing to move well-qualified officers into situations that are particularly difficult. A specific focus for Special Constables are trespass to property violations, liquor licence violations and the utilization of Peace Officer powers under the following statutes:

- Criminal Code;
- Controlled Drugs and Substances Act;
- Trespass to Property Act;
- Liquor License Act;
- Mental Health Act.

The Special Constable agreement between Toronto Community Housing and the Toronto Police Services Board has created a strong partnership reaching back over many years. This relationship has supported communication and co-operation between our organizations to the benefit of all. As a result of the enhanced training, legal status, and access to information available to Special Constables, they have been able to support and assist Toronto Police and TCHC residents in hundreds of investigations.

In 2018, the Special Constable Program for Toronto Community Housing was successful with Special Constables completing 447 Criminal Investigations for Toronto Police Service, of which 67.8% were related to property offences such as Mischief and Theft.

Last year, TCHC Special Constables conducted investigations for theft, mischief, threats, assaults, and other less violent matters. In instances involving major crimes, they have been the first officers on scene, assisting with primary assessments, notifications, perimeter protection, crowd management, witness canvassing, evidence security, and prisoner transports.

TCHC Special Constables and Toronto Police Officers have attended many calls together. The combination of a Special Constable's community knowledge and the Toronto Police Service

Officer's authority have proven to be mutually supportive, allowing incidents and problems to be resolved quickly and safely.

Our communities benefit when Toronto Community Housing Special Constables are able to:

1. Process minor offences and release prisoners at the scene without tying up TPS' resources and holding a citizen in custody for longer than required.
2. Act directly – to apprehend offenders and wanted persons and transport them to the local Division for booking. In so doing, they interrupt illegal and antisocial behavior and help keep the peace in our neighborhoods.
3. Support the Toronto Police Service not only with factual information, but also with detailed intelligence about criminal activity.

In 2018, three Use of Force reports were completed by Toronto Community Housing Special Constables. There were two instances Officers used soft empty hand and hard empty hand techniques to apply handcuffs to execute arrests. One incident an officer used soft empty hand techniques and hard empty hand techniques to gain compliance and secure the individual in handcuffs. In another incident an officer used soft empty hand techniques and hard empty hand techniques to gain compliance and secure the individual in handcuffs.

There were two Special Constable Complaints in 2018 that were categorized by PRS as incidents of less serious misconduct. The investigation reports along with their resolutions were submitted to the Service prior to their due dates in September and October. In addition, there were 17 other complaints received from the public with allegations against other officers. However, the complaints did not meet the criteria to be categorized as formal complaints as articulated in the MOU. They were deemed internal matters and were investigated by the Complaints Coordinator and TCHC's Human Resources Department.

We continue to value our working partnership with the Toronto Police Service and our joint Special Constable agreement. In 2018, TCHC's Special Constable Program continued to promote safe, secure, and healthy communities.

## **Background**

Toronto Community Housing is legally organized as a corporation. The City of Toronto is both its sole shareholder and its service manager, pursuant to the *Housing Services Act*. Toronto Community Housing is governed by a Board of Directors made up of the Mayor (or designate), 4 City Councillors, and 9 other citizens, including 2 tenants (elected by fellow tenants) living in Toronto Community Housing.

Toronto Community Housing provides homes for approximately 110,000 people. Our portfolio is made up of high-rise and low-rise apartment buildings, townhouses, rooming houses, and a variety of detached and semi-detached homes. TCHC's tenants reflect the face of Toronto and operates about 58,500 housing units; TCHC is the second largest housing provider in North America.

In 2018, The Community Safety Unit employed approximately 154 professionals who performed a variety of functions. These included: Special Constables, Community Patrol Officers, Parking Enforcement Officers, Dispatchers, Community Safety Advisors, Managers and other support staff. As all of our communities are diverse and unique, each position was designed with different authorities and resources to help address those needs.

The Community Safety Unit's mandate and vision express our role in helping to accomplish the goals of Toronto Community Housing. The mandate of the Community Safety Unit is to partner with communities, promote a safe environment for residents, and preserve the assets of Toronto Community Housing.

In 2002, Toronto Community Housing entered into an agreement with the Toronto Police Service Board for Special Constable Status. In 2018, there were 102 Community Safety Unit staff appointed and sworn as Special Constables with the approval of the Ministry of Public Safety and Security. This report provides an overview of our Special Constable program in 2018.

## **Supervision**

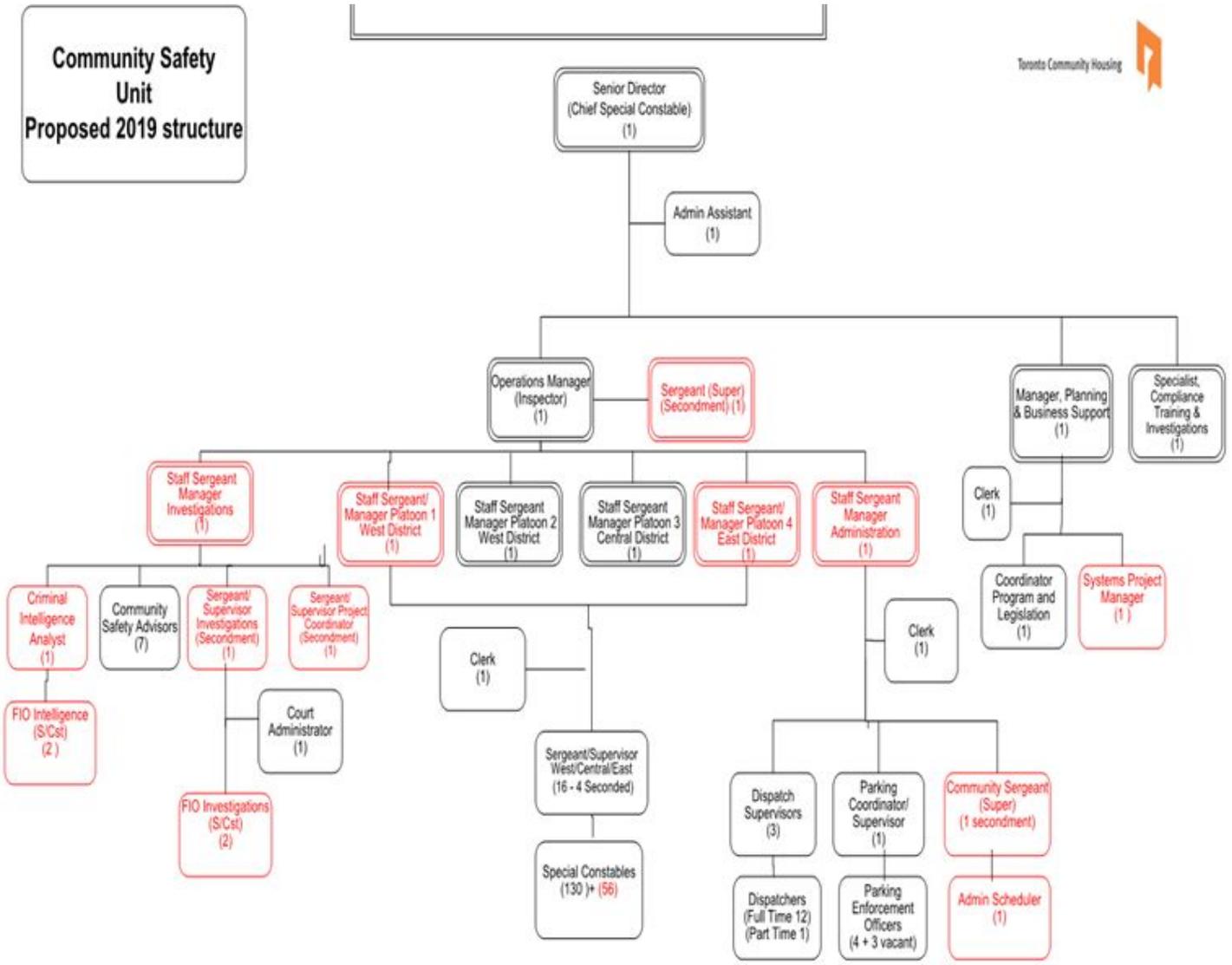
As of December 31, 2018 the Community Safety Unit had 4 Managers, and 14 Field Supervisors with Special Constable status who oversaw operations 24 hours a day, 365 days a year. The CSU had 84 Special Constables, 14 Provincial Offences Officers (Community Patrol Officers), 5 Parking Enforcement Officers and 14 Dispatchers. They were all supported by District Managers, a Manager in Planning and Business Support, a Specialist in Compliance, Training and Investigations, a Dispatch Supervisor, a Parking Coordinator, a Court Administrator and Coordinator Systems and Procurement.

Officers were assigned in Toronto Community Housing communities throughout the City. Methods of operation included foot, bicycle and vehicular deployments. Duties included patrolling for visibility and deterrence, responding to radio calls, conducting investigations and enforcement, answering service requests, parking control, special attention checks, and providing back-up to other officers. Special Constables also participated in many community engagement events, activities and meetings throughout the City of Toronto.

## Organization Chart - Community Safety Unit



**Community Safety Unit  
Proposed 2019 structure**



**Appointments**

<b>Total Applications (January 1<sup>st</sup> - December 31<sup>st</sup>)</b>	<b>New Appointments (January 1<sup>st</sup> - December 31<sup>st</sup>)</b>	<b>Re-Appointments (January 1<sup>st</sup> - December 31<sup>st</sup>)</b>	<b>Total Special Constables (December 31<sup>st</sup>, 2018)</b>
25	20	5	102

**Departures**

<b>Number of Terminations</b>	<b>Number of Suspensions</b>	<b>Number of Resignations</b>	<b>Number of Retirements</b>
1	1	23	2

**Training -Mandatory**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
Annual Use of Force (refresher)	The Control Institute	3 days	112
Special Constable Training	The Control Institute	24 day	14
First Aid CPR	Workplace Medical Corp	1 day	82

**Additional Training need to update this information\*\*\*\***

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
Specialized Refresher Training	The Control Institute	2 days	62
Supervisor Leadership Training	The Control Institute	2 days	17

## **Equipment**

In 2018, TCHC Special Constables had no changes to the authorized equipment as noted below.

<b>Equipment Issued to Special Constables</b>
<ul style="list-style-type: none"><li>• One badge with appropriate carrier and TCHC Special Constable photo ID card</li><li>• Soft body armor with appropriate carriers</li><li>• One pair of cut-resistant Kevlar-lined leather gloves</li><li>• One pair of winter gloves</li><li>• Disposable bio-hazard gloves, CPR mask and belt pouch</li><li>• One set of handcuffs with appropriate belt or Molle vest case</li><li>• One 21 inch expandable baton with appropriate belt carrier</li><li>• Memo book and cover</li><li>• One CSU Standard Operating Procedures (SOP) manual.</li><li>• One AAA battery flashlight with belt or Molle vest case</li><li>• One container of OC foam with belt case or Molle vest case</li><li>• One radio with microphone and Earpiece with belt or Molle vest case</li></ul>

## **Reporting Requirement**

In 2018, Toronto Community Housing Special Constables documented 65,266 incidents pertaining to requests for service, investigations of events and self-initiated patrols on or related to Toronto Community Housing properties.

Many of these calls were attended by both Toronto Community Housing officers and the Toronto Police Service. These matters were reported by TPS officers involved and were cross-referenced in the Toronto Community Housing daily activity report submitted to the Special Constable Liaison Office. The statistics below reflect enforcement and investigations that were initiated or conducted both independently by Toronto Community Housing Special Constables and in concert with the Toronto Police Service.

As per the Memorandum of Understanding between the Toronto Police Service and Toronto Community Housing, Special Constables making arrests on or in relation to TCH properties advise the Officer in Charge of the Division that the arrest occurred in and follow their direction.

**Crime and Order Management**

**Arrests:**

Authority	Total Arrested and/or Charged	Charged and Released - Form 9/Part III POA /POT	Released Unconditional No	Delivered in Custody to Toronto Police
Criminal Code	292	12 POT LLA 7 FORM 9 1 104 LLA 18 104 TPA 41 POT TPA 1 Form 1 MHA	12	239
Controlled Drugs and Substances Act	7	1 POT TPA	1	5
Trespass to Property Act	37	3 POT LLA 23 POT TPA 7 104 TPA	3	7
Liquor Licence Act	11	6 POT LLA 1 104 TPA 3 POT TPA	1	1
Mental Health Act	14	8 Form 1	0	6

*\* As provided in the Special Constable Appointment*

**Incident Reporting:**

**Serious Violent Incidents:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Assault</b>	Aggravated Assault	14
	Aggravated Sexual Assault	1
	Assault Peace Officer	17
	Assault Police Officer	11
	Assault with Intent to Resist Arrest	3
	Assault with Weapon or Bodily Harm	146
	Unlawfully Cause Bodily Harm	1
	<b>Homicide</b>	Attempted Homicide
Homicide		25
<b>Robbery</b>	Armed Robbery	33
	Robbery - Delivery Person	3
	Robbery - Home Invasion	18
	Robbery - Taxi	4
	Robbery (Not Armed)	80
<b>Sex Assault</b>	Sexual Assault	44
	Sexual Assault with Weapon	5
	Sexual Interference	1
<b>Weapons Offences</b>	Discharge Firearm (Bodily Harm)	4
	Discharge Firearm (Danger Life)	69
	Discharge Firearm (Wound, Maim)	16
	Other Weapon Related Offences	26
<b>Serious Violent Incidents Total</b>		<b>573</b>

**Antisocial Behaviour:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Cause Disturbance or Loitering</b>	Cause Disturbance or Loitering	8503
<b>Crimes Against Person</b>	Assault	344
	Indecent Exposure (or Act)	10
	Invitation to Sexual Touching	1
	Threatening	113
<b>Crimes Against Property</b>	Attempt Break & Enter - Office	3
	Attempt Break & Enter - Other	5
	Attempt Break & Enter - Residence	38
	Attempt Theft	4
	Attempt Theft (Bicycle or Tricycle)	2
	Attempt Theft From Vehicle	8
	Attempt Theft of Motor Vehicle	2
	Break & Enter - Office	9
	Break & Enter - Other	47
	Break & Enter - Residence	136
	Theft From Vehicle Over	3
	Theft From Vehicle Under	74
	Theft of Auto Over \$ 5000	14
	Theft of Auto Under \$ 5000	30
	Theft of Licence Plate (Single)	11
	Theft of Licence Plates (Set)	11
	Theft of Licence Val Tag (Sticker)	1
	Theft of Tricycle/Scooter	7
	Theft Over	8
	Theft Over (Bicycle)	3
	Theft Under	286
	Theft Under (Bicycle)	56
	Unlawfully In Dwelling	15
<b>Drug Offence</b>	Drug Offence - Other	14
	Drug Offence - Possession	30
	Drug Offence - Possession for the Purpose of Trafficking	19
	Drug Offence - Trafficking	6
<b>Mischief</b>	FACODE33 - Human - Malicious Intent/Prank	403
	Mischief	678
	Mischief – Graffiti	92
<b>Provincial Offences</b>	Liquor Licence Act	129
	Other Provincial Statutes	10

	TPA - Prohibited Activity Illegal Dumping	33
	Trespass Release -- 3rd Party	14
	Trespass Release -- CSU	35
	Trespass to Property Act	1519
<b>Antisocial Behaviour Total</b>		<b>12726</b>

**Arson:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Arson</b>	Arson	41
<b>Arson Total</b>		<b>41</b>

**Offences against Justice:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Offences Against Justice</b>	Breach of Probation (Provincial)	19
	Carrying Concealed Weapon	3
	Escape Lawful Custody or Unlawfully at Large	2
	Fail to Comply - Probation	74
	Fail to Comply - Recognizance	63
	Obstruct (Peace, Police) Officer	2
	Possession Weapons Dangerous	38
	Public Mischief	8
<b>Offences Against Justice Total</b>		<b>209</b>

**Miscellaneous Criminal Offences:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Miscellaneous</b>	Criminal Harassment	12
	Cruelty to Animals	6
	Other Criminal Code Offences	27
	Possession of House Breaking/Burglar Tools	1
	Possession Over - Property Obtained by Crime	3
	Possession Under - Property Obtained by Crime	2
<b>Miscellaneous Total</b>		<b>51</b>

**Crisis Support:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Crisis Support</b>	Child Neglect	4
	Mental Health Act	249
	Missing Person	54
	Sudden Death - Suicide	16
	Suicide - Attempt	7
<b>Crisis Support Total</b>		<b>330</b>

**Parking By-Law Infractions**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Parking Violation</b>	Parking Violation	7889
<b>Parking Violation - Towing</b>	Parking Violation - Towing	258
<b>Parking By-Law Infractions Total</b>		<b>8147</b>

**Disputes:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Disputes</b>	Dispute - Domestic	346
	Dispute - Landlord/Tenant	305
	Dispute - Neighbour	9509
	Dispute - Other	230
<b>Disputes Total</b>		<b>10390</b>

**Incidents Affecting Quality of Life:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>DOLA</b>	Dog By - laws	54
	Dog Owner's Liability Act	42
<b>False Fire alarm</b>	FACODE31 - Alarm System Equipment Malfunction	255
	FACODE32 - Alarm System Equipment - Accidental Activation (excluding Code 35)	175
	FACODE34 - Human - Perceived Emergency	156
	FACODE35 - Human - Accidental (alarm accidentally activated by person)	308
	FACODE39 - Other False Fire Alarm	1321
	FACODE40 – Call to Fire (No Alarm)	38
<b>Fire</b>	FACODEFE – Fire	345
<b>Incidents Affecting Quality of Life Total</b>		<b>2694</b>

**Other Calls for Service:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Call Cancelled</b>	Call Cancelled	324
<b>Calls for Assistance</b>	Assist Other - Access	374
	Assist Other - Eviction	26
	Assist Other - General	424
	Assist Other - Information	743
	Assist Resident - Check Welfare	1004
	Assist Resident - Information	1812
	Assist Resident - Other	1477

	Assist Resident- Access	166
	Assist Security - Back-up	887
	Assist Security - Detail	41
	CCTV (FOI, Legal, OU. TPS)	721
	Ambulance Call	743
<b>Defective Equipment</b>	Defective Equipment - Access	133
	Defective Equipment - CCTV	9
	Defective Equipment - Elevator	426
	Defective Equipment - Fire & Life Safety	328
	Defective Equipment - Other	165
	Hazardous Condition	681
	Insecure Premises - Dwelling	89
	Insecure Premises - Other	21
	Insecure Premises - TCHC	94
	Intrusion Alarm - Accidental	63
	Intrusion Alarm - Defective	35
<b>Found Property</b>	Found Property	31
<b>Fraud</b>	Fraud	16
<b>Information Only</b>	Information Only	759
<b>Law Enforcement - Information</b>	Law Enforcement - Information	425
<b>LVW</b>	LVW Escort - 3rd Party	1
	LVW Escort - Unable to Accommodate	1
<b>Parking Information</b>	Parking Information	2340
<b>Personal injury</b>	Personal Injury - Other	15
	Personal Injury - TCHC Officer	4
	Personal Injury - TCHC Staff	3
	Personal Injury - Tenant	60
<b>Recovered Auto</b>	Recovered Auto	23
<b>Sudden Death</b>	Sudden Death - Accidental	2
	Sudden Death - Natural Causes	80
	Sudden Death - Undetermined	93
<b>Vehicle Accident</b>	Vehicle Accident	174
<b>Other Calls for Service Total</b>		<b>14813</b>

**Community Patrols:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Patrols</b>	Bike Patrol - Self Initiated	55
	Patrol - Focused	8673
	Patrol - Joint CSU and TPS	803
	Patrol - Officer Initiated	3762
<b>Special Attention</b>	Special Attention - Other	1372
	Special Attention - Parking	201
	Special Attention - Vacant Unit	38
<b>Community Patrols Total</b>		<b>14904</b>

**Warrant Execution:**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Warrant- Executed Arrest</b>	Warrant- Executed Arrest	206
<b>Warrant- Executed Search</b>	Warrant- Executed Search	118
<b>Warrants Total</b>		<b>324</b>

**Law Enforcement Meetings**

<b>Event Type</b>	<b>Unit Specific Heading</b>	<b>Total</b>
<b>Meetings</b>	Meeting - Corporate	15
	Meeting - CPLC	18
	Meeting - Crime Management	61
	Meeting - Law Enforcement	79
<b>Meetings Total</b>		<b>173</b>

## **Property**

All property seized by Toronto Community Housing Special Constables were held in accordance with Toronto Police Services policies and procedures.

Any seized property required for cases under investigation by the Toronto Police Service was immediately forwarded to TPS for storage and/or evidence.

All other seizures (drugs, cash, weapons, found property) were surrendered directly to the Toronto Police Service at the time of the initial investigation, including completion of the applicable reports and TPS property processing procedures, and in compliance with our Special Constable agreement.

## **Complaints**

As required by the agreement between Toronto Community Housing and the Toronto Police Services Board, TCHC has established a complaint investigation procedure for Special Constables which corresponds with the procedure used by the Toronto Police Service. Toronto Community Housing provides a quarterly report of all complaints and their investigations to the Toronto Police Services Board. Any findings of misconduct are reported forthwith.

There were two Special Constable Complaints in 2018 that were categorized by PRS as incidents of less serious misconduct. The investigation reports along with their resolutions were submitted to the Service prior to their due dates in September and October. In addition, there were 17 other complaints received from the public with allegations against other officers. However, the complaints did not meet the criteria to be categorized as formal complaints as articulated in the MOU. They were deemed internal matters and were investigated by the Complaints Coordinator and TCHC's Human Resources Department.

Total Number of Complaints	Investigated by CSU	Investigated by Toronto Police	Number Resolved	Number Outstanding
2	2	0	2	0

## **Use of Force**

In 2018, three Use of Force reports were completed by Toronto Community Housing Special Constables. There were two instances Officers used soft empty hand and hard empty hand techniques to apply handcuffs to execute arrests. One incident an officer used soft empty hand techniques and hard empty hand techniques to gain compliance and secure the individual in handcuffs. In another incident, an officer used soft empty hand techniques and hard empty hand techniques to gain compliance and secure the individual in handcuffs.

There was one incident where OC Foam was deployed in an attempt to stop the resistive and assaultive behavior of a male who was being arrested under the Mental Health act.

There was one incident where a baton was used to strike an assaultive individual who was slashing a special constable with an edged weapon in an attempt to break free of control.

In all three reports, officers only used force once they were assaulted. There was one incident in which resulted in injuries to an officer that lead to minor scratches and abrasions.

There was one instance where the suspect was transported to Division. In two instances, TPS took control of the suspect. In one instance, a Special Constable was transported to hospital for assessment and later released.

<b>Category of Offence</b>	<b>Use of Force: Baton</b>	<b>Use of Force: OC Foam</b>	<b>Use of Force: Hand (soft/hard)</b>
Assault	1	1	2
Assault With Weapon or Bodily Harm			
Escape Lawful Custody or Unlawfully at Large			
Mischief			
Assault Peace Officer			
Assault with Intent to Resist Arrest			
Mental Health Act		1	
Liquor License Act			

## **Governance**

Toronto Community Housing's Special Constable Program is guided by the Community Safety Unit's mandate and code of ethics in addition to existing Standard Operating Procedures and TCHC's Code of Conduct. Toronto Community Housing Special Constables are fully conversant with the laws and regulations governing enforcement authorities pertaining to their designation.

Toronto Community Housing employs a team of supervisors and managers who also hold the status of Special Constable and are responsible for the appearance, conduct, discipline and performance of all officers. All Special Constables understand the contract agreement between Toronto Community Housing and Toronto Police Service as well as the expectations concerning their conduct and/or job performance.

## **TPS 2018 Annual Report - Highlights**

### **Special Constable Designations**

On December 18, 2018, the Toronto Police Services (TPS) Board approved Toronto Community Housing's application to increase its complement of Special Constables from 160 to 300 designations. The Community Safety Unit has planned a robust recruitment strategy moving into the New Year.

The additional designations are aimed at improving consistency and collaboration between TCHC and TPS to ultimately benefit the tenants and communities we both serve. Specifically, the increase will support the city-wide initiative to help reduce violence in the city of Toronto. In response to this project, TCHC in collaboration with the city of Toronto and TPS identified ten high risk neighbourhoods that will benefit from increased security presence, community engagement, intelligence gathering and enforcement.

### **New Deployment Model**

To support the increase in our complement, in 2019, the Community Safety Unit will be moving towards a new deployment model where officers will be divided into four 12 hour platoons. As new staff are hired and trained, our members will take over the top ten communities, currently be staffed by G4s Security Guards.

### **New Organizational Chart**

The implementation of the new organizational chart will allow CSU Management to provide its front line Special Constables, Parking Enforcement officers, Dispatch staff and Community Safety Advisors better support and guidance to perform their duties at the highest level. Through internal and external promotional processes, the new structure will include 6 Staff Sergeants and 16 Sergeants to oversee the sworn officers.

### **Dan Harrison Community:**

To address historical and ongoing safety changes at the Dan Harrison Complex and surrounding TCHC communities, an enhanced community safety pilot project commenced September 2018. The pilot has eight Special Constables including two Acting Sergeants to conduct regular patrols in the building and respond to issues in the surrounding buildings.

### **Greenwood Towers:**

A seniors building pilot program was also conducted at Greenwood Towers in Q3 of 2018 focusing on community and fire life safety. The focus of the project was to understand tenant safety needs and to enhance tenant engagement and awareness. There were 460 interactions with staff during this project which was well received and provided tenants with a channel to address their concerns.

**Community Assignments:**

CSU began assigning Special Constables to specific buildings within their patrol zone for frequent foot patrols. These assignments enhanced community engagement and familiarity with the buildings. This also enhanced the fire and life safety program by having officers consistently spot check fire equipment as well as respond to fire hazards such as obstructed exits, illegal dumping etc.

**Joint Patrols**

Between January 1, 2018 and December 31, 2018 Toronto Police Service and Toronto Community Housing Special Constables participated in 684 joint patrols and walk-throughs in our communities. This initiative has been focused on deterring anti-social behaviour on Toronto Community Housing properties. Please note, this number does not include joint patrols conducted by our Community Patrol Officers who do not hold Special Constable designations.

**Resident and Community Engagement**

In 2018, the Community Safety Unit organized 250 resident/community engagement activities which consisted of safety council meetings, community fairs and barbeques, festivals, game nights and seminars.

**Vehicles**

In 2018, the Community Safety Unit acquired 8 new sport utility vehicles, with newly designed decals and light bar. The increased number of new vehicles, will assist officers in patrolling communities, attending to calls for service and transporting prisoners.



## Toronto Police Services Board Report

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July 2, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: 2018 Annual Report: University of Toronto Police – Special Constables**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

Section 45 of the agreement between the Board and the University of Toronto (U of T) Governing Council regarding special constables states that:

*“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”.*

### **Discussion:**

As directed by the Board, appended to this report is the 2018 Annual Report from the Scarborough and St. George Campuses of the U of T Police regarding special constables. The reports are consistent with the reporting guidelines established by the Board.

### **Conclusion:**

The Service has established an excellent working relationship with the University of Toronto. Over the past 12 months, a number of community outreach initiatives have

been undertaken by the U of T Police to enhance the feeling of safety and security for the users of the U of T properties in the downtown core and Scarborough. These initiatives are consistent with the community policing model employed by the Service and align with the Way Forward Goal of the TPS to Embrace partnerships to create safe communities.

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

Respectfully submitted,

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

\*original with signature on file at Board

# **2018 Special Constable Annual Report University of Toronto Scarborough**



**University of Toronto Scarborough  
Campus Community Police  
1265 Military Trail  
Suite SW304  
Toronto, Ontario  
M1C 1A4**

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## **Executive Summary**

At the University of Toronto Scarborough (UTSC), we believe that developing a safe and secure environment is a shared responsibility. The University of Toronto Scarborough continues to grow in student enrolment and staff and maintains a continued focus on diversity. Campus Community Police provide a safe environment for our students, faculty and staff through the ongoing development of strong relationships with our various internal and external partners.

The primary responsibility for the protection of persons and property within our community is assigned to the Campus Community Police. The Campus Community Police achieve this responsibility through activities that support our Mission Statement which can be found at: <http://www.utsc.utoronto.ca/police/mission-statement-values> .

Community Policing is the cornerstone of modern policing and the Campus Community Police at UTSC are continuously challenged to create and implement approaches and initiatives to enhance partnerships and collaboration both on our campus as well as the other two University of Toronto campuses, St. George and Mississauga.

Strategic, intelligence-driven, and problem-solving approaches are a predominant aspect of community policing within our academic setting, and include initiatives such as providing educational material on campus safety during orientation to all first year students, training seminars, theft prevention programs, strategic patrol initiatives, and taking part in various committees. Enforcement, although always available to the officers, is a tool that is utilized with discretion to enhance public safety within our community. Although criminal charges are sometimes unavoidable, we strive to resolve situations internally in order to achieve the best outcome possible.

The University of Toronto Scarborough Campus Community Police are responsible for performing the following services:

- Acting as first responders to all emergencies on campus.
- Conducting initial investigations for all criminal and provincial offences that occur on campus or off campus, that are reported to campus police.
- Identifying all offences that fall within the mandate of the Toronto Police Service and liaise with Toronto Police Service (43 Division) to assist in investigations as required.
- Assessing risk levels presented by the visit of various V.I.P.'s, presentations, events and/or protests, and when necessary, developing and executing security protocols.
- Providing a uniformed presence on campus including mobile patrol, bicycle patrol and foot patrol officers.
- Participating in various committees to assist risk assessment measures to ensure that all major events held on campus are safe, and to ensure that our community members can enjoy a safe environment.

- Engaging in various Community Policing initiatives focused on developing partnerships and trust with our community members to increasing overall safety and effective communication.

The University of Toronto Scarborough Campus Community Police Service provides effective support to our Community, ensuring that prescribed service standards are met, while ensuring that the administration, promotion and support of professionalism are upheld. These standards include the practices, conduct, appearance, ethics and integrity of its members, with a goal of strengthening public confidence and co-operation within the community.

The criminal statistics for UTSC included in this report continue to demonstrate that we are a very safe community. The number of mischief calls dropped dramatically from 2017 to 2018 due to increased proactive patrols and ongoing community engagement. Crimes against persons are minimal and are generally minor in nature. We continue to focus our efforts on reducing thefts (mainly of items left unattended), and building on mental health awareness so that we can provide the best support possible to the members of our community.

### **UTSC Committee Participation**

Members of the Campus Community Police management and front line personnel participate in various committees on campus, many of which focus on providing a safe environment for our students, faculty and staff. Other committees are efforts to increase the level of engagement with members of marginalized communities, including;

- The Campus Community Police continue their partnership with the Department of Student Life (DSL) and Scarborough Campus Student Union (SCSU) during Orientation activities, allowing the opportunity to remove barriers between students and police. Campus Police management also works with DSL and SCSU to provide financial support and provide strategic approaches to ensure safety during various orientation events.
- Campus Community Police members sit on the University of Toronto Scarborough's Principal's Advisory Committee on Positive Space. The 'Positive Space Campaign' is intended to help create a campus that is free of discrimination based on sexual orientation and gender identities. It also aims to generate a broad and visible commitment to welcoming sexual diversity and at making discussions around diversity more comfortable, open and increasingly welcoming. Campus Community Police participated in the preparation for the Ninth Annual Rainbow Tie Gala and provided funding and resources during the annual Positive Treats initiative.
- Campus Community Police chair the Campus Safety Committee, which is comprised of representatives from a cross section of our community who explore ways to enhance safety and security from the various user groups' perspectives. The primary goal of this committee is to solicit issues of concern from various constituents and to determine and prioritize safety solutions.

- Campus Community Police take part in the Student Welfare Committee, comprised of Managers and Directors who collaborate to case manage situations of students at risk to ensure students receive the support necessary to increase the chance of success in their educational endeavors, while also ensuring community safety.
- Campus Community Police sit on the Risk Assessment Committee. This is a committee comprised of management and student representatives that identify and mitigate personal and physical risks associated with events held on campus, thereby ensuring the success and safety of the participants during the event.
- Leadership, Education and Development (LEAD) program – The Manager continued to participate in this initiative as a mentor and was paired a mentee throughout the program which ran from September 2017 to April 2018. The mentees met with their mentors to focus on topics of interest and to learn from their mentor’s experience and wisdom.
- Anti-Racism & Cultural Diversity Committee (ARCDO) – Management staff are part of this committee whose purpose is to provide a breadth of knowledge and expertise related to anti-racism, cultural diversity and creed and provide feedback on the impact of policies and programs in relation to these matters and to ensure engagement with key stakeholder communities. In the current term, efforts are being explored to help determine the most effective method to ensure that Campus Community Police understand the experiences of marginalized students, faculty and staff.

## **Community Policing Initiatives**

In 2018, the UTSC Campus Community Police continued with many Community Policing partnerships to serve our internal and external community. As previously mentioned, students, staff and faculty from every part of the world represent the UTSC community. As a result of the ongoing involvement of our members, we are enthusiastically invited back to a number of events to provide educational opportunities, and/or give our community members the opportunity to compete against the Campus Community Police. Initiatives include:

- UTSC Alumni Hockey Tournament
- International Police Hockey Tournament
- Dodgeball Tournament
- UTSC Bring Your Children to Work Day
- International Day of Pink
- Ice Skating at the Toronto Harbourfront
- Residence Welcome BBQ
- Green Path Personal Safety Session
- Creation of Cybercrime Pamphlet
- Display Your Pride
- Safety talk with the Daycare children
- Self-Defense Presentation with Athletics
- Faculty and Staff Children's Holiday Party
- Remembrance Day Ceremony
- National Day of Remembrance and Action on Violence Against Women
- Habitat for Humanity
- Campus Safety Day
- Green Path Graduation Ceremony
- Residence Life Team Training
- Annual Welcome Day
- Experience UTSC Fair
- Annual Torch Run
- Bike Workshop
- Christmas Toy Drive
- Meeting with students regarding safety audits (Women, Violence and Resistance)
- Arts and Science Co-op Safety Presentation
- Transition Program Safety Presentation
- IITS Student Help Desk Safety Presentation
- Mixed Messages Presentation
- DPES Grad Orientation Presentation
- Clinical Psychology Grad Student Orientation
- UTSC Golf Day
- Recognizing Students in Distress
- Sip 'n' Safety

## **Moving Forward**

The University of Toronto Scarborough Campus Community Police will continue with proactive strategies to both identify safety concerns and implement strategies that help us to better serve our community. We have continued our partnership with the Toronto Police Service 43 Division. We are extremely invested in community-based policing by partnering with our community. The partnerships we forge today are the foundations for building and strengthening our community's need to create and sustain a positive, nurturing environment that is so vital for the growth of our future leaders.

## **Organization, Statistics and Mandatory Reporting**

### **Supervision**

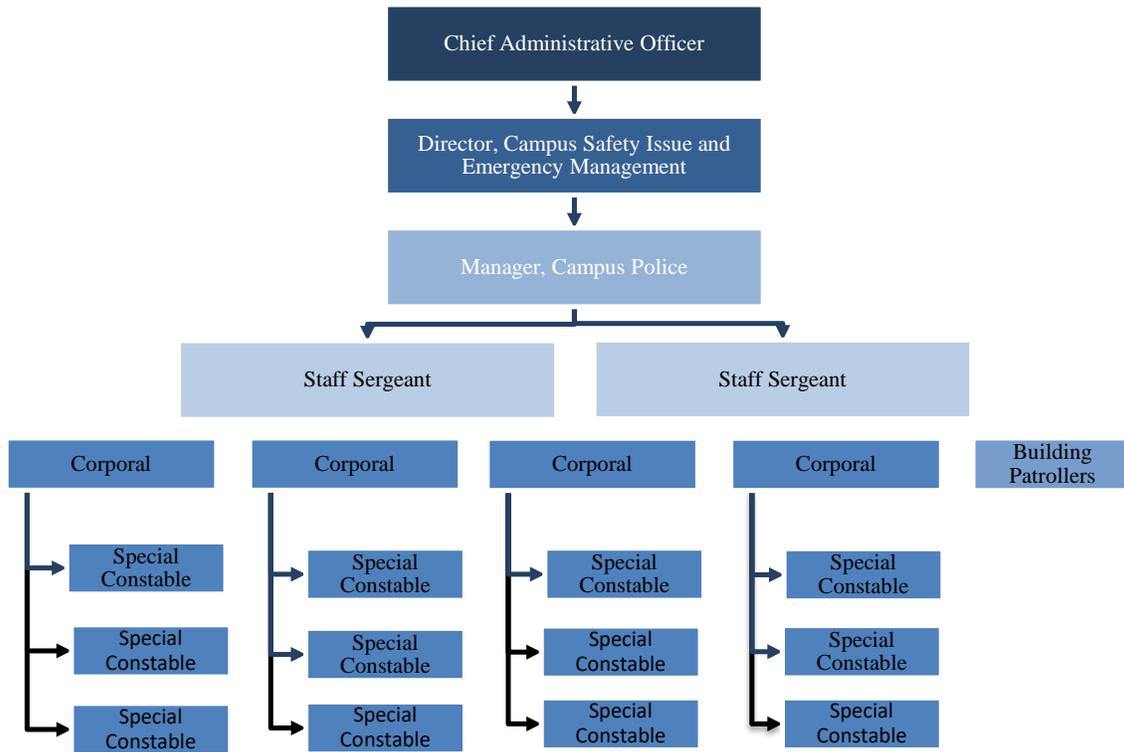
The Manager of the UTSC Campus Community Police Service reports to the Director of Campus Safety, Issue and Emergency Management, who in turn reports to the Chief Administrative Officer specific to UTSC. The Manager and the Staff Sergeants of the UTSC Special Constable Services are responsible for the management, training and general supervision of all Corporals and Special Constables, while the Corporals are responsible for the supervision of the Special Constables on duty. Managers are generally on duty from 7:00 A.M. – 7:00 P.M. Monday to Friday and are on call at other times. There is a Corporal or Acting Corporal on duty 24/7/365 who is designated as the shift supervisor, and is responsible for supervising between one and four officers as well as our Building Patrollers.

### **Staffing**

In 2018, four Special Constables left the University to pursue a career with other local Police Services. Recruiting methods are reviewed on an ongoing basis in order to determine the most effective way to recruit and retain our personnel. In keeping with the diversity of our campus, we strive to have our members reflect the UTSC community.

The Campus Community Police Service also employs six Building Patrol Officers (licenced security guards) who complement the Special Constables in providing safety and security in our community. The Building Patrol Officers also play a key role in ensuring a safe environment assisting with access calls, alarm response, general campus patrols and personal safety escorts on campus for those who feel vulnerable.

## Organizational Chart



### **Appointments**

Number of Total Applications (January 1 <sup>st</sup> - December 31 <sup>st</sup> )	Number of New Appointments (January 1 <sup>st</sup> - December 31 <sup>st</sup> )	Number of Re-Appointments (January 1 <sup>st</sup> - December 31 <sup>st</sup> )	Total Number of Special Constables (As of December 31 <sup>st</sup> )
6	5	3	11

### **Terminations/ Suspensions/ Resignations and Retirements**

Number of Terminations (January 1 <sup>st</sup> - December 31 <sup>st</sup> )	Number of Suspensions (January 1 <sup>st</sup> - December 31 <sup>st</sup> )	Number of Resignations (January 1 <sup>st</sup> - December 31 <sup>st</sup> )	Number of Retirements (January 1 <sup>st</sup> -December 31 <sup>st</sup> )
0	1	3	0

### **Training**

In 2018, the University of Toronto at Scarborough Campus Community Police continued to look to both external agencies and in-service trainers for the purpose of fulfilling the training needs of our staff. The UTSC Campus Community Police Service has continued conducting regular mandatory in-house training sessions for all Special Constables.

The University of Toronto at Scarborough Campus Community Police Service is committed to the improvement of front-line training for officers that is reflective of the diverse needs and expectations of the university community. Our training is also designed to meet the needs of the UTSC community in combination with directives from the Toronto Police Services Board. The training program is developed through consultation with the community, other institutions and debriefing of situations.

In 2018, a Staff Sergeant along with a member from our Student Housing and Residence Life team attended the trainers course 'De-escalating Potentially Violent Situations' which was provided by the Crisis and Trauma Resource Institute (CTRI). This workshop is hosted in partnership between the Campus Community Police and the Department of High Risk. The course is designed by the Crisis and Trauma Resource Institute (CTRI) to teach people to de-escalate potentially violent situations through assertiveness and interpersonal communication. Training explores how anger and violence interplay, including opportunities for self-assessment of personal communication styles. Participants develop a clear understanding of how to assess the potential for violence and how to respond with a diverse set of interpersonal tools and

strategies designed to defuse potentially violent situations. The goal is to educate all University employees on this topic.

Recommendations from all levels of police personnel contribute to the process of designing the courses to meet the specific needs of the Campus Community Police and the community. Training curriculum is designed to ensure a balanced mix of mandatory skills training, sensitivity to a University environment and practical field experience. Classroom lectures, seminars and participation in group discussions appropriate for campus policing situations are utilized. Campus resources are used where possible, but due to the unique policing challenges on a campus setting, outside resources are occasionally used as well.

### Mandatory Training

Subject Matter	Delivered By	Duration	Number Receiving Training	Total Hours
Use of Force	UTSC Campus Police	32 hours	8	256
Annual Use of Force Recertification	UTSC Campus Police	8 hours	14	120
First Aid, CPR	Workplace Medical Corp. and Canadian Police Knowledge Network	8 hours	4	32

**\*All officers have current first aid/CPR certification.**

### Additional Training

Subject Matter	Delivered By	Duration	Number Receiving Training	Total Hours
De-escalating Potentially Violent Situations	UTP / U of T	8 hours	2	16
Biosafety Level 3	U of T	8 hours	12	96
PFPO Appraiser Certificate (Fitpin)	TPS	32	1	32

<b>Subject Matter</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number Receiving Training</b>	<b>Total Hours</b>
Sexual Violence Education	U of T	8 hours	12	96
Applied Suicide Intervention Skills Training	U of T / Mental Health Network	16 hours	2	32
ASSIST	Mental Health Network	16 hours	2	32
Form 9 Training	UTP	2 hours	12	24
Building a Positive And Respectful Workplace	U of T / Bernardi Human Resource Law Group	4 hours	12	48
Recognition of Emotionally Disturbed Persons	Canadian Police Knowledge Network	2	12	24
Arrest	Canadian Police Knowledge Network	1 hour	12	12
Criminal Offences	Canadian Police Knowledge Network	30 minutes	12	6
Domestic Violence	Canadian Police Knowledge Network	2.5 hours	12	30
Investigative Detention	Canadian Police Knowledge Network	1.5	12	18
Intro to Cannabis Legislation	Canadian Police Knowledge Network	2	12	24

## Complaints

Total Number of Complaints	Investigated by Agency	Investigated by Toronto Police Service	Number Resolved	Number Outstanding
1	1	0	0	1

## Use of Force

In 2018, there were no incidents where Special Constables of the University of Toronto Scarborough Campus Community Police had to use force on persons that required the submission of a Use of Force Report (R.R.O. 1990, Reg. 926 s 14.5 (1)).

## Equipment

### Equipment Issued to Special Constables

- One wallet badge, appropriate wallet and Agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One expandable baton with appropriate carrying case
- One approved memo book
- Access to Directives
- Uniform

## Restricted Equipment

The University of Toronto Scarborough Campus Special Constables are issued with collapsible batons. None of the officers are issued oleoresin capsicum spray or foam.

## **Crime, Traffic & Order Management**

The statistics included in these tables do not reflect the total workload of the Campus Special Constables. Proactive policing still accounts for the majority of time spent by officers during their tour of duty. Officers therefore account for a large number of self-generated Calls-For-Service, many of which involve checking and patrolling specific locations on campus to ensure safety. In 2018, Campus Police Special Constables generated or responded to 5,442 calls for service which resulted in the submission of 607 reports. These statistics also do not reflect the informal and impromptu contacts the officers have with members of the University Community, which also contribute to an enhanced sense of personal safety.

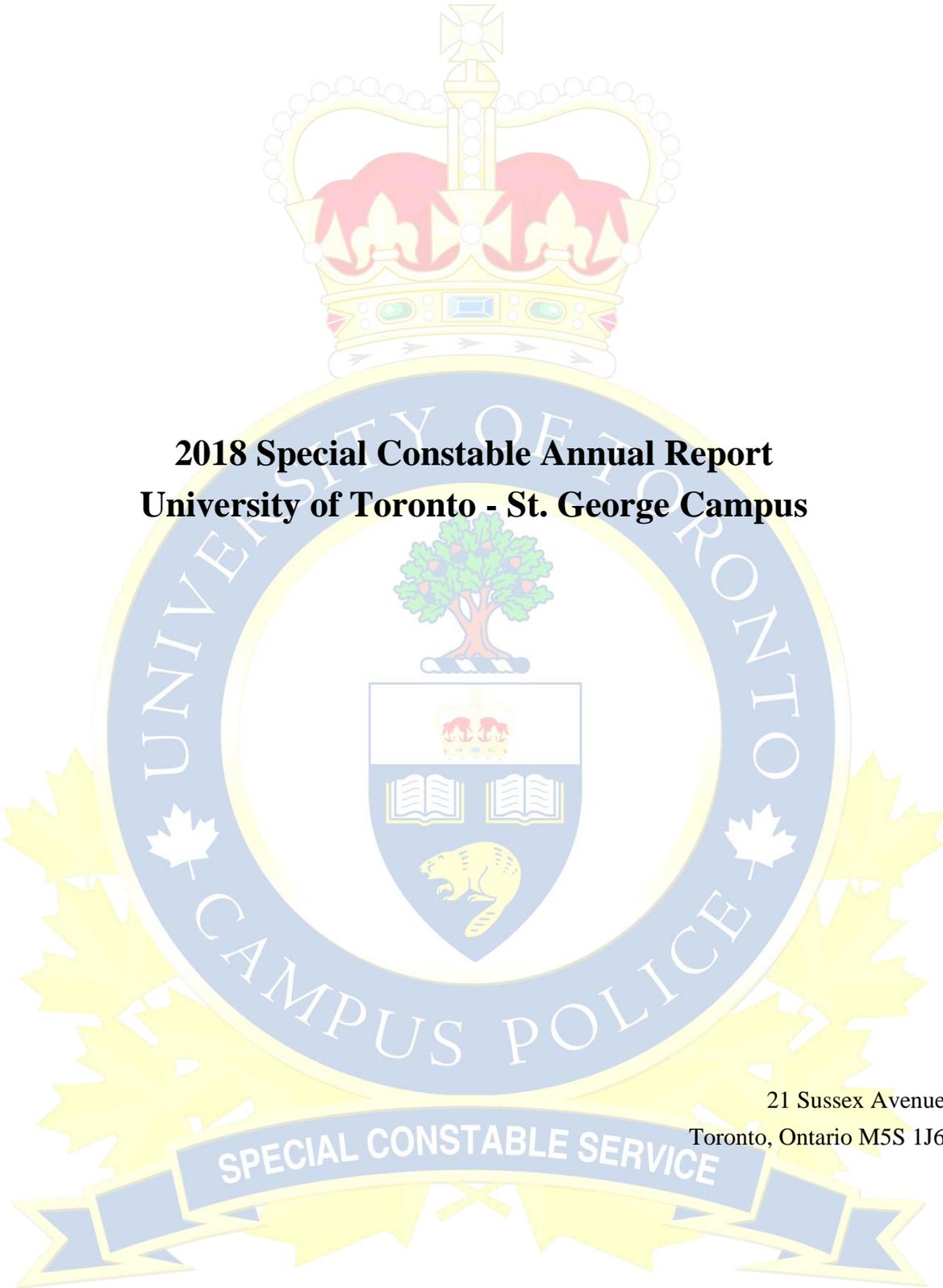
<b>Authority as per Agreement</b>	<b>Arrested</b>	<b>Charged (Form 1/9, P.O.T.)</b>	<b>No Charges (Unconditional Release or Caution Only)</b>	<b>Turned Over to Toronto Police Service</b>
Criminal Code	2	1	0	1
Controlled Drugs and Substance Act	2	2	24	0
Trespass to Property Act	0	3	68	0
Liquor Licence Act	1	7	10	0
Mental Health Act	24	0	24	2

## Criminal Stats

<b>Incident Types</b>	<b>2018</b>
Break and Enter	2
Robbery	0
Theft Over \$5,000	0
Theft Under \$5,000	80
Theft Bicycles	2
Possess stolen property	0
Disturb Peace	1
Indecent Acts	1
Mischief/Damage	23
Other Offences	0
Sexual Assaults	4
Assault	5
Impaired Driving	0
Criminal Harassment	10
Threatening	2
Homophobic/Hate Crimes	2
Homicide	0
<b>Total Crime Occurrences</b>	<b>132</b>

## Property

Property that is evidence of criminal charges is managed by the Toronto Police Service. Found property is maintained by the University's Lost and Found protocols and therefore does not generate reporting by the Campus Community Police Special Constables to the Toronto Police Service. Lost and found items that are not claimed are sold through Police Auctions Canada and the funds are used to purchase toys and supplies that are donated to the Chum City Christmas Wish program. In 2018, items valued at a total of \$1,000 were donated.



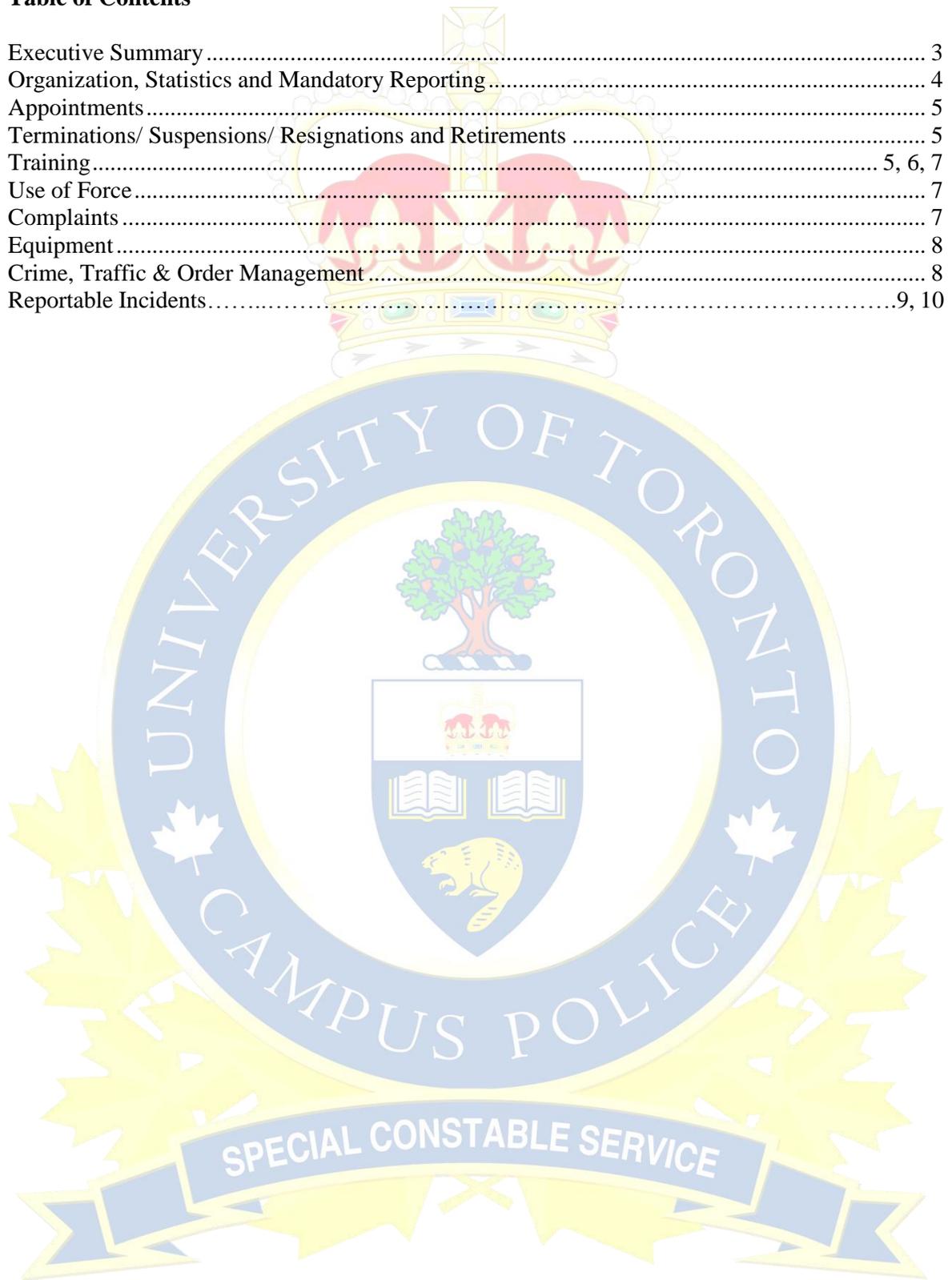
**2018 Special Constable Annual Report**  
**University of Toronto - St. George Campus**

21 Sussex Avenue  
Toronto, Ontario M5S 1J6

**SPECIAL CONSTABLE SERVICE**

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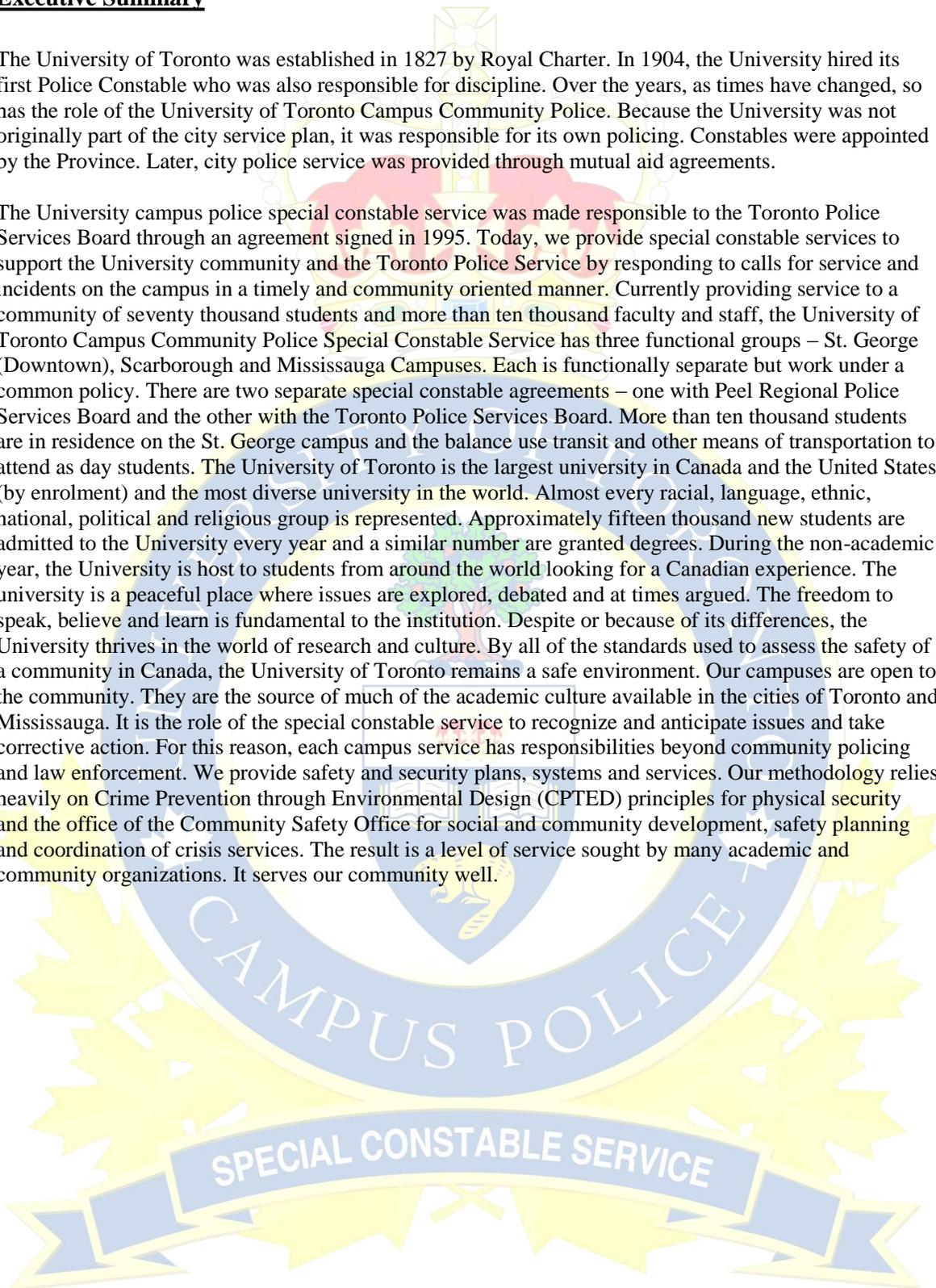
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## **Executive Summary**

The University of Toronto was established in 1827 by Royal Charter. In 1904, the University hired its first Police Constable who was also responsible for discipline. Over the years, as times have changed, so has the role of the University of Toronto Campus Community Police. Because the University was not originally part of the city service plan, it was responsible for its own policing. Constables were appointed by the Province. Later, city police service was provided through mutual aid agreements.

The University campus police special constable service was made responsible to the Toronto Police Services Board through an agreement signed in 1995. Today, we provide special constable services to support the University community and the Toronto Police Service by responding to calls for service and incidents on the campus in a timely and community oriented manner. Currently providing service to a community of seventy thousand students and more than ten thousand faculty and staff, the University of Toronto Campus Community Police Special Constable Service has three functional groups – St. George (Downtown), Scarborough and Mississauga Campuses. Each is functionally separate but work under a common policy. There are two separate special constable agreements – one with Peel Regional Police Services Board and the other with the Toronto Police Services Board. More than ten thousand students are in residence on the St. George campus and the balance use transit and other means of transportation to attend as day students. The University of Toronto is the largest university in Canada and the United States (by enrolment) and the most diverse university in the world. Almost every racial, language, ethnic, national, political and religious group is represented. Approximately fifteen thousand new students are admitted to the University every year and a similar number are granted degrees. During the non-academic year, the University is host to students from around the world looking for a Canadian experience. The university is a peaceful place where issues are explored, debated and at times argued. The freedom to speak, believe and learn is fundamental to the institution. Despite or because of its differences, the University thrives in the world of research and culture. By all of the standards used to assess the safety of a community in Canada, the University of Toronto remains a safe environment. Our campuses are open to the community. They are the source of much of the academic culture available in the cities of Toronto and Mississauga. It is the role of the special constable service to recognize and anticipate issues and take corrective action. For this reason, each campus service has responsibilities beyond community policing and law enforcement. We provide safety and security plans, systems and services. Our methodology relies heavily on Crime Prevention through Environmental Design (CPTED) principles for physical security and the office of the Community Safety Office for social and community development, safety planning and coordination of crisis services. The result is a level of service sought by many academic and community organizations. It serves our community well.



## Organization, Statistics and Mandatory Reporting

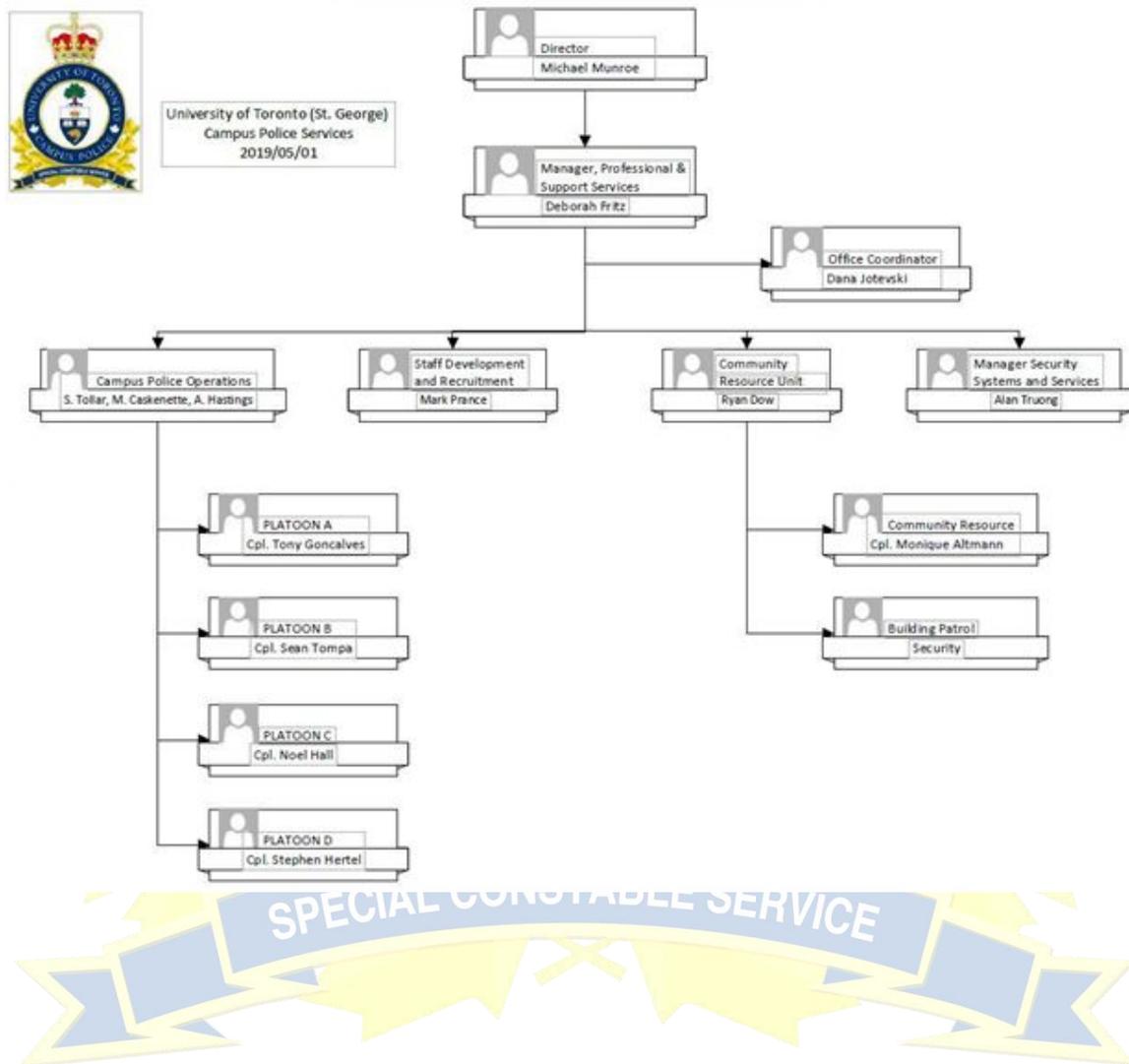
### Direction, Management and Supervision

The University of Toronto Campus Community Police at St. George Campus operate 24/7 utilizing groups of uniform personnel led by a Staff Sergeant, assisted by a Corporal and dispatcher to support and guide the special constables in their work.

The Director, Campus Police Services manages a portfolio that includes the special constable service, led by the Associate Director, Campus Police Operations. There are no special constables in the Community Safety Office, Security Services, Call Centre or Security Systems and Services groups. They are not part of the special constable operation and no report is made for their activity.

The Community Safety portfolio includes all campuses while the special constable and other services are unique to the St. George campus.

### Organization Chart



## Appointments

Number of Total Applications (January 1 <sup>st</sup> -December 31 <sup>st</sup> )	Number of New Appointments (January 1 <sup>st</sup> -December 31 <sup>st</sup> )	Number of Re-Appointments (January 1 <sup>st</sup> -December 31 <sup>st</sup> )	Total Number of Special Constables (As of December 31 <sup>st</sup> )
9	6	1	30

## Terminations/ Suspensions/ Resignations and Retirements

Number of Terminations (January 1 <sup>st</sup> -December 31 <sup>st</sup> )	Number of Suspensions (January 1 <sup>st</sup> -December 31 <sup>st</sup> )	Number of Resignations (January 1 <sup>st</sup> -December 31 <sup>st</sup> )	Number of Retirements (January 1 <sup>st</sup> -December 31 <sup>st</sup> )
0	0	7	0

## Training

Our training mandate is designed to meet the needs of the University. Training combines Directives from the Toronto Police Service, changes in law, court decisions, and Federal and Provincial standards into a comprehensive learning model.

The Service strives to keep current with community policing, public safety and law enforcement trends while recognizing trends in social development and learning from professionals within and outside the University. The training program is developed through consultation with the community, other institutions and case debriefing of situations.

The Service welcomes constructive comment from its clients. Recommendations from all levels of policing contribute to the process of designing and delivering the courses to meet the specific needs of the service and its community. The training curriculum is designed to ensure a balanced mix of mandatory skills training, sensitivity to the University environment and practical field experience. This is accomplished through a combination of on-line and in-class lectures, seminars and participative, in-group discussions to 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. The nature of the University community requires its special constables to have a high level of understanding of the cultures, beliefs and experiences of people from all over the world.

Understanding people and developing empathy for their situations is essential to providing community policing services. There are core learning requirements that lead to understanding diversity in many parts of the training, not just in courses titled as such. The initiatives taken are highlighted in the chart.

The table following details the training provided during 2018 to special constables at the University of Toronto St George campus:

### Mandatory Training

Course/Topic	Delivered By	Duration	Number who received Training
Annual Use of Force	Campus Police Instructors	8.0	36
Standard First Aid	Campus Police Instructors	16.0	5

- \* 2 members did not attend due to medical reasons

### Additional Training

Course / Topic	Delivered by	Duration	Number who received Training
CAMH Customer Service and De-Escalation	Centre for Addiction and Mental Health Education Services	8.0 hrs	10
Canadian Association of Threat Assessment Professionals National Conference	Canadian Association of Threat Assessment Professionals	40.0 hrs	2
Certified Trainer De-Escalating Potentially Violent Situations	Crisis & Trauma Resource Institute	16.0 hrs	3
Critical Incident Response Training	On-line Ontario Shores Centre for Mental Health Sciences	4.0 hrs	6
De-Escalating Potentially Violent Situations Workshop	Crisis & Trauma Resource Institute	8.0 hrs	3
Front Line Supervisor Part 1 and 2	On-line through Ontario Police College and Canadian Police Knowledge Network	24.0 hrs	2
Front Line Supervisor Part 3	Ontario Police College	40.0 hrs	2
Introduction to Cannabis Legislation	Canadian Police Knowledge Network	1.0 hrs	32
Leadership in Crisis	Harvard Kennedy School	48.0 hrs	2

Scenario Based Mental Health and De-escalation Training	Canadian Police Knowledge Network	1.5 hrs	6
Scenes of Crime Officer	Ontario Police College	80.0 hrs	2
Sexual Violence Education and Prevention Module	Sexual Violence Prevention and Support centre	1.0 hrs	26
Special Constable Orientation Course	TNT Inc. Frank Trovato PhD, Howie Page	390.0 hrs	6
Special Constable Refresher Course	TNT Inc. Frank Trovato PhD, Howie Page	60.0 hrs	9
Trauma Informed De Escalation for Safety	Centre for Addiction and Mental Health Education Services	16.0 hrs	8

### Use of Force

In **2018**, there were no instances of special constables of the University of Toronto (St. George) Campus Police using force on a person that required the submission of a Use of Force Report (R.R.O. 1990, Reg. 926 s 14.5 (1)).

### Complaints

Total Number of Complaints	Investigated by Agency	Investigated by Toronto Police Service	Number Resolved	Number Outstanding
0	0	0	0	0

### Equipment Issued to Special Constables

- One wallet badge, appropriate wallet and Agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One expandable baton with appropriate carrying case
- One memo book
- Access to electronic Directives
- Uniform

### Crime, Traffic & Order Management

Authority*	Arrested	Charged (Form9, P.O.T)	Released No Charges (Unconditionally)	Turned Over to Toronto Police Service
Criminal Code	26	2	3	21
Controlled Drug & Substance Act	2	0	1	1
Trespass to Property Act	3	3	0	0
Liquor License Act	6	0	0	6
By-law	0	0	0	0

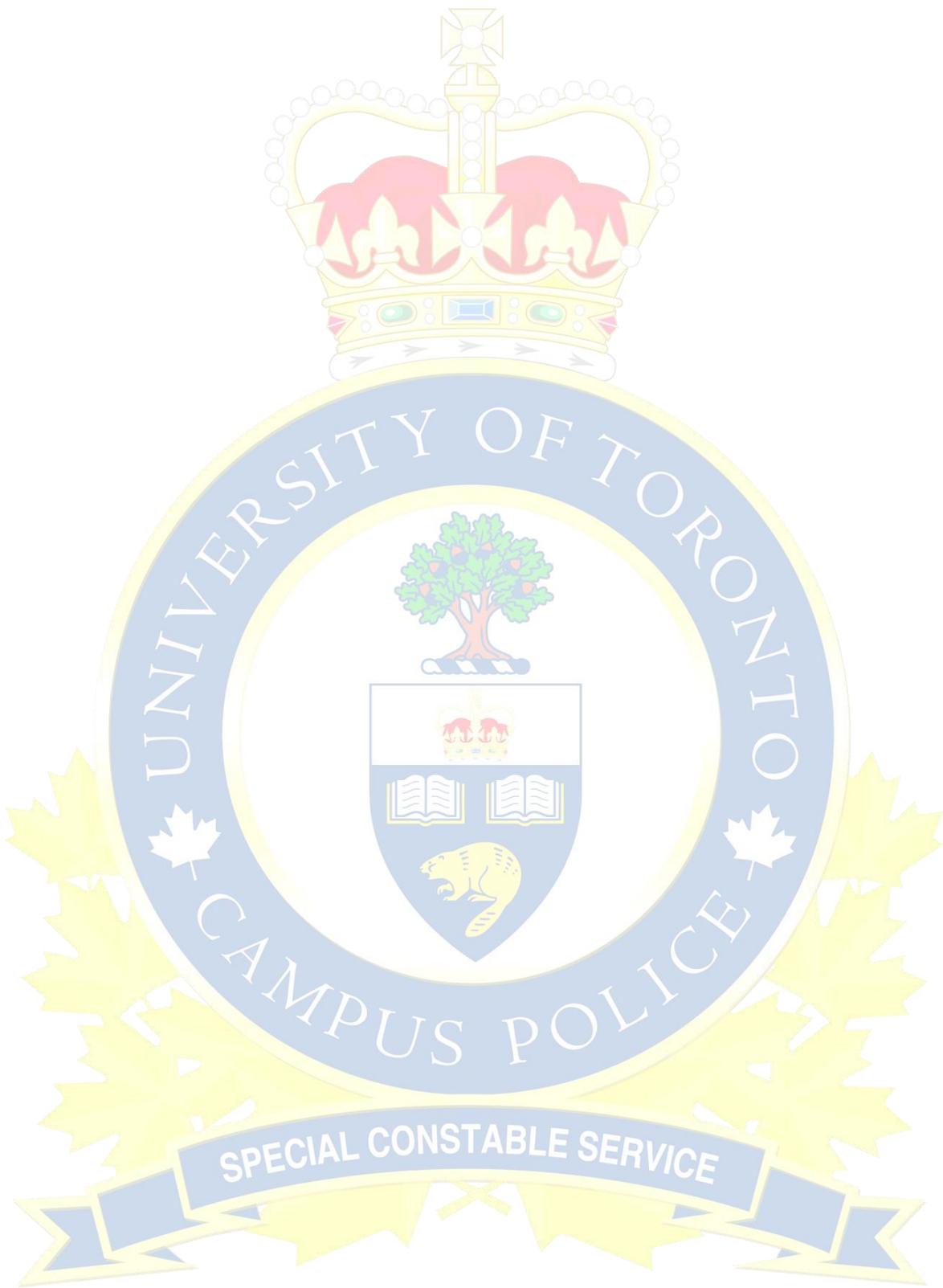
## 2018 Statistical Overview - St. George Campus

<b>PROPERTY CRIMES</b>	<b>2018</b>	<b>2017</b>	<b>18vs17</b>
Arson	2	1	1
Attempt Theft	1	0	1
Break and Enter	20	22	-2
Unlawfully in a Dwelling	0	0	0
Fraud/ False Pretenses	19	13	6
Mischief over \$5000	0	0	0
Mischief under \$5000	131	164	-33
Mischief - Interfere lawful enjoyment of property	1	0	1
Public Mischief - Misdemeanor	1	2	-1
Theft over \$5000.00	13	3	10
Theft under \$5000.00	305	248	57
Theft under \$5000.00 Bicycles	80	109	-29
Possession Stolen Property	1	3	-2
Possession of burglary tools	0	2	-2

<b>QUALITY OF LIFE</b>	<b>2018</b>	<b>2017</b>	<b>Change</b>
Cause Disturbance	0	1	-1
Damage Without Intent	73	53	20
False Alarm of Fire	1	5	-4
Hate Crime	3	3	0
Hazardous Conditions	4	1	3
Bomb Threat	1	1	0
Suspicious Person/ Reportable	112	74	38
Suspicious Vehicles/ Reportable	2	1	1
Trespassing/ Cautioned	74	75	-1
Trespassing/ Charged	41	46	-5
Trespass at Night	0	0	0

<b>CRIMES AGAINST PERSONS</b>	<b>2018</b>	<b>2017</b>	<b>Change</b>
Domestic Incident	5	2	3
Sexual Assault	1	5	-4
Assault - Common	19	24	-5
Assault - Injuries and/ or Weapons	3	1	2
Assault Peace Officer	0	2	-2
Obstruct Peace Officer	0	1	-1
Criminal Harassment	25	18	7
Indecent Acts	6	9	-3
Voyeurism	1	2	-1
Robbery/ Robbery Attempt	7	4	3
Extortion	2	3	-1
Threats	15	11	4
Offensive Weapons	1	2	-1

<b>OTHER CATEGORIES</b>	<b>2018</b>	<b>2017</b>	<b>Change</b>
Police Assistance	76	33	43
Police Information	100	51	49
Bail Violations	0	10	-10
Breach of Probation/FTC	2	3	-1
Warrants	8	6	2
Sudden Death	1	1	0
Suicide or Attempted Suicide	3	3	0
Drugs - Possession/ Use/ Trafficking	1	3	-2
Fire (Actual)	1	8	-7
Liquor License Act	22	12	10
Mental Health Act	39	40	-1
Missing Persons	6	8	-2
Motor Vehicle Incidents	14	12	2
By-Law - Dogs	1	0	1





## Toronto Police Services Board Report

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March 12, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury to Mr. Kyle Pecoskie**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

### **Discussion:**

On May 8, 2017, at about 2329 hours, a security guard at 440 Yonge Street, College Park, called T.P.S. Communications Services (Communications), to report that a male, later identified as Mr. Kyle Pecoskie, was on Yonge Street armed with two knives. The security guard reported that Mr. Pecoskie was holding the knives in both hands and when he asked Mr. Pecoskie if he could help him, he was threatened. The security guard provided a description of Mr. Pecoskie and his last direction of travel.

Several officers from 52 Division responded to the call. Mr. Pecoskie was located by two officers, on the east side of Yonge Street, in the area of Wood Street. He was walking with both of the knives in his hands; the blades of the knives were approximately four to five inches in length.

Several other officers arrived on scene, surrounded Mr. Pecoskie, and ordered him to drop the knives. Mr. Pecoskie stopped walking but refused to comply with the orders of the officers.

One officer was armed with a C-8 rifle and another with a Less Lethal Shotgun.

Mr. Pecoskie began to walk towards the officer with the Less Lethal Shotgun and the officer discharged it twice at Mr. Pecoskie, striking him both times and stopping his movement towards the officer. Mr. Pecoskie then turned and ran north on Yonge Street with the officers in foot pursuit.

One officer caught up to Mr. Pecoskie and was able to trip him. Mr. Pecoskie fell to the ground and the officer that tripped him delivered several ASP baton strikes towards Mr. Pecoskie in an effort to disarm him. The strikes were ineffective and Mr. Pecoskie was able to get up and continue to run away, east on Alexander Street, still armed with the knives.

That officer and another officer caught up to Mr. Pecoskie and knocked him to the ground. Both officers delivered several ASP baton strikes to Mr. Pecoskie’s hands in an effort to disarm him. The officer with the Less Lethal Shotgun caught up and

discharged two more rounds striking Mr. Pecoskie in the hip area. Mr. Pecoskie got up again and fled on foot.

Another marked police vehicle was travelling west on Alexander Street and Mr. Pecoskie was distracted by its approach and slowed. He was tackled from behind by one officer and with the assistance of other officers, disarmed, and placed under arrest.

After Mr. Pecoskie was placed under arrest, it was obvious that he had suffered several injuries and Toronto Paramedic Services (Paramedics) were called to the scene.

Mr. Pecoskie was transported by Paramedics to St. Michael's Hospital where he was diagnosed and treated for fractured bones in his right hand and several bruises, abrasions and contusions.

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

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

The S.I.U. published a media release on May 9, 2017. The media release is available at: [https://www.siu.on.ca/en/news\\_template.php?nrid=3031](https://www.siu.on.ca/en/news_template.php?nrid=3031)

In a letter to the T.P.S. dated September 13, 2018, Director Tony Loparco of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated.

The S.I.U. published a media release on September 18, 2018. The media release is available at: [https://www.siu.on.ca/en/news\\_template.php?nrid=4220](https://www.siu.on.ca/en/news_template.php?nrid=4220)

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

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

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

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

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)

- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-04 (C-8 Rifle)
- Procedure 15-06 (Less Lethal Shotguns)
- Procedure 15-17 (In-Car Camera System)

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

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

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

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

Deputy Chief Barbara McLean, Human Resources 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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

---

March 12, 2019

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury to Mr. Matias Veneces**

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

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

### **Financial Implications:**

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

### **Background / Purpose:**

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

### **Discussion:**

On November 7, 2017, at 2345 hours, members of the Toronto Drug Squad (T.D.S.) were involved in an ongoing illicit drug investigation which led them to 100 City Centre Drive, Square One Shopping Centre, in Mississauga.

The T.D.S. officers assisting with this investigation were working in a plainclothes capacity and operating unmarked police vehicles.

An officer acting in an undercover capacity met with several males, one of whom was later identified as Mr. Matias Veneces, who had arrived in a motor vehicle. The officer had drug transaction related conversations with Mr. Veneces and the other males which led to the undercover officer purchasing a quantity of cocaine from these individuals. The undercover officer provided a prearranged signal to the other T.D.S. officers that Mr. Veneces and the other male suspects were to be arrested.

One of the T.D.S. officers approached the driver’s side door where Mr. Veneces was seated in the driver’s seat. Mr. Veneces refused to comply with the officer’s demands to exit the vehicle and the officer observed Mr. Veneces reach inside his jacket pocket. Fearing that Mr. Veneces was reaching for a weapon, the officer struck Mr. Veneces in the face in order to distract him. Mr. Veneces started reaching inside his jacket again and the officer struck him in the face a second time. The officer managed to pull Mr. Veneces from the vehicle and take him to the ground with the assistance of another officer. While on the ground, Mr. Veneces continued to struggle with both officers and one officer struck him several more times in an attempt to gain control of him. The officers were eventually able to control Mr. Veneces and place him under arrest for trafficking in a narcotic. No weapon was recovered upon the search incident to the arrest.

Uniformed officers from 23 Division responded to the scene to assist T.D.S. officers with transporting Mr. Veneces to 31 Division. Upon arriving at 31 Division, Mr. Veneces brought his injuries to the attention of the Booking Sergeant. The Sergeant directed the transporting officers to take Mr. Veneces to Humber River Hospital–Wilson Site.

Mr. Veneces was examined by a physician and diagnosed with a comminuted fracture of the nasal bone.

On November 8, 2017, the S.I.U. was notified and invoked its mandate.

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

In a letter to the T.P.S. dated November 21, 2018, Director Tony Loparco of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated.

The S.I.U. published a media release on November 14, 2017. The media release is available at: [https://www.siu.on.ca/en/news\\_template.php?nrid=3387](https://www.siu.on.ca/en/news_template.php?nrid=3387)

The S.I.U. published a media release on November 23, 2018. The media release is available at: [https://www.siu.on.ca/en/news\\_template.php?nrid=4447](https://www.siu.on.ca/en/news_template.php?nrid=4447)

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

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

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

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

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

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

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

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

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

Deputy Chief Barbara McLean, Human Resources 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

\*original copy with signature on file in Board office