



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on January 24, 2005 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on December 16, 2004 previously circulated in draft form were approved by the Toronto Police Service Board at its meeting held on January 24, 2005.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **JANUARY 24, 2005** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Ms. Pam McConnell, Councillor & Chair
Dr. Alok Mukherjee, Vice Chair
Mr. John Fillion, Councillor & Member
Mr. Hamlin Grange, Member
The Honourable Hugh Locke, Q.C., Member
Mr. Case Ootes, Councillor & Member

ALSO PRESENT:

Mr. Julian Fantino, Chief of Police
Mr. Albert Cohen, City of Toronto - Legal Services Division
Ms. Joanne Campbell, Executive Director

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

#P1. SWEARING-IN: NEW BOARD MEMBER - MR. HAMLIN GRANGE

Chair Pam McConnell administered the oath of office and oath of secrecy to Mr. Hamlin Grange who was appointed to the Board by the Lieutenant Governor for a three year term effective December 21, 2004.



Ontario
Executive Council
Conseil exécutif

Order in Council
Décret

On the recommendation of the undersigned, the
Lieutenant Governor, by and with the advice and
concurrence of the Executive Council, orders that:

Sur la recommandation de la personne soussignée,
le lieutenant-gouverneur, sur l'avis et avec le
consentement du Conseil exécutif, décrète ce
qui suit :

Pursuant to the provisions of the Police Services Act, as amended,

Hamlin Grange, Brooklin

be appointed a member of the Toronto Police Services Board for a period of three years, effective
from the date of the Order-in-Council.

Recommended

Premier and President
of the Council

Concurred

Chair of Cabinet

Approved and Ordered

DEC 21 2004

Date

Lieutenant Governor

O.C./Décret

2207/2004

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

#P2. ELECTION OF THE CHAIR AND VICE CHAIR

Election of the Chair, Toronto Police Services Board

In accordance with section 28 of the *Police Services Act*, which provides that the Board is required to elect a Chair at its first meeting in each year, the Executive Director requested nominations for the position of Chair of the Toronto Police Services Board.

Dr. Alok Mukherjee nominated Councillor Pam McConnell. There were no further nominations and Dr. Mukherjee moved that nominations be closed.

The Board voted and, based upon one nomination for the office of Chair, Toronto Police Services Board, Councillor Pam McConnell was declared elected Chair of the Board for the year 2005 and until her successor is appointed.

Election of the Vice-Chair, Toronto Police Services Board

In accordance with section 5 (4) of the Toronto Police Services Board Procedural By-Law No. 107 which provides that the Board shall elect a Vice-Chair at its first meeting in each year, the Executive Director requested nominations for the position of Vice-Chair of the Board.

Councillor John Filion nominated Dr. Alok Mukherjee. There were no further nominations.

The Board voted and, based upon one nomination for the office of Vice-Chair, Toronto Police Services Board, Dr. Alok Mukherjee was declared elected Vice-Chair of the Board for the year 2005 and until his successor is appointed.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P3. TORONTO POLICE SERVICE – 2005 OPERATING BUDGET
SUBMISSION**

The Board was in receipt of the following report JANUARY 17, 2005 from Julian Fantino, Chief of Police:

Subject: TORONTO POLICE SERVICE 2005 OPERATING BUDGET

Recommendation:

It is recommended that:

- 1) The Board approve a 2005 net Operating Budget submission of \$689.4M, representing a \$6.1M reduction from the November 29, 2004 budget received by the Board, and a \$11.8M (or 1.75%) increase over the 2004 approved budget;
- 2) The Board approve an increase to the uniform staffing target of 46 (39 officers for 43 Division and 7 officers for Ferguson implementation), for a revised uniform target of 5,306 and a decrease to the Civilian establishment of 40 positions as contained the report;
- 3) The Board request the City to provide similar funding as in 2004 in an amount of \$545,000 for Community Action Policing (CAP) funding and to include this in the Service's Base Budget which is to be segregated as a separate line item;
- 4) The Board request City Council to include the impact of court security on the Toronto Police Service in the New Deal discussions with the Province; and
- 5) The Board forward this report to the City's Chief Financial Officer (CFO) & Treasurer and to the City's Budget Advisory Committee.

Background:

At its meeting of November 29, 2004 (Board Minute #P386/04 refers), the Board received a 2005 Operating Budget submission for the Toronto Police Service (TPS) at a net amount of \$695.4M, including new initiatives, for an increase of \$17.9M (or 2.6%) over the approved 2004 budget. That request provided sufficient funding to maintain the Council-approved Uniform target of 5,260, fund the annualized impact of 2004 decisions, cover medical and dental cost increases, continue contributions to equipment reserves, fund inflationary and operational pressures, and implement legislated and Board initiatives.

Prior to (and since) the November 29, 2004, meeting, the Board's Budget Sub-Committee has devoted a lengthy amount of time to reviewing the budget in detail (including 13 meetings over a period of a few months, covering more than 45 hours, and a significant amount of reference material). Over 1,000 Service personnel-hours were devoted to these meetings and to preparing responses to requests for information arising from these meetings. No formal recommendations arose from the Budget Sub-Committee.

At the November 29th, 2004 meeting, the Board recommended the inclusion of funds to support Community Action Policing (CAP), in overtime premium pay. In addition, Chair McConnell made several proposals regarding potential reduction proposals.

The same budget request was forwarded to the City's Budget Advisory Committee (BAC) for receipt on December 14, 2004. At that time, the BAC indicated that an increase limited to 1% above the 2004 approved budget was being sought. This would result in a reduction of \$11.1M to the 2005 request, or a revised request of \$684.3M.

As a result of the discussions that took place at these meetings, I presented a report on the subject of potential budget reductions to the Board's Budget Sub-Committee on January 4, 2005 (see Appendix A). At that Sub-Committee meeting, several potential areas for reduction were discussed in detail. In developing today's revised request, I have considered the final results of those discussions as much as possible.

SUMMARY OF REDUCTIONS

As you know, each year the Service undertakes a rigorous budget development process to ensure that the budget request is fiscally responsible while addressing the service demands faced by TPS in the coming year. The November 29th request represented the level of funding required to provide a 2004 level of service plus any known changes. The 2.6% increase over the 2004 budget represented inflationary and other increases; the only service-level changes included impact from previously-approved Capital projects (such as the opening of 43 Division), and part-year funding for the implementation of several required new initiatives: the newly-legislated Major Case Management, opening of new provincial Courts, and the implementation of Justice Ferguson's report as approved by the Board during 2004.

Salaries and benefits represent 93% of the Service's net operating budget. Of the remaining 7% (\$60M), the majority of expenditures represent contractual / legal obligations, operational requirements such as fleet support, uniforms and equipment, and City chargebacks and reserve contributions. Only \$9.8M is considered "non-fixed" (i.e., potentially flexible); but this \$9.8M includes office supplies, external training, professional services, etc. Therefore, any reductions (without concurrent service-level reductions) are very difficult.

The Board's Budget Sub-Committee reviewed various reduction options. The following is a summary of the acceptable reductions that I am putting forward today, that were discussed at the Budget Sub-Committee:

Reduction Item	Reduction
1 Change in 2004 staff separations / 2005 hires	(\$0.30)
2 Six month delay in rehiring civilians after freeze	(\$0.45)
3 Increase in 2005 separations (25) and hires	(\$0.15)
4 Reduction in eCOPS severance costs	(\$0.40)
5 Level of uniform staff on Central Sick Bank (CSB)	(\$0.46)
6 Reduction in caretaking/cleaning budget	(\$0.28)
7 Remove funding for requests above base	(\$0.50)
8 Legal indemnification	(\$0.40)
9 Defer 43 Division	(\$1.38)
10 50% funding for new staff (43 Div. and Ferguson implement'n)	(\$0.41)
Total Reductions:	(\$4.73)

It should be noted that items 1-8 in the list above have either little or no impact on service, or include manageable risk. Item 9 represents the deferral of the opening of 43 Division to mid-January, 2006 – this is a delay of approximately 3½ months, and is acceptable given the City's fiscal pressures.

Item 10 assumes 50% funding for new staff will be available from the Province; this last item carries with it the greatest risk, since the Province has not indicated any eligibility or implementation guidelines to date. On October 21, 2004 the Province announced 50% funding for 1,000 officers (province-wide) and it is anticipated that some of this funding will be available to the Service in 2005. If this funding is not realized in 2005, the Service may have to either hire only half of the required staff, or defer this hiring altogether.

Appendix A provides details on items 1-9 (item 9 is equivalent to item 9a in Appendix A). Item 10 represents 50% of the 2005 implementation costs for uniform salaries only for 43 Division and for the additional officers required for the implementation of Justice Ferguson's report.

Reductions of \$4.73M allow for the following:

- Opening of the new 43 Division (delayed to January 2006)
- Full implementation of Justice Ferguson's recommendations
- Additional Court Officers to staff additional court rooms
- Additional key-entry staff and analysts for the Provincially mandated Major Case Management system
- Required contribution to the Vehicle and Equipment Reserve
- Maintain the Human Resource Strategy for uniform staff
- Fund mandatory increases (benefit costs, utilities/cleaning, lease/maintenance, gasoline, etc.)

Net change to staffing complements

As indicated above, the 2005 request includes the implementation of new programs, either due to previously-approved Capital projects (43 Division), Board-approved initiatives (Ferguson implementation) or legislated changes (Major Case Management and Court Services). The latter two items are discussed in Board Minute P386/04.

Each of these programs has an impact on staffing levels. Also discussed in Board Minute P386/04 is the final result of eCOPS implementation (not a new program, but one with staff implications in 2005).

The following provides a summary of changes to staffing complements as a result of this budget:

Program	Uniform Staff	Civilian Staff	Total Staff
43 Division	39	16	55
Ferguson implementation	7	10	17
Major Case Management	0	10	10
New Courts	0	8	8
eCOPS final implementation	0	-50	-50
TOTAL:	46	(6)	40

Approval of today's budget request would result in an increase to the authorized uniform target by 46 officers, to 5,306 from 5,260.

ISSUES FOR FURTHER CLARIFICATION

1. 43 Division

The original budget request of \$2.2M assumed that 43 Division would be opened October 1st, 2005 (based on hiring of uniform staff in April 2005 and civilian staff in October 2005). Deferring this opening to January 2006 will result in part-year savings in 2005 for uniform staff of \$1.18M (hiring of uniform staff in August 2005). Deferral will also result in no civilian staff costs in 2005, as civilian staff can be hired in January, 2006. A total saving as a result of this deferral is \$1.38M.

The opening of 43 Division results in an increase in establishment of 39 officers and 16 civilians for a 2005 cost of \$0.82M. The annualized operating cost of opening 43 Division is \$3.4M.

2. Implementation of Justice Ferguson's Recommendations

The original budget request of \$2M assumed that officers would be hired in August 2005 for December implementation. The 2005 cost is broken down as follows:

- Uniform salaries (part year for 7 officers) – \$0.15M
- Civilian salaries (part year for 10 civilians) – \$0.2M

- One-time implementation costs for 2005 (e.g., remainder of renovation costs; start-up equipment such as vehicles and computers) – \$1.3M
 - On-going costs beginning in 2005 (e.g., office supplies, training, audit fees, etc.) – \$0.3M
- The implementation of this program will result in an increase in establishment of 7 officers and 10 civilians. The annualized operating cost is \$1.4M.

3. 50% Grant Funding Announced By Provincial Government

On October 21, 2004 the provincial government announced that it would be paying half the cost to hire 1,000 new officers over a 3-year period (across the province). The funding was announced for additional officers in community policing and 5 other key areas: youth crime, guns and gangs, marijuana grow operations, domestic violence and child pornography. There is no additional information regarding the allocation of officers to each municipality, how the number of officers will be benchmarked, implementation plans, etc. The Service continues to monitor communications from the Province, and additional information will be provided as it becomes available.

Although specific implementation plans are unknown, it is assumed that 50% funding will be available for the hiring of additional uniform staff in 2005. The budget assumes additional uniform staff for the opening of 43 Division and for the implementation of the Ferguson report recommendations.

- The 50% grant funding assumed for 43 Division is \$0.3M (50% of the 2005 uniform salary cost based on the August hire date).
- The 50% grant funding assumed for the Ferguson report recommendation implementation costs is \$0.08M (50% of the 2005 uniform salary costs shown above in item #2).

ADDITIONAL BUDGET REDUCTION – REDUCTION IN CONTRIBUTIONS TO RESERVE

At the latest Budget Sub-Committee meeting, Service staff was requested to meet with the City's CFO & Treasurer to discuss several issues related to the 2005 request. This meeting took place on January 12, 2005. At this meeting, the 50% provincial grant funding, CAP and the contribution to reserves were discussed. The 50% grant funding recommendations and risks are described in the previous section and CAP is discussed in the following section. The contribution to reserves, specifically regarding the future replacement of Information Technology (IT) equipment is discussed below.

Beginning in 2004, IT equipment is being replaced (as required) using the Vehicle and Equipment Reserve (discussed in detail in Board minute P386/04), for as long as these funds would be available. Beginning in 2005, the Service intended to contribute an appropriate amount each year into the Vehicle and Equipment reserve, to ensure funding would be available to replace this IT equipment (when required).

The City's CFO & Treasurer has indicated that a letter will be provided to the Service detailing that future IT requirements will be funded through the City's capital-from-current account starting in 2006. Once received, the letter will be forwarded to the Board. This funding arrangement eliminates the requirement to build up a reserve for this purpose. Therefore, this increase in the 2005 budget can be removed.

This new development results in a reduction to the Service's request, in the amount of \$1.36M for 2005. Furthermore, this will avoid future-year increases that would have been required for the same purpose.

COMMUNITY ACTION POLICING (CAP)

At the November 29th meeting, the Board approved the motion "that Chief Fantino revise the proposed 2005 operating budget request so that the total amount of funds required to support the 2005 Community Action Policing (CAP) program be incorporated into the budget through the overtime-premium pay account."

CAP is a program that provides immediate relief to the community by assigning uniformed officers to focused activities in neighbourhoods identified as having crime, disorder and public safety issues. Activities include foot patrol, bike patrol, enforcement, safety walks and audits with the community, crime prevention, intelligence gathering, parks patrol and spot-checks. Premium pay is used to fund CAP, as this is the most efficient manner in which uniform staff can be deployed to targeted areas for this program.

The CAP program generates a tremendous amount of support from the community. It has never been part of the Service's base budget and the Service has always relied on special funding from the City to support CAP. The funding level for CAP can vary; the program can be adjusted to utilize the level of funding made available.

The following provides a history of CAP funding since its inception:

Cont...d

YEAR	DETAILS
1998	<ul style="list-style-type: none"> • Requested funding; not approved
1999	<ul style="list-style-type: none"> • \$1.8M of in-year funding approved from Safer City Initiatives (funded from one-time revenues); • Program ran from July 15th to September 30th (11 weeks)
2000	<ul style="list-style-type: none"> • \$1.4M approved during the budget process, funded through one-time revenue from the City (note: \$2.1M in revenue was approved but only \$1.4M in premium pay was approved) • Program ran from June 12th to September 10th (13 weeks)
2001	<ul style="list-style-type: none"> • Funding not sought due to City budget pressures
2002	<ul style="list-style-type: none"> • Funding not sought due to City budget pressures • However, the Service was able to implement a Field Interim Policing Strategy (FIPS) to offset the large number of separations that occurred at the beginning of the year (funding of \$1.3M was applied from gapping savings). • Program ran from June 10th to December 31st (28 weeks)
2003	<ul style="list-style-type: none"> • Funding not sought.
2004	<ul style="list-style-type: none"> • Funding not sought. Councillors pursued implementation, and Council approved \$545,000 in July, 2004 • Program ran from August 1st to September 5th (five weeks)

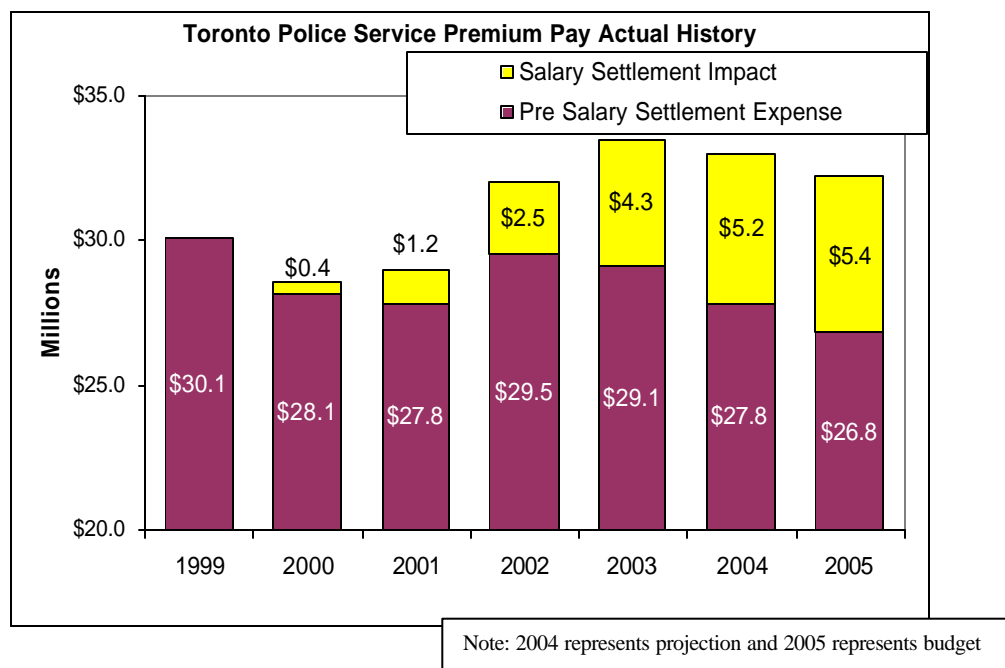
Discussions with the Budget Sub-Committee have reinforced the Board's interest in incorporating a CAP program in the 2005 request. There is no possibility of absorbing funds for CAP in the existing premium pay budget. As reported in the Service's 2004 variance reports, 2004 premium pay levels were stretched to accommodate the operational requirements of the Service. In fact, the 2004 premium pay budget is projected to be overspent due to the impact of major investigations such as guns and gangs, seizure of marijuana grow operations, investigation and prosecution of violent hold-ups, and complex homicide investigations.

Premium pay has been the subject of many internal and external reviews. The results of these reviews have been presented to the Board on numerous occasions, and previous budget discussions have confirmed the lack of flexibility in reducing these accounts.

More than half of all premium pay relates to attendance at court (approximately \$15M). Many initiatives have been put in place to reduce court spending; however, all such initiatives are subject to operational requirements and the justice system.

The remaining premium pay budget is required to provide service over statutory holidays, maintain continuity of staff in complex investigations and staff attendance at demonstrations and special events. In August, 2002, I issued an internal memorandum to all unit commanders, clarifying when and under what circumstances overtime, call backs, acting time, etc., are justified. A supervisor must authorize all premium pay (overtime) in advance, and overtime is worked only in emergent or mandatory circumstances.

These controls have allowed the Service to administer its overall premium pay expenditures responsibly. In fact, when salary increases are discounted, the premium pay expenditures are lower now (\$26.6M) than in 1999 (\$30.1M). Currently, on average, each officer works approximately one hour of overtime per week, excluding court attendance. Reducing this budget further is not feasible.



As explained above and also in Appendix A, the CAP program cannot be funded from the Service's existing premium pay account. Furthermore, given the City's BAC direction to limit the Service's budget increase to 1% (which I cannot achieve), it would not be responsible for me to include CAP funding as an additional request in the 2005 budget.

City Council in 2004 provided the Service one time funding of \$545,000 to operate a CAP program from August 2004 to September 2004. I am therefore recommending that the Board request City Council to provide \$545,000 for CAP funding separate from the base budget (funding source to be identified by the City). In addition, it is also requested that this funding be included in all future years so that the Service can operate the CAP program on an annual basis

without the uncertainty of funding. If this is approved, the Service will segregate this funding as a separate line item for CAP.

MOVEMENT FROM VEHICLE TO BICYCLE PATROL

A recent topic at Budget Sub-Committee and Board meetings has been the concept of increasing bicycle patrol, with a concurrent reduction in vehicle patrol. Some members of the Budget Sub-Committee consider this a budget issue, due to the apparent budget savings that would result from this change. At the Sub-Committee meeting of January 4, 2005, it was proposed that the budget savings resulting from the transfer of officers in vehicles to bicycle patrol would achieve the difference between the reduction provided in this report of \$4.7M and the reduction sought by BAC of \$11.1M (i.e., an additional reduction of \$6.4M).

I am in complete agreement that bicycle patrol could be increased in many areas of the City. However, this cannot be done at the cost of our primary response units, but should be done through an increase in uniform staff. Currently, each Division is regularly assessed to determine the appropriate mix of officers in vehicles, on foot and on bicycles. The number and types of calls for service, geography of the Division (including area, terrain, type of housing, etc.) and needs of citizens are constantly assessed and deployment of officers is modified to address changing needs. Bicycle patrols are used mainly in the downtown core.

There are a significant number of operational issues that preclude an arbitrary change in deployment of officers from vehicles to bicycles:

- Response time and effectiveness of officers:
 - The current response-time standard for priority one calls is 6 minutes. This standard is being met only 33% of the time with officers in vehicles. An increased number of officers on bicycles (with a concurrent decrease of officers in vehicles) will result in longer response times to priority one (and all other) calls.
 - Officers on bicycles will be less effective than officers in vehicles when apprehending criminals in vehicles.
 - Officers on bicycles will have difficulty enforcing Highway Traffic Act moving violations, resulting in reduced ticket issuance and less revenue for the City.
 - Officers on bicycles cannot transport prisoners, witnesses or victims, attend crime scenes with specialized equipment, or collect evidence.
- Weather: Toronto's weather, particularly in winter months, precludes the safe operation of bicycles. Vehicles could not be fully decommissioned as they would still be required in inclement weather. Therefore, the savings are not as significant as one might at first believe.

- Service equipment: Bicycles are not (and cannot be) as well-equipped as vehicles:
 - The Service has reengineered the method of reporting occurrences, and the current process relies on Mobile Workstations found in vehicles. As yet we have not implemented handheld devices with the same capabilities; therefore, eliminating patrol vehicles may require the reinstatement of staff positions that have been eliminated as a result of eCOPS.
 - The Service has recently implemented Automated Vehicle Location, to assist in the deployment of officers and to increase officer safety. Bicycles are not equipped with this technology.
- Administrative issues: Various factors impact on officer availability, and bicycle patrols result in decreased “patrol” time for a number of reasons.
 - Each bicycle officer receives an additional week of specific training.
 - There is additional “down time” for each officer on a bicycle (as opposed to in a car) due to the travel time increasing from the Division to the patrol area (officers must return to their stations for a variety of reasons).
 - Increased injuries on duty result from officers on bicycles (street car tracks, collisions from other vehicles, etc. all affect officers on bicycles much more than officers in vehicles).
 - Physical fitness would be an issue. The fitness requirements for an officer to patrol for eight to ten hours on a bicycle are significantly greater than what is required for officers in vehicles.

In addition to these operational issues, I must stress that Service policy states that officers patrolling in vehicles during the day shift are deployed singly; officers on foot or bicycle patrol must be deployed in pairs, for officer safety reasons. Therefore, I would have to request an increase to the Service’s target establishment in order to accommodate such a change and maintain the same number of patrol areas. The number of officers required for such a change would have to be determined based on the implementation plan.

Nevertheless, I would like to respond to Sub-Committee members’ questions regarding the financial efficacy of moving from vehicles to foot / bicycle patrols. Assuming full decommissioning of a patrol vehicle, each marked vehicle costs approximately \$17,700 per year more than a bicycle to maintain. However, a full decommissioning of vehicles is not possible, as they must be available for inclement weather, etc. Assuming that the life of a marked vehicle would be doubled, and maintenance and operating costs halved, savings could be estimated to be \$8,400. To put this savings in perspective, it takes approximately 11 officers to staff a primary response vehicle 24/7 (taking into account a relief factor). Base salary and benefits for 11 police constables amounts to approximately \$900,000 per year. The savings from converting to bicycles would amount to less than one percent of the total cost to staff a vehicle. Any marginal decrease in operational efficiency will significantly offset any savings from using bicycles.

The Service currently operates approximately 150 primary response vehicles. Even if all of these vehicles were taken off the road and replaced with officers on foot and bicycle whenever possible, savings would amount to \$1.3M annually (this does not consider initial bicycle purchase, timing of implementation or severance costs for fleet personnel). This solution, which I would obviously not recommend, still falls short of the \$6.9M still being sought by BAC.

In conclusion, seeking savings by increasing bicycle patrols is not recommended, as it would result in decreased operational efficiencies that would significantly outweigh any possible operating cost reductions.

NEW DEAL WITH PROVINCE

The original budget request included funding for an additional 8 court officers, required to staff additional provincial courtrooms. Court Services costs increase almost every year as a result of the Province opening additional courtrooms.

As long as the Service remains responsible for court security and prisoner custody at all court facilities, the Court Services Unit must be staffed appropriately. Court Services has a relatively large complement of staff – 653 full-time and part-time court officers, civilian support staff, and police officers in the 2004 budget. Of the 240 courtrooms within Toronto, a number are special courts (Mental Health court, Domestic Violence court, Child Abuse court, etc.) with specialized security needs. Staffing levels must remain at a level that allows the Service to ensure, as much as possible, the safety of all those for whom we are responsible. Due to demands on the Court Services unit and the corresponding need for increased staff, the Court Services budget has increased from \$15.5M in 1990 to \$33.8M in 2005 (net of revenue).

This is another example of provincial downloading through legislation, and I would urge City staff to include this as part of their New Deal discussions with the province.

Summary

Based on on-going discussions with the Board's Budget Sub-Committee, my staff and I have continued to review the 2005 request. The original request of \$695.4M has been reduced by \$6.1M based on the reduction items identified in this report:

Original request	\$695.4M
Reduction options discussed with Sub-Committee	(\$4.7M)
Reduction in contributions to reserve	<u>(\$1.4M)</u>
Revised request	\$689.4M
2004 budget	\$677.5M
Net increase over 2004 budget	\$11.8M
	1.75%

The net Operating Budget of \$689.4M, representing an increase of \$11.8M or 1.75% over the 2004 approved budget, is the minimum amount of funding required to provide the level of service required in 2005. Any further reductions would result in further deferral of the opening of 43 Division, deferral of the implementation of Justice Ferguson's recommendations, a reduction in investigative support, and a reduction in uniform staffing levels. I cannot recommend any of these actions while continuing to fulfil my mandate of presenting a fair and adequate budget to fulfil Service priorities.

It is recommended that the Board approve the 2005 net budget request of \$689.4M, and that the Board approve an increase to the uniform staffing target of 46, for a revised uniform target of 5,306. It is also recommended that the Board request the City to provide \$545,000 for CAP funding, separate from the base budget (funding source to be identified by the City). It is further recommended that the Board request the City Council to include the impact of court security on the Toronto Police Service in the New Deal discussions with the Province. Finally, it is recommended that the Board forward this report to the City's CFO & Treasurer and to BAC.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command and I will be in attendance to answer any questions.

The Board was also in receipt of a copy of correspondence, dated January 18, 2005, from Joseph Pennachetti, Chief Financial Officer & Treasurer, City of Toronto, to Frank Chen, Chief Administrative Officer, Toronto Police Service, with regard to the Toronto Police Service - 2005 Operating Budget Submission - Equipment Replacement Reserve. A copy of the correspondence is appended to this Minute for information.

Mr. Frank Chen, Chief Administrative Officer, advised the Board that, as the result of a typographical error, recommendation no. 2 in the foregoing report should have indicated a "... decrease to the Civilian establishment of 6 positions ..." rather than "... 40 positions ...".

The Board approved the following Motions:

- 1. THAT, with regard to the foregoing report from the Chief of Police, recommendations 2 (as amended – noted above), 4 and 5 be approved; and recommendations 1 and 3 be received;**
- 2. THAT the copy of the correspondence from Mr. Pennachetti be received;**
- 3. THAT the Chief of Police report to the Budget Advisory Committee on additional costs of policing the entertainment district;**

4. **THAT the Chief of Police quantify the amount of police service that the Toronto Police Service provides which should, in the view of the Toronto Police Service, be provided more appropriately by other levels of government; and**
5. **THAT the Chief of Police conduct an operational review of police officers currently deployed to duties that are not directly related to law enforcement, and report to the Board on any recommended changes, and that this review focus on the following units: Information and Technology, Human Resources, Fraud and the Chief's Office, specifically Corporate Communications.**

Following a request for recorded votes, the Board considered the following Motions:

6. **THAT a separate line item be established within the 2005 operating budget for the Community Action Policing (CAP) program and that \$545,000 be transferred from the 2005 premium pay budget request to fund CAP.**

FOR:

**Chair Pam McConnell
Vice-Chair Alok Mukherjee
Mr. Hamlin Grange
Councillor John Filion**

AGAINST:

**Councillor Case Ootes
The Honourable Hugh Locke, Q.C.**

This Motion Passed.

7. **THAT the 2005 premium pay request be reduced by a further \$455,000. for a total premium pay reduction of \$1.0M and a total 2005 premium pay request of \$31.2M.**

FOR:

**Chair Pam McConnell
Vice-Chair Alok Mukherjee
Mr. Hamlin Grange
Councillor John Filion**

AGAINST:

**Councillor Case Ootes
The Honourable Hugh Locke, Q.C.**

This Motion Passed.

8. **THAT the 2005 operating budget request for Corporate Communications be reduced by \$150,000 and that a report be provided to the Board no later than the April 7, 2005 meeting to advise as to how that reduction has been achieved; and, that the Board retain an external consultant to examine the structure and role of Corporate Communications and to advise the Board on ways to improve the availability of information to the public.**

FOR:

**Chair Pam McConnell
Vice-Chair Alok Mukherjee
Mr. Hamlin Grange
Councillor John Fillion**

AGAINST:

**Councillor Case Ootes
The Honourable Hugh Locke, Q.C.**

This Motion Passed.

9. **THAT the Board approve a 2005 net Operating Budget submission of \$688.9M.**

FOR:

**Chair Pam McConnell
Vice-Chair Alok Mukherjee
Mr. Hamlin Grange
Councillor John Fillion**

AGAINST:

**Councillor Case Ootes
The Honourable Hugh Locke, Q.C.**

This Motion Passed.

December 22, 2004

To: Chair and Members
Toronto Police Services Board Budget Sub-Committee

From: Julian Fantino
Chief of Police

Subject: TORONTO POLICE SERVICE 2005 OPERATING BUDGET - REDUCTION
SCENARIOS

Recommendation:

It is recommended that: the Budget Sub-Committee receive this report.

Background:

At its meeting of November 29, 2004, the Board received the 2005 Operating Budget submission for the Toronto Police Service at a net amount of \$695.4M, including new initiatives (Board Minute P386/04 refers) for an increase of \$17.9M (or 2.6%) over the approved 2004 budget. The 2005 request provides sufficient funding to maintain the Council-approved Uniform target of 5,260, fund the annualized impact of 2004 decisions, cover medical and dental cost increases, continue contributions to equipment reserves, fund inflationary and operational pressures, and implement legislated and Board initiatives. The purpose of this report is to address the issues resulting from the November 29th meeting.

ISSUE ONE (COMMUNITY ACTION POLICING)

At the November 29th meeting, the Board approved the motion “that Chief Fantino revise the proposed 2005 operating budget request so that the total amount of funds required to support the 2005 Community Action Policing (CAP) program be incorporated into the budget through the overtime-premium pay account.”

The Service has always relied on special funding from the City to support the CAP program, as the Service premium pay budget is insufficient to support CAP and has never included a provision for CAP. As reported in this year’s variance reports, 2004 premium pay levels are already stretched to accommodate the operational requirements of the Service. In fact, the 2004 premium pay budget is projected to be overspent due to the impact of major investigations such as guns and gangs, seizure of marijuana grow operations, investigation and prosecution of violent hold-ups, and complex homicide investigations. Also, please see additional discussion

on premium pay in issue three below. Therefore the CAP program cannot be funded from the existing premium pay account.

Given the fiscal pressures at the City and the direction from the City Budget Advisory Committee to limit our operating budget increase to 1%, I have not included the CAP program in the list of scenarios in this report. If the Board Budget Sub-Committee was to decide to include the \$0.5M, then I would have to make additional budget reductions to the scenarios described below such as Court Officers or further delay the opening of 43 Division which would increase risk of liability to the Service. For example, eliminating the Court Officer request would put the safety of the public, Court Officers, court personnel and prisoners at risk.

In addition, during Budget Sub-Committee meetings, and again at the November 29, 2004 Board meeting, the issue of alternative funding proposals for CAP was raised. Currently, CAP is funded through the use of overtime. Historically, CAP was implemented to address in-year staffing shortfalls, or to target specific areas requiring targeted policing, generally during the summer.

It must be noted that funding any program like CAP through overtime is the most economical approach – hour for hour, overtime is cheaper than regular time. Although overtime is paid at time-and-a-half, if one considers the benefits paid on straight time, plus the availability of an officer after taking into consideration training, time off, sick time, etc., the hourly rate of a first-class Police Constable (PC) is \$57 per available hour, whereas the overtime rate for the same PC is \$49.

Nevertheless, one alternative implementation strategy proposed during Budget Sub-Committee meetings included the “advance” hiring of recruit classes, to have a cadre of officers available during the summer months for CAP deployment. For example, the April and August classes in any given year could be reduced, with a concurrent increase in the previous December class. Using the 2005 hiring strategy as an example, this would result in 146 officers hired 4 to 8 months sooner. These 146 officers could be deployed during the summer months on CAP programs, and then become available for regular deployment at the same time the April class would otherwise graduate.

The cost of implementing such a scenario for 2005 would be \$2.3M in 2005 (the cost of hiring these 146 officers 4 to 8 months earlier). The full cost of such a scenario (after taking into consideration the reclassification of these officers 4 to 8 months earlier each year for the next four years) would result in a cost of \$3.8M. A CAP program using existing officers on overtime is significantly less expensive.

ISSUE TWO (ALTERNATIVE SHIFT SCHEDULING)

As a result of the November 29th meeting, I am reporting back on the following “THAT Chief Fantino examine alternative shift scheduling options in order to reduce the number of occasions when divisional police officers are reassigned to police special events due to the lack of other staff resources at the division, and that the Chief’s results be provided in a report to the Board”.

Through the year, I have reviewed and implemented the use of alternative shift scheduling options to reduce the use of divisional police officers for special events. Currently, wherever possible, shifts are modified to ensure that officers can attend special events (e.g., Caribana, New Year's Eve celebrations) on duty, or with minimal overtime. Furthermore, non-Divisional officers are assigned to these special event duties wherever possible, to ensure that Divisional front-line service is not unduly eroded.

As a result of these changes, the "premium pay" cost of such special events has been reduced significantly over the years. However, large special events may impact on premium pay costs since the Service has no control over the length or size of the event. I feel that the Service has done as much as it can vis-à-vis the management of shift schedules – any further progress would require negotiation with the Association, as shift schedules are addressed in the various Collective Agreements.

ISSUE THREE (CHAIR'S REDUCTION SCENARIOS)

As a result of the November 29th meeting, I am reporting back on the following:

THAT Chief Fantino also provide a report on the impact of the following scenarios:

- 1.(a) reducing the 2005 operating budget request by 10% in the areas of premium pay, supplies and equipment and services; and
- (b) reducing the 2005 operating budget request by 5% in the areas of premium pay, supplies and equipment and services.
- 2.(a) that the increase in supplies and services (except OMERS) in 2005 be limited to 1% over the amount for 2004; and
- (b) that the increase in supplies and services (except OMERS) in 2005 be limited to 0.5% over the amount for 2004.

Response to Chair McConnell's Reduction Proposals:

The Chair's reduction proposals include arbitrary percentage reductions to various categories of expenditures. These categories include significant amounts for contractual requirements and mandatory operating costs. Therefore, applying a general percentage reduction is not realistic.

1(a): Reducing the 2005 operating budget request by 10% in the areas of premium pay, supplies and equipment and services.

This proposal would require a reduction of \$11.2M to the total budget request, including:

- Premium pay - \$3.2M
- Supplies / equipment - \$2.2M
- Services - \$5.8M (including caretaking and reserve contributions)

1(b): Reducing the 2005 operating budget request by 5% in the areas of premium pay, supplies and equipment and services.

This proposal would require a reduction of \$5.6M to the total budget request, including:

- Premium pay - \$1.6M
- Supplies / equipment - \$1.1M
- Services - \$3.0M (including caretaking and reserve contributions)

2(a): That the increase in supplies and services (except OMERS) in 2005 be limited to 1% over the amount for 2004.

This proposal would require a reduction of \$3.4M to the total budget request, including:

- Supplies / equipment - \$0.4M
- Services - \$3.0M (including caretaking)

2(b): That the increase in supplies and services (except OMERS) in 2005 be limited to 0.5% over the amount for 2004.

This proposal would require a reduction of \$3.7M to the total budget request, including:

- Supplies / equipment - \$0.5M
- Services - \$3.2M (including caretaking)

Premium Pay:

Premium pay has been the subject of many internal and external reviews. The results of these reviews have been presented to the Board on numerous occasions, and previous budget discussions have confirmed the lack of flexibility in reducing these accounts.

More than half of all premium pay relates to attendance at court. Many initiatives have been put in place to reduce court spending; however, all such initiatives are subject to operational requirements and the justice system.

The remaining premium pay budget is required to provide service over statutory holidays, maintain continuity of staff in complex investigations and staff attendance at demonstrations and special events. In August, 2002, I issued an internal memorandum to all unit commanders, clarifying when and under what circumstances overtime, call backs, acting time, etc., are justified. A supervisor must authorize all premium pay (overtime) in advance, and overtime is worked only in emergent or mandatory circumstances.

These controls have allowed the Service to administer its overall premium pay expenditures responsibly. In fact, when salary increases are discounted, the premium pay expenditures are lower now (\$26.6M) than in 1999 (\$30.1M). Currently, on average, each officer works approximately one hour of overtime per week, excluding court attendance. Reducing this budget further is not feasible.



During the November 29, 2004 budget meeting, Chair McConnell raised the issue of lunch hours not taken, and how much this “costs” the Service (Chair McConnell quoted \$12M). “Lunch hours not taken” arise when an officer is eligible for lunch, but cannot take it due to exigent circumstances. For example, if an officer responds to a call at 11:30 am, and the call escalates to a significant occurrence which the officer must continue to attend, that officer will not leave the scene to take a lunch hour. Often, the occurrence (or the need to respond to subsequent ones) results in lunch not being taken that day.

The total value for all officers across the Service working through their lunch is calculated to be \$12M (70 days per officer per year, on average). However, this grossly overstates the cost to the Service. In the majority of instances, the officer will end his/her shift early that same day to make up for the lunch not taken, with no impact on hours worked or salary paid. If the officer cannot end his/her shift early, the hour is “banked” at straight time, and only becomes a cost to the Service if the officer does not utilize the “time” for time off, but is paid out according to Collective Agreement rules. In fact, even when the officer is eventually paid out for lunch hours not taken (at a total cost of much less than \$12M), this form of “overtime” is the most cost effective, as it is not paid at time-and-a-half.

Supplies and equipment, and services:

The non-salary accounts in the current budget request can be broken out as follows:

Contract/Legal Obligations (examples include lease maintenance of computer equipment, legal indemnification, rental of office equipment)	\$25.5M
Operational Requirements (examples include gasoline, uniforms, automobile parts)	\$10.3M
City Charge-back/Reserve (examples include cleaning, utilities and insurance)	\$14.8M
Non-Fixed	<u>\$9.8M</u>
Total	\$60.4M

In attempting to reduce the Service budget, the sole flexibility would come from the non-fixed expenses. These include office supplies, medical services, first aid training, printing, professional services, courses and furniture. The reduction proposal with the least amount of impact (2-2a) would require a reduction of \$3.4M in these accounts (i.e., a reduction of \$3.4M from a \$9.8M budget, or 35%).

In summary, the above proposals entail significant reductions to the categories identified. These reductions are not achievable if the Service is to continue funding mandatory costs within these categories while attempting to achieve the reductions. As a result, the Service has identified reduction scenarios that basically achieve similar cost reductions and can be implemented.

ISSUE FOUR (ALTERNATIVE REDUCTION SCENARIOS)

The reduction scenarios outlined by the Chair above reflect methods of achieving total dollar reductions. Chair McConnell also outlined options of limiting the 2005 budget increase to specific percentage increases over 2004, namely:

- Two percent over the 2004 approved budget (a reduction of \$4.4M, or a revised budget request of \$691.1M);
- One-and-a-half percent over the 2004 approved budget (a reduction of \$7.7M, or a revised budget request of \$687.7M);
- One percent over the 2004 approved budget (a reduction of \$11.1M, or a revised budget request of \$684.3M).

Response to Chair McConnell's Percentage Reduction Scenarios:

Limit Increase to 2% - \$4.4M reduction, or a revised request of \$691.1M

The Service's operating budget is comprised of 93% for salaries and benefits. The remaining non-salary component of 7% is required to fund contractual obligations, City chargebacks, operational needs and day-to-day operating costs. Therefore, there is little flexibility to achieve budget reductions without affecting the base staffing level.

A summary of proposed reduction strategies is presented in the table below, and, thereafter, discussed in some detail. Items up to and including item 6 have no significant impact on service levels.

	Reduction Strategies	Reduction
		on
1	Change in 2004 staff separations / 2005 hires	(\$0.30)
2	Six month delay in rehiring civilians after freeze	(\$0.45)
3	Increase in 2005 separations (25) and hires	(\$0.15)
4	Reduction in eCOPS severance costs	(\$0.40)
5	Level of uniform staff on Central Sick Bank (CSB)	(\$0.46)
6	Reduction in caretaking/cleaning budget	(\$0.28)
7	Remove funding for requests above base	(\$0.50)
8	Legal indemnification	(\$0.40)
	Sub Total (Manageable Impact)	(\$2.94)
9a	Defer 43 Division	(\$1.46)
	Total Reductions:	(\$4.40)

1. *Change in 2004 staff separations / 2005 hires (\$0.30M)* – Current projections indicate that there will be 238 separations, compared to the estimated 224 at the time of budget creation. Although hires will be increased to make up for the increased 2004 separations, the Service will still be able to reduce the budget request by \$0.3M due to the salary differential between staff leaving and new hires. It should be noted that this additional reduction will have to be recouped in coming budget years (i.e., future year reclassification costs will increase by a similar amount).
2. *Six month delay in rehiring civilians after freeze (\$0.45M)* – During 2004 budget deliberations, the Service complied with the City's request to implement a hiring freeze for civilian staff (28 positions affected). The Service requires these positions; however, due to timing of budget approval, it is anticipated that replacing all of these positions will take an average of six months. The 2005 budget request reflected full-year salaries for these staff and therefore can be reduced by one half. This reduction will have an annualized impact in 2006.

3. *Increase in 2005 separations and hires (\$0.15M)* – Revised projections indicate that there may be 200 separations in 2005, compared to the estimated 175 at the time of budget creation. Although 2005 hires will be adjusted accordingly, the Service will be able to reduce the budget request by \$0.15M due to the salary differential between staff leaving and new hires.
4. *Reduction in eCOPS severance costs (\$0.40M)* – The 2005 budget request reflects an estimated severance cost for 50 position reductions in Criminal Information Systems (CIS) related to eCOPS. Given that most of these staff have now left the Service, or have temporary status, the estimated cost for severance can be reduced.
5. *Level of uniform staff on Central Sick Bank (\$0.46M)* – During the 2004 variance reporting process, the Service identified savings due to a higher-than-budgeted number of members being on central sick bank. This trend is expected to continue for the foreseeable future and the Service has adjusted the budget request and human resources strategy accordingly.
6. *Reduction in caretaking/cleaning budget (\$0.28M)* – The City proposes to charge back for the replacement of members on vacation or sick. This amount is an addition to the base amount and therefore can be reduced without affecting service.
7. *Remove funding for requests above base (\$0.50M)* – The Service included \$0.5M in the 2005 operating budget request to accommodate various cost increases and changes in operational requirements to maintain the same level of service as that provided in 2004. While these pressures are unavoidable, the Service will endeavour to realign current funding to address these pressures. However, this will affect units' ability to meet basic needs such as external training, office supplies and other day-to-day operating needs.
8. *Legal indemnification (\$0.40M)* – Expenses for legal indemnification can vary significantly from year to year (one case can cost over \$1.0M). The proposed reduction will provide the same funding as in 2004. The Service overspent the 2004 amount by \$0.5M and the proposed reduction could put the Service at risk. The Board's Budget Sub-Committee proposed that the City establish a TPS reserve to deal with these fluctuating costs. Although there would still be a risk of funding shortfalls, establishing a reserve will make funding requirements more predictable.

This proposal does not include any initial funding for the reserve; however, it is anticipated that years with reduced pressures in this account can be used to establish reserve funding.

- 9a. *43 Division delay opening to January 2006 (\$1.46M)* –By deferring the opening of 43 Division to January 2006 (from the current expected opening date of October 2005) a reduction of \$1.46M will be made. This scenario would delay hiring of uniform staff to August 2005 (note: Uniform staff need to be hired four and a half months prior to deployment due to training requirements) from the original date of April 2005, and civilian staff would be hired in 2006.

This delay will not impact the Service's ability to respond to calls for service in the area, as there is no change to the deployment of patrol areas (42 Division currently covers this part of the city). It is anticipated that this would result in negative community reaction, however. This facility is being built to address the community's desire to have a police division in that area, and the community is likely to look unfavourably upon a building standing empty for several months.

In summary, limiting the budget increase to 2.0% still allows for the following:

- 43 Division (delayed to January 2006)
- Funding for monitors
- Ferguson implementation
- Court Officers
- Major Case Management
- Reserve contributions
- Maintenance of Human Resource strategy
- Fund benefit cost increases
- Fund utilities/cleaning increases
- Fund lease/maintenance increase
- Fund gasoline price increases

Limit Increase to 1.5% - \$7.7M reduction (or a revised request of \$687.5M)

Reduction Strategies		Reduction
1-9a	Reductions from 2% scenario	(\$4.40)
9b	Further delay to 43 Division opening	(\$0.50)
10	Reduction in Monitors	(\$0.80)
11	Justice Ferguson Report delayed implementation	(\$2.00)
Total Reductions:		(\$7.70)

- 9b. *Further delay to 43 Division opening to April 2006(\$0.50M)* – By delaying the opening of 43 Division from the proposed date of January, 2006 (as per the 2% scenario) to April 2006, a reduction of an additional \$0.5M will have been made. This scenario would delay hiring uniform staff to December 2005.
10. *Reduction in Monitors (\$0.80M)* – The current request includes funding for a required level of monitors. During 2004, the Service was able to avoid several major crimes, including attempted homicides, and solve others through the increased proactive use of

part-time monitors in several police investigations (for example in anti-gang initiatives such as Project Impact and Project Pathfinder). Use of monitors enhances public safety by providing an invaluable tool to investigators to address violent offences such as robbery and murder, especially in cases where witnesses are afraid to come forward due to intimidation. Reducing this budget request will limit the use of a powerful support resource and make investigation and prosecution of violent offenders more difficult.

11. *Justice Ferguson Report delayed implementation (\$2.00M)* – The Service will be able to defer \$2.0M if remaining implementation of the Justice Ferguson report is delayed to December 2005.

Wherever possible, Justice Ferguson's recommendations have been implemented through the redeployment of existing personnel. The current 2005 request reflects costs that could not be accommodated through such redeployment. Delaying the implementation of the remaining recommendations will delay the Service's implementation of drug testing, source management and employment enhancements.

In summary, limiting the budget increase to 1.5% still allows for the following:

- 43 Division (delayed to April 2006)
- Major Case Management
- Reserve contribution
- Maintenance of Human Resource strategy
- Fund benefit cost increases
- Fund utilities/cleaning increases
- Fund lease/maintenance increase
- Fund gasoline price increases
- Court Officers

But does not allow for:

- Full funding for monitors
- Ferguson implementation

Limit Increase to 1.0% - \$11.1M reduction (or a revised request of \$684.3M)

1-11	Reductions from 1.5% scenario	(\$7.70)
12	Reduce Hiring	<u>(\$3.40)</u>
	Total reductions:	(\$11.10)

12. *Reduce hiring (\$3.40M)* – To reduce the operating budget request to the \$684.3M level, the April 2005 recruit class will have to be cancelled, with corresponding adjustments being made to the August and December 2005 classes.

As Chief of the Toronto Police Service, I have a duty to advise the Board of the risks and liabilities associated with the downsizing of this organization. Reduced hiring would decrease officer availability with a corresponding reduction in service. All programs

currently delivered by TPS are important, and I am not prepared to eliminate any of them as a result of reduced staffing. The impact would be spread out among all programs, and the Service would be forced to move from a proactive policing mode to a reactive one. The Service will not be in a position to respond to all emergent situations. Reducing staff will also impact on response times and make it difficult to organize task forces (such as Project Impact and Project Pathfinder) that address gang issues and gun violence, and will also make it difficult to maintain community foot patrols.

The Board and City Council have reiterated their commitment to maintaining service levels through their commitment to the uniform target establishment of 5,260 (as of 2004). This option would reduce the uniform establishment funding for 2005 to 5,220, on average, with a year-end staffing level of 5,168. Assuming full recovery by year-end 2006, the Service would still experience an average monthly strength of 5,228 during 2006. These figures are well below the approved establishment of 5,260. Therefore, I do not recommend this course of action.

In summary, limiting the budget increase to 1.0% still allows for the following:

- 43 Division (delayed to April 2006)
- Major Case Management
- Reserve contribution
- Fund benefit cost increases
- Fund utilities/cleaning increases
- Fund lease/maintenance increase
- Fund gasoline price increases
- Court Officers

But does not allow for:

- Full funding for monitors
- Ferguson implementation
- Maintenance of Human Resource strategy

See Attachment A for a summary of the scenarios.

It should be noted that the above does not include the impact of a recent City Council decision to allow for the full charge back of legal services. As a result of Council's decision, City Legal increased its revenue budget; however, the Service was not informed of the increase and did not include the additional cost in the Service submission. Service staff are currently addressing this issue with City staff. Failure to resolve this issue in a favourable manner could result in an additional pressure of up to \$0.3M.

Given Council direction, we are currently re-evaluating all services currently provided to other City departments and will be coming forward with recommendations to offset our costs. In addition, we are conducting a review of all services provided to us by City departments with a view to assessing how these services compare to industry standards and market rates.

Attachment B to this report summarizes the Chair's reduction proposals. Also included in Attachment B are the impacts of the three percentage increase scenarios that I discussed above, and how these compare to the percentage reduction proposals.

ISSUE FIVE (43 DIVISION)

As a result of the November 29th meeting, I am reporting back on the following "that, rather than increasing the uniform establishment by 39 officers in order to staff the new No. 43 Division, 39 officers - not currently assigned to divisional policing - be drawn from the existing establishment of 5,260 officers".

The redeployment of existing officers to staff 43 Division was considered prior to submitting the 2005 budget. As you are aware, the Service has undergone several internal staffing reviews to ensure that no officers are performing non-front-line duties if these duties can be provided through alternative means (e.g., using civilians). My Command Officers and I have concluded that no further redeployment opportunities exist (without the short-term cost of civilianization). The above discussion considered alternative implementation options for 43 Division, but did not include the redeployment of existing staff.

Anticipated Grant Funding from the Province

In recent months, the Province made an announcement regarding the hiring of 1,000 new officers across the province, with 50-50 funding between the province and each municipality. It is anticipated that such funding could help to alleviate the pressures of new programs such as implementation of Justice Ferguson's recommendations, or even the opening of 43 Division, depending on provincial criteria for the program. However, participation in this program would require the City to contribute their 50% share. It must also be noted that funding the 50% of the City's share in the Service budget is not possible.

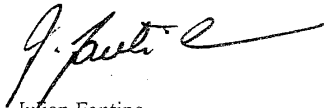
At this time, however, no further information is available regarding the Province's implementation or funding plans, including the basis on which funding will be provided. As a result, no assumptions have been made in the 2005 request regarding 50% funding. Service staff continues to follow up with the Province, and I will update the Budget Sub-Committee or the Board as soon as any concrete information is available.

Summary

The percentage reduction options proposed above have varying degrees of impact on the Service's ability to meet its service demands. In good conscience, I can only recommend items 1 to 8 of these scenarios. These items have either little or no impact on service, or include manageable risk. Items 1 to 8 represent a reduction of \$2.94M, or a net revised operating budget of \$692.5M (an increase of 2.2%).

Further reductions would result in deferral of the opening of 43 Division, deferral of the implementation of Justice Ferguson's recommendations, a reduction in investigative support, and a reduction in uniform staffing levels. I cannot recommend any of these actions while continuing to fulfil my mandate of presenting a fair and adequate budget to fulfil Service priorities. I am forwarding this report for your review and would appreciate the opportunity to meet with the budget sub-committee at the meeting currently being scheduled for the first week of January, to discuss these issues and options in more detail.

Respectfully submitted,



Jylian Fantino
Chief of Police

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Summary of Percentage Increase Scenarios

Reduction Strategies	Limit inc. to 2%	Limit inc. to 1.5%	Limit inc. to 1%
1. Change in 2004 staff seps / 2005 hires	(\$0.30)	(\$0.30)	(\$0.30)
2. Six month delay in rehiring civilians after freeze	(\$0.45)	(\$0.45)	(\$0.45)
3. Increase in 2005 seps (25) and hires	(\$0.15)	(\$0.15)	(\$0.15)
4. Reduction in eCOPS severance costs	(\$0.40)	(\$0.40)	(\$0.40)
5. Level of uniform staff on CSB	(\$0.46)	(\$0.46)	(\$0.46)
6. Reduction in caretaking/cleaning budget	(\$0.28)	(\$0.28)	(\$0.28)
7. Remove funding for requests above base	(\$0.50)	(\$0.50)	(\$0.50)
8. Legal indemnification	(\$0.40)	(\$0.40)	(\$0.40)
9. Delay 43D opening (\$1.46 / \$+0.50)	<u>(\$1.46)</u>	(\$1.96)	(\$1.96)
10. Reduction in Monitors		(\$0.80)	(\$0.80)
11. Justice Ferguson Rep delayed implem.		(\$2.00)	(\$2.00)
12. Reduce Hiring			<u>(\$3.40)</u>
Total reductions:	(\$4.40)	(\$7.70)	(\$11.10)
Allows:	Allows:	Allows:	
• 43D (delayed to Jan.06)	• 43D (delayed to Apr.06)	• 43D (delayed to Apr.06)	
• Funding for monitors	• Major Case Mgmt.	• Major Case Mgmt.	
• Ferguson impl'n	• Reserve contr'n	• Reserve contr'n	
• Court Officers	• Maintenance of HR strategy	• Benefit cost increases	
• Major Case Mgmt.	• Benefit cost increases	• Utilities/cleaning cost increases	
• Reserve contr'n	• Utilities/cleaning cost increases	• lease/maintenance cost increases	
• Maintenance of HR strategy	• Gasoline price increases	• Gasoline price increases	
• Benefit cost increases	• Court Officers	• Court Officers	
• Utilities/cleaning cost increases	Does not allow:	Does not allow:	
• lease/maintenance cost increases	• Full funding for monitors	• Full funding for monitors	
• Gasoline price increases	• Ferguson impl'n	• Ferguson impl'n	
		• Maintenance of HR strategy	

Budget Reduction Scenarios
Chair McConnell's Scenarios and 3 Reduction Options (\$Ms)

	2004 Budget	2005 Budget	Reduce 10% in Premium Pay, Supplies, Services	Reduce 5% in Premium Pay, Supplies, Services	Limit increase to 1% in Supplies, Services	Limit increase to 0.5% in Supplies, Services	Limit increase to 2%	Limit increase to 1.5%	Limit increase to 1%
Salaries	\$496.4	\$499.8					(\$1.8)	(\$2.5)	(\$5.9)
Premium Pay	32.0	32.2	(3.2)	(1.6)			0.0	0.0	0.0
Benefits	<u>106.8</u>	<u>111.1</u>							
Sub-total, sal/ben:	635.2	643.1							
Supplies/Equipment	21.0	21.6	(2.2)	(1.1)	(0.4)	(0.5)	0.0	0.0	0.0
Services	51.5	53.8	(5.4)	(2.7)	(1.8)	(2.0)	(0.9)	(0.9)	(0.9)
Revenue	(30.2)	(32.2)							
Sub-total, non-sal:	42.3	43.2							
Net Base Budget	677.5	686.3							
Caretaking Increase	0.0	1.2	(0.1)	(0.1)	(1.2)	(1.2)	(0.3)	(0.3)	(0.3)
Reserve Contribution Increase	0.0	3.0	(0.3)	(0.2)					
43 Division	<u>0.0</u>	<u>2.2</u>					(1.5)	(2.0)	(2.0)
TOTAL BASE BUDGET	<u>677.5</u>	<u>692.7</u>							
<u>New Initiatives</u>									
Ferguson Report		2.0						(2.0)	(2.0)
Court Services		0.3							
Major Case Management		<u>0.4</u>							
TOTAL 2005 REQUEST		<u>695.4</u>	<u>(11.2)</u>	<u>(5.6)</u>	<u>(3.4)</u>	<u>(3.7)</u>	<u>(4.4)</u>	<u>(7.7)</u>	<u>(11.1)</u>



Joseph P. Pennachetti
Chief Financial Officer &
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January 18, 2005

Mr. Frank Chen
Chief Administrative Officer
Toronto Police Service
40 College St.
Toronto, Ont. M5G 2J3

Dear Frank

Re: 2005 Toronto Police Service Operating Budget

It is my understanding that included in the 2005 Operating Budget of the Toronto Police Service is the sum of \$3.0 million as a contribution to a equipment replacement reserve of which \$1.4 million is for replacement of information technology equipment and \$1.6 million is for replacement of vehicles.

I would like to bring to your attention that it is our financing policy that all information technology replacement be included in the Capital Budget and be funded from the Capital from Current Non-Program account in the City's Operating Budget. I would undertake that the policy apply to the Toronto Police Service information technology replacement purchases starting in 2006, and therefore, there would be no need for the Service to make a contribution in its 2005 Operating Budget of \$1.4 million to an information technology replacement reserve.

On the basis of this undertaking, I would ask you to request that the Toronto Police Services Board reduce its 2005 Operating Budget request for the Toronto Police Service by \$1.4 million. Of course, \$1.6 million would still be contributed to the equipment replacement reserve for the replacement of vehicles. In 2006, I would expect that there would still be a contribution to the reserve for vehicles in the Toronto Police Service's Operating Budget.

I would be pleased to discuss this further with any member of the Board or yourself, if necessary.

Yours truly,

Joseph P. Pennachetti
Chief Financial Officer and Treasurer

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

#P4. OUTSTANDING AND PENDING REPORTS - PUBLIC

The Board was in receipt of the following report DECEMBER 31, 2004 from Pam McConnell, Chair:

Subject: OUTSTANDING & PENDING REPORTS - PUBLIC

Recommendations :

It is recommended that:

- (1) the Board receive the attached list of pending and outstanding public reports; and
- (2) the Board provide direction with respect to the reports noted as outstanding.

Background :

At its meeting held on March 27, 2000 the Board agreed that the Chair would be responsible for providing the Board with a list of the public reports which had previously been requested but which had not been submitted and were, therefore, considered as “outstanding”. The Board further agreed that when outstanding reports were identified, the Chair would provide this list to the Board for review at each regularly scheduled meeting (Min. No. C70/00 refers).

I have attached a copy of the current list of all pending and outstanding public reports required from both the Chief of Police and representatives from various departments of the City of Toronto.

A review of this list indicates that there are outstanding reports; these reports are emphasized in bold ink in the attachment.

The Board received the foregoing.

Public Reports

Requested by the Toronto Police Services Board

Updated: January 07, 2005

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P111/01 P301/01	<p>Framework – Governance & Business Plan 2005 – 2007 (now 2006-2008)</p> <ul style="list-style-type: none"> • <u>Issue:</u> submit a report for approval re: 2005-2007 business plan that complies with the <i>PSA</i> & Adequacy & Effectiveness of Police Service Regulation • should also include policing priorities approved by the Board • Board members to participate in the development of the business plan 	<p>Report Due: not later than Dec. 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P340/04	<ul style="list-style-type: none"> • 2002-2004 Business Plan extended to Dec. 31/05 • Board will convene meetings with Chief & Command mid-2005 to develop the 2006-2008 Business Plan 		

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P283/02 P315/02 P33/03 P34/03 P35/03 P291/02 P34/03	Race Relations <ul style="list-style-type: none"> Issue: the Board/Service Race Relations Joint Working Group final report will address on race relations issues, some recommend's from the <i>Saving Lives</i> report, third-party complaints & City Council Motions Alternatives to the Use of Lethal Force Issue: recommendations from the conference forwarded to Chairman for comments and response Recommend's 1, 2, 4, 19, 20, 21, 22 & 23 have been referred to the Board/Service Race Relations Joint Working Group 	Report Due: . Sept. 23/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding	Joint Working Group
P216/03	Follow-Up Review of Parking Enforcement Unit <ul style="list-style-type: none"> Issue: results of follow-up review of the Parking Enforcement Unit 	Report Due: Oct. 16/03 Extension Reqs'd: Extension Granted: Revised Due Date: Status: matter is still being reviewed by Auditor General (May 2004)	Auditor General, City of Toronto
P407/04	Employment Equity Representation <ul style="list-style-type: none"> Issue: action plan to be developed 	Report Due: June 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Vice-Chair, Toronto Police Services Board

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P276/03	Conditions of Appointment for Chair, TPSB <ul style="list-style-type: none"> Issue: to review conditions of appointment for the Chair, TPSB 	Report Due: Feb. 26/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status:outstanding	Board Staff
P298/03	Fee Structure for External Legal Services <ul style="list-style-type: none"> Issue: to identify a proposed fee structure for the Board to approve with regard to external legal services 	Report Due: Jan. 22/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status:outstanding	City of Toronto – Legal Services
P77/04	Potential for Federal Funds <ul style="list-style-type: none"> Issue: investigate possibility of obtaining funds related to: intelligence and national security; coast guard responsibilities, consulate protection; and drug money seizures 	Report Due: July 29/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status: matter is pending a meeting of the Board's Budget Task Force.	Chief of Police, report through the Board Budget Task Force
P85/04	Format Guidelines – Board Reports <ul style="list-style-type: none"> Issue: report on the changes made to the format for Board reports, including technical improvements 	Report Due: June 21/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status: meetings on-going, new report format will be determined soon.	Chair, Police Services Board
P135/04	Towing and Pound Services Contracts <ul style="list-style-type: none"> Issue: to report in a timely manner outlining a process on how to deal with various towing issues prior to the next contract 	Report Due: June 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	City of Toronto – Legal Services

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
C99/04	Attendance at Public Events - Political <ul style="list-style-type: none"> Issue: develop a policy identifying the specific activities or events, or circumstances, in which the Chief and Deputy Chiefs may participate when the attendance at those activities or events may also involve elected public officials or be sponsored by a specific political group 	Report Due: Aug. 26/04 Extension Reqs'd: Extension Granted: Revised Due Date: Sept. 23/04 Status:outstanding	Chair, Police Services Board
P215/04	Mobile Crisis Intervention Team <ul style="list-style-type: none"> Issue: identify the status of the agreement and/or the potential for renewal of the agreement between the Board and St. Michael's Hospital 	Report Due: February 2006 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P239/04	Search of Persons Procedures <ul style="list-style-type: none"> Issue: review the Service policies and procedures pertaining to searches of persons and provide an opinion as to whether they are consistent with the decision in <i>R. v. Golden</i> 	Report Due: Oct. 21/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status:outstanding	City of Toronto – Legal Services Division

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P134/04 C162/04	Professional Standards – Statistical Analysis of Allegations <ul style="list-style-type: none"> • <u>Issue:</u> provide a report, updated monthly, including a statistical analysis of all allegations of misconduct against members, include open cases, closed cases, cases opened and closed since last reported, and identify the unit conducting the investigation • identify any trends noted by the Service • prepare for public consideration 	Report Due: Each Month Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P284/04	Municipal Freedom of Information <ul style="list-style-type: none"> • <u>Issue:</u> feasibility of assuming the legislated authority for MFIPPA and include all budget implications 	Report Due: Dec. 16/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding	Chair, Police Services Board

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P326/04	Police Charitable Foundation <ul style="list-style-type: none"> <u>Issue:</u> provide an update on the status of the Police Charitable Foundation 	Report Due: Dec. 16/04 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P212/04	Downloading from Fed. & Prov. Govt. <ul style="list-style-type: none"> <u>Issue:</u> number of responsibilities that have been downloaded from the prov. & fed. gov't. and the impact those have had upon the TPS, including financial equivalent 	Report Due: during 2005 operating budget Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P343/04	Increasing Foot and Bicycles Patrols <ul style="list-style-type: none"> <u>Issue:</u> alternative models that could be implemented, interchange between foot, bicycle and vehicle patrols and whether ratios can be altered 	Report Due: Jan. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding	Chief of Police
P354/04	A Police Officer's Duty To Report <ul style="list-style-type: none"> <u>Issue:</u> review the two recommendations contained in <i>Report: Alleged Communication Between Police Services Board Member and Member of the Police Service</i> and develop appropriate guidelines and procedures 	Report Due: Jan. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding	City of Toronto – Legal Services Division
P362/04	Community Policing <ul style="list-style-type: none"> <u>Issue:</u> respond to Motions from the Nov. 18/04 PSB meeting regarding consultative committees and foot & bicycle patrols for the Jan. 13/05 meeting. 	Report Due: Jan. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding	Chief of Police

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P363/04	Use of Advanced Tasers – Front-Line Supv. <ul style="list-style-type: none"> <u>Issue:</u> Chief to report on an implement'n plan for possible pilot proj. in one division 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P398/04	<ul style="list-style-type: none"> <u>Issue:</u> Board to review operational & medical research studies 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chair, Police Services Board
	<ul style="list-style-type: none"> <u>Issue:</u> review health implications, if any, related to the use of Tasers also consider New York Times article regarding safety of Tasers – submit report for Jan. 13 meeting, if possible. 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Toronto Medical Officer of Health
P399/04	Deter Identify Sex-Trade Consumers (D.I.S.C.) Program <ul style="list-style-type: none"> <u>Issue:</u> identify the Service's involvement to date, if any, with the D.I.S.C. program 	Report Due: March 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Quarterly Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P529/00 P91/01 P167/01 P119/02 P338/02	CIPS enhancements – Searches of Persons <ul style="list-style-type: none"> <u>Issue:</u> to provide quarterly reports on the implementation of CIPS enhancements into the new Records Management System and advise the Board if the Service is unable to provide electronic gathering of statistics by the third quarter of 2001 	Report Due: April 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P304/01 P356/01 P121/02	Enhanced Emergency Management <ul style="list-style-type: none"> <u>Issues:</u> to periodically report to the Board with respect to the Service's role in the City's enhanced emergency management initiative quarterly commencing Apr. 2002 	Report Due: April 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P208/04	Domestic Violence Training <ul style="list-style-type: none"> <u>Issues:</u> quarterly submissions on the domestic violence quality control reports Quarterly in: Jan., April, July & Oct. 	Report Due: April 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P284/04	Municipal Freedom of Information <ul style="list-style-type: none"> <u>Issues:</u> identify the Service's MFIPPA compliance rate 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
	Special Fund <ul style="list-style-type: none"> <u>Issues:</u> unaudited quarterly reports on the status of the Board's special fund. 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Semi-Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P199/96 P233/00 #255/00 P463/00 P440/00 P255/00 P26/01 P27/01 P54/01	Professional Standards <ul style="list-style-type: none"> <u>Issue:</u> interim report (for the period January – July) to be submitted in November each year annual report (for the period January – December) to be submitted in May each year see also Min. No. 464/97 re: complaints see also Min. No. 483/99 re: analysis of complaints over-ruled by OCCPS revise report to include issues raised by OCCPS and comparative statistics on internal discipline in other police organizations note: police pursuit statistics should be included - beginning ... Nov. 2001 rpt. 	Next report Due: May 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Semi-Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P5/01	<p>Legal Indemnification</p> <ul style="list-style-type: none"> <u>Issue</u>: a report relating to the payment of all accounts for labour relations counsel, legal indemnification claims and accts relating to inquests that are approved by Human Resources and Labour Relations reports will be submitted in August and February each year 	<p>Next report Due: Feb. 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	<p>Manager, Labour Relations</p>
P5/01	<p>Tracking Implementation of Board Directions</p> <ul style="list-style-type: none"> <u>Issue</u>: pertains to recommends 17 and 18 in Chief's response to OCCPS <u>Reference</u>: OCCPS Review 	<p>Report Due: Feb. 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	<p>Chief of Police</p>

Semi-Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P337/98 P491/99 P8/00 P476/00 P121/01 P289/01	<p>Audit – Sexual Assault Investigations</p> <ul style="list-style-type: none"> • <u>Issue</u>: to provide semi-annual updates on the implementation of the City Auditor's recommendations • Report in November (for May to Oct) and May (November to April) 	<p>Report Due: May 2005</p> <p>Extension Reqs'd: Extension Granted: Revised Due Date: Status:</p>	Chief of Police
P111/03	<p>Follow-Up Audit</p> <ul style="list-style-type: none"> • <u>Issue</u>: a follow-up review of the investigation of sexual assaults will be conducted and reported to the Board 	<p>Report Due: Aug. 14/03</p> <p>Extension Reqs'd: Extension Granted: Revised Due Date: Status: will be considered at the Feb. 2005 meeting</p>	Auditor General, City of Toronto
P66/02	<p>Grant Applications & Contracts</p> <ul style="list-style-type: none"> • <u>Issue</u>: semi-annual summaries of all grant applications and contracts initiated by the Service and approved by the Chairman • reports will be submitted in April and Oct. 	<p>Report Due: Apr. 2005</p> <p>Extension Reqs'd: Extension Granted: Revised Due Date: Status:</p>	Chief of Police

Semi-Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P394/00 P229/01 P334/01 P209/02	Parking Enforcement Unit – Absenteeism <ul style="list-style-type: none"> • <u>Issue:</u> semi-annual statistics on absenteeism requested by the City of Toronto Policy & Finance Committee • reports should include actual numbers in addition to percentages • also include, if possible, absenteeism data providing comparison with other Service units & City outside workers • also include the average # of sick days per officer • reports to be submitted in Feb. & Aug. 	Next report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P342/02 P81/04	“60/40” Staffing Model <ul style="list-style-type: none"> • <u>Issue:</u> semi-annual public reports on the implementation of the “60/40” staffing model in police divisions • reports submitted in conjunction with the confidential reports in Feb. & Aug. • include how the divisional boundary changes will impact staffing divisions 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P132/03 P65/04	TPS – Write Offs <ul style="list-style-type: none"> • <u>Issue:</u> semi-annual report identifying all write-offs and the reasons for those write-offs • to be submitted in March & September 	Report Due: March 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P156/00 P5/01 P157/03 P166/03	Environmental Scan & Statistics <ul style="list-style-type: none"> <u>Issue:</u> report crime & traffic statistics annually as part of the annual Environmental Scan full scan every 3 years: 2002, 2004, 2007, 2010 update annually – every May now submitted - in Sept. each year compare property crime stats to socio-economic factors, if possible 	Next Full Scan Due: Sept. 2007 Next Update Report Due Sept. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P343/93 P344/97 P156/00 P5/01	Victim Services Program <ul style="list-style-type: none"> <u>Issue:</u> be submitted in June each year 	Next Report Due: June 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P200/96 P89/99 P156/00 P5/01	Hate Crime Statistics <ul style="list-style-type: none"> <u>Issue:</u> to be submitted in Feb. each year include mechanism to evaluate effectiveness of Service initiatives report annually now rather than semi-annually – Min. No. 156/00 refers 	Next Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P156/00 P264/03	Audit Recommendations	Next Report Due: July 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
	<ul style="list-style-type: none"> <u>Issue:</u> tracking implementation status of external and internal audit recommendations to be submitted in a format suitable for the public agenda, any matters which conform with s.35 of the <i>PSA</i> can be provided in a separate conf report. 		
P333/95 P97/01 P89/03	Training Programs <ul style="list-style-type: none"> <u>Issue:</u> annual reports which evaluate the effectiveness of internal Service training programs include results of the review of the Advanced Patrol Training course to be submitted in June each year 	Next Report Due: June 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P292/96	Special Constables - Univ. of Toronto <ul style="list-style-type: none"> <u>Issue:</u> to be submitted in April each year 	Next Report Due: Apr. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P39/96	Special Constables – TTC <ul style="list-style-type: none"> <u>Issue:</u> to be submitted in April each year 	Next Report Due: Apr. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P414/99	Special Constables – MTHA (now TCHC) <ul style="list-style-type: none"> <u>Issue</u>: to be submitted in April each year 	Next Report Due: Apr. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P80/02 P249/02 P45/03	Professional and Consulting Services <ul style="list-style-type: none"> <u>Issue</u>: semi-annual reports on all consulting expenditures, sorted into project categories include recommendation that the reports be forwarded by the Board to the City CFO & Treasurer include each consultant contract individually, specific project, total dollar amount, particular company or individual hired and any over expenditures for individual contracts will now be submitted annually rather than semi-annually – in February 	Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P107/97 P27/01 P350/04	Program Review of R.I.S. (now C.I.S.) <ul style="list-style-type: none"> <u>Issue</u>: status of staffing changes financial statement with savings to-date including staffing report to be submitted in October 	Next Report Due: Oct. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P65/98 P51/01 P195/03 P371/04	<p>CPLC Committees/Divisional Activities</p> <ul style="list-style-type: none"> • <u>Issue</u>: summary of all activities funded by the Board • Chief will be responsible for all requests for funds related to the CPLC annual conference • to be submitted in January each year • now to be submitted in March each year with report on funds for all committees and annual conference <p>CPLC Annual Conference</p> <ul style="list-style-type: none"> • <u>Issue</u>: request for funds for the annual conference to be submitted in March 	<p>Next Report Due: March 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P66/99	<p>"Rules" Changes</p> <ul style="list-style-type: none"> • <u>Issue</u>: changes to existing rules to be submitted annually • policy amended (Min. No. 264/99) so that changes can be submitted on an as-needed basis if necessary 	<p>Next Report Due: May 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P27/01	<p>Community & Corporate Donations</p> <ul style="list-style-type: none"> • <u>Issue</u>: to identify all the donations that were provided to the Service based upon approvals by the Board and Chief of Police. • to be submitted in April each year 	<p>Next Report Due: April 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P4/01 P5/01 C31/01	Secondments <ul style="list-style-type: none"> • <u>Issue:</u> annual reporting of all secondments approved by the Chief of Police • to be submitted in February each year • include RCMP-UN Peacekeeping secondments 	Next Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P156/00	Annual Review of Reports to be Submitted <ul style="list-style-type: none"> • <u>Issue:</u> to review the quarterly, semi-annual and annual reports submitted to the Board at the first meeting in each new year. 	Next Report Due: Jan. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:.....outstanding	Chair, Police Services Board
P106/96 P450/00 P55/01	Secondary Activities <ul style="list-style-type: none"> • <u>Issue:</u> <i>Police Services Act</i> indicates that annual reports must be submitted re: secondary activities by members • include a preamble describing policy, reporting requirements & criteria 	Next Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P173/96 P139/00	Use of Police Image & Crest <ul style="list-style-type: none"> • <u>Issue:</u> a summary of the requests for use of the Toronto Police image that were approved and denied during the year • to be submitted in April each year 	Next Report Due: April 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
	<p>Audited Reports</p> <ul style="list-style-type: none"> • <u>Issue</u>: audited financial statements of the Board's Special Fund and Trust Funds • to be submitted in June each year 	<p>Next Report Due: June 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
<p>P4/01</p> <p>P27/01</p> <p>P74/01</p> <p>C59/04</p>	<p>Operating & Capital Budgets</p> <ul style="list-style-type: none"> • <u>Issue</u>: annual operating and capital budgets to be submitted for approval • Operating budget to include special activities • Policy & Finance Cttee requested that operating budget be submitted in alignment with business plan and include performance indicators • operating budget to include opportunities for the Board to request funding support from the provincial and federal governments and also at any time during the year as issues arise • beginning 2005 detailed cost element breakdowns to be provided to the Board on a confidential basis when the Board first considers the operating budget request for the next year 	<p>Next Report Due: capital operating 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
	Operating & Capital Budgets – cont'd <ul style="list-style-type: none"> feature category summaries be made available publicly when the Board first considers the operating budget request for the next year 		
	Human Resources Strategy <ul style="list-style-type: none"> <u>Issue</u>: annual strategy, coinciding with annual operating budget, to be submitted to the Board for approval 	Next Report Due: Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
	Police Services Board – Office Budget <ul style="list-style-type: none"> <u>Issue</u>: to review and approve the operating and capital estimates for the Board's operations 	Next Report Due: Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
	Parking Enforcement Unit Budget <ul style="list-style-type: none"> <u>Issue</u>: to review and approve the Parking Enforcement Unit annual operating budget 	Next Report Due: Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P160/99 P192/00 P83/02 P122/03	Race Relations Plan <ul style="list-style-type: none"> <u>Issue</u>: to report annually on the status of the Service's multi-year race relations plan and adjustments where necessary to be submitted in March each year 	Next Report Due: March 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
City Council request	Parking Tag Issuance <ul style="list-style-type: none"> <u>Issue</u>: annual parking tag issuance statistics 	Next Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P5/01	Organizational Chart <ul style="list-style-type: none"> <u>Issue</u>: organizational charts on annual basis to be submitted in February each year or at other times as required 	Next Report Due: Feb. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P524/00	Toronto Police Service Annual Report <ul style="list-style-type: none"> <u>Issue</u>: an annual report to the Board report is required under the adequacy standards regulation to be submitted in June each year <u>Issue</u>: the Board is required to publish the Governance Plan, listing the Board's goals and accomplishments, as part of the Annual Report Board to forward to Council through Policy & Finance Cttee. 	Next Report Due: June 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police Chair, Police Services Board
P177/02 P198/03	Service Performance Year-End Report <ul style="list-style-type: none"> <u>Issue</u>: an annual report on the activities of the previous year, results of the measurement of Service priorities and an overview of Service performance - compare data to specific identifiers, if possible 	Next Report Due: June 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police

Annual Reports

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P106/00 P156/00 P211/00 P486/00 P61/01 P111/03 P151/03	<p>Annual Audit Work Plans</p> <ul style="list-style-type: none"> <u>Issue:</u> annual audit work plan to be approved by the Board note: 2002 Audit Workplan to include audits of the enhanced HRMS system and/or PSIS system also include follow-up audit - review of the investigation of sexual assaults 	<p>Next Report Due: under review</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Auditor General, City of Toronto
C30/03	<p>Grievances</p> <ul style="list-style-type: none"> <u>Issue:</u> to provide an annual statistical summary report outlining the status of grievances, costs & successful party for review at the February Board meeting each year 	<p>Next Report Due: Feb. 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Manager, Labour Relations
P136/03	<p>Promotions</p> <ul style="list-style-type: none"> <u>Issue:</u> to provide an annual summary report on all uniform promotions to the ranks of Sgt. or Det. and S/Sgt. or D/Sgt. to be submitted in February each year 	<p>Next Report Due: Feb. 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P284/04	<p>Municipal Freedom of Information & Protection of Privacy</p> <ul style="list-style-type: none"> <u>Issue:</u> provide the year-end statistical report so that the Board can forward it to the IPC 	<p>Next Report Due: Jan. 2005</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police

Required every 2 years

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P464/97 P534/99	Complaints – Board's Policy Directive <ul style="list-style-type: none"> <u>Issue</u>: review policy Directive every two years policy approved – Dec. 1999 	Report Due: Dec. 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chair, Police Services Board

Required every 3 Years

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P254/00	Adequacy Standards Compliance <ul style="list-style-type: none"> <u>Issue</u>: to review and update Board policies and Service procedures and processes at least once every three years in accordance with the Adequacy Standards Regulation 	Report Due: 2006 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chair, in consultation with Chief of Police

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

#P5. FEES FOR DESTRUCTION OF FINGERPRINTS AND OTHER RECORDS

The Board was in receipt of the following report NOVEMBER 03, 2004 from Albert H. Cohen, Director, Litigation, City of Toronto – Legal Services Division

Subject: FEES FOR DESTRUCTION OF FINGERPRINTS AND OTHER RECORDS

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting held on September 23, 2004, the Board considered a report from the Chief of Police seeking approval of a policy on requests for destruction of adult fingerprints, photographs and records of disposition. In seeking approval for that policy, the Chief also requested Board approval for the imposition of an application fee of \$50.00 for each request to destroy the records covered by the policy (Minute No. P279/04 refers).

The Board requested that I report on the issues related to the levying of a new fee as proposed in the Chief's report.

Discussion:

As Board members may be aware, Part XII of the *Municipal Act, 2001* (the "Act"), a copy of which is attached as Appendix "A" to this report, sets out the legislative scheme identifying the circumstances when municipalities and local boards may charge fees for services or activities it provides.

The Toronto Police Services Board is a local board for the purposes of Part XII of the current Act. As result the Board can pass a by-law imposing a fee for a service provided by it. However, subsection 397(1) provides that the by-law of a local board imposing a fee does not come into force until the relevant municipality passes a resolution approving the by-law.

It is important to note that, for legal purposes, there is a distinction between the concept of a "fee" and a "tax". Generally, a levy will be found to be a tax if it is: (i) enforceable by law; (ii) imposed under the authority of the legislature; (iii) levied by a public body; and (iv) intended for a public purpose in that the fee is not directly related to the value of the consideration provided to the payer by the public body. Unlike a tax, a "fee" must bear a direct relationship to the cost of the consideration provided to the payer by the public body.

Under Part XII, a municipality or local board can charge a “fee”. In light of the legal meaning of “fees”, if a fee imposed by the Board was not reasonably reflective of the costs incurred by it in providing the service, the fee could be found to be a tax and a by-law seeking to impose the fee might be found to be beyond the scope of the Board’s legal authority.

Therefore, in order for a levy to constitute a fee under Part XII, the Board would have to establish a relationship between the fees charged for the service and the cost to the Board of providing the service.

The Board should also note that subsection 14(1) of Ontario Regulation 244/02, addressing fees and charges made under the Act, provides that before passing a by-law under Part XII of the Act to impose fees or charges, a municipality or local board:

shall ensure that notice of the intention of the municipality or local board, as the case may be, to pass the by-law at the council meeting specified in the notice is given to every person and organization that has, within five years before the day of the council meeting, given the clerk of the municipality or secretary of the local board, as the case may be, a written request for notice of the intention to pass the by-law containing a return address.

Therefore, if a person meeting the conditions set out in the section, has requested the notice of intention to pass a by-law, that person would have to be so notified prior to passing the by-law.

I wish to note that this report exclusively addresses the legal issues relating to levying fees. It does not address the desirability and suitability of charging fees as requested by the Chief.

The Board received the foregoing.

APPENDIX “A”

PART XII FEES AND CHARGES

Definitions

390. In this Part,

"by-law" includes a resolution for the purpose of a local board; ("règlement municipal")

"local board" includes any prescribed body performing a public function and a school board but, for the purpose of passing by-laws imposing fees or charges under this Part, does not include a school board or hospital board; ("conseil local")

"person" includes a municipality and a local board and the Crown. ("personne") 2001, c. 25, s. 390.

By-laws re: fees and charges

391. (1) Despite any Act, a municipality and a local board may pass by-laws imposing fees or charges on any class of persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- (c) for the use of its property including property under its control.
- (d) Repealed: 2002, c. 17, Sched. A, s. 77 (1).
2001, c. 25, s. 391; 2002, c. 17, Sched. A, s. 77 (1).

Deferred benefit

(2) A fee or charge imposed under subsection (1) for capital costs related to sewage or water services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time. 2002, c. 17, Sched. A, s. 77 (2).

Services subject to charges

392. A municipality and a local board shall establish and maintain a list for public inspection indicating which of its services and activities and the use of which properties will be subject to fees or charges under this Part and the amount of each fee or charge. 2001, c. 25, s. 392.

Restriction, poll tax

393. No by-law under this Part shall impose a poll tax or similar fee or charge, including a fee or charge which is imposed on an individual by reason only of his or her presence or residence in the municipality or part of it. 2001, c. 25, s. 393.

Restriction, fees and charges

394. (1) No by-law under this Part shall impose a fee or charge that is based on, is in respect of or is computed by reference to,

(a) the income of a person, however it is earned or received, except that a municipality or local board may exempt, in whole or in part, any class of persons from all or part of a fee or charge on the basis of inability to pay;

(b) the use, purchase or consumption by a person of property other than property belonging to or under the control of the municipality or local board that passes the by-law;

(c) the use, consumption or purchase by a person of a service other than a service provided or performed by or on behalf of or paid for by the municipality or local board that passes the by-law;

(d) the benefit received by a person from a service other than a service provided or performed by or on behalf of or paid for by the municipality or local board that passes the by-law; or

(e) the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources. 2001, c. 25, s. 394 (1).

Basis of fee not limited

(2) Nothing in clause (1) (b) prevents the imposition of a fee or charge that is based on, is in respect of or is computed by reference to the location of the property, the physical characteristics of property, including buildings and structures on the property, or the zoning of property or other land use classification. 2001, c. 25, s. 394 (2).

Restriction, charges for gas

395. Nothing in this Part authorizes a municipality or local board to impose a fee or charge for supplying natural and artificial gas which exceeds the amount for the supply permitted by the Ontario Energy Board. 2001, c. 25, s. 395.

Contents of by-law

396. (1) A by-law under this Part may provide for,

- (a) interest charges and other penalties, including the payment of collection costs, for fees and charges that are due and unpaid;
- (b) discounts and other benefits for early payment of fees and charges;
- (c) fees and charges that vary on any basis the municipality or local board considers appropriate and specifies in the by-law, including the level or frequency of the service or activity provided or done, the time of day or of year the service or activity is provided and whether the class of persons paying the fee or charge are residents or non-residents of the municipality;
- (d) different classes of persons and deal with each class in a different way; and
- (e) the exemption, in whole or in part, of any class of persons from all or any part of the by-law. 2001, c. 25, s. 396 (1).

Payment details

(2) A by-law under this Part shall set out when and in what manner,

- (a) the fees and charges are to be paid; and
- (b) the interest charges and other penalties, if any, for fees and charges that are due and unpaid and the discounts and other benefits, if any, for early payment of the fees and charges are to be paid. 2001, c. 25, s. 396 (2).

Approval of local board by-law

397. (1) A by-law imposing fees or charges passed under this Part by a local board of a municipality which is not a local board of any other municipality shall not come into force until the municipality passes a resolution approving the by-law. 2001, c. 25, s. 397 (1).

Exception

(2) An approval under subsection (1) is not required if the fees or charges are subject to approval under any federal Act or under a regulation under section 400. 2001, c. 25, s. 397 (2).

Debt

398. (1) Fees and charges imposed by a municipality or local board on a person under this Part constitute a debt of the person to the municipality or local board, respectively. 2001, c. 25, s. 398 (1).

Amount owing added to tax roll

(2) The treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall, add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, under this Part to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. In all other cases, any property for which all of the owners are responsible for paying the fees and charges. 2001, c. 25, s. 398 (2).

No application to O.M.B.

399. If a municipality or local board has imposed fees or charges under any Act, no application shall be made to the Ontario Municipal Board under clause 71 (c) of the *Ontario Municipal Board Act* on the grounds the fees or charges are unfair or unjust. 2001, c. 25, s. 399.

Regulations

400. The Minister may make regulations providing for any matters which, in the opinion of the Minister, are necessary or desirable for the purposes of this Part, including,

- (a) providing that a municipality or local board does not have the power to impose fees or charges under this Part for services or activities, for costs payable for services or activities, for use of municipal property or on the persons prescribed in the regulation;
- (b) imposing conditions and limitations on the powers of a municipality or local board under this Part;
- (c) providing that a body is a local board for the purpose of this Part;
- (d) providing that fees or charges in a prescribed class of fees or charges which are added to the tax roll under subsection 398 (2) have priority lien status and designating all or any of those fees or charges to be fees or charges relating to a local improvement;
- (e) providing that fees or charges that have priority lien status under clause (d) are payable with respect to property that is exempt from taxation under section 3 of the *Assessment Act*;
- (f) requiring a municipality or local board to give the prescribed notice of its intention to pass a by-law imposing the fees and charges which have priority lien status under clause (d) to the prescribed persons in the manner and form and at the times prescribed;

(g) providing for a process of appealing a by-law under this Part to the extent that it imposes the fees or charges that have priority lien status under clause (d) and providing that the appeal may apply to all or any aspect of the by-law specified in the regulations;

(h) providing for the powers the person or body hearing the appeal under clause (g) may exercise;

(i) providing for rules or authorizing the person or body hearing the appeal under clause (g) to determine when by-laws subject to appeal come into force, including a retroactive date not earlier than the day on which the by-law was passed;

(j) without limiting any of clauses (a) to (i), providing for any matter provided for in the *Local Improvement Act*, as it read immediately before its repeal on January 1, 2003, including delegations of authority. 2001, c. 25, s. 400; 2002, c. 17, Sched. A, s. 78.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P6. REVISED BOARD POLICY FOR THE DESTRUCTION OF ADULT
PHOTOGRAPHS, FINGERPRINTS AND CRIMINAL HISTORY**

The Board was in receipt of the following report DECEMBER 14, 2004 from Julian Fantino, Chief of Police:

Subject: REVISED BOARD POLICY FOR THE DESTRUCTION OF ADULT
PHOTOGRAPHS, FINGERPRINTS AND CRIMINAL HISTORY

Recommendation:

It is recommended that:

1. the Board approve the revised policy entitled, "Requests for Destruction of Adult Fingerprints, Photographs, and Records of Disposition" and
2. the Board approve the collection of an application fee of \$50.00 plus GST per occasion for the process of expunging Adult Fingerprints, Photographs, and Records of Disposition in accordance with recommendation (1).

Background:

At its September 23, 2004 meeting, the Board received a recommendation to revise the policy entitled, "Request for Destruction of Adult Fingerprints, Photographs, and Records of Disposition" in relation to criminal charges, and to approve the collection of an application fee of \$50.00 plus GST per occasion for the process of expunging Adult Fingerprints, Photographs, and Records of Disposition (BM #P279/04 refers).

The proposed revised policy reads as follows:

"Adult photographs, fingerprints, and criminal record files related to a non-conviction disposition shall be destroyed on application by the individual or their representative in all cases except where violence, sexual issues, guns, weapons, or explosives are involved. Such destruction will only take place following expiration of any associated Prohibitions, Court Orders or Peace Bonds, and Appeal period(s)."

At the September 23, 2004 meeting, the Board was also in receipt of correspondence from Ann Cavoukian, Information and Privacy Commission of Ontario, and Avvy Yao-Yao Go, Clinic Director, Metro Toronto Chinese & Southeast Asian Legal Clinic, expressing concerns in relation to the above recommendations (BM #P279/04 refers). In essence, Ms. Go reiterates the

sentiments expressed by Commissioner Cavoukian, specifically with respect to the proposed application fee of \$50.00 plus GST.

In response to issues outlined in the correspondence from Commissioner Cavoukian and Ms. Go, the Board made the following motion:

- (1) THAT the Board refer the foregoing report, dated July 8, 2004, back to Chief Fantino along with the correspondence from Commissioner Cavoukian and Ms. Go and request Chief Fantino to review their concerns and provide a further report to the Board following the review which addresses each of those concerns.

The specific areas of concern identified by Commissioner Cavoukian and Ms. Go are addressed in this report.

1) Individuals' Right to Privacy

In correspondence dated August 4, 2004, Commissioner Cavoukian states:

"...the proposed changes in policy are unwarranted, and would constitute an unreasonable infringement of the privacy rights of individuals. Such changes would also be contrary to commonly accepted principles underlying the presumption of innocence that exist in our criminal justice system."

Response:

The federal Identification of Criminals Act, R.S.C. 1985, c.I-1, as amended (the Act), specifically states in Section 2(1) Persons may be fingerprinted or photographed or subjected to such other measurements, processes and operations having the object of identifying persons as are approved by order of the Governor in Council.

This Section of the Act includes, but is not exclusive to:

- i. any person who is in lawful custody charged with or convicted of an indictable offence
- ii. any person who is on a form of release and alleged to have committed an indictable offence
- iii. any person who is in lawful custody pursuant to section 83.3 of the Criminal Code

The Act further states that:

The results of the measurements, processes and operations to which a person has been subjected pursuant to subsection 2(1) may be published for the purpose of affording information to officers and others engaged in the execution or administration of the law (s. 2(3) of the Act).

No liability, civil or criminal, for anything lawfully done under this Act shall be incurred by any person having custody of a person described in subsection 2(1) (s. 3 of the Act).

The Act provides the authority for a police service to collect the fingerprints and photographs of a person charged with an indictable offence; however, the Act is silent with respect to the subsequent destruction of such records when the underlying criminal charge does not result in a conviction. In fact, there is no legislative direction specifying what a police service should do with such fingerprints and photographs in these circumstances.

2) Application Process for File Destruction

Commissioner Cavoukian indicates her opposition to the implementation of a fee for file destruction as follows:

“Under the current policy, individuals that have been charged, but not convicted of a crime are able to have their fingerprints and photographs expunged from the police record by making a request in writing to the Toronto Police Service. Currently, there is no fee associated with the application and records are destroyed in response to any application regardless of the nature of the charge.”

Response:

Under the current policy (BM #454/69 refers), individuals who have been charged, as outlined in Section 2(1) of the Identification of Criminals Act, may request to have their fingerprints and photographs destroyed; however, the applicant must meet the designated criteria of a ‘first offender’ prior to the destruction. The policy is, however, restrictive for those individuals with more than one set of fingerprints and photographs, regardless of the nature of the charge.

Historically, the term ‘first offender’ has been interpreted as an individual who had not previously been charged with a criminal offence regardless of whether or not the charge resulted in a finding of guilt (BM #454/69 refers). Fingerprints and photographs taken for a subsequent criminal charge that, again, did not result in a conviction would be retained. The failure by the person to request that such records be destroyed in the circumstances of the first offence resulted in a refusal to destroy in the case of the subsequent non-conviction disposition.

The new policy is intended to clarify the meaning of the wording by introducing the term ‘non-conviction disposition’ rather than ‘first offenders.’ The proposed policy amendment would, therefore, permit destruction of multiple records for non-conviction dispositions, with the exception of those charges that are associated with the excluded offence categories contained within the provisions of the Criminal Code of Canada or the federal legislation involving sexual offences, firearms, weapons, explosives, or violence.

As previously stated, the Act provides the authority for a police service to obtain the fingerprints and photographs of a person charged with an indictable offence. However, there is no existing legislative direction governing the procedures to be followed by a police service with respect to the subsequent destruction of such fingerprints and photographs when the associated criminal charge does not result in a conviction. Each Police Services Board has been empowered to create their own file destruction policy for non-conviction dispositions; therefore, in the absence

of a standardized destruction procedure, fingerprints and photographs can be retained at the discretion of the individual service.

In accordance with the current policy of the Toronto Police Service, a request in writing from the individual, or his/her lawyer is required to facilitate the process for file destruction. The Service will forward correspondence confirming the details of the destruction or appropriate justification in circumstances where file destruction is denied.

3) File Destruction Fee for Non-Conviction Dispositions

In her correspondence of August 4, 2004, Commissioner Cavoukian states:

“... both the creation of this discretionary power to refuse requests, as well as the application fee, is unreasonable. Citizens expect that once an individual has been exonerated of a charge, he or she will be free to return to society with a ‘clean slate,’ and should not be adversely affected by a prior criminal charge that did not lead to a conviction. This right should apply regardless of the charge.”

In correspondence dated September 22, 2004, Ms. Go supports Commissioner Cavoukian’s concerns regarding the proposed fee for file destruction:

“...we would like to register our objection to the proposed \$50 fee for the clearing of such records. We are aware that the province’s Information and Privacy Commissioner has commented on other aspects of the proposal, and we wish to state that we agree with the Commissioner’s comments.

The proposal for a \$50 charge, in our view, is absolutely unnecessary and insensitive. It also has a discriminatory effect as it poses an extra burden on low income Torontonians...”

Response:

The Toronto Police Service agrees that if the individual has been *exonerated*, upon application, the individual would be entitled to a complete destruction of fingerprints and photographs without charge, regardless of the nature of the charge. It should be emphasized that the term *exonerated* refers specifically to a finding of ‘not guilty’ and does not include other non-conviction dispositions. The courts may dispose of a charge by way of conviction or non-conviction only; a non-conviction disposition can follow a finding of guilt.

With the exception of acquittals, (where no destruction fee shall apply), a cost recovery fee of \$50.00 plus GST is proposed. Increasing demands require additional staff to compile the relevant documents and complete the destruction process. Other police services that presently charge for fingerprint and photograph destruction include York Regional, Durham Regional, Halton Regional, London Police, Sudbury Police, Thunder Bay Police, Stratford Police, and Cornwall Police.

4) Excluded Offences for File Destruction

Commissioner Cavoukian acknowledges the justification for discretionary power to retain an individual's records in exceptional circumstances when she asserts that:

“... while I am generally opposed to the practice of maintaining fingerprints and photographs of individuals that have been acquitted, I do realize that there may be a limited number of exceptional cases where the retention of such records may be necessary. For instance, situations involving ongoing investigations, or cases of particularly serious crimes, may necessitate the retention of this type of information.”

Response:

The proposed policy does, in fact, provide a mechanism to permit the Service to retain those files on non-conviction where it is necessary in the public interest (BM #P279/04 refers). With specific reference to “serious crimes,” the revised policy would permit the retention of adult photographs, fingerprints, and criminal record files pertaining to charges involving violence, sexual issues, guns, weapons, or explosives regardless of whether or not the charge resulted in a non-conviction disposition. Files associated with these exclusionary offences will be retained solely for investigative purposes and will not be disclosed to any organization other than those designated as law enforcement agencies.

5) Notification of File Retention

Commissioner Cavoukian clarifies her position with respect to record retention in exceptional circumstances as follows:

“However, I would recommend that if such a situation were to arise, a process be developed by the Police Service that ensures that record retention occurs in a manner that is open and transparent to those involved, including a requirement to notify the affected individual that his or her records will be maintained and providing them with the opportunity to present a case for expungement.”

Response:

The Toronto Police Service policy ensures that record retention occurs in a manner that is open and transparent to the individual involved. A person who has been fingerprinted and photographed under Section 2(1) of the Identification of Criminals Act is indeed cognizant of the fact that such measurements, processes and operations have taken place. The onus then falls upon the individual to make appropriate inquiries with respect to the maintenance or subsequent destruction of such records.

The requesting individual or his/her solicitor will be notified in writing if the request for file destruction has been denied and the criteria on which this denial is based. The requestor is entitled to further pursue file destruction through the Manager of Corporate Information Services – Information Access, and should the applicant be unsatisfied with the results, he or she may contact the Toronto Police Service – Legal Services for final determination. At any time, the applicant has the option of retaining a representative to liaise with the Service on his or her behalf.

6) Automated File Destruction

Commissioner Cavoukian further recommends:

“In addition, with respect to the current process, I recommend that it be altered so that individuals no longer have to submit an application to have their personal identifiers expunged from the record when they have been acquitted and when a charge has been withdrawn or the matter is no longer being pursued. In my opinion, the Police Service should only retain the minimum amount of personal information necessary, and should destroy extraneous information as a matter of course.”

Response:

As indicated above, there is no legislative requirement for automatic destruction of fingerprints and photographs obtained during the course of law enforcement activities when the criminal charge does not result in a conviction. Further, there is no process in place to provide the police with electronic access to the 85,000 (approximately) court dispositions handed down each year, thus it is not practicable that file destruction be monitored and initiated by the Police Service. It is not inappropriate or unconstitutional that the destruction process be initiated upon receipt of an application from the individual or his/her solicitor. If the application is approved, based on criteria outlined above, the Toronto Police Service will then ensure that the destruction process is completed.

The Service must consider the potential consequences of routine destruction of police records and it is instructive to follow the progress of the Bichard inquiry in England into the Soham murders, where it is alleged that the routine (premature) destruction of records resulted in a person clearing police background checks and being employed by a school authority in a position where he subsequently used his position to abduct, rape and murder two young female students. This tragic situation could repeat itself if non-conviction dispositions are destroyed and are unavailable for screening employees or volunteers who wish to work with ‘vulnerable’ persons.

Conclusion:

In 2002, the Ontario Court of Appeal commented that ‘an appropriate balance must be struck where there exists a police policy governing the retention of fingerprints of non-convicted persons whereby that person could assert their privacy interest in the fingerprints by requesting that they be destroyed.’

The issues raised in correspondence forwarded to the Board by Commissioner Cavoukian and Ms. Go are recognized. The proposed policy does, in fact, strike the balance the Board requires to ensure that individual rights are respected by providing the opportunity for record destruction for certain offences, while ensuring retention in cases of a more serious nature.

It is therefore recommended that the Board approve the revised policy for the destruction of adult photographs, fingerprints, and criminal history, and approve a cost recovery fee of \$50.00 plus GST per occasion for the process of expunging Adult Fingerprints, Photographs, and Records of Disposition in accordance with this policy.

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

The following persons were in attendance and made deputations to the Board:

- **Ms. Avvy Yao-Yao Go, Clinic Director, Metro Toronto Chinese & Southeast Asian Legal Clinic**
- **Dr. Ann Cavoukian, Information and Privacy Commissioner of Ontario ***
- **Mr. Clayton Ruby, Ruby & Edwardh**

*** written submission also provided; copy on file in the Board office.**

Following Dr. Cavoukian's deputation, Chair McConnell advised the Board that she was aware that Dr. Cavoukian is scheduled to meet with representatives of the Ontario Association of Chiefs of Police. The purpose of the meeting is to develop a standard procedure that would then be sent to all police services throughout the province with a recommendation that the police services adopt the standard procedure to ensure that requests for the destruction of adult fingerprints, photographs and records of disposition are processed in a consistent manner throughout the province.

The Board approved the following Motions:

- 1. THAT the deputations and the written submission from Dr. Cavoukian be received;**
- 2. THAT the foregoing report be received and referred to Board staff to consult with the Chief, the City Solicitor and the Information and Privacy Commissioner to develop specific criteria regarding the destruction of adult fingerprints, photographs and records of disposition;**

- 3. THAT, following the review by the Chief, City Solicitor and the Commissioner, the Chief provide a further report to the Board containing a recommended new policy; and**
- 4. THAT, if, in the future, the Board agrees to adopt a new policy governing the destruction of adult fingerprints, photographs and records of disposition, the Board agree that such application, in writing, for the destruction of adult fingerprints, photographs and records of disposition, be performed by the Toronto Police Service without charge to the person making the application.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P7. AMENDMENT TO THE UNIVERSITY OF TORONTO SPECIAL
CONSTABLES AGREEMENT – USE OF EXPANDABLE BATONS**

The Board was in receipt of the following report NOVEMBER 04, 2004 from Julian Fantino, Chief of Police:

Subject: AMENDMENT TO THE UNIVERSITY OF TORONTO SPECIAL
CONSTABLE AGREEMENT

Recommendation:

It is recommended that the Board:

1. approve expandable batons as issued equipment to the University of Toronto (U of T) special constables;
2. authorize the Chair, on behalf of the Board, to execute an agreement with the Governing Council of U of T in a form satisfactory to the City Solicitor, amending the current U of T special constable agreement to reflect the recommended equipment change identified above; and
3. forward U of T's request for expandable batons to the Minister of Community Safety and Correctional Services (the Minister) for approval.

Background:

Under Section 53 of the Police Services Act of Ontario (the Act), the Board is authorized to appoint special constables subject to the approval of the Minister.

The Board and the Governing Council of U of T entered into an agreement dated January 11, 1995, to set out, among other things, the powers, duties, and responsibilities of U of T special constables. The special constables are appointed to enforce the Criminal Code of Canada and other federal and provincial legislation on U of T property, within the City of Toronto (Board Minute 571/94 refers).

Section 3 of the agreement sets forth the terms and conditions regarding amendments of the agreement, and Section 48 provides that no substantial changes and/or additions may be made to equipment issued to the U of T special constables without the approval of the Chief or his or her designate.

Discussion:

The Ontario Public Service Employees Union (OPSEU), which represents front-line special constables at U of T, made a request to the University, under the provisions of the Occupational Health and Safety Act, that U of T special constables be issued with an expandable baton as part of their protective equipment.

U of T reviewed OPSEU's request and determined that there are instances during which U of T special constables are assaulted and, given its responsibility as an employer under the Occupational Health and Safety Act, it is required to protect its workers from injury through the issuance of protective equipment.

The only remaining protective equipment and use of force options available for special constables and currently not issued to special constables at U of T are batons and pepper spray. The Manager of Police Services at the University, Mr. Dan Hutt, has recommended that expandable batons be issued equipment. He has not, however, recommended that U of T special constables be issued with pepper spray.

Appended to this report is a letter dated October 17, 2003, from Catherine J. Riggall, Assistant Vice President, Facilities and Services, U of T, requesting approval to issue expandable batons to special constables employed by the U of T.

Section 20 of the agreement states that the University is responsible for the training of U of T special constables according to the training standards prescribed by the Board. Staff Sergeant Max Carter, Officer Safety Section, Training and Education Unit, has reviewed U of T's request and is satisfied that the course of training and instruction provided to U of T special constables meets the prescribed standard, and supports the request from U of T.

The Occupational Health and Safety Manager of the Toronto Police Service, Mr. Tom Imrie, advises that the request for expandable batons is justified under the Occupational Health and Safety Act and recommends that the request be approved.

Mr. Carroll Robinson, Manager, Selection Systems and Appointments Unit of Ministry of Community Safety and Correctional Services, has examined the request and advises that the Ministry supports the approval of this equipment.

It is therefore recommended that the Board approve expandable batons as issued equipment to U of T special constables; that it authorize the Chair, on behalf of the Board, to execute an agreement with the Governing Council of the University of Toronto, in a form satisfactory to the City Solicitor, amending the current U of T special constable agreement to reflect the recommended equipment change identified above and that it forward the University's request for expandable batons to the Minister of Community Safety and Correctional Services for approval.

This report has been reviewed by staff members at the City Legal Division, who are satisfied with its legal content.

Acting Deputy Chief Emory Gilbert, Policing Support Command, will be in attendance to respond to any questions that the Board may have.

The Board approved the foregoing.



University of Toronto

OFFICE OF THE ASSISTANT VICE-PRESIDENT, FACILITIES AND SERVICES

COPY

Julian Fantino, Chief of Police
Toronto Police Service
40 College Street
Toronto, Ontario M5G 2J3

October 17, 2003
TORONTO POLICE SERVICE
OFFICE OF THE CHIEF OF POLICE
REGISTER # 2886/2003
PROCESSED BY # JP
DATE 03/10/21

Dear Sir:

Re: Request for Change to Section 48, Equipment, Special Constable Agreement

The Special Constable Agreement between the Toronto Police Services Board and the Governing Council of the University of Toronto, Section 48 reads in part:

"Equipment will be issued to the University Police by the University consistent with existing collective agreements and after consultation with the Chief or his or her designate. Equipment currently in use is as set out in Appendix C hereto. No substantial change in any equipment will be made or additional equipment issued hereafter without the approval of the Chief or his or her designate."

The Ontario Public Service Employees Union (OPSEU) represents front-line special constables at the University of Toronto. The Union made a request under the provisions of the Occupational Health and Safety Act that special constables be issued with an expandable baton as part of their protective equipment. The rationale included:

- The equipment is required to permit them to safely and satisfactorily fulfill their responsibilities as a deterrent to attacks.
- The Occupational Health and Safety Act binds the University as an employer to "...take every precaution reasonable in the circumstances for the protection of a worker" (Section 25(2)(h)). It is reasonable to train and equip special constables with expandable batons for those instances where it is necessary to protect themselves or others.
- The University is located in the fourth largest urban centre in North America and has a daytime population of approximately 70,000 people.
- Other special constable services in the city of Toronto have issued expandable batons to special constables.
- It is unreasonable to expect special constables to patrol the University without defensive equipment.

.../2

Room 302A, 3rd Floor, 215 Huron Street, Toronto, Ontario M5S 1A2
Telephone: (416) 978-0231 Fax (416) 946-4004

COPY

- 2 -

- Special constables have been assaulted during the exercise of their duties on campus and some have suffered injuries.

The University investigated their request and determined that there are instances on campus during which its special constables are assaulted and that its responsibility as an employer under the Occupational Health and Safety Act requires it to protect its workers from injury through the issuance of protective equipment.

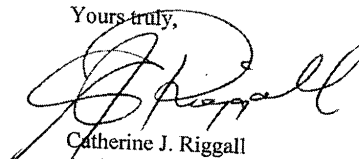
The only protective equipment and use of force options available for special constables that have not been issued to personnel at the University are batons and OCR pepper spray. Dan Hutt, Manager of Police Services at the University recommended collapsible batons but not OCR pepper spray based on the nature of the hazards known to be faced by University Police personnel. I concurred with his recommendation.

Angela Hildyard, Vice President, Human Resources examined the options available for special constables and agreed with the request of the Union and my recommendation. The issue was discussed by the President and Vice Presidents in council and they concurred, approving issuance of batons but not OCR pepper spray.

I am requesting your approval to issue collapsible batons to special constables employed by the University of Toronto Police at both its campuses in Toronto - St. George and Scarborough through an amendment to Appendix C of the Special Constable Agreement between the Governing Council of the University and the Toronto Police Services Board. The devices will not be issued until approved by the Minister of Public Safety and Security and not until our personnel have been properly trained and certified in this use of force option. Members of the University of Toronto Police Special Constable Service will comply with Toronto Police use of force guidelines and reporting requirements.

Should this matter require the approval of the Board, Dan Hutt and I will attend to answer any questions they may have. Either of us may be contacted to discuss this request. My direct telephone line is 416-978-7473; Dan Hutt may be contacted at 416-978-7472

Yours truly,



Catherine J. Riggall
Assistant Vice President
Facilities and Services

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P8. TORONTO POLICE SERVICE TOWING AND POUND SERVICES
CONTRACTS - RELOCATION OF THE No. 6 DISTRICT POUND
OPERATED BY A-TOWING SERVICE LTD.**

The Board was in receipt of the following report DECEMBER 13, 2004 from Julian Fantino, Chief of Police:

Subject: RELOCATION OF THE TORONTO POLICE CONTRACT POUND, TOWING
DISTRICT No. 6, OPERATED BY A TOWING SERVICE LTD.

Recommendation:

It is recommended that the Board:

- (1) approve the relocation of the towing District No. 6 Contract Pound effective February 01, 2005, to the location described in this report; and
- (2) after the completion of an inspection of the proposed site and upon the recommendation of the Unit Commander of Traffic Services, authorize the Chair to execute an agreement with A Towing Service Ltd. to amend the current towing contract to reflect the change in pound location, in a form approved by the City Solicitor.

Background:

At its meeting of April 21, 2004, the Board approved the awarding of the police towing and pound services contract for towing District No. 6 to A Towing Service Ltd. (Board Minute P135/04 refers). Appended to this report is a proposal by A Towing Service Ltd. to relocate its police pound from the location approved in the towing and pound services contract.

As required by the contract, A Towing has notified the Unit Commander of Traffic Services by letter, dated November 01, 2004, of its intention to change the pound location.

The contract states that:

CHANGE OF POUND LOCATION

42. The Operator shall provide ninety (90) days advance notice in writing to the Unit Commander of its intention to change the location of the Operator's Pound, which change in location shall only be permitted upon approval of the Board.

A Towing Service Ltd. holds the current towing and pound services contract for towing District No. 6 and leases the property that is currently being used for the storage of vehicles that are towed under the contract. A Towing has purchased another pound site and has proposed to move its police pound to this location. The proposed pound site is located at 89 Sunrise Avenue, which is near the main intersection of Victoria Park Avenue and Eglinton Avenue East. This location is within the geographical boundaries of towing District No. 5, which is permitted under the contract, which states:

ADDITIONAL CONDITIONS – DISTRICT 6

- c) In the case of operators bidding on the contract for District 6, their pound must be located within either District 5 or District 6.

The proposed pound site will be inspected by members of Traffic Services to ensure it meets the requirements as stated in the towing and pound services contract.

Staff in the City of Toronto Legal Division has reviewed the contents of this report and is satisfied with its legal content.

Acting Deputy Chief Emory Gilbert, Policing Support Command, will be in attendance at the Board meeting to answer any questions with respect to this report.

Acting Deputy Chief Gary Grant and Superintendent Steve Grant, Traffic Services, were in attendance and responded to questions by the Board about this report.

The Board inquired whether a map containing indicator points for the current and proposed locations of the police pound was available for the Board to review. A map was subsequently provided to the Board as requested.

Councillor John Filion expressed concerns that the property selected to be the new location for the No. 6 District police pound is not centrally located within the geographic area within which the No. 6 District police pound is permitted to be located – which, in accordance with the terms of the contract, can be located within the geographic boundaries of either No. 5 District or No. 6 District.

The Board deferred consideration of the foregoing report to its February 10, 2005 meeting and approved the following Motion:

THAT the City Solicitor provide a report identifying the Board's contractual discretion in approving the re-location of a pound, and that this report be provided to the Board so that it can be considered at the February 10, 2005 meeting in conjunction with the foregoing report from the Chief.



Your Complete Towing Service

50 Milne Ave.
Toronto, Ontario
Canada M1L 1K3

Tel: **416-656-4000**
Fax: 416-656-3065

November 1, 2004.

Superintendent Steve Grant
Traffic Services
Toronto Police Service

Dear Superintendent Grant:

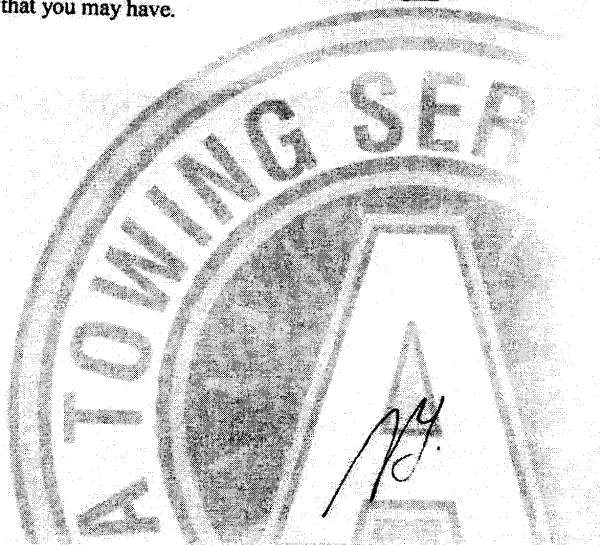
RE: Request to move our current District 6 Police Pound located at 10 Dickens Street to our new property located at 89 Sunrise Avenue.

A Towing Service Ltd. has just purchased a 2.2 acre property located at 89 Sunrise Ave. in North York to serve as our new head office, fleet repair garage as well as the future Police Pound for District 6. We have obtained the necessary permits and licenses and are in the process of preparing the property so that it fully complies with all the Police Pound requirements as set out in the tender documents. We anticipate that the pound will be fully compliant by January 15, 2005 and look forward to making it operational February 1, 2004 pending Toronto Police Services Board approval.

Please feel free to contact me anytime at 416-726-6552 or email me at alex@atowing.ca to discuss this matter or with any concerns that you may have.

Yours truly,

Alex Anissimoff
CEO
A Towing Service Ltd.



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P9. AWARD OF CONSTRUCTION CONTRACT FOR THE DRIVER
TRAINING PAD & PREFABRICATED STORAGE BUILDING**

The Board was in receipt of the following report DECEMBER 01, 2004 from Julian Fantino, Chief of Police:

Subject: AWARD OF CONSTRUCTION CONTRACT FOR THE DRIVER TRAINING
PAD & PREFABRICATED STORAGE BUILDING

Recommendation:

It is recommended that: the Board approve the execution of an agreement with A. G. Reat Construction Limited in the amount of \$1,736,320 (all taxes included) for the construction of the driver training pad and associated prefabricated storage building at the Toronto Police Service (TPS) Driver Training facility.

Background:

The new driver training facility is situated on a 3.2±-acre, City owned, site located at 40/50 Toryork Drive in North York. This facility is jointly occupied with Toronto Fire and Emergency Medical Services. The awarding of this contract will complete the project to establish a new TPS driver training facility and make the existing facility located on Wilson Heights Blvd. available for sale by the City. To date, TPS staff have moved into the 40/50 Toryork Drive location and have vacated the allocated space at the 2050 Jane Street location. The training classrooms, administration area and motorcycle training pad have been completed at 40/50 Toryork Drive.

On October 29, 2004, the City of Toronto, Management Services, Purchasing and Materials Supply Division on behalf of the TPS, issued "Request for Quotation" (RFQ# 3907-04-5426) to pre-qualified TPS service providers as previously approved by the Board (BM# P317/03 refers). A mandatory site meeting was held for the five pre-qualified service providers on November 2, 2004. The TPS received two submissions.

The RFQ responses have been received and evaluated. The lowest bid meeting specifications, was \$1,736,320 (all taxes included) from A.G. Reat Construction Limited. The bids were;

Cloke-Kirby Construction Limited	\$1,258,030	(Disqualified)
A.G. Reat Construction Limited	\$1,736,320	

The Cloke-Kirby Construction Limited bid was deemed informal by City Purchasing as it omitted part of the scope of work.

Therefore, it is recommended that the Board approve the execution of an agreement with A. G. Reat Construction Limited in the amount of \$1,736,320 (all taxes included) for the construction of the driver training pad and associated prefabricated storage building at the Toronto Police Service (TPS) Driver Training facility.

Funding for this project is provided in the TPS Capital Program.

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

Mr. Frank Chen, Chief Administrative Officer, was in attendance and responded to questions by the Board about this report.

The Board approved the foregoing and the following Motion:

THAT the Chief provide a report to the Board on how, in future, the Service can reduce the likelihood of having a single bid for consideration in a tendering process.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P10. REQUEST FOR FUNDS – SPECIAL FUND: “CREATING A SEAMLESS
RESPONSE” DOMESTIC VIOLENCE FORUM**

The Board was in receipt of the following report DECEMBER 17, 2004 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR FUNDING FOR THE "CREATING A SEAMLESS
RESPONSE" DOMESTIC VIOLENCE FORUM.

Recommendation:

It is recommended that: the Board approve an expenditure not to exceed \$7,000.00 from the Board's Special Fund to cover the costs of the keynote speaker and provide a luncheon at the forum on domestic violence entitled "Creating a Seamless Response" to be held on May 5 and 6, 2005.

Background:

In December 2003, the Toronto Police Service supported a grant application submitted by the Woman Abuse Council of Toronto to the Ministry of the Attorney General requesting funds to host a two-day domestic violence forum entitled "Creating A Seamless Response". The focus of this forum is to explore innovative responses to domestic violence with a view towards incorporating similar approaches in our city.

The Family Justice Centre established in the City of San Diego is an example of an innovative approach to this crime. The United States Department of Justice has chosen the San Diego Family Justice Centre as a demonstration project for the nation in developing a co-ordinated support network for victims of domestic violence, child abuse, elder abuse and sexual assault. The Family Justice Centre model provides protection, assistance; support and referrals for those touched by family violence. Key stakeholders representing community-based service agencies will be attendance at the forum to evaluate the benefits and challenges of the Family Justice Centre model and evaluate its potential to provide Toronto with an enhanced response to family violence.

At the conclusion of the two-day forum, attendees will be requested to show their support for the initiative by forming a working committee to actively explore the feasibility of establishing a Family Justice Centre model in Toronto.

The forum organizing committee has identified City of San Diego Attorney, Casey Gwinn as the keynote speaker for this event. Mr. Gwinn founded San Diego's nationally recognized Domestic Violence Unit and was instrumental in the establishment of the Family Justice Centre in that city. In July of 2004, the United States Justice Department committed over twenty (20) million dollars to fifteen (15) communities selected to participate in the Family Justice Centre Initiative created by President George W. Bush. Mr. Gwinn has been designated as the Technical Service Advisor for this project and is tasked with providing expertise and consultation to the fifteen (15) newly established Family Justice Centres. Mr. Gwinn is a recognized expert in the field of family violence and his presence at the forum would enable those in attendance to make informed, educated decisions regarding the suitability of this program for our city.

As a result of the overwhelming success of the San Diego Family Justice Centre, Mr. Gwinn has travelled throughout the world appearing as a keynote speaker. He has met with the Domestic Violence Coordinator of the Toronto Police Service and provided his personal commitment to support the Toronto forum.

The original budget submitted in the grant proposal to the Ministry of the Attorney General by the Woman Abuse Council in 2003 is no longer sufficient to cover the expenses of bringing Mr. Gwinn to Toronto. In addition, the original number of forum attendees was projected at approximately fifty (50) people, however due to heightened interest from key community stakeholders; this number is now projected to be close to one hundred and fifty (150) participants. Effective policing represents a partnership between the police and the community. By co-sponsoring this event with the Woman Abuse Council it provides an opportunity for our Service to enhance our partnership with community organizations and assume a leadership role in the creation and ultimate direction of the working committee.

Appended to this report is an accounting of additional expenses not covered by the grant funds provided by the Ministry of the Attorney General.

The Toronto Police Service has identified Community Safety and Satisfaction as a continuing Service Priority for the year 2005. An important component of this priority is increasing the feeling of safety and security within the community by addressing violent crime while at the same time ensuring that victims receive assistance and referrals as needed. The "Creating A Seamless Response" forum will help ensure that the Toronto Police Service and our community-based service agencies remain leaders when it comes to providing the best possible service to victims of family violence.

It is therefore recommended that the Board approve an expenditure not to exceed \$7,000.00 from the Board's Special Fund to cover the cost of a keynote speaker and provide a luncheon at the forum on domestic violence entitled "Creating a Seamless Response" to be held on May 5 and 6, 2005.

Deputy Chief Steven Reesor of Policing Operations Command will be in attendance to answer any questions that the Board may have.

The Board approved the foregoing.

Creating A Seamless Response Forum
(additional expenses)

Expenditure

Amount

Keynote Speaker

(1) Training Session Fee: \$4,000.00 (U.S. funds)

\$4,000.00 X \$1.19 exchange rate equals \$4,760.00 Canadian

(2) Luncheon:

\$10.50 X 150 participants

\$1,810.00
(all taxes, gratuities included)

Total Expenditures \$6,570.00

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P11. RECORDS MANAGEMENT – MANDATORY FIELD IN eCOPS FOR
THE TORONTO TRANSIT COMMISSION**

The Board was in receipt of the following report DECEMBER 02, 2004 from Julian Fantino, Chief of Police:

Subject: RECORDS MANAGEMENT - MANDATORY FIELD IN eCOPS FOR
TORONTO TRANSIT COMMISSION (TTC)

Recommendation:

It is recommended that:

- (1) the Board receive this report for information; and
- (2) the Board forward a copy of this report to the “Toronto Transit Commission General Secretary.”

Background:

At its meeting on November 18, 2004 (Minute #P367/04 refers), the Board recommended that the Chief of Police contact the TTC General Manager to ensure the satisfactory sharing of information, specifically to discuss the inclusion of a mandatory field in the Toronto Police Service (TPS) Records Management System, eCOPS. The field is currently discretionary and intended to be used by officers to identify occurrences related to the TTC.

Discussions have been held with representatives of the TTC to clarify and agree on the criteria that will be employed to extract and release occurrence records. The criteria are:

- All occurrences that have the TTC flag selected by the officer at the time of occurrence entry.
- All occurrences that occur at the TTC property address as provided by the TTC.
- Any occurrence that has a reference within the text to a list of key words (TTC, bus shelter, subway, etc.) as provided by the TTC. These records will be reviewed by Corporate Information Services (CIS) to ensure that they are appropriate for release to the TTC.

In accordance with this agreement with the TTC, the information will be provided to them commencing January 2005.

It is recommended that the Board receive this report for information, and the Board forward a copy of this report to the “Toronto Transit Commission General Secretary.”

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

The Board received the foregoing and agreed to forward a copy to the General Secretary of the Toronto Transit Commission.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P12. RESPONSE TO CITY OF TORONTO REQUEST FOR REPORT:
AUTHORITY TO WRITE-OFF ACCOUNTS RECEIVABLE**

The Board was in receipt of the following report DECEMBER 08, 2004 from Julian Fantino, Chief of Police:

Subject: AUTHORITY TO WRITE-OFF ACCOUNTS RECEIVABLE

Recommendation:

It is recommended that:

1. the Board receive this report; and
2. the Board forward a copy of this report to the City Audit Committee for their information.

Background:

The City Audit Committee, at its meeting of September 23, 2004, considered the reports (June 21, 2004) and (September 10, 2004) from the City CFO & Treasurer respecting the Board's authority to write-off accounts receivable, and recommended that these reports be received for information. The Audit Committee, at the above meeting, also recommended that the Board "be requested to amend its policy on Authority for Write-Offs as Uncollectable Outstanding Amounts, in order to bring its policy into conformity with the City's policy".

The authority for write-offs is contained in Part IX (section 29) of the Board's Financial Control By-law #147 (Board Minute No. P132/03 refers). Service staff, with input from City Legal, City Finance, City Audit and City Purchasing, developed the By-law over an 18 month period and the results were submitted to the Board for approval. By-law #147 was approved by the Board on May 29, 2003.

The write-off authorities as contained in Part IX (section 29) of By-law #147 are as follows:

- | | |
|--|--|
| * write-offs up to \$10,000 | Approval by the Director, F&A |
| * write-offs > \$10,000 up to \$25,000 | Approval by the CAO, Corp. Support Command |
| * write-offs > \$25,000 up to \$50,000 | Approval by the Chief of Police |
| * write-offs > \$50,000 | Approval by the Police Services Board |

In developing the above limits, the Service consulted with the City. In a letter from the City, CFO & Treasurer dated April 16, 2003 his comment on the above limits was, "This is not consistent with City By-law but the provision appears reasonable". The City's By-law provides the CFO & Treasurer with the authority to write-off amounts up to \$10,000 and amounts over \$10,000 require City Council approval.

The Service, as per By-law #147, is also required to report to the Board on a semi-annual basis (i.e. March and September) all amounts written off in the previous six months and the reasons for such write-offs pursuant to Part IX.

The Service has a detailed procedure in place to collect outstanding amounts (including the use of the City's collection agency). The collection procedure incorporates the recommendations made by the City Auditor as part of the revenue control review (Board Minute Nos. P168/P344/00 refers) and this procedure is consistent with that of the City. Within the collection procedure, recommendations for write-offs would not occur until all avenues within the above process have been exhausted.

The majority of the Service's write-offs consist of unpaid administrative fees charged on paid duties. The write-off authority and the collection process provide the Service with the ability to deal with unpaid amounts in an efficient and timely manner and since the implementation of the Board's By-law #147 in May 2003 this process has worked well. The Service is satisfied with the current write-off conditions contained in By-law #147 and no adjustments are recommended.

Therefore, it is recommended that the Board receive this report and forward a copy to the City Audit Committee for their information.

The Board received the foregoing and agreed to forward a copy of this report to the City of Toronto - Audit Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P13. RESPONSE TO CITY OF TORONTO REQUEST FOR REPORT:
SAVINGS ACHIEVED THROUGH CIVILIANIZATION INITIATIVES**

The Board was in receipt of the following report DECEMBER 21, 2004 from Julian Fantino, Chief of Police:

Subject: BUDGET ADVISORY COMMITTEE REQUEST FOR INFORMATION
SAVINGS RELATED TO CIVILIANIZATION

Recommendation:

It is recommended that:

- 1) The Board receive this report; and
- 2) The Board forward a copy of this report to the City's Budget Advisory Committee.

Background:

At its meeting of December 14, 2004, Councillor Jane Pitfield, member of the City's Budget Advisory Committee (BAC) requested a report on the subject of civilianization initiatives undertaken by the Service, and how much these initiatives have saved the Service.

From 1994 to present, the Service has civilianized 104 positions. These include:

- 52 officers in the Court Services area;
- 21 officers in Traffic Services;
- 11 officers in the Communications Centre;
- 3 officers in Intelligence;
- 1 officer in Community Programs; and
- 2 officers in Freedom of Information
- 2 officers in Employment
- 2 officers in Corporate Planning
- 3 officers in Occupational Health and Safety
- 2 officers in Human Resources
- 1 officer in Compensation and Benefits
- 1 officer in Corporate Information Services
- 2 officers in Training and Education

Civilianization generally saves the Service money, as the civilian rank is generally of a lower salary than the officer rank being civilianized. Only four of the above 104 positions resulted in a higher salary being paid to the civilian than the officer originally performing the same duty.

On an annualized basis, the 104 civilianized positions have resulted in \$1.97M savings to the Service, or an average savings of \$19,000 per position.

Therefore, it is recommended that the Board receive this report and forward a copy to the City's Budget Advisory Committee.

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

The Board received the foregoing and agreed to forward a copy to the City of Toronto – Budget Advisory Committee for information.

The Board also approved the following Motion:

THAT the Chief of Police provide a report to the Board containing a detailed year-by-year breakdown of the number of positions that have been civilianized since 1998.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P14. RESPONSE TO CITY OF TORONTO REQUEST FOR REPORT:
COMPUTERIZED HAND-HELD PARKING ENFORCEMENT DEVICES**

The Board was in receipt of the following report DECEMBER 09, 2004 from Julian Fantino, Chief of Police:

Subject: INFORMATION ON COMPUTERIZED HAND-HELD PARKING
 ENFORCEMENT DEVICES

Recommendation:

It is recommended that:

- (1) the Board receive this report for information; and
- (2) the Board forward a copy of this report directly to City Council.

Background:

At its meeting held on November 26, 2004, the City of Toronto Budget Advisory Committee approved a revised capital budget of \$4.1 million for the procurement and implementation of hand held parking ticket issuance devices. The Project involved the purchase and implementation of approximately 300 hand-held parking enforcement computers that will result in significant operational savings, improved customer service and greater overall efficiency. The Budget Advisory Committee further requested:

the Chair, Toronto Police Services Board to submit directly to Council for its meeting on November 30, 2004, for consideration with that portion of Appendix 3 pertaining to the Toronto Parking Enforcement Handheld Parking Device project, a report on:

- (a) the percentage of parking officers' time spent to enforce permitted parking; and
- (b) whether the supplier selected would be prepared to provide the same price per unit if the Toronto Police Service purchases fewer units.

(a) The percentage of parking officers' time spent to enforce permitted parking:

During their shift Parking Enforcement Officers are each assigned to a patrol area and are responsible for patrol of that particular area. Patrol area assignment is the most effective means of staff deployment to maintain traffic flow and ensure that all communities within the City have access to parking enforcement and other operational services. Great care was taken in the development and establishment of the patrol areas to strike a balance between enforcement and

calls for service, while ensuring optimal service delivery. Patrol areas are monitored to ensure that this balance prevails as traffic patterns and community requirements change.

Parking Enforcement services can be broken down into three general categories:

- (i) patrolling and monitoring permitted parking zones (zones where parking is allowed);
- (ii) providing enforcement through the issuance of Parking Infraction Notices for vehicles parked in prohibition of the regulations; and,
- (iii) providing other parking enforcement services.

(i) Patrolling and monitoring permitted parking zones:

Permitted parking zones are areas where parking is allowed provided certain conditions are met: parking in a metered space is permissible if a customer deposits sufficient coins; parking at a pay and display machine is permissible if a valid receipt is displayed on the dashboard of the vehicle; parking in a residential permit area is permissible if a valid permit is displayed on the windshield; parking in time-permitted areas is permissible to the extent of the time limit.

(ii) Providing enforcement, through the issuance of Parking Infraction Notices (PINs), for vehicles parked in prohibition of the parking regulations.

During routine patrol, Parking Enforcement Officers issue PINs to vehicles parked contrary to certain conditions. In all cases, PINs are issued to vehicles that are prohibited from parking in a particular area. For example, a PIN may be issued for parking in a No Parking Anytime zone or a PIN may be issued to a vehicle not parked in accordance with the conditions set out in an area controlled by pay and display machines. In all cases PINs are issued only to vehicles that are engaged in prohibited parking.

(iii) Providing other parking enforcement services:

Other parking enforcement services are defined as responding to citizen calls for service, assisting with parking enforcement for special event management (i.e. Santa Claus Parade), relocation of vehicles, recovery of stolen vehicles and towing where required, to name a few.

While patrolling their areas, Parking Enforcement Officers monitor vehicles that are parked in areas where parking is permitted (including meters, pay and display machines, residential permit parking and time limited parking zones) and engage in parking enforcement activity when a vehicle is parked in a prohibited manner.

In relation to the allocation of a Parking Enforcement Officers time, approximately 85% of their time is spent patrolling and enforcing vehicles parked in a prohibited manner and approximately 15% of their time is spent on other parking enforcement services herein described.

With respect to tag issuance, approximately 28% of all enforcement conducted by Parking Enforcement Officers is as a result of monitoring compliance in areas where parking is allowed.

(b) Whether the supplier selected would be prepared to provide the same price per unit if the Toronto Police Service purchases fewer units.

The Request for Proposal (RFP) for a Wireless Parking Ticket Issuance Solution was developed after a significant amount of research was conducted around maximizing the benefits of this project. The RFP purposely specified approximately 300 units in order to realize the savings and efficiencies that a new computerized system of scale would provide.

RFP NO. 3412-04-7201 (City of Toronto)
PROVISION OF A WIRELESS PARKING TICKET ISSUANCE SOLUTION

Business Volumes and Metrics

The following business metrics and volumes are considered to be the key business drivers for the Parking Enforcement Unit, and should be referenced when sizing the proposed solution:

Total number of employees in unit	400
Total number of officers issuing tickets (requiring computers At this time it is anticipated that each officer would be assigned their own wireless handheld computer and that these devices would not be shared between shifts. Since this policy remains under review, the proposed solution should be sufficiently flexible to allow for either deployment option.)	300
Peak number of active officers per shift issuing tickets	200
Peak number of tickets issued per hour per officer	30
Total number of administrative staff	20
Peak concurrent administrative users	10
Total number of parking tickets issued annually	3,000,000
Total number of temporary permits issued annually	50,000
Total number of residential permits issued annually	150,000
Total number of parking considerations issued annually	25,000
Total number of public calls for service received annually	120,000
Total number of vehicles towed annually	55,000
Anticipated annual growth in business volumes	2%

Reducing the number of hand-held units purchased would have a significant impact on the overall project as well as reducing or eliminating forecasted savings. In fact, implementing fewer units would require the maintenance and operation of two separate parking enforcement models (a hand written system and a computerized hand-held system) on a larger scale which City staff estimate would actually increase costs from the current model eliminating any savings or efficiencies.

Moreover, it would be inappropriate to request revised pricing on a reduced number of units. At the time of the RFP, many of the smaller vendors expressed concern over the scope of the project, advising staff that they would not be able to compete given that the City was looking for 300 – 350 units. In order to ensure fairness, it would be inappropriate to request pricing options

from the current vendors involved, on a reduced number of units without requesting the same from those vendors who may have otherwise bid.

A reduction in the number of units would require a new business case and a feasibility study to determine if there would be any operational savings or benefits given that the City would be running two large scale parking enforcement systems; a hand written system and a computerized hand-held system. The original business case was based on the premise that the City would be migrating towards a wireless computerized hand-held parking enforcement model whereby the majority (approximately 95%) of parking enforcement would be conducted within the new computerized system. Private Municipal Law Enforcement Officer companies and Police Officers who are responsible for approximately 5% of overall tag issuance would continue with the hand written tickets and the existing process.

It is further anticipated that releasing a new RFP would likely result in higher per unit prices as vendors would have to quote on lower volumes. Inflationary pressure may also adversely affect unit cost.

Furthermore, implementing fewer units will have significant impact on both operational savings and program efficiencies that were premised upon the deployment of approximately 300 units with a single back-end administration system in support. A significant change to the original numbers will nullify the savings.

Acting Deputy Chief, Emory Gilbert, Policing Support Command, will be present to answer any questions.

Superintendent Gary Ellis, Parking Enforcement Unit, was in attendance and responded to questions by the Board about this report.

The Board was advised that Toronto City Council had recently adopted a Motion requesting the City Chief Administrative Officer, the Toronto Police Service Chief Administrative Officer and the President of the Toronto Parking Authority to meet and agree upon the technology required for the proposed hand-held devices.

The Board approved the following Motions:

- 1. THAT the Board receive the foregoing report, however, with regard to recommendation no. 2, the Board forward a copy of this report to the City of Toronto – Budget Advisory Committee rather than directly to Toronto City Council; and**
- 2. THAT if, as a result of the meeting between representatives of the City of Toronto, Toronto Police Service and Toronto Parking Authority, the specifications for the hand-held devices, or the number of devices required, is changed from the original Request for Proposal, a new Request for Proposal will be required.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P15. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
2004 OPERATING BUDGET VARIANCE AS AT OCTOBER 31, 2004**

The Board was in receipt of the following report DECEMBER 10, 2004 from Julian Fantino, Chief of Police:

Subject: 2004 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE PARKING ENFORCEMENT UNIT AS AT OCTOBER 31, 2004

Recommendation:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward this report to the City Chief Financial Officer and Treasurer, and to the City Policy and Finance (P&F) Committee.

Background:

Toronto City Council, at its meeting held on April 19 to April 23, 2004, approved the Parking Enforcement Operating Budget at a net amount of \$30.9 Million (M), which is the same amount as the base budget approved by the Toronto Police Services Board at its meeting of November 13, 2003 (Board Minute #P330/03 refers). The Council-approved budget provides sufficient funding to maintain the same level of service as in 2003 as well as funding for costs related to the 2002 to 2004 salary settlements.

As at October 31, 2004, no overall variance is projected, which is the same as reported in the September variance report.

Salaries & Benefits

No variance is projected for salaries and benefits. Parking enforcement officer (PEO) staffing is managed quite closely, as staffing turnover is high, and class size and timing is at the discretion of the Service. Attrition is currently in line with what was projected during the budget process.

Parking Tag Revenue

Budgeted revenue from parking tags is \$70.9M (based on a Toronto Police Parking Enforcement processible rate of 97%). As of October 31, 2004 no variance is projected.

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

The Board received the foregoing and agreed to forward copies to the City of Toronto Chief Financial Officer and Treasurer and the City of Toronto - Policy and Finance Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P16. SEMI-ANNUAL REPORT: PROFESSIONAL STANDARDS: JANUARY –
JUNE 2004**

The Board was in receipt of the following report DECEMBER 01, 2004 from Julian Fantino, Chief of Police:

Subject: PROFESSIONAL STANDARDS 2004 SEMI-ANNUAL REPORT

Recommendation:

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

Background:

Following compilation of all Board minutes surrounding the revised complaints system, the Board amended its reporting policy for conduct issues in June 1999 (Board Minute 260/99 refers). The enclosed report complies with this reporting policy and is submitted for information.

Additionally, as requested by the Board, the semi-annual reporting requirement for suspect apprehension pursuits has been incorporated into the report (Board Minute 233/2000 refers).

Acting Staff Superintendent Richard Gauthier of Professional Standards will be in attendance to answer any questions if required.

Staff Superintendent Rick Gauthier, Professional Standards, was in attendance and responded to questions by the Board about this report.

The Board approved the following Motions:

- 1. THAT the foregoing report be received;**
- 2. THAT the Chief submit a report to the Board for its February 10, 2005 meeting that includes the results of all the outstanding 2003 and 2004 administrative reviews and that if there are any cases which cannot be reported to the Board in February 2005, the Chief provide a clear explanation for the delay of those specific cases;**

3. **THAT, given that, in order to comply with ss.13(4) of Regulation 926 of the Revised Regulations of Ontario, the Board is required to submit copies of the Chief's reports on the results of administrative reviews to the Minister of Community Safety and Correctional Services in circumstances where a firearm has been discharged by a member of the Toronto Police Service, and given that some of the outstanding administrative reviews from 2003 and 2004 may pertain to incidents where a firearm was discharged, the Board provide a copy of this report to the Minister for information;**
4. **THAT, with regard to the 2003 Community Survey referenced on page 25 of the Professional Standards report, the Chief provide a further report to the Board containing a copy of the questionnaire, the methodology and data analysis; and**
5. **THAT the report noted in Motion No. 4 also include a specific breakdown of the penalties that were imposed as the result of the 29 *Police Services Act* hearings (referenced on page 16 of the report) that were held during the first six months of 2004.**

A copy of the complete Professional Standards semi-annual report is on file in the Board office.

EXECUTIVE SUMMARY

The Toronto Police Service Professional Standards Report was designed to amalgamate all Professional Standards reporting requirements into a single report to facilitate comparison, examination of trends, and a more comprehensive analysis of officer conduct and discipline. Revisions to the appropriate sections of the Professional Standards Report as required by the Toronto Police Services Board (Board) Policy Manual and subsequent Board motions have been incorporated into this report.

Highlights

- One of the prime objectives of Professional Standards (PRS) is now being met by the Professional Standards Information System (PSIS) i.e. the early detection of at risk behaviour among Service members. During the first half of 2004, eighteen letters have been generated alerting Unit Commanders to possible at-risk employees.
- In the first six months of 2004, a total of 409 complaints were made about Toronto Police Service (TPS) members - 395 about officer conduct, eight about Service policy and six had not been classified at the end of June 2004. One hundred and thirty four complaints did not meet the criteria set out in the Police Services Act (PSA) and were, therefore, not subject to investigation. A further 34 complaints were withdrawn by the complainants prior to investigation.
- Complaints of a serious nature accounted for approximately one in eight complaints received during the first half of 2004.
- The PSA makes provision for the public to pursue complaints if dissatisfied with the disposition at Service level. The Ontario Civilian Commission on Police Services (OCCPS) has been set up to review decisions and, if appropriate, to recommend further investigation or order a hearing. In this regard a total of three classifications and 37 dispositions (received in the first six months of 2004) were appealed to OCCPS for its review. All three requests regarding classifications were referred back to the Service for further action. OCCPS upheld 11 dispositions, referred five files back to TPS for further investigation and 21 files awaiting decision were still outstanding at the end of June 2004.
- Sixty-four percent of the concluded complaints received in the first half of 2004 were investigated and resolved within 30 days.
- Fifty-five new civil litigation cases were received between January and June 2004, down 10 cases received during the same period of 2003.
- The number of PSA cases opened in the first half of 2004 is 14% higher compared to the same period in 2003. Three officers were subjects of two PSA cases each.

- The number of PSA charges laid is almost one third higher in the first six months of 2004 when compared to similar data for 2003. Fourteen officers received two or more charges in a single case.
- Twenty-nine cases were concluded by the Disciplinary Hearings office in the first half of 2004. Six of these cases were withdrawn due to loss of jurisdiction from five retirements and one resignation.
- A total of 973 Use of Force reports were submitted to the Service between January and June 2004, although there were only 619 incidents where TPS officers were obliged to use force. Of these 973 reports, 178 were team reports and the remainder were submitted by individual officers.
- The Provincial Special Investigations Unit (SIU) invoked its mandate to investigate 22 cases in the first half of 2004. Six were terminated after an initial investigation found that they did not meet the threshold of the SIU mandate. Of the 16 remaining investigations, the SIU exonerated the officers involved in 14 investigations. One investigation led to an officer being charged criminally. One investigation is still ongoing.
- During the first six months of 2004, 111 Fail to Stop reports were submitted – an increase of almost 13% over the same period in 2003. It is important to note that during the first half of 2004, TPS introduced nine traffic safety initiatives compared to six in the same time period the previous year.
- In the first half of 2004, eight percent of all suspect apprehension pursuits resulted in a personal injury. In total 20 persons (11 pursued subjects, seven officers and one uninvolved citizen) were injured. One of the pursued subjects died subsequent to injuries received during a pursuit collision.
- Between January and June 2004, 219 members of the TPS received Service awards, including two Merit Marks, 39 Commendations, 128 Teamwork Commendations, 8 Letters of Recognition and 42 Chief of Police Excellence Awards.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P17. SEMI-ANNUAL REPORT: IMPLEMENTATION STATUS OF THE
BOARD'S INSTRUCTIONS: JULY – DECEMBER 2004**

The Board was in receipt of the following report DECEMBER 21 2004 from Julian Fantino, Chief of Police:

Subject: SEMI-ANNUAL REPORT ON THE IMPLEMENTATION STATUS OF THE
BOARD'S INSTRUCTIONS

Recommendation:

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

Background:

To comply with Recommendation #18, from the Ontario Civilian Commission on Police Services (OCCPS) report dated July 1999, a semi-annual report is a required from the Chief of Police to update the Board on the status of the Board's directions that otherwise would not require a report to the Board. (Board Minute #156/00 refers).

A review of the Board's public and confidential minutes for the period of July 1 – December 31, 2004, indicates that there where no directions to the Chief of Police for which the aforementioned recommendation would be applicable.

Superintendent Wayne Cotgreave of the Chief's Office will be in attendance at the Board meeting to respond to any questions, if required.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P18. QUARTERLY REPORT: ENHANCED EMERGENCY MANAGEMENT:
OCTOBER – DECEMBER 2004**

The Board was in receipt of the following report DECEMBER 15 2004 from Julian Fantino, Chief of Police:

Subject: QUARTERLY REPORT: OCTOBER – DECEMBER 2004,
ENHANCED EMERGENCY MANAGEMENT

Recommendation:

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

Background:

At its meeting of December 13, 2001 (Board Minute P356/01 refers), I was directed by the Board to report quarterly on the progress of Enhanced Emergency Management. This report is in response to that direction. The Board was last updated at the November 18, 2004 Board meeting (Board Minute P378/2004 refers).

The Emergency Management unit is responsible for the emergency preparedness of the Toronto Police Service (TPS), and the Service's capability to mitigate, plan, prepare, respond and facilitate the recovery from all emergencies and disasters that may affect Toronto. The Emergency Management unit has been involved in the following activities since the last report.

General Operations:

The Joint Chemical, Biological, Radiological and Nuclear (CBRN) team continues to respond to calls for service, "suspicious package" incidents, usually involving white powder.

Emergency Management (EM) staff were involved in numerous responses to Hazardous Material (HAZMAT) situations throughout the period. Additionally, EM staff continues to respond to reportable events from the Pickering Nuclear Station as prescribed through the Provincial Nuclear Emergency Response Plan (PNERP). To date, all events have been minor or routine in nature with no threat to public safety or security.

Emergency Management staff assisted with planning, deployment and operations in support of the United States Presidential visit to Ottawa in December. This proved to be the largest out of town deployment of TPS personnel and resources, in the history of the Service, to support an outside operation. EM along, with other units in the Service, offered invaluable support to the composite security and safety force assembled in Ottawa for the visit. Additionally, EM gained valuable operational, planning, and logistical experience from participation in this event.

Major Exercises:

The TPS Emergency Management Section has been involved in a number of operational activities during the fourth quarter of 2004. Two exercises involving simulated HAZMAT spills were conducted in November. Both exercises were lead by the Community Awareness and Emergency Response (CAER) organization, which is comprised of many different Toronto industries. Crompton Corporation hosted one of the two exercises on November 13, 2004. The first exercise focused on a simulated chemical leak involving a hazardous substance.

The second exercise was held on November 27, 2004 at the Molson's Brewery in the west end of Toronto. Again it afforded the opportunity for emergency responders to practice operations with respect to a hazardous chemical spill within the plant facility. The purpose of both exercises was to test procedures and emergency response by industry personnel and to ensure integration with emergency responders from TPS, Toronto Fire Service (TFS) and Emergency Medical Services (EMS). Exercises involving the CAER organization and TPS will continue in 2005.

Other Emergency Exercises:

Emergency Management, in conjunction with the Toronto Office of Emergency Management (OEM), is preparing for another nuclear drill, to be tentatively held at York University in May 2005. Planning is continuing in conjunction with various Provincial, Municipal, and private agencies for this event. As nuclear preparedness is governed by provincial legislation, it is important that TPS continue to work with other Toronto emergency response services in order to maintain compliance.

At the Toronto Emergency Planning Committee (TEPC) meeting chaired by Mayor David Miller on December 14, 2004, Emergency Management put forward a proposal for a major exercise, in 2005. The proposed exercise will be a follow up to Exercise Collaboration. Exercise Collaboration, held at Humber College in April of 2004, was a terrorist based CBRN exercise, participants included Humber College, Sunnybrook Hospital, Toronto Fire Service, Emergency Medical Services and Toronto Police Emergency Management Unit. The objective of the exercise was to test the preparedness of the joint response team. The proposed 2005 exercise will be held sometime in early fall, at the Toronto Dominion Centre, and involve joint services operations TPS, TFS and EMS. The purpose is to strengthen existing partnerships, and build on lessons learned during Exercise Collaboration, further testing the joint response team capabilities to respond to a terrorist threat involving CBRN weapons.

Training:

The Toronto Transit Commission (TTC) has requested TPS support in enhancing communications between the two agencies on issues of terrorist threats and emergency preparedness. The TPS has participated with, and supported the TTC in a number of training and preparedness initiatives; most recently, Emergency Management has assisted in arrangements for Police Dog Services to conduct training within TTC facilities. The Emergency Management

Section will continue to provide advice and guidance to the TTC in the areas of emergency response and mitigation, with a specific focus on the threat of potential terrorist activities.

Heavy Urban Search and Rescue (HUSAR) is a TFS led initiative with TPS and EMS components. Joint HUSAR training with TFS is ongoing. Police Dog Services (PDS) and the Public Safety Unit (PSU) form the TPS portion of the team. TFS has recently made some staffing changes to Fire personnel who are involved within HUSAR operations. TPS is maintaining their status with respect to staffing within the team. It is important that TPS continue to maintain and expand its depth of staff participation with respect to supporting the Joint HUSAR team.

The Joint CBRN team, consisting of TPS, TFS and EMS, continues to develop its response capability. Presently, the focus for the TPS component of the CBRN team is to train selected members to operate with upgraded Personal Protective Equipment (PPE). The TPS target groups include divisional Community Response (CR) and PSU officers. The purpose of training CR and PSU officers is to allow them to operate within a contaminated 'warm zone'. An advanced level of CBRN training has been completed for Emergency Task Force (ETF) and Forensic Identification Services (FIS) personnel, which enables them to operate in a 'hot zone' environment. The Federal Government has recently committed to providing financial support for the Joint CBRN team through the Joint Emergency Preparedness Program (JEPP); however, no new additional funding has been officially received.

Other Activities:

The Emergency Management Section continues to respond to numerous HAZMAT incidents that occur within the city. These incidents included natural gas leaks and chemical spills.

The Province of Ontario is preparing to enact legislation for a standardized Incident Management System (IMS) used to facilitate command and control for emergency and disaster situations. TPS adopted IMS many years ago and is currently providing assistance to the Province with the development of a provincial IMS standard that will be implemented across Ontario either late this year or in early 2005.

Renovations to the Police Command Centre (PCC) are progressing. Plans are complete and construction is starting in conjunction with the City of Toronto. Emergency Management, along with TPS Communication Services, Facilities Management and Information Technology Services, continue to develop space usage plans for the new PCC and adjacent offices.

Construction of the new Mobile Command Vehicle (MCV) has commenced. It will replace the current MCV (COMD1). The body and chassis have been ordered. Interior and technological specifications have been developed and are on order. It is anticipated that the new MCV will be finished by the second quarter of 2005. The existing MCV (COMD1) continues to be utilized, but frequently experiences down time due to various component failures resulting from the age of the vehicle.

The Joint Operations Steering Committee, made up of deputy level representatives from TPS, TFS, EMS, Public Health along with Works and Emergency Services, continues to meet in order to facilitate and harmonise emergency operations between the emergency response agencies. Joint emergency planning continues with respect to CBRN, HUSAR, medical pandemic planning and general joint emergency preparedness, including specific risk and hazard analysis for Toronto.

Acting Deputy Chief Emory Gilbert, Policing Support Command will be in attendance to answer any questions.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P19. QUARTERLY REPORT: DEVELOPMENT OF TECHNOLOGY TO
ELECTRONICALLY GATHER STATISTICS ON COMPLETE
SEARCHES: JULY - SEPTEMBER 2004**

The Board was in receipt of the following report DECEMBER 04, 2004 from Julian Fantino, Chief of Police:

Subject: QUARTERLY REPORT: JULY TO SEPTEMBER 2004: REPORT ON
COMPLETE SEARCHES

Recommendation:

It is recommended that: the Board receive this report.

Background:

At its meeting of December 14, 2000, the Board directed quarterly status reports (Board Minute #P529/00 refers), as follows:

“THAT the Chief provide the Board with quarterly reports on the implementation of CIPS enhancements into the new Records Management System and advise the Board if the Service is unable to provide electronic gathering of statistics by the third quarter of 2001.”

CIPS (Criminal Information Processing System) is the computerized case preparation system used by the Service to record all arrest information and has been identified as the best medium for collecting data relating to complete searches.

Information Technology Services (ITS) advises that CIPS functionality will be incorporated into the Service's new Records Management System called eCOPS (Enterprise Case and Occurrence Management System).

The Board was advised at the meeting of September 24, 2004 (Board Minute #P329/04) that the delivery of the Case Management component of eCOPS, which includes the CIPS functions, has been deferred pending the preparation and evaluation of a business case. The statistical component will be evaluated and assigned a priority within that business case.

As an interim measure, a complete search template has been added to the CIPS application. This interim template allows the Service to record complete search events, however, it does not allow for the automatic query and reporting functions requested by the Board.

It is recommended that the Board receive this quarterly status report.

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

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P20. QUARTERLY REPORT: DOMESTIC VIOLENCE QUALITY CONTROL
REPORTS: JULY - SEPTEMBER 2004**

The Board was in receipt of the following report DECEMBER 13, 2004 from Julian Fantino, Chief of Police:

Subject: DOMESTIC VIOLENCE QUALITY CONTROL REPORTS

Recommendation:

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

Background :

In February 2004, the Board received a report from the Chief of Police entitled "Response to Recommendations of the Community Safety Task Force". This report was held by the Board pending a meeting with all key stakeholders to review and assess the status of the core issues and recommendations raised in the report by the Woman Abuse Work Group (WAWG) of the City of Toronto. (Board Minute P208/2004 refers).

On June 18, 2004, a meeting of the key stakeholders was held to review the report and provide status updates on the core issues and recommendations. Following this meeting of the key stakeholders, the Board, at its meeting on June 21, 2004, approved the recommendations outlined in the report.

The following recommendation contained in that report is specifically directed towards the Toronto Police Service:

Background :

In February 2004, the Board received a report from the Chief of Police entitled "Response to Recommendations of the Community Safety Task Force". This report was held by the Board pending a meeting with all key stakeholders to review and assess the status of the core issues and recommendations raised in the report by the Woman Abuse Work Group (WAWG) of the City of Toronto. (Board Minute P208/2004 refers).

On June 18, 2004, a meeting of the key stakeholders was held to review the report and provide status updates on the core issues and recommendations. Following this meeting of the key stakeholders, the Board, at its meeting on June 21, 2004, approved the recommendations outlined in the report.

The following recommendation contained in that report is specifically directed towards the Toronto Police Service:

"Recommendation 3

THAT the Board request from the Chief of Police, quarterly submissions of the Domestic Violence Quality Control Reports."

The Toronto Police Service has been providing quarterly Domestic Violence Quality Control Reports to the Ministry of Community Safety and Correctional Services since 2002. In accordance with the direction provided by the Board, appended to this report are the third quarter results of the Domestic Violence Quality Control Reporting for the year 2004.

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

Deputy Chief Steven Reesor of Policing Operations Command will be in attendance to answer any questions that the Board may have.

The Board received the foregoing.

TORONTO POLICE SERVICE
DOMESTIC VIOLENCE OCCURRENCES
QUARTERLY REPORT
July - Sept / 2004

1. OCCURRENCES:	Male	Female
(a) Total number of occurrences	2048	293
(b) Number of occurrences where charges not laid	62	17
(c) Number of occurrences where charges laid by police	1674	219
(d) Number of occurrences not concluded(No arrest, pending resolution by police)	312	57

2. Reasons Charges Not Laid:	Male	Female
(a) Offender Deceased	1	0
(b) Other	61	17
TOTAL	62	17

3 Type of Relationship Between Victim and Accused*:	
(a) Female victim -male accused	1674
(b) Male victim - female accused	219
* Of those charged TOTAL	1893

4 Type of Charges laid(include all charges laid involving the partner):	Male	Female	Total
a) Assault - (CC Section 245)	960	110	1070
b) Assault/Weapon/or Causing Bodily Harm (cc Section 245.1)	208	72	280
c) Aggravated Assault (c.c. Section 245.2)	6	1	7
d) Sexual Assault	26	0	26
e) Sexual Assault / Weapon or Cause Bodily harm	3	0	3
f) Aggravated Sexual Assault	0	0	0
g) Murder	1	0	1
h) Attempted Murder	2	0	2
i) Manslaughter	0	0	0
j) Criminal Harassment	55	5	60
k) Intimidation	3	0	3
l) Uttering Threats	394	28	422
q) Other Charges not listed above - specify	16	3	19
Grand Total	1674	219	1893

5 Weapons Causing Injury(Number of Occurrences):	
(a) Firearms	7
(b) Other weapons(Note: Includes means like Telephone for Criminal Harassment)	344

6 Domestic Violence Homicides:	Male	Female
(a) Total number of domestic violence homicides(M/F breakdown N/A)	0	2
(c) Number of domestic violence homicide victims involving accused with prior charges or awaiting trial for charges relating to domestic violence	0	0
(d) Number of homicides involving the use of a weapon	0	2

7 Domestic Violence Related Child Deaths:	
	0

8 Domestic Violence Related Suicides:	Male	Female
(a) Total number of domestic violence related suicides	1	0

Note: Numbers reflect the Toronto Police Service definition of domestic violence

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P21. PROVINCIAL RESPONSE TO THE BOARD'S REQUEST FOR A
REVIEW OF CUSTODIAL FACILITIES AND RESOURCES**

The Board was in receipt of the attached correspondence, dated December 10, 2004, from The Honourable Michael Bryant, Attorney General, containing a response to the Board's earlier recommendation for a review of custodial facilities and resources.

The Board received the foregoing.

Attorney General
Minister Responsible for Native Affairs
Minister Responsible for Democratic Renewal

720 Bay Street
11th Floor
Toronto ON M5G 2K1
Tel: 416 326-4000
Fax: 416 326-4016

Procureur général
ministre délégué aux Affaires autochtones
ministre responsable du Renouveau démocratique

720, rue Bay
11^e étage
Toronto ON M5G 2K1
Tél. : 416 326-4000
Téléc. : 416 326-4016



DATE RECEIVED

DEC 21 2004

TORONTO
POLICE SERVICES BOARD

DEC 10 2004

Our Reference #: M04-06957

Mr. A. Milliken Heisey
Chair
Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

Dear Mr. Heisey:

Thank you for your letter dated September 2, 2004, regarding the report from the Chief of Police on the subject of guns, gangs, drugs and street violence in Toronto.

You have forwarded Recommendation (4) which is a request that I conduct a review of the extent to which inadequate custodial facilities are contributing to offenders being released pending trial where they would otherwise be detained in custody.

I am aware that there are conditions of overcrowding from time to time in some of the province's custodial facilities. My ministry in conjunction with the Ministry of Community Safety and Correctional Services has been working on several initiatives to address the issue. I am not, however, aware of any instance in which an accused person has been released on bail due to inadequate custodial facilities.

Custodial facilities fall under the responsibility of the Ministry of Community Safety and Correctional Services. Accordingly, I have forwarded a copy of your letter to the Honourable Monte Kwinter, Minister of Community Safety and Correctional Services, for review.

.../2

-2-

Thank you for forwarding the Board Minute.

Yours truly,

A handwritten signature in dark ink, appearing to read "Michael Bryant", enclosed within a hand-drawn oval.

Michael Bryant
Attorney General
Minister Responsible for Native Affairs
Minister Responsible for Democratic Renewal

c: The Honourable Monte Kwinter, Minister of Community Safety and Correctional
Services

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P22. RESPONSE TO BOARD'S REQUEST FOR SUPPORT REGARDING AN
AMENDMENT TO THE *PROVINCIAL OFFENCES ACT* PERTAINING
TO PARKING INFRACTION NOTICES**

The Board was in receipt of the attached correspondence, dated December 16, 2004, from Vincent Rodo, General Secretary, Toronto Transit Commission, containing a response to the Board's earlier request for support with regard to an amendment to the *Provincial Offences Act* pertaining to parking infraction notices.

The Board received the foregoing.

TORONTO TRANSIT COMMISSION



HOWARD MOSCOE
CHAIR
JOE MIHEVC
VICE-CHAIR
RICHARD C. DUCHARME
CHIEF GENERAL MANAGER
VINCENT RODO
GENERAL SECRETARY

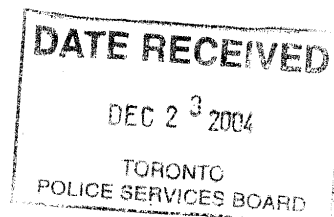


BRIAN ASHTON
BAS BALKISSOON
SANDRA BUSSIN
ADAM GIAMBRONE
PETER LI PRETI
MAYOR DAVID MILLER
DAVID SHINER
COMMISSIONERS



December 16, 2004

The Honourable Michael Bryant
Attorney General
Province of Ontario
11th Floor
720 Bay Street
Toronto, Ontario
M5G 2K1



Dear Minister Bryant:

At its meeting on Wednesday, December 15, 2004, the Commission had before it a communication dated October 29, 2004 from Pam McConnell, Chair, Toronto Police Services Board requesting that the Commission support the Recommendation of the Board for the Ministry of the Attorney General to amend Part II of the Provincial Offences Act to provide for an additional form of service of Parking Infraction Notices, preferably by first class mail.

The Commission supports the aforementioned Recommendation of the Toronto Police Services Board and requests your consideration in making the necessary legislative changes to give effect thereto.

Sincerely,

Vincent Rodo
General Secretary
1-16

Copy: Pam McConnell, Chair Toronto Police Services Board ✓



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

#P23. CORRESPONDENCE

The Board was in receipt of a summary of the public correspondence received in the Board office between December 01, 2004 and December 24, 2004. A copy of the summary is on file in the Board office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P24. ANNUAL REPORT 2004 – *MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT***

The Board was in receipt of the following report JANUARY 11, 2005 from Julian Fantino, Chief of Police:

Subject: ANNUAL REPORT: 2004 MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT

Recommendation:

It is recommended that:

- (1) the Board receive the 2004 Annual Freedom of Information Statistical Report; and
- (2) the Board forward the report to the Ontario Information and Privacy Commission.

Background :

In the past, the annual statistical report has been compiled internally by the Freedom of Information Unit and forwarded directly to the Information and Privacy Commission. At its September 23, 2004 meeting (BM #P284/04 refers), the Board made the following motion:

- (1) Effective immediately, the Chief of Police adopt the practice of submitting the Year-End Statistical Report for the Information and Privacy Commission to the Board each year and that the Board forward the report to the Commission.

The Toronto Police Service is legislated to provide this report on a yearly basis. The attached Year-End 2004 Statistical Report is anticipated by the Ontario Information and Privacy Commissioner on February 1, 2005.

The compliance rate based on a 30 day disclosure for 2004 is 32%. However, this rate does not reflect the improvements achieved in December 2004, as these statistics are not available until January 31, 2005. The Ontario Information and Privacy Commission have therefore directed that we include the December statistics in the 2005 Annual Statistical Report. It must be noted, however, that preliminary analysis for November 2004 has shown a compliance rate of 69%, which is directly attributed to the implementation of recommendations from Phase I of the Quality Assurance internal audit which is still underway. At this point, indications show that December 2004 should realize a similar improvement in the monthly compliance rate.

It is therefore recommended that the Board receive the 2004 Freedom of Information Statistical Report and further that the Board forward the report to the Ontario Information and Privacy Commission.

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

The Board approved the foregoing.



FREEDOM **O**F **I**NFORMATION
2004 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION & PRIVACY COMMISSIONER/ONTARIO

SECTION 3 : Number of Requests Completed

	Personal Information	General Records
3.1 New Requests received during reporting year	1684	903
3.2 Requests transferred in from other institutions	2	0
3.3 Requests carried forward from previous year (2003)	293	152
3.4 TOTAL REQUESTS RECEIVED (3.1+3.2+3.3)	1979	1055
3.5 TOTAL (COPY BOX 3.4)	1979	1055
3.6 Requests transferred out to other institutions	8	4
3.7 Requests carried over to next year (2005)	370	114
3.8 TOTAL REQUESTS NOT COMPLETED (3.6 + 3.7)	378	118
3.9 TOTAL (COPY BOX 3.8)	378	118
3.10 TOTAL REQUESTS COMPLETED (3.5 - 3.9)	1601	937



FREEDOM **O**F **I**NFORMATION

2004 ANNUAL STATISTICAL REPORT FOR THE INFORMATION & PRIVACY COMMISSIONER/ONTARIO

SECTION 4 : Source of Requests

2004 Source of Requests :

- 4.1 Individual / Public**
- 4.2 Business**
- 4.3 Academic / Researcher**
- 4.4 Association / Group**
- 4.5 Media**
- 4.6 Government (all levels)**
- 4.7 Other**
- 4.8 Don't Know**

4.9 TOTAL REQUESTS

Personal Information	General Records
1192	70
405	389
0	3
1	460
0	10
0	0
2	4
1	1
1601	937



FREEDOM **O**F **I**NFORMATION
2004 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION & PRIVACY COMMISSIONER/ONTARIO
SECTION 5 : Time to Completion

	Personal Information	General Records
5.1 15 days or less	213	171
5.2 16 - 30 days	259	168
5.3 31 - 60 days	256	235
5.4 61 - 90 days	189	87
5.5 91 - 120 days	202	98
5.6 121 days or more	482	178
5.7 TOTAL	1601	937



F_{REEDOM} O_F I_{NFORMATION}

2004 ANNUAL STATISTICAL REPORT FOR THE INFORMATION & PRIVACY COMMISSIONER/ONTARIO

SECTION 6 : Compliance with the Act

A. No Notices Issued

	Personal Information	General Records		Personal Information	General Records
6.1 Within 30 days	470	334			
6.2 in excess of 30 days	1057	530			
6.3 Total (6.1 + 6.2 = 6.3)			→	1527	864

B. Both a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) Issued

	Personal Information	General Records		Personal Information	General Records
6.4 Within the time limits permitted	0	0			
6.5 In excess of the time limits permitted	0	0			
6.6 Total (6.4 + 6.5 = 6.6)			→	0	0

C. Only a Notice of Extension (s.20(1)) Issued

	Personal Information	General Records		Personal Information	General Records
6.7 Within the time limit permitted	15	0			
6.8 In excess of the time limit permitted	5	0			
6.9 Total (6.7 + 6.8 = 6.9)			→	20	0

D. Only a Notice to Affected Person (s.21(1)) Issued

	Personal Information	General Records		Personal Information	General Records
6.10 Within the time limit permitted	30	35			
6.11 In excess of the time limit permitted	24	38			
6.12 Total (6.10 + 6.11 = 6.12)			→	54	73

E. Total Completed Requests (sections A to D)

	Personal Information	General Records
6.13 Overall Total (6.3 + 6.6 + 6.9 + 6.12 = 6.13)	1601	937



FREEDOM **O**F **I**NFORMATION
ANNUAL STATISTICAL REPORT FOR THE
INFORMATION & PRIVACY COMMISSIONER/ONTARIO
2004 REPORTS - SECTION 7 : Disposition of Requests

	Personal Information	General Records
7.0 TRANSFERED INTERNALLY (OUT)	30	96
7.1 All information disclosed	228	153
7.2 Disclosed in part - partly exempt	903	225
7.3 Disclosed in part - no record exists	NOT KEPT	NOT KEPT
7.4 Nothing Disclosed - fully exempt	219	91
7.5 Nothing Disclosed - no record exists or outside the Act	159	338
7.6 Request withdrawn or abandoned	59	40
7.7 Withdrawn or abandoned after fee estimate	NOT KEPT	NOT KEPT
7.8 TOTAL REQUESTS	1603	938
7.9 TOTAL REQUESTS WITH EXEMPTIONS And EXCLUSIONS	1122	316



FREEDOM **O**F **I**NFORMATION
ANNUAL STATISTICAL REPORT FOR THE
2004 INFORMATION & PRIVACY COMMISSIONER/ONTARIO
SECTION 8 : Exemptions & Exclusions Applied

	Personal Information	General Records
8.1 Section 6 - Draft By-Laws, etc.	0	0
8.2 Section 7 - Advice Or Recommendations	0	0
8.3 Section 8 - Law Enforcement	438	91
8.4 Section 8(3) - Refusal To Confirm or Deny	1	0
8.5 Section 9 - Relations With Governments	12	2
8.6 Section 10 - Third Party Information	0	1
8.7 Section 11 - Economic/Other Interests	1	3
8.8 Section 12 - Solicitor-Client Privilege	3	1
8.9 Section 13 - Danger To Safety Or Health	0	3
8.10 Section 14 - Personal Privacy (Third Party)	828	208
8.11 Section 14(5) - Refusal to Confirm Or Deny	13	17
8.12 Section 15 - Information Soon To Be Published	7	2
8.13 Section 20.1 - Frivolous or Vexatious	0	0
8.14 Section 38 - Personal Information (Requester)	786	55
8.15 Section 52(2) - Act Does Not Apply	0	0
8.16 Section 52(3) - Labour Relations & Employment Related Records	12	6
8.17 Section 53(2) - Other Acts	0	0
8.18 TOTAL EXEMPTIONS	2101	389



FREEDOM **O**F **I**NFORMATION
ANNUAL STATISTICAL REPORT FOR THE
INFORMATION & PRIVACY COMMISSIONER/ONTARIO
2004 REPORTS - SECTION 9 : Fees

9.1 No. of Requests where Additional Fees collected

9.2.1 Application Fees collected

9.2.2 Additional Fees collected

9.2.3 TOTAL FEES COLLECTED

Personal Information	General Records	Total
11	2	13
\$ 8435.00	\$ 4485.00	\$ 12920.00
\$ 176.17	\$ 76.60	\$ 252.77
\$ 8611.17	\$ 4561.60	\$ 13172.77

9.3 Number of Requests where fees were waived in full

9.4 Number of Requests where fees were waived in part

9.5 Total number of Requests where fees were waived

9.6 Total Amount of Fees waived

1091	344	1435
N/A	N/A	N/A
1091	344	1435
\$ 2390.11	\$ 787.30	\$ 3177.41



F REEDOM O F I NFORMATION

2004 ANNUAL STATISTICAL REPORT FOR THE INFORMATION & PRIVACY COMMISSIONER/ONTARIO

SECTION 11 : Corrections & Statements of Disagreement

11.1 Correction Requests received

11.2 Corrections carried forward from 2003

11.3 Corrections carried over to 2005

11.4 TOTAL CORRECTIONS COMPLETED

11.5 Correction(s) made in whole

11.6 Correction(s) made in part

11.7 Correction(s) Refused

11.8 Correction(s) Withdrawn by Requestor

11.9 TOTAL

11.10 Statements Of Disagreement attached:

11.11 Notifications Sent:

Personal Information
1
0
0
1

0
0
0
1
1

0

0

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P25. TORONTO POLICE SERVICES BOARD MEETING SCHEDULE –
MARCH TO DECEMBER 2005**

The Board was in receipt of the following report JANUARY 17, 2005 from Pam McConnell, Chair:

Subject: TORONTO POLICE SERVICES BOARD MEETING SCHEDULE: MARCH
TO DECEMBER 2005

Recommendation:

It is recommended that the Board approve the meeting schedule for the months March 2005 through December 2005 contained in the following report.

Background:

At its meeting on November 18, 2004, the Board considered a report identifying proposed dates for its police services board meetings in 2005. Following a review of those dates, some of the Board members requested another opportunity to review the proposed dates in conjunction with other city council, business and personal commitments (Min. No. P370/04 refers). The Board subsequently approved the dates and locations for the January and February meetings only (the February meeting will be held on Thursday, February 10, 2005 at Toronto City Hall).

After consulting with the Board members, I revised the proposed 2005 schedule of meetings and now recommend that the Board approve the following dates for the meetings during the months March to December 2005:

Tuesday, March 08
Thursday, April 07
Thursday, May 12
Thursday, June 09
Tuesday, July 12
Thursday, August 11
Thursday, September 08
Friday, October 14
Thursday, November 17
Thursday, December 15

Times and Locations of Board Meetings:

As noted at the November 2004 meeting, the locations of the meetings will alternate between Toronto Police Headquarters and Toronto City Hall, whenever possible. As it may be difficult for some people to follow the rotation of meetings, I will ensure that the Board's website contains up-to-the-minute information on the location of each meeting.

Regardless of the location of a Board meeting, it is anticipated that all in-camera meetings will commence at 10:00 AM followed by a public meeting at 1:30 PM.

Key Conferences:

I have reprinted, for the Board's information, the dates of the three key police board governance conferences that will be held in 2005, which are traditionally attended by a representative(s) of the Toronto Police Services Board.

Ontario Association of Police Services Boards' Annual Conference
Thunder Bay, Ontario
May 05 – 07, 2005

Canadian Association of Police Boards' Annual Conference
Ottawa, Ontario
August 17 – 20, 2005

Canadian Association of Civilian Oversight of Law Enforcement
Montreal, Quebec
October 03 – 05, 2005

Conclusion:

It is therefore recommended that the Board approve the schedule of meetings for March 2005 through December 2005 as noted above.

The Board approved the foregoing.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P26. AWARD OF CONSTRUCTION CONTRACT FOR THE NEW No. 43
DIVISION – TECHNICAL ADJUSTMENT**

The Board was in receipt of the following report JANUARY 12, 2005 from Julian Fantino, Chief of Police:

Subject: AWARD OF CONSTRUCTION CONTRACT FOR THE NEW 43 DIVISION -
TECHNICAL ADJUSTMENT

Recommendation:

It is recommended that: the Board confirm that the amount the Board previously authorized to be paid to Ledcor Construction Limited for the construction of the new 43 Division facility excludes amounts payable as Good and Services Tax (GST). Given that the GST is fully rebated to the Service, the net cost of construction of the facility to the Service and the Board is unaffected by this clarification.

Background:

The Board, at its meeting of May 27, 2004, approved a “Maximum Upset Contract Agreement” in the amount of \$13,000,000 with Ledcor Construction Limited for the construction of the new 43 Division facility (Board Minute P158/04 refers). The report makes no reference to whether this amount includes GST or not. The proposal submitted by Ledcor contemplates that the amount of \$13,000,000 excludes GST.

City Legal Division was requested to prepare the contract for this project and is now finalizing the contract document with Ledcor. Staff in that Division have raised a concern that the reference in the prior Board authority to a maximum upset amount can be interpreted as including all costs, including GST. Therefore, staff in that Division have requested that the existing Board authority simply be clarified to indicate that the amount of \$13,000,000 previously approved reflects the net cost to the Service (i.e. after taking into account that 100% of the GST is recoverable by the Service).

Therefore, it is recommended that the Board confirm that the maximum upset amount payable to Ledcor excludes GST. Given that the GST is fully rebated to the Service, the net cost to the Service remains at \$13,000,000 and this confirmation has no effect on the final cost of this project.

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

The Board approved the foregoing.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P27. TORONTO POLICE SERVICES BOARD – 2005 OPERATING BUDGET
SUBMISSION**

The Board was in receipt of the following report JANUARY 14, 2005 from Pam McConnell, Chair:

Subject: 2005 OPERATING BUDGET SUBMISSION FOR THE TORONTO POLICE
SERVICES BOARD

Recommendation:

It is recommended that the Board approve an operating budget of \$1,278,000. for 2005.

Background:

In accordance with Section 39(1) of the Police Services Act, the Board is required to:

...submit operating and capital estimates to the municipal council that will show, separately, the amounts that will be required, (a) to maintain the police force and provide it with equipment and facilities; and (b) to pay the expenses of the board's operation other than the remuneration of board members.

This report addresses part (b) of the above noted, however, it has been the practice of the Board to include the remuneration of board members in its budget request.

The following is a summary of the 2005 operating budget request (in thousands).

Salaries/Benefits	\$599,200
Supplies/Equipment	8,200
Services	<u>605,900</u>
TOTAL NET REQUEST	\$1,278,000
2004 Approved Budget	\$1,265,100

Salaries/Benefits

The budget includes funds to maintain the Board's staff complement of 7. In addition, funds are included for the salary of a full time Board Chair and honouraria for the citizen appointees to the Board.

Supplies/ Equipment

There is a slight decrease of \$1,400 primarily because there is no requirement to acquire any additional computer hardware in 2005.

Services

There is an overall increase over the 2004 budget of \$37,300.

This increase includes an additional request of \$10,000 for consulting and professional services and \$17,700 for advertising costs related to executive recruitment services.

The conference, courses and seminar accounts have been increased by \$12,600 in anticipation of the appointment of 2 new Board members who, along with the recent appointees to the Board, will require the training components offered at governance-specific conferences.

Reductions totalling \$5,400 have been made in the public relations/promotions and pager accounts.

Summary

The Board's 2005 operating budget request represents a 1% increase over the 2004 budget.

The Board approved the foregoing and agreed to forward a copy of this report to the City Chief Financial Officer & Treasurer and the City of Toronto – Budget Advisory Committee.

TORONTO POLICE SERVICES BOARD					
2005 OPERATING BUDGET					
DETAILED REQUEST					
		<u>2004 Budget</u>	<u>2005 Request</u>	<u>2005 Change over 2004 Budget</u>	<u>% inc/ (decr) over total 2004 B.</u>
1	UNIFORM SALARIES	0	0	0	
2	CIVILIAN SALARIES	619,500	599,200	-20,300	
3	ALTERNATE RATE	0	0	0	
	TOTAL REGULAR SALARIES	619,500	599,200	-20,300	-1.6%
4	CIVILIAN OVERTIME	1,600	1,600	0	
5	CIV LIEU TIME CSH PM	500	500	0	
	TOTAL PREMIUM PAY	2,100	2,100	0	0.0%
6	LONG TERM DISABILITY	0	0	0	
7	GROUP LIFE INSURANCE	0	0	0	
8	EMPLOYMENT INSURANCE	9,700	8,000	-1,700	
9	CANADA PENSION PLAN	15,300	14,400	-900	
10	OMERS	40,300	40,200	-100	
	TOTAL BENEFITS	65,300	62,600	-2,700	-0.2%
11	STATIONERY AND OFF	4,800	4,800	0	
12	PRINTED MATERIAL	2,000	2,000	0	
13	BOOKS & MAGAZINES	300	300	0	
14	BOOKS & MAGS - GST	200	200	0	
15	MISC MATERIALS	500	500	0	
16	COMP HARDWARE	1,800	0		
17	TELEPHONE EQUIPMENT	0	400	400	
	TOTAL SUPPLIES/EQUIPMENT	9,600	8,200	-1,400	-0.1%
18	PUB REL/PROMOTIONS	20,200	15,000	-5,200	
19	OTHER PRO & TECH SVC	503,300	513,300	10,000	
20	TRAVEL - OTHER EXP	700	700	0	
21	CONF.-OTHER EXPENSES	25,000	34,200	9,200	
22	COURSES/SEMINARS	700	4,100	3,400	
23	ADVERTISING & PROMOTION	2,300	20,000	17,700	
24	RENTAL, OFF. EQUIP.	5,300	5,300	0	
25	PAGER/RADIO RENTALS	200	0	-200	
26	REIMB.-MEMBERSHIP FEES	5,900	6,900	1,000	
27	CELLULAR TELEPHONES	1,900	3,400	1,500	
28	INTERNET	2,500	2,500	0	
29	SERVICE & RENT GENERAL	600	600	0	
	TOTAL SERVICES	568,600	606,000	37,400	3.0%
30	MISCELLANEOUS REVENUE	0	0	0	
	TOTAL REVENUE	0	0	0	0.0%
	TOTAL	1,265,100	1,278,100	13,000	1.0%

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P28. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
2005 OPERATING BUDGET SUBMISSION**

The Board was in receipt of the following report JANUARY 17, 2005 from Julian Fantino, Chief of Police:

Subject: 2005 OPERATING BUDGET SUBMISSION FOR PARKING
ENFORCEMENT UNIT

Recommendation:

It is recommended that:

- 1) The Board approve a 2005 net Operating Budget request of \$31.4M, for a budget increase of \$0.5M (1.4%) over the 2004 approved budget, for the Parking Enforcement Unit; and
- 2) The Board forward this report to the City's Chief Financial Officer (CFO) & Treasurer and the City's Budget Advisory Committee.

Background:

The purpose of the Parking Enforcement Unit of the Toronto Police Service is to assist with the safety and orderly flow of traffic, respond to the parking concerns of the community, regulate parking, and provide operational support to the Toronto Police Service.

The Council approved budget for the 2004 net operating budget for the Parking Enforcement Unit was \$30.9M. The Parking Enforcement Unit's net operating budget request for the year 2005 is \$31.4M for an increase of \$0.5M (1.4%).

The following provides detailed information regarding the budget development process, as well as specific increases and decreases.

Budget Development

Parking Enforcement's budget is developed using the following guiding principles:

1. Reallocate within existing budget wherever possible to accommodate pressures, thereby striving for a maintenance budget.
2. Budget for known plans including staffing requirements.
3. Defer service enhancements where risk of liability associated with deferral is low.

4. Maximize cost-recovery opportunities within the constraints of the Municipal Act to address pressures wherever possible by additional revenue.
5. Ensure all proposed service enhancements adhere to Board priorities.

Salaries

Regular pay, premium pay, and fringe benefits constitute 85% of the budget (or \$26.8M). Costs have not changed from the 2004 budget.

Non Salary (Increase of \$0.5M)

Non salary accounts constitute 15% of the budget (or \$4.6M) and have increased by \$0.5M from the 2004 budget. Operating impacts from the implementation of the handheld ticketing capital project amount to \$0.3M. This operating impact includes costs associated with radio frequencies, software and batteries. The remaining increases are due to loss of rent recovery revenue and inflationary pressures (e.g. gasoline prices). This is a part-year impact, and a further increase will be seen in 2006.

Summary of 2005 Budget Request

2004 Operating Budget		\$30.9M
<u>Increase over 2004 Budget</u>		
Operating Impact from Capital	\$0.3M	
Loss of Rent Recovery and Inflationary pressures	<u>\$0.2M</u>	
Total Increases (1.4% increase)		<u>\$0.5M</u>
Total 2005 Budget Request		\$31.4 M

Parking Tag Revenue

The following table summarizes expected parking tag volume and revenues (based on an average fine of \$26.00 per ticket) of Toronto Police Parking Enforcement Officers.

<u># of tickets (000s)</u>		<u>Gross Revenue \$ (000s)</u>	
<u>2004</u>	<u>2005</u>	<u>2004</u>	<u>2005</u>
2,815	2,815	\$70,994	\$70,994

Note: Based on the collection experience for the City (80%), 2005 net revenue would be \$56.7M.

As a result of the implementation of handheld ticketing, the processable rate for parking tag issuance is expected to increase from 97% to 97.8% towards the end of 2005. By 2006, this will result in increased revenues of approximately \$0.6M per year. No increase in tag issuance is projected in 2005 as a result of the implementation of handheld ticketing.

It is recommended that the Board approve the 2005 net operating budget request of \$31.4M for a budget increase of \$0.5M (1.4%) for the Parking Enforcement Unit. It is also recommended that the Board forward this report to the City's CFO & Treasurer and to the City's Budget Advisory Committee.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command and I will be in attendance to answer any questions.

The Board approved the foregoing and agreed to forward a copy of this report to the City Chief Financial Officer & Treasurer and the City of Toronto – Budget Advisory Committee.

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#P29. HUMAN RESOURCES STRATEGY: 2005 – 2009

The Board was in receipt of a report, dated January 18, 2005, from Julian Fantino, Chief of Police, with regard to the proposed 2005-2009 human resources strategy.

Consideration of the foregoing report was deferred to the February 10, 2005 meeting.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

**#P30. UPDATE ON THE REPORT: REVIEW AND RECOMMENDATIONS
CONCERNING VARIOUS ASPECTS OF POLICE MISCONDUCT**

The Board was in receipt of a report, dated January 17, 2005, from Julian Fantino, Chief of Police, with regard to the progress of the implementation of the recommendations from the report by the Honourable George Ferguson, Q.C., entitled *Review and Recommendations Concerning Various Aspects of Police Misconduct*.

Consideration of the foregoing report was deferred to the February 10, 2005 meeting.

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#P31. FUNDS FOR THE 2004 TSUNAMI VICTIMS

The Board held a moment of silence in memory of the tens of thousands of people who died as the result of a tsunami which devastated large areas of eleven countries in South Asia and East Africa on December 26, 2004.

Immediately after the tsunami occurred, many agencies and organizations in the City of Toronto accepted donations of medical, clothing and essential supplies, as well as financial donations, to send to the survivors of the tsunami. Chief Fantino advised the Board that arrangements were made so that citizens could also provide financial donations at any of the police divisions, and police headquarters, and that, to-date, over \$700,000 had been donated by Toronto citizens through the Toronto Police Service.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 24, 2005**

#P32. ADJOURNMENT

Councillor Pam McConnell
Chair