



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on March 8, 2005 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on February 10, 2005 previously circulated in draft form were approved by the Toronto Police Service Board at its meeting held on March 8, 2005.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **MARCH 8, 2004** 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
Mr. Case Ootes, Councillor & Member

ABSENT:

The Honourable Hugh Locke, Q.C., Member

ALSO PRESENT:

Mr. Michael J. Boyd, Interim Chief of Police
Mr. Albert Cohen, City of Toronto - Legal Services Division
Ms. Deirdre Williams, Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P66. MOMENT OF SILENCE

The Board observed a moment of silence in memory of the four Royal Canadian Mounted Police Officers of the Mayerthorpe and Whitecourt RCMP Detachments in Alberta who were killed while on duty on Thursday, March 03, 2005. They were:

Constable Peter Schiemann
Constable Tony Gordon
Constable Brock Myrol
Constable Leo Johnston

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#P67. INTRODUCTION

The following members of the Service were introduced to the Board and congratulated on their recent appointments and promotions:

Mr. Sang-Rae Kim, Manager, Enterprise Architecture
Staff Superintendent Richard Gauthier
Superintendent Robert Qualtrough
Superintendent Christopher White
Staff Inspector Bruce Crawford
Inspector Peter Lennox
Detective Sergeant Karl Giedroyc
Detective Sergeant Keith Smith
Staff Sergeant Scott Baptist
Staff Sergeant Robert Knapper
Sergeant Shane Branton
Sergeant Oliver Febbo
Sergeant Leah Gilfoy
Sergeant Sal Granata
Sergeant Jordan Latter
Sergeant Joseph Matthews
Sergeant Vivian Meik
Sergeant David Sammut
Sergeant Steven Smith
Sergeant Liugi Vendramini
Sergeant Blain Young

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**#P68. COMMUNITY EDUCATION & ACCESS TO POLICE COMPLAINTS
DEMONSTRATION PROJECT**

The Board was in receipt of correspondence, dated January 11, 2005, from Lancefield Morgan, Special Projects Developer, Scadding Court Community Centre, regarding the Community Education and Access to Police Complaints Demonstration Project. A copy of the correspondence and a list of the proposed recommendations are appended to this Minute for information.

The following persons from the Scadding Court Community Centre were in attendance and made a presentation to the Board on the Community Education and Access to Police Complaints Demonstration Project:

- Mr. Kevin Lee, Executive Director;
- Ms. Leila Sarangi, Police Project Consultant; and
- Ms. Savannah Shears, Outreach and Education Worker.

The Board commended the representatives of Scadding Court for their work in developing the Access to Police Complaints Demonstration Project and, on the basis of the success of the project, recommended that Scadding Court consider whether the project could be expanded to other geographical areas in Toronto such as through the Wellesley Community Centre in St. Jamestown in No. 51 Division.

The Board received the foregoing correspondence and presentation and approved the following Motion:

THAT the recommendations proposed by the Scadding Court Community Centre be referred to the Chief of Police for review and that he provide his comments regarding this matter to the Board for consideration at a future meeting.



DATE RECEIVED

JAN 13 2005

TORONTO
POLICE SERVICES BOARD

Pam McConnell
Chair of Police Services Board
40 College Street,
Toronto, ON, M5G 2J3,

January 11th, 2005

Dear Councillor McConnell:

In complex modern societies one issue that continues to generate debate among all elements of society is the role and powers of its police force and unfortunately the City of Toronto is no exception to that discussion. Residents from racialized communities especially perceive some members of the police service as racist, discriminatory and unapproachable. Many have articulated that they choose not to utilize the police complaints system available to them as they are intimidated by the system, treated poorly when attempting to access it, and discouraged from filing any type of formal complaint. Barriers that have been identified include, but are not limited to language accessibility, support through the process and adequate information.

In response Scadding Court Community Centre (SCCC) has developed the **Community Education & Access to Police Complaints Demonstration Project**. The primary goal of the Community Education & Access to Police Complaints Demonstration Project is to ensure that the police complaints system is accessible and available to the specific needs of community members. This will be achieved through the development and delivery of support mechanisms that will assist in making the system more transparent, comprehensive and accessible to the diverse citizens of the Toronto area. The Community Education & Access to Police Complaints Demonstration Project will also work to ensure that legal education is accessible and available to the specific needs of diverse, marginalized and under-served residents of the Toronto area. The Project will be responsive to and guided by the needs of the community.

This unique model of service delivery maximises use of existing legal education resources and materials while connecting individuals, families and communities to programs, services and legal clinics in their area.

Kevin Lee, Executive Director of SCCC would like to opportunity to update members of the Board, at the February 10th meeting, on this interesting and needed project. If you have any question please feel free to contact me at (416) 392-0335 ext. 223.

Sincerely,

Lancefield Morgan
Special Projects Developer

**Presentation to the Toronto Police Services Board
February 10, 2005
By Kevin Lee, Leila Sarangi, and Savannah Shears**

To sum up, SCCC would like the Toronto Police Services Board to consider the following Recommendations

The Former Chief Justice Patrick LeSage was asked to conduct a review of the police complaints system by the Provincial Attorney General's office in 2004. The report was scheduled for release originally in October and then deferred to December 2004. The status of the report is still unclear and the website that tracks the progress of this review has not been updated since October 2004. This report will be integral to the success of our project. Therefore, we are requesting that the TPSB:

1. Contact the Provincial Government in writing to ascertain the status of the review of the police complaints process conducted by former Chief Justice Patrick LeSage in 2004.
2. Recommend to the Provincial Government that this review be released without further delay and be made widely accessible to the public.

Given that success of this project requires the collaboration of SCCC and the TPS delivering joint educational sessions within the school system, we request that the TPSB:

3. Give direction to the TPS to designate a police liaison to work with SCCC and partners in delivering this joint curriculum within the school system.

The success of this project will also rely on knowledge exchange between police and communities, we request that the TPSB:

4. Support a series of divisional orientation sessions in our target communities: 42 Division working in Malvern and Kingston-Galloway; 51 Division in Regent Park; 23 Division in Jamestown; 31 Division in Jane-Finch; and 14 and 52 Division who both work in Scadding Court's catchment area.
5. Provide physical space in each respective Division as an in-kind gesture of support where these orientations can take place.
6. Appoint a TPS diversity trainer to work with us in implementing these orientations.
7. Ensure that the all street level officers in these divisions actively participate in this training.

**Community Education & Access To Police Complaints Demonstration Project
Scadding Court Community Centre**

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#P69. MOBILE CRISIS INTERVENTION TEAM

The Board was in receipt of correspondence, dated December 13, 2004, from Ms. Nancy Read and Dr. Donald Wasylenki, St. Michael's Hospital, with regard to the partnership between St. Michael's Hospital Psychiatric Emergency Service and the Toronto Police Service's No. 51 and No. 52 Divisions. A copy of the correspondence is appended to this Minute for information.

The following persons from the Psychiatric Emergency Service at St. Michael's Hospital were in attendance and delivered a presentation to the Board on the Mobile Crisis Intervention Team:

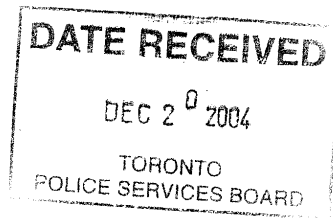
Dr. Ian Dawe, Medical Director; and
Ms. Joanne Walsh, Clinic Leader Manager.

Superintendent Randall Munroe and Staff Sergeant Tom Kelly, No. 51 Division, were also in attendance and responded to questions by the Board about the work performed by the officers assigned to the Mobile Crisis Intervention Team. They also described how the partnership with St. Michael's Hospital has impacted the manner in which officers in No. 51 Division respond to policing issues involving emotionally disturbed individuals.

The Board expressed its appreciation to Dr. Dawe, Ms. Walsh, Supt. Munroe and S/Sgt. Kelly for their involvement in the very successful program and commented on the benefits that could be achieved if similar partnerships could be established with the Toronto Police Service in other hospitals throughout the city.

The Board received the correspondence and the presentation and approved the following Motions:

- 1. THAT Interim Chief Boyd provide a report to the Board on the possibility of developing similar partnerships in other divisions and identify the financial or resource benefits that may result from such new partnerships and any training issues that may be involved; and**
- 2. THAT the Board invite Dr. Stephen Hwang from the Inner City Health Research Unit at St. Michael's Hospital to present his research on the interaction between the homeless and the Toronto Police Service.**



Leading with Innovation
Serving with Compassion

ST. MICHAEL'S HOSPITAL

A teaching hospital affiliated with the University of Toronto

Ms. Pam McConnell
Chair, Toronto Police Services Board
Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

Monday, December 13, 2004

Dear Ms. McConnell,

We would like to present to the Toronto Police Services Board a very successful partnership between St. Michael's Hospital Psychiatric Emergency Service and Toronto Police Service 51 and 52 Division. This Mobile Crisis Intervention Team partners a crisis mental health nurse with a non-uniformed police officer to respond to 911 and radio dispatch calls identified a EDP (emotionally disturbed individuals) in an unmarked police car. This has been a highly successful initiative in assisting police in interacting with individuals believed to be mentally ill by providing immediate assessment and crisis intervention and diverting mentally ill individuals who commit minor crimes from the criminal justice system to the appropriate mental health service. We look forward to meeting with you and discussing this community police initiative.

Nancy Read M.Sc. Applied
Program Director
Mental Health Service
Inner City Health Program
St. Michael's Hospital

Dr. Donald Wasylenki
Psychiatrist-in-Chief
Mental Health Service
Inner City Health Program
St. Michael's Hospital

cc: R. Munroe, Superintendent 51 Division

30 Bond Street
Toronto, Ontario
M5B 1W8

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
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**#P70. PROFESSIONAL STANDARDS REPORT ON THE DISCIPLINARY
PROCESS AND PENALTY STANDARDS**

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

Subject: PROFESSIONAL STANDARDS REPORT ON THE DISCIPLINARY
PROCESS AND PENALTY STANDARDS

Recommendation:

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

Background:

At its meeting of November 18, 2004, the Board, during a discussion with respect to a Tribunal hearing decision, requested a report on the disciplinary process and penalty standards and an explanation of the following: (Board Minute C198/2004 refers)

- 1. The differences between the disciplinary tribunal process and the disciplinary process conducted at the unit level;*
- 2. The process through which the Service determines whether a disciplinary matter will be resolved by the unit commander or at the tribunal; and*
- 3. How the Service determines an appropriate penalty and ensures that it is consistent with the seriousness of the facts and is comparable to previous penalties issued by other unit commanders across the Service or the hearing officers at the tribunal.*

Superintendent Robert Qualtrough and Staff Inspector George Cowley of the Professional Standards-Risk Management Unit will be in attendance at the March meeting to accompany this report with an oral presentation.

Police discipline is provided for in the statutory scheme entitled 'Complaints', which is Part V of the *Police Services Act*, R.S.O. 1990 (PSA), and Ontario Regulation 123/98 made under the authority of the PSA.

This statutory scheme provides for both civilian (or external) complaints and a chief's (or internal) complaint. Investigation of complaints is the responsibility of the chief of police of the police service to which the complaint relates.

A chief must determine whether the complaint is either about the conduct of a police officer, or the policies and/or services provided by the police service. In addition, a chief is compelled to have every complaint about the conduct of a police officer (other than the conduct of the chief or a deputy chief) to be investigated and the results of that investigation to be reported on in a written report.

1. The differences between the disciplinary tribunal process and the disciplinary process conducted at the unit level.

If at the conclusion of an investigation, and upon review of the written report, the chief of police is of the opinion that "the police officer's conduct may constitute misconduct" then the chief shall hold a hearing into the matter (PSA, s. 64(7) refers). This hearing, often referred to as the Tribunal, must be conducted in accordance with the *Statutory Powers Procedure Act*, R.S.O. 1990, and requires a burden of proof based on "clear and convincing evidence" to convict the officer.

Upon conviction, the hearing officer may impose one of the following range of penalties: (a) dismissal; (b) direct that the officer be dismissed in seven days if she/he does not resign before that time; (c) demote the officer, specifying the manner and period of the demotion; (d) suspend the officer without pay for a period not exceeding 30 days or 240 hours; (e) direct that the officer forfeit not more than 20 days or 160 hours off; (f) a reprimand; (g) specified counselling, treatment or training; (h) participation in a specified program or activity, or (i) any combination of (f), (g) and (h). A finding of guilt results in an entry in the officer's employment file where it will remain for his/her entire career.

However, if a chief of police believes that the actions of the officer constituted misconduct, that was "not of a serious nature", the PSA provides for three alternative methods of resolving the complaint at the unit level.

Each of these approaches require the agreement of the complainant, the officer and the chief of police.

Informal Resolution Before or During Investigation:

If, at any time before or during an investigation into a complaint about the conduct of a police officer and the conduct appears to be obviously conduct that is not of a serious nature, the chief of police may resolve the matter informally, if the police officer and the complainant consent to the proposed resolution.

Informal Resolution after Investigation:

If, at the conclusion of the investigation and on review of the written report submitted to him or her, the chief of police is of the opinion that there was misconduct but that it was not of a serious nature, the chief of police may resolve the matter informally without holding a hearing, if the police officer and the complainant consent to the proposed resolution.

Each of these solutions is an 'agreement' between the complainant, the officer and the Service, which does not involve a penalty action. It is a method to expeditiously resolve the complaint where an exchange of views and a handshake will suffice to satisfy the complainant.

Unit Level Discipline (Disposition without a Hearing):

In circumstances where it would be appropriate to discipline the officer, and upon his or her consent, a uniform senior officer as the chief's designate may impose any of the following range of penalties, or actions: (a) the forfeiture of not more than 3 days or 24 hours pay; (b) a reprimand; (c) specified counselling, treatment or training; (d) participation in a specified program or activity, or (e) any combination of (b), (c) and (d). An admission of guilt at the unit level results in an entry in the officer's employment file, where it will remain for two years, provided there have been no other entries of misconduct or unsatisfactory work performance.

2. The process through which the Service determines whether a disciplinary matter will be resolved by the unit commander or at the tribunal:

As outlined previously, substantiated misconduct is to be resolved through a hearing, except where there is a belief that the actions were not of a serious nature. While the PSA speaks to conduct "not of a serious nature", it fails to provide any definition or guidance to a chief of police as to what such conduct would be.

As a result, I have provided through the procedure entitled 'Complaint Intake' (13-02) and listed in Appendix "A" of that procedure, what categories of misconduct may be concluded at the unit level. Those offences not included in that appendix are deemed to be serious in nature and shall be resolved through the hearing process. For the benefit of Board members, Appendix "A" is provided as an attachment.

3. How the Service determines an appropriate penalty and ensures that it is consistent with the seriousness of the facts and is comparable to previous penalties issued by other unit commanders across the Service or the hearing officers at the tribunal.

In arriving at a proper disposition a number of considerations must be reviewed, including:

- Public Interest;
- Seriousness of the misconduct;
- Remorse or recognition of the seriousness of the misconduct;
- Impact on public complainant (if any);
- Officer's employment history;
- General deterrence;
- Specific deterrence;
- Ability to reform or rehabilitate the officer;
- Damage to the reputation of the Police Service;
- Officer's personal handicap or other relevant considerations;
- Effect on the police officer and her/his family;
- Management approach to misconduct in question;

- Consistency of penalty, and;
- Effect of publicity on Police Service, public confidence in the discipline process and the officer.

While the Toronto Police Service subscribes to the notion of progressive discipline, it has to be recognized that the seriousness or circumstances of a single instance of proven misconduct may lead to the dismissal of an officer for a first offence.

Tribunal penalties:

Typically, after a finding of misconduct in the Tribunal, the Service prosecutor will introduce into evidence at the sentencing hearing, examples of how other Tribunals; the Ontario Civilian Commission on Police Services or another appellate body has dealt with the issue of penalty for a similar offence. However, there is no hard and fast tariff for either prosecutors or hearing officers to apply to any particular offence.

While consistency of penalty for like offences and like offenders is frequently sought, it is not the only consideration for a Tribunal to take into account. Decisions of one Tribunal are not binding on another Tribunal. Police discipline is local in nature and it is dependent upon the chief of police.

For example, in the Toronto Police Service, it was communicated to all police officers through routine orders that upon a finding of misconduct in the Tribunal, for a matter related to drinking and driving, the prosecution may seek dismissal. When compared to previous Toronto decisions, or other appellate body decisions, this penalty is significantly higher than historical levels.

Unit Level Discipline:

Having regard to those offences listed in Appendix "A", it would not be appropriate to fetter the discretion of a uniform senior officer by establishing a hard and fast tariff for use at the unit level.

However, I have directed Professional Standards to develop a suitable "range" of penalties for consideration by the uniform senior officer. It is anticipated that these guidelines will be distributed by the end of the second quarter of 2005.

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

Superintendent Robert Qualtrough and Staff Inspector George Cowley, Professional Standards, were in attendance and delivered a presentation to the Board on the disciplinary process and penalty standards.

The Board received the foregoing and extended its appreciation to Supt. Qualtrough and Staff Insp. Cowley for the informative presentation.

APPENDIX "A"

UNIT LEVEL CRITERIA

For the purpose of s.58, s.64 (11) and s.64 (15) of the PSA, where a Police Officer engages in a form of conduct listed below under “Misconduct Issues” or fails to meet a work performance standard and provided the member was not suspended from duty, a Uniform Senior Officer or a Supervisory Officer may resolve the matter through Informal Resolution or Disposition Without a Hearing as dictated in Procedure 13-02 and/or 13-04.

Notwithstanding the foregoing, any Police Officer holding the rank of Sergeant (Detective) or higher, having knowledge of any misconduct or failure of another police officer to meet work performance standards, who wilfully fails to report such behaviour, shall be dealt with through a PSA Hearing.

Misconduct Issues (as defined in Ontario Regulation 123/98, Part V, "Code of Conduct" PSA)

Discreditable Conduct [s. 2 (1)(a)]

- (iv) uses profane, abusive or insulting language to any other member of a police force
- (v) uses profane, abusive or insulting language or is otherwise uncivil to a member of the public

Neglect of Duty [s. 2 (1)(c)]

- (i) without lawful excuse neglects or omits promptly and diligently to perform a duty as a member of the police force
- (ii) fails to work in accordance with orders, or leaves an area detachment, detail or other place of duty, without due permission or sufficient cause
- (iii) by carelessness or neglect permits a prisoner to escape
- (iv) fails, when knowing where an offender is to be found, to report him or her or to make due exertions for bringing the offender to justice
- (v) fails to report a matter that it is his or her duty to report
- (vi) omits to make any necessary entry in a record
- (ix) is absent without leave from or late for any duty, without reasonable excuse
- (x) is improperly dressed, dirty or untidy in person, clothing or equipment while on duty

Damage to Clothing or Equipment [s. 2 (1)(h)]

- (i) wilfully or carelessly causes loss or damage to any article of clothing or equipment, or to any record or other property of the police force
- (ii) fails to report loss or damage, however caused, as soon as practicable

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
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#P71. POLICE IDENTIFICATION ON UNIFORMS

The Board was in receipt of correspondence, dated December 29, 2004, from Harvey Simmons, Toronto Police Accountability Coalition, with regard to reviewing the issue of name identification tags on police uniforms. A copy of the correspondence is appended to this Minute for information.

Mr. Simmons was in attendance and made a deputation to the Board on the new information he had obtained while researching the most common method of identification used by police services across North America. The information provided by Mr. Simmons today was in addition to the presentation he made to the Board at its September 23, 2004 meeting (Min. No. P319/04 refers).

Following a request for a recorded vote, the Board considered the following Motion:

THAT the Board approve the concept of name badges, or other identification, on uniforms, in principle, and that this matter be forwarded to the Interim Chief of Police for review to determine whether the costs that would be incurred can be absorbed in the 2005 operating budget; that during his review, he consult with the Toronto Police Association regarding the use of identification on uniforms; and that the results of the review be provided in a report to the Board for consideration at a future meeting.

FOR

**Chair McConnell
Vice-Chair Mukherjee
Mr. Grange
Councillor Filion**

AGAINST

Councillor Ootes

The Motion passed.

The Board received Mr. Simmons' deputation and his December 29, 2004 correspondence.

HSimmons <hsimmons@yorku.ca>



HSimmons
<hsimmons@yorku.ca>
>

To: Deirdre.Williams@torontopoliceboard.on.ca
cc:
Subject: Re: Police Identification

2004.12.29 12:54

Dear Ms. Williams: Below please find the text of the deputation I would like to make regarding name tags. Thanks, Harvey Simmons

To: Toronto Police Services Board

From: Harvey Simmons

Subject: Police name tags

Date: December 29, 2004

In response to my suggestion that the Toronto Police Services substitute name tag for badge number identification, the Police Services raised a number of objections. I responded to most of them at my last deputation, but I now wish to provide additional information.

1. An August 12, 2004 memo from the Chief states, under the heading "CURRENT PRACTISES" that the Police Services surveyed eleven North American police services and found, "that there is no consistent standard or method as to how officers are identified." In fact, of the eleven departments surveyed, all except the York, Peel and Durham Regional Police Services have adopted a name tag method of identification. When placed in context of the vast majority of urban police forces in North America which use name tags, the fact is that there is a "consistent standard," which is the use of name tags rather than badge numbers as the method of identification.

2. At my last deputation on September 25, 2004, when a motion to adopt a name tag policy was presented to the Board, the question of the cost arose. A representative of the Police Services present at the meeting stated that the cost would be around \$200,000. Three members of the Board, one of whom has since retired, expressed concern at what they apparently thought was the excessive cost of name tags.

However, the \$209,000 figure, which was the only figure quoted at the meeting, was for brass name tags. The August 12, 2004 memo from the Chief also mentioned considerably lower figures, e.g. acrylic name tags at a cost of \$10.00 each x 5225 officers x 2 per officer for a total of \$104,500. I telephoned three companies in Toronto asking what they would charge for 1 x 3 acrylic name tags with locking pins. The figures for the three companies were: 1) \$3.21; 2) \$5.00; and, 3) \$4.00. Admittedly I did not provide the kind of detailed information about the name tags that the police service must have provided when seeking their estimates. But the figures quoted are at least 50 percent less than those which the police provided. In addition, I recently received an email from the Ottawa Police Services Board stating that the Ottawa police use "a small rectangular name tag that sells for about \$5.00 each." Officers are issued three name tags and each name tag has the last name and first initial of the officer. Total cost to the Toronto police of issuing three name tags similar to those used by Ottawa to 5,225 officers would be \$78,375.

3. Finally, it is puzzling that the Police Services and the Police Services Board seems to find even the \$209,000 name tag cost excessive when, according to the Star, December 17, 2004, Chief Fantino "said he was sure he could find \$1.1 million (to purchase 539 Taser stun guns) in next year's already tight police budget proposal." Given that even the highest estimate of \$209,000 for name tags comprises about .0003 of the total police services budget, and the more realistic figure of approximately \$80,000 represents a very tiny proportion of the budget, I suggest that adopting a name tag policy would be an extremely cheap method for bringing the Toronto Police Services into line with police departments in North America and humanizing a police service which, unfortunately, many people think has grown distant from the public.

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**#P72. REPORT: THE AUDITOR GENERAL'S FOLLOW-UP REVIEW ON
THE OCTOBER 1999 REPORT ENTITLED: "REVIEW OF THE
INVESTIGATION OF SEXUAL ASSAULTS – TORONTO POLICE
SERVICE"**

The Board noted that at its February 10, 2005 meeting, it considered a report, dated October 2004, entitled: *The Auditor General's Follow-Up Review on the October 1999 Report Entitled: "Review of the Investigation of Sexual Assaults – Toronto Police Service"* and, although the Auditor General, Mr. Jeffrey Griffiths, was not available to discuss the report with the Board at that time, he had indicated that he would personally respond to any questions by the Board at its March 08, 2005 meeting (Min. No. P34/05 refers).

Mr. Griffiths was in attendance and provided a brief summary of the follow-up review that was conducted and discussed the new recommendations that were developed as the result of that review. Mr. Griffiths also responded to questions by the Board about this report.

The Board received the foregoing.

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**#P73. FINAL REPORT ON THE PROGRESS OF THE RECOMMENDATIONS
CONCERNING VARIOUS ASPECTS OF POLICE MISCONDUCT &
ISSUES REGARDING DRUG TESTING, PSYCHOLOGICAL
EVALUATIONS & FINANCIAL BACKGROUND CHECKS**

The Board was in receipt of correspondence, dated January 17, 2005, from the Honourable George Ferguson, Q.C., containing the final status update on the progress of the implementation of the recommendations from his 2003 report entitled *Review and Recommendations Concerning Various Aspects of Police Conduct*. A copy of the correspondence is appended to this Minute for information. The Board noted that this correspondence and a report, dated January 19, 2005, had originally been placed on the agenda for consideration at the Board's February 10, 2005 meeting, and were subsequently deferred to the March 08, 2005 meeting (Min. No. P36/05 refers).

The Board was also in receipt of the following report JANUARY 19, 2005 from Julian Fantino, Chief of Police:

Subject: UPDATE ON THE PROGRESS OF THE RECOMMENDATIONS
CONCERNING VARIOUS ASPECTS OF POLICE MISCONDUCT

Recommendation:

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

Background:

At its meeting of September 23, 2004, the Board received an interim status report with regard to the Service's progress on the implementation of recommendations made by the Honourable Mr. George Ferguson, Q.C. (Board Minute No. P275).

At that time, I informed the Board that many of the recommendations had already been implemented and that the implementation of the other 18 recommendations was ongoing. I further advised that I maintained my commitment to ensure that the outstanding recommendations would be substantially, if not fully, implemented by the end of 2004.

I am pleased to report that, as asserted, we have moved forward on all of the Honourable Mr. Ferguson's recommendations.

Since its inception, the Honourable Mr. Ferguson's report and recommendations and the ensuing implementation process have been groundbreaking. All of the recommendations were practical, progressive in the context of Canadian policing, and achievable.

Considerable interest in His Honour's recommendations has been expressed by police services across Canada and internationally. Many of these services are now engaged in their own implementation processes.

The Honourable Mr. Ferguson and I co-chaired the implementation process and the weekly committee meetings. He was resolute in ensuring that the spirit of his recommendations stayed true.

Never before have the Command, the Toronto Police Association and the Senior Officers' Organization come together to work on such a large-scale project, while maintaining in the fore the interests of their respective members. Consensus between the parties was reached on the vast majority of the recommendations, although the Toronto Police Association and the Senior Officers' Organization have reserved their right to challenge issues as they arise with respect to the few contentious issues (i.e. the psychological assessment, drug testing and financial check programs).

The following report provides a synopsis of the final outcome of each recommendation. At its meeting on September 23, 2004, the Board received a status update with respect to the implementation process (Board Minute No. P275). Excerpts from that report have been included for recommendations that were then identified as 'implemented'. A 'Final Report Status' has been provided for those recommendations that were identified in that report as 'on-going'.

Part I – Disclosure of Police Misconduct

- 1. That, upon written request from the Crown Attorney to the Chief of Police for information regarding acts of misconduct by a member of the Service who may be a witness or who was otherwise involved in a case before the court, the Chief of Police or his designate shall supply the Crown Attorney with the following information:**
 - a. Any conviction or finding of guilty under the Canadian Criminal Code or under the Controlled Drugs and Substances Act for which a pardon has not been granted.**
 - b. Any outstanding charges under the Canadian Criminal Code or the Controlled Drugs and Substances Act.**
 - c. Any conviction or finding of guilt under any other federal or provincial statute.**
 - d. Any finding of guilt for misconduct after a hearing under the Police Services Act or its predecessor Act.**
 - e. Any current charge of misconduct under the Police Services Act for which a Notice of Hearing has been issued.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree

Status: Implemented

This process continues to be administered by Professional Standards – Risk Management (Legal). Upon request, a Crown will receive information by way of a template letter. The letter is modified to include details of the case at issue and also provides a comprehensive background regarding the Service’s position in providing the information.

Service Procedure 12-08 (Disclosure, Duplication and Transcription) is currently being revised through Corporate Planning in support of this initiative and is expected to be complete before the end of 2004.

Professional Standards, Risk Management (Legal Section) has absorbed the additional workload using existing resources.

- 2. Applications or subpoenas for personnel, employment, complaint, Professional Standards Investigative Unit - Criminal Investigations, or other related information will be contested and will not be produced, unless ordered to do so by a court of competent jurisdiction.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree
Status: Implemented

Service counsel continues to administer this recommendation. The workload continues to be addressed within the current resources of Professional Standards, Risk Management (Legal).

The letter to the Office of the Crown Attorney used to disclose records described above in Part I, Recommendation #1, also indicates that it is the position of the Service that additional information, including (but not limited to) personnel, Internal Affairs, complaint and employment files or other related information are third-party records, with access to them governed by the two-stage process set out by the Supreme Court of Canada in *Regina vs. O’Connor*.

- 3. Any member whose records are to be produced to the Crown pursuant to Recommendation #1 above or whose records are the subject of an application or subpoena pursuant to Recommendation #2 above shall be notified in writing.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree
Status: Implemented

Officers whose information is released in accordance with Part I, Recommendation #1 above receive a copy of the correspondence by internal mail, marked “confidential”.

4. Any information to be produced to the Crown pursuant to Recommendation #1 above shall be obtained through the Toronto Police Service, Professional Standards Information System (PSIS).

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree in principle
Status: Implemented

Because it will take some time for the PSIS database to be populated with all of the appropriate data, the information required under Part I, Recommendation 1 above is being provided fully and accurately through the Human Resource Management System (HRMS), Professional Standards – Risk Management (Prosecutions) and CPIC.

In the long term, PSIS data will be accessed through HRMS to ensure that comprehensive information about *Police Services Act* discipline matters can be fully disclosed along with information about convictions under other legislation.

It is anticipated that PSIS will be populated with all relevant and appropriate data about members’ discipline issues within the five-year window initially reported.

Part II – Recruitment & Employment

1. The status of the Employment Unit must be substantially upgraded within the organizational structure of the Service and be provided with additional financial resources and sufficiently skilled personnel.

Final Status Report

Response: Agree
Status: Implemented

In addition to the previously reported developments in this area, the Employment Unit is now working with Corporate Communications to increase its public profile through ethnic and mainstream media outlets. It is also seeking to improve its internal communications by publishing articles in *Badge*, the new Service newsletter.

2. **The Employment Unit personnel must develop and implement a professionally targeted and focused recruitment program.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree
Status: Implemented

Full implementation of this recommendation has staffing, resource and financial implications (see Part II, Recommendation #3 below).

The Employment Unit's Focused Recruiting Plan 2004 outlines the Recruiting Unit's activities, which focus on specific diverse communities and women. For example, aggressive programs are in place to reach out to women and to the Black, South Asian, Asian, Aboriginal and Lesbian, Gay, Bisexual, Transgendered and Transsexual (LGBT) communities.

3. **Background investigations of candidates must be expanded by more comprehensive interviews of references and more professional investigations.**

Final Status Report

Response: Agree
Status: Implemented

Home visits, including interviews with neighbours, have been expanded to include all candidates who reach the background investigation stage of the hiring process. Further, personal interviews with the candidate's references are now being conducted in place of telephone interviews.

As indicated in the previous update to the Board, portions of the application and hiring process that are within the control of the Service continue to be reviewed, revised and enhanced.

4. **The Employment Unit must increase exposure of the Service to students in universities, community colleges, high schools, and other educational institutions who are enrolled in courses relating to law enforcement.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree in principle
Status: Implemented

The Recruiting Unit has established relationships with most local colleges and universities, including those offering the Police Foundations program, and aggressively pursues recruitment efforts through those partnerships.

Presentations are made on a regular basis and TPS recruiters attend career fairs. Attendance at high schools has increased through contact with guidance counsellors at both the Toronto Separate and Toronto District School Boards. Recruiters provide service seven days a week, in many instances, to reach out to appropriate community organizations to maximize contact with important potential recruitment sources, including educational institutions at the secondary and post-secondary level.

As part of the new recruitment plan, the Manager of the Employment Unit will build in measurement protocols that will help to evaluate which recruitment sources are most productive. It has not been possible to undertake such an exercise before now due to inadequate administrative staffing at the Employment Unit.

Increasing the resources of the Employment Unit will help to ensure that these improved recruiting efforts will continue.

- 5. The Service should explore co-operative or joint programs with universities, community colleges, and other educational institutions that provide courses in law enforcement for the purpose of establishing a priority in recruitment selection.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree
Status: Implemented

The response to Part II, Recommendation #4 above is also relevant to this recommendation.

The Recruiting Unit has an ongoing relationship with many coordinators at community colleges and universities. The primary focus of these relationships is recruitment and selection of candidates enrolled in the institution.

Partnerships have been established with Centennial, Durham, Humber and Commercial Business Colleges. Similar relationships also exist with the University of Toronto and York University and with university organizations such as York's Chinese, Korean and Black Students' Associations.

A program to track applicants from these institutions will be established in the coming months.

Discussions are under way with other educational institutions to extend the list of partnerships with post-secondary institutions across Ontario. For example, a meeting has been arranged in late September with Humber College to discuss the ongoing role of the TPS in the College's Foundations Program.

6. **The Service should employ two full-time, fully qualified psychologists to conduct all psychological testing of potential recruits as well as members of the Service seeking promotion or members of the Service seeking transfer to sensitive or high-risk areas. The psychologists' positions should not be held on a contract basis, as is the current practice.**

Final Status Report

Response: Agree
Status: Implemented

The job description for the corporate psychologist was approved by the Board in September 2004. The position was posted on October 7, 2004 and advertised in the newspaper on Saturday, October 9, 2004.

Interviews for this position are currently being held and it is anticipated that a recommendation for hiring the successful individual will be brought before the Board at its meeting in February 2005.

The hiring of a second psychologist will be considered during the first quarter of 2005, pending budget approval.

7. **In order to attract a greater number of qualified candidates, including minority groups, the Employment Unit should conduct well-structured seminars or tutorials at various locations in the community to explain the entire recruitment process and employment policies of the Service.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree
Status: Implemented

This initiative is already taking place to the greatest extent possible within the current staffing level of the Recruiting Section of the Employment Unit. Within 2004, the estimated number of potential recruits reached through such initiatives is 3,292.

8. **The Service should establish a new Special Recruitment Committee to act in an advisory capacity to the Employment Unit in developing and maintaining a recruitment strategy.**

The committee should consist of six individuals: two members of the Service, appointed by the Chief; two members of the Service, appointed by the Police Association; and two private citizens who have experience in promotional programs, advertising, and

recruitment, to be appointed by the Chief. The private citizens will serve alternatively, as Chair, for a period of one year. All members of the committee shall be appointed for two years, subject to one renewal appointment for two years. All committee members shall receive an appropriate honourarium from the Service. Representation of minority groups on the Committee should always be a consideration when selecting committee members.

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree in part

Status: Implemented

The Honourable Mr. Ferguson has agreed that the TPS should retain the existing Recruiting Coalition Advisory Committee. During 2004, the Committee's mandate was reviewed and restructured. The members now act in an advisory capacity on recruitment strategies and community outreach. This restructuring was conducted in lieu of establishing a new committee at this time. The Committee consists of eleven representatives from eleven minority communities. All members are considered to be leaders within their communities.

The Committee is an active group. It provided input into the Employment Unit's Focused Recruiting Plan, and its members regularly support the Unit by attending mentoring sessions and graduation ceremonies.

9. The position of "Career Development Officer" for uniform members should be re-implemented and moved to the Employment Unit. Having expertise in human resource development, this individual will assist members in assessing and achieving their career paths and promotional opportunities.

Final Status Report

Response: Agree

Status: Implemented

Approval to staff this position has been given and it is anticipated that it will be filled on or about March 1, 2005.

Part III – Transfers, Promotions, Supervision, Training & Continuing Education

1. No member of the Service shall be promoted to a management or supervisory position or transferred to a sensitive or high-risk unit unless he or she has successfully completed psychological testing and assessment, and provided personal financial background information.

Final Status Report

Response: Agree
Status: Implemented

The implementation of the psychological assessment and financial check programs will be initiated on or about March 1, 2005.

This recommendation has been considered simultaneously with the recommendations pertaining to drug testing.

Through extensive discussion, this recommendation has been interpreted as and will only apply to those promotions involving a concurrent transfer into a high-risk position. Not all members applying for promotion will be subjected to a psychological assessment or financial background check and the promotional system will not be altered as a result of this recommendation.

In all cases where a member is found to be unsuitable for a particular position as a result of one of the testing or assessment programs (i.e. psychological assessment, drug testing and/or financial checks), the only consequence will be that the member will not be selected for the specific position at that time. If mental health issues are identified, these will be addressed as (medically) appropriate and will be subject to medical privilege.

An outline of the parameters of the psychological tests have been identified, and the proposed assessments are similar to those currently used for recruits and applicants to the Emergency Task Force.

Procedures relating to the psychological assessment, drug testing and financial check programs have been drafted, and the list of 'high-risk' positions will be finalized by the end of January.

The Toronto Police Association and the Senior Officers' Organization continue to oppose the implementation of this recommendation and those relating to drug testing. Challenges to these testing programs will be dealt with as they arise.

- 2. No member of the Service shall be promoted to a management or supervisory position unless he or she has successfully completed a designated course on management skills required in the higher rank, in addition to training in ethics and integrity.**

Final Status Report

Response: Agree
Status: Implemented

Currently all new sergeants have taken the Level 1 Management training, which is required for both civilian and sworn supervisors.

No new promotions will take place until each candidate has successfully completed the appropriate training.

The Honourable Mr. Ferguson has agreed that the Level 1 Management Course (for first-level civilian supervisors and new sergeants) adequately addresses this recommendation. It has been agreed that since the higher level management training programs are currently under review, it is sufficient, at this time, to provide senior supervisors and management with the prescribed training (including the Leader Course for new staff sergeants) immediately following promotion. The Training and Education Unit has prioritized senior supervisor and management training and will ensure that the members who are on promotional lists will be given the opportunity to take the Ethics and Diversity program prior to being promoted.

3. Ethics and integrity must be incorporated as important components in all training and continuing education courses provided by the Service.

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree

Status: Implemented

While every training program delivered to TPS members incorporates components on integrity and ethical values, specific ethics and integrity modules have been incorporated into training for coach officers and supervisors, and into general investigation and interviewing courses. Ethics train-the-trainer programs began through the Training & Education Unit in June 2004 to update instructors on the most up-to-date programs available. The total cost of \$8,200 for the train-the-trainer program was absorbed within the 2004 budget.

A review of *all* training courses will be undertaken through the new Human Relations Training Section (HRTS) within the Training & Education Unit, which is in place to address this recommendation, to determine the best fit for ethics and integrity modules. While this review will take between two and three years to complete the Training & Education Unit has given priority to integrating ethics and integrity into all police training.

Financial Impact

The total cost of \$8,200 for the train-the-trainer program was absorbed within the 2004 budget.

4. All members of the Service shall be required to attend a one-day course on ethics, integrity and corruption. The course should include lectures on the forms, causes and prevention of serious police misconduct and corruption and recognized procedures that may be employed to detect and investigate same and deal with complaints of serious misconduct.

Final Status Report

Response: Agree
Status: Implemented

All senior officers have now participated in the two-day ethics and integrity training program.

The other training programs, as previously reported to the Board, have been implemented and are on-going.

This recommendation, like many others is dynamic and the Training and Education Unit remains alive to opportunities for further development in this and other areas of training.

5. The Service should form a small committee to develop a system for mandatory transfers following a specific term of service in sensitive or high-risk areas.

Final Status Report

Response: Agree
Status: Implemented

A procedure for mandatory transfers has been drafted and is expected to receive final Command approval by the end of January. It is anticipated that the procedure will be in place on or about March 1, 2005.

Part IV – Professional Standards – Investigative Unit

1. Aside from having a representative at Headquarters, the entire operation of Professional Standards Investigative Unit - Criminal Investigations must be moved to a separate, independent location.

Final Status Report

Response: Agree
Status: Implemented

In October 2004, the Board approved the renovations of the old 21 Division. It is anticipated that construction will be complete and the facility ready to accommodate the Professional Standards Investigative Unit by March 2005.

- 2. Professional Standards Investigative Unit must ensure that a sufficient number of highly skilled investigators are adequately trained to provide prompt, thorough and professional investigations of all complaints and early warnings of serious police misconduct or corruption.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree

Status: Implemented

Job-specific profiles have been prepared for the Professional Standards Investigative Unit, and management is currently working to ensure that all members meet the criteria. Investigators who do not meet the criteria will receive supplementary training (which will be identified before the end of 2004), or will be transferred out of the unit.

While the Professional Standards Investigative Unit is currently working at full strength, a review is in progress by which future staffing needs will be identified.

Financial Impact:

Part IV of the Honourable Mr. Ferguson's recommendations increases the role and responsibilities of the Professional Standards Investigative Unit. It has been determined that the current staffing complement within Professional Standards is insufficient to fully address the recommendations included in Part IV of the Honourable Mr. Ferguson's report.

The additional resources required to implement all the recommendations in this part of the report, with the exception of noted additional costs associated with Part IV, Recommendations #1 and #5, include additional staffing of one inspector, one detective sergeant, one detective and three clerks.

Annualized incremental implementation costs are estimated at \$447,100 for salaries and benefits. Furniture and equipment are currently available.

3. **When warranted, personnel within Professional Standards Investigative Unit - Criminal Investigations must have the capacity to conduct integrity testing of targeted areas in a professional manner that is free from all aspects of entrapment.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree
Status: Implemented

This recommendation has been implemented as described above.

The capacity of the unit to conduct integrity testing of targeted areas will be enhanced by the training described under Part IV, Recommendation #2.

4. **Investigators employed in Professional Standards Investigative Unit-Criminal Investigations shall be transferred out of the Unit after a specific number of years and shall be accorded special recognition for their service in the Unit for the purpose of future promotional opportunities.**

Final Status Report

Response: Disagree
Status: Not implemented

Following in-depth discussions, and with the full support of the Honourable Mr. Ferguson, it was agreed that the recommendation to afford special recognition to members who serve in Professional Standards Investigative Unit will neither be implemented nor considered further.

5. **PRS Investigative Unit (Criminal Investigations) shall establish independent telephone lines, available to members of the public or members of the Service to report serious police misconduct or corruption on an anonymous basis.**

Final Status Report

Response: Agree
Status: Implemented

An internal telephone line, without call display will be installed and operational when the new Professional Standards Investigative Unit facility opens in March 2005.

It should be noted that after considerable discussion, it was agreed that, at this time, the telephone line will only be available to members of the Service. It was agreed that further consideration of a public telephone line would be suspended until the Honourable Justice Patrick LeSage, Q.C., makes his final recommendations in respect of the public complaints system.

- 6. Professional Standards-Investigative Unit must design and implement a process whereby "whistle-blowers" are provided adequate protection.**

Final Status Report

Response: Agree
Status: Implemented

The 'whistle-blower' procedure, now entitled "Protected Disclosure", has been drafted and will be published by Corporate Planning. The procedure underscores the importance of a fair and impartial complaint process, and each member's duty (under Rule 4.2.3) to report acts of discreditable conduct.

The anonymous telephone line, outlined in Part IV, Recommendation #5, will be the only means by which a member can truly be anonymous when reporting misconduct, since the *Stinchcombe* decision makes it almost impossible to protect the identity of members who report misconduct in person.

All parties have indicated that they are satisfied with the procedure, although the Toronto Police Association continues to reserve its right to raise challenges as issues arise.

It is anticipated that this procedure will take effect in March 2005, to coincide with the move of the Professional Standards Investigative Unit and the implementation of the anonymous internal telephone line.

Part V – Use of Alcohol, Drugs and Other Substances

- 1. The Service must develop and implement a comprehensive policy that incorporates the following elements:**

Members shall not engage in:

- a) the illegal use or possession of any of the substances listed in Schedules I, II, III and IV of the Controlled Drugs and Substances Act;**
- b) the use of any other substance, not named in the Schedules to the Controlled Drugs and Substances Act, to the extent that the said substance may have an adverse effect on the performance of his or her duties as a member of the Service; and**
- c) the consumption of any alcoholic beverage contrary to the policy of the Service.**

Final Status Report

Response: Agree
Status: Implemented

As previously reported to the Board, this recommendation has been built into the new Code of Conduct and its preamble.

It is anticipated that the Code of Conduct will be distributed by the middle of February 2005.

- 2. Members who violate the above policy shall be subject to disciplinary action, up to and including dismissal.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree

Status: Implemented

The command and senior officers of the Service have continually reinforced the importance of ethical and professional behaviour by members. Even without substantial change to the existing procedures on substance abuse, members can be subject to discipline for violating rules and procedures covering the use of alcohol and drugs.

I have ensured that Professional Standards, Risk Management (Prosecutions) will continue to seek appropriate disciplinary sanctions against members who violate this and other breaches of discipline.

This fact has been, and continues to be, continuously reinforced by the command and senior officers of the Service. It is also covered in the new TPS Code of Conduct, which is set for release in the coming weeks.

All of the above sources continue to reinforce the fact that serious misconduct, including the abuse of drugs, alcohol and other substances, will, in consideration of the circumstances, invoke the full range of discipline options, from reprimand through dismissal.

- 3. As a condition of transfer, promotion or reassignment, members shall be required to acknowledge, in writing, that they have read and understand the above-mentioned policy.**

Status Previously Reported to the Board (Board Minute No. P275/04)

Response: Agree in part

Status: Implemented

When current members receive the new TPS Code of Conduct later this year, each member will sign for receipt and to indicate that they understand that they are responsible for knowing and complying with the contents.

Similarly, all new members of the Service will be issued with a copy of the Code, and will be required to sign for receipt and to acknowledge the requirement that they understand and comply with the contents of the document.

The acknowledgement form was prepared through Deputy Chief Steven Reesor and Mr. Jerry Wiley, my legal counsel. The form will be considered in the forthcoming legal analysis and opinion on drug testing and related matters that is being obtained by the Honourable Mr. Ferguson, on behalf of the Service.

This solution will cover not only members seeking promotion, transfer or reassignment, but also members currently in all positions across the Service, including sensitive and high-risk positions.

- 4. As a condition of promotion or reassignment to a sensitive or high-risk area (e.g. drug squads, major crime units, Emergency Task Force, Intelligence Services, Mobile Support Unit, Professional Standards, Professional Standards Investigative Unit - Criminal Investigations, etc.), members shall be required to submit to a drug testing program.**

Final Status Report

Response: Agree
Status: Implemented

The drug testing program will be implemented on or about March 1, 2005.

Procedures pertaining to the psychological assessment, drug testing and financial check programs have been completed. The list of 'high-risk' positions has also been completed and is now awaiting final approval.

- 5. Applicants for employment with the Service shall be required to consent to acknowledge, in writing, that they have read and understand the above-mentioned policy.**

Final Status Report

Response: Agree
Status: Implemented

A waiver and consent form has been prepared and is awaiting final approval. The form requires the applicant to acknowledge that he/she has read and understood the applicable Service procedures.

Part VI – Informers and Agents

- 1. The Service should take immediate steps to study and implement the Source Management System now used by the Metropolitan Police Service; London, England.**

Final Status Report

Response: Agree
Status: Implemented

The Covert Operations Unit is now operational.

Following the previous status report to the Board, the staffing requirements for the Covert Operations Unit were revisited. It was decided that once the Unit was operational the Service would be in a better position to determine the staffing requirements, based on the actual workload in the new unit. As such, the Covert Operations Unit has been modestly staffed with seven (7) officers and one clerk. Four (4) of the officers have been redeployed from within Detective Services and three (3) officers have been transferred from the field. An ongoing analysis of the staffing situation will be conducted to ensure that appropriate levels are maintained to handle the workload. However, as previously reported, if additional staff is required, it will have an impact on the budget.

The members currently assigned to the new Unit have received the necessary training. The long-term training needs of the Unit have also been assessed and the Training & Education Unit will assume the responsibility for providing the required programs.

Procedures in relation to the management of informants and agents have been redrafted and will be published by Corporate Planning.

- 2. When the Source Management System has been implemented, the Service shall require an annual audit of the performance of the new system.**

Final Status Report

Response: Agree
Status: Implemented

After a full discussion, the Honourable Mr. Ferguson agreed that annual audits conducted by Professional Standards Risk Management Unit, will satisfy the spirit of his recommendation.

3. **The annual audit shall be completed by a person who has extensive experience in law enforcement procedure and is totally independent from the Service and the City of Toronto.**

Final Status Report

Response: Agree
Status: Implemented

An independent audit of the new system will be conducted after the Unit has been operational for a period of time (e.g one (1) year). All parties have agreed however that, provided annual audits are conducted in accordance with Part VI, Recommendation #2, the conduct of an independent audit will only be required once to ensure that the system has been adequately implemented.

Conclusion

It is recommended that the Board receives this report for information. The Honourable Mr. Ferguson and I will be in attendance to answer any questions that the Board members may have.

The Board was also in receipt of the following report MARCH 07, 2005 from Michael J. Boyd, Interim Chief of Police:

Subject: EXTENSION OF TIME: REPORT OF THE HONOURABLE GEORGE FERGUSON Q.C.

Recommendation:

It is recommended that: the Board approve an extension of two-months of time to submit a report on the implementation of drug testing, psychological evaluations and financial checks in certain situations.

Background :

I have had an opportunity to review the reports prepared by the Honourable George Ferguson Q.C., into the Review and Recommendations Concerning Various Aspects of Police Misconduct, and I have concerns with the portion of the report dealing with drug testing as currently proposed.

I am concerned that the proposed system would not withstand a court challenge on a number of fronts. I am similarly concerned about the psychological and financial testing processes. I have conferred with our Service's Legal Counsel and drawn on my experience as the Chair of the Canadian Association of Chief's of Police Drug Abuse Committee. I am confident that within the next two-months the drug testing system as proposed can be returned to the Board for its consideration.

I am therefore requesting an extension of two-months of time to submit a report on the implementation of drug testing, psychological evaluations and financial checks in certain situations.

The following persons were in attendance and made depositions to the Board specifically with regard to Part III Recommendation No. 1 pertaining to the implementation of psychological assessments and financial background check programs, and the recommendations contained in Part V – Use of Alcohol, Drugs and Other Substances:

- **Ms. Alexi Wood & Mr. Jeremy Patrick-Justice, Canadian Civil Liberties Association; and**
- **Mr. David Wilson, President, Toronto Police Association.**

Interim Chief Boyd was offered an opportunity to provide his comments to the Board on Justice Ferguson's recommendations. Interim Chief Boyd indicated that he supported all the recommendations that have been implemented, or are in the process of being implemented, with the exception of the recommendations, as they are currently proposed, pertaining to drug testing, psychological evaluations and financial background checks. A copy of Interim Chief Boyd's speaking notes with regard to this matter is on file in the Board office.

The Board approved the following Motions:

- 1. THAT the depositions be received;**
- 2. THAT the January 17, 2005 correspondence from Justice Ferguson be received;**
- 3. THAT the report dated January 19, 2005 from former Chief of Police Fantino be received;**
- 4. THAT the report dated March 07, 2005 from Interim Chief Boyd be approved; and**
- 5. THAT the Chair and the Interim Chief, in consultation with the Senior Officers' Organization, the Toronto Police Association, Board staff, legal counsel and others as appropriate, develop a sound rationale and policies and procedures for drug testing, psychological testing and financial background checks for Service members.**

HON. GEORGE FERGUSON, Q.C.

ONE BENVENUTO PLACE, SUITE 405
TORONTO, ONTARIO
M4V 2L1

DATE RECEIVED

JAN 17 2005

TORONTO
POLICE SERVICES BOARD

Delivered by hand

January 17, 2005

Councillor Pam McConnell, Chair
Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

Dear Councillor McConnell:

At its meeting on January 13, 2005, the Implementation Committee agreed to move forward on all outstanding recommendations. The following points accentuate these significant developments:

- The drug, financial and psychological programs will be implemented on or about March 1, 2005.
- The new Source Management Unit will be operational on or about January 21, 2005. Initially, the unit will consist of seven officers, who have already been identified and trained.
- Within the next two weeks, interviews will be conducted to hire the first of two full time psychologists. It is anticipated that the selected individual will be hired on or about March 1, 2005.
- A Career Development Officer will be identified and in place by March 1, 2005.
- Discussions have resumed with Humber College to develop a collaborative, targeted recruitment strategy. A statement of principles or memorandum of understanding is being drafted to arrange a mutually beneficial, non-exclusive strategy. It is intended that this statement of principles or memorandum of understanding may be used as a template for similar arrangements with other post secondary institutions.

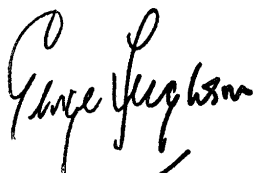
The implementation of the above recommendations will essentially complete the implementation process, which has remained entirely consistent with the spirit of my recommendations.

It is important to note that, to my knowledge, this is the first time that the Toronto Police Association (TPA), the Senior Officers' Organization (SOO) and the Command have worked collaboratively on such a large scale project. As a result of these efforts, the parties have agreed on the implementation of the vast majority of my recommendations. For the few recommendations where consensus was not reached, the TPA and the SOO have reserved their right to raise formal opposition on behalf of their members as issues arise.

In the very near future, I would like the opportunity to address the Board and present my final report on the implementation of my recommendations. My research assistant, Ms. Erin Sweeney, will contact your staff to make the necessary arrangements.

Should you or any member of the Board have any questions or comments, I would invite you to contact me by telephone at (416) 922-2170 or by email at gfergjudge@sprint.ca. Alternatively, Ms. Sweeney can be reached by telephone at (416) 808-7807, by fax at (416) 808-7802 or by email at erin.sweeney@torontopolice.on.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "George Ferguson". The signature is fluid and cursive, with a large initial "G" and a long, sweeping underline.

George Ferguson

cc Dr. Alok Mukherjee, Vice Chair
Councillor Case Ootes, Member
Councillor John Filion, Member
The Honourable Mr. Hugh Locke, Member
Mr. Hamlin Grange, Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P74. DEPLOYMENT OF ADVANCED TASERS FOR FRONT-LINE SUPERVISORS

The Board was in receipt of the following:

- Report, dated January 18, 2005, from Julian Fantino, Former Chief of Police
RE: DEPLOYMENT OF ADVANCED TASERS FOR FRONT-LINE SUPERVISORS
- Report, dated January 31, 2005, from David McKeown, Medical Officer of Health
RE: HEALTH IMPLICATIONS OF TASERS
- Report, dated February 09, 2005 from Pam McConnell, Chair
RE: BACKGROUND INFORMATION REGARDING TASERS
- Report, dated March 01, 2005, from Michael J. Boyd, Interim Chief of Police
RE: DEPLOYMENT OF ADVANCED TASERS FOR FRONT-LINE SUPERVISORS

Copies of the foregoing reports are appended to this Minute for information. Copies of the Appendices, noted in the January 18, 2005 report, are on file in the Board office.

The Board was also in receipt of the following:

- Correspondence, dated November 26, 2004, from David Wilson, President, Toronto Police Association
RE: SUPPORT FOR THE INCREASED USE OF TASERS
- Written submission, dated February 07, 2005, from Michael Craig, Amnesty International – Toronto Organization
RE: USE OF TASERS
- Written submission, dated February 08, 2005, from Patti Gillman
RE: USE OF TASERS
- Written submissions, dated February 09, 2005 and March 03, 2005, from John Sewell, Toronto Police Accountability Coalition
RE: USE OF TASERS

Copies of the foregoing documents are on file in the Board office.

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

- **Mr. Andy Buxton, Amnesty International –Toronto Organization;**
- **Mr. David Wilson, President, Toronto Police Association;**
- **Dr. Jim Cairns, Deputy Chief Coroner of Investigations;**
- **Mr. John Sewell, Toronto Police Accountability Coalition; and**
- **Mr. Julian Falconer, Falconer, Charney, Macklin.**

Interim Chief Boyd was offered an opportunity to provide his comments to the Board on the use of Tasers by front-line supervisors. Interim Chief Boyd indicated that he supported a Service-wide roll-out of the Tasers to front-line supervisors. However, he recommended that the initial roll-out be limited to three divisions at this time: No. 31, No. 42 and No. 52, to be followed by a comprehensive assessment. A copy of Interim Chief Boyd's speaking notes with regard to this matter is on file in the Board office.

Staff Sergeant Peter Button, Training and Education, and Sergeant Doug Walker, Emergency Task Force, were also in attendance and responded to questions by the Board.

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

- 1. THAT the reports from Former Chief Fantino, Dr. McKeown and Chair McConnell, all noted above, be received;**
- 2. THAT the correspondence and written submissions from Mr. Wilson, Mr. Craig, Ms. Gillman and Mr. Sewell be received;**
- 3. THAT the deputations be received;**
- 4. THAT, with regard to the March 01, 2005 report from Interim Chief Boyd:**

Recommendation No. 1 – be approved;

Recommendation No. 2 – be approved with an amendment so that it now reads as follows:

THAT the Board consider the continuation of Advanced Taser implementation after receiving the results of the three month interim report on Advanced Taser use in 31, 42 and 52 Divisions.

Recommendation No. 3 – be approved

Recommendations No. 4 and No. 5 – be received

Recommendation No. 6 – be approved

5. **THAT the Board approve a draw of approximately \$204,000 (conditional on exchange rate) from the Service's Vehicle and Equipment Reserve for the purchase of 100 Taser units and related accessories;**
6. **THAT the draft protocol, contained in Appendix 1 of the March 01, 2005 report from Interim Chief Boyd, be endorsed by the Board and that the Board be notified of any changes that may be made; and**
7. **THAT the Chief of Police provide an annual report to the Board on the use of Tasers within the Service.**

The Board voted as follows:

FOR

**Councillor Ootes
Mr. Grange
Councillor Filion**

AGAINST

**Chair McConnell
Vice-Chair Mukherjee**

The Motions passed.

Report, dated January 18, 2005, from Julian Fantino, Former Chief of Police:

Subject: DEPLOYMENT OF ADVANCED TASERS

Recommendations:

It is recommended that:

1. The Board approve the purchase of five hundred and thirty-nine (539) Advanced TASERS (489 for issue and 50 for training and spares) and four thousand three hundred and twelve (4312) air cartridges at a total cost of \$1.1M; and
2. The Board approve an amendment to the Capital Budget request as follows:
 - a. defer \$600,000 from the 23 Division new facility project from the year 2005 to year 2006;
 - b. defer \$250,000 from the Time Resource Management System (TRMS) additional functionality project from the year 2005 to year 2006;
 - c. defer \$250,000 from the Human Resource Management System (HRMS) additional functionality project from the year 2005 to year 2006; and
3. The Board forward a copy of this report to the City's Budget Advisory Committee.

Background:

At its November 18, 2004 meeting, the Board requested information regarding the status of de-escalation training and Advanced TASER medical safety risks including copies of reports and research studies that have been conducted (Board Minute P363/04 refers). It was also requested that the Board be provided with an Advanced TASER protocol and an implementation plan for a possible pilot project in one division.

The issue of a pilot project in one division has been considered and rejected on the basis of it being unnecessary and serving no useful purpose. Consider the following:

- The Service has already conducted two successful pilot projects through the Emergency Task Force (ETF). The benefits and risks associated with use of the Advanced TASER have already been determined by these pilots;
- The TPS has already employed the Advanced TASER with great success for over four years;
- The Ministry supports the use of the Advanced TASER and has approved its use by front-line supervisory personnel. The Minister has recognized the benefits to officer and public safety that this greater access provides. On 2005.01.13, Mr. Ron Bain, Assistant Deputy Minister issued an All Chiefs of Police Memorandum approving the Advanced TASER X26 less-lethal conducted energy weapon for use by trained members of tactical units/hostage rescue teams, preliminary perimeter control and containment teams, and trained front-line supervisors. A copy of the Deputy Minister's All Chiefs of Police Memorandum may be found in Appendix 19;

- The Deputy Chief Coroner for Ontario has investigated the Advanced TASER and reviewed the medical safety research that has been conducted. The Deputy Chief Coroner has stated that the Advanced TASER saves lives and he supports greater access through deployment with front-line supervisory personnel; and
- The Advanced TASER is in successful front-line use with thousands of law enforcement agencies throughout the world including the Royal Canadian Mounted Police.

We must ensure that officers are equipped with tools that enable them to deal with violent individuals in a manner that minimizes injury and has the real potential to save lives. We cannot proceed with undue caution given the overwhelming body of evidence that the Advanced TASER is a safe and extremely effective tool that reduces injuries and saves lives. Therefore, the implementation plan detailed in this report provides for issuance of the Advanced TASER to authorized supervisory personnel throughout the Service, not just one division.

Advanced TASER Medical Safety:

There are a number of published medical studies and reports on the Advanced TASER originating in Canada, Australia, the U.S.A. and the United Kingdom. Independent reviews of Advanced TASER technology have recently been conducted by the United States Department of Defense Human Effects Center of Excellence, the United Kingdom's Defence Scientific Advisory Council, the British Columbia Office Of The Police Complaint Commissioner and by Biomedical Engineering of Melbourne, Australia. The reports clearly indicate that the Advanced TASER, while not completely risk free is among the most useful and safest less-lethal options available to law enforcement.

These reports and others are found in Appendix 1 through 9. Other information including transcripts from an independent TASER Medical Task Force in Orange County, Florida and relevant letters may be found in Appendix 10 through 16.

Capital Budget Request:

The original 2005-2009 Capital Budget submission included \$1.1M for an Advanced TASER project. During budget deliberations, the Board chose to remove this project from the 2005-2009 submission, pending a policy decision on the usage of Advanced TASERs. If the Board approves the Advanced TASER project it is recommended that the Service reinstate the Advanced TASER project in the 2005-2009 Capital Budget submission. At this time, the approved Capital Budget request is in the amount of \$30.6M (approximately equal to the target established by the City for 2005). Capital projects have been evaluated and prioritised to reflect the Service's goals and objectives as well as to promote the efficient and effective delivery of policing services. These priorities were also approved by the Board. In order to accommodate the addition of the Advanced TASER project without increasing the total 2005 request, several cashflow adjustments in the 2005-2009 Submission are recommended. These cashflow adjustments are recommended as they represent either a favourable adjustment to the figures

based on new information or the projects rank lower in priority than the TASER project based on the above-mentioned evaluation of projects. The impacts of these cash flow adjustments are minimal and therefore approval of these adjustments would allow for the benefits of the TASER project with little impact to the Service. The cashflow adjustments are as follows:

- Division 23 Facility – the current 2005 amount for this project is \$6.1M. The contract for a construction manager has not been approved in the anticipated timelines; as a result, the project has been delayed by at least two months. Revised implementation schedules suggest that \$600,000 can be deferred from 2005 to 2006 with no further impact on Division 23 implementation;
- Time Resource Management System (TRMS) Additional Functionality – the current 2005 amount for this project is \$550,000. This request is for additional opportunities to improve functionality within the existing Peoplesoft system (the Service's Human Resources system) and is prioritised as the last project in the 2005 submission based on evaluation of all projects against the Service's goals and objectives. I recommend a deferral of \$250,000 from 2005-2006. The short-term impact of this cash flow adjustment is a few months delay in implementation of this project in 2006 to further improve workforce management. There is no long-term impact due to this cash flow adjustment; and
- Human Resource Management System (HRMS) Additional Functionality – the current 2005 amount for this project is \$500,000. This request is for additional functionality that further enhances the existing TRMS (the Service's time & attendance system) and is prioritised as the second-last project in the 2005 submission based on an evaluation of all projects against the Service's goals and objectives. I recommend a deferral of \$250,000 from 2005 to 2006. The short-term impact of this cash flow adjustment is a few months delay in implementation of this project in 2006 for increased technology access to more workforce segments, use of employee self-service and optimising the current Human Resource system. There is no long-term impact due to this cash flow adjustment.

All implementation schedules and resultant cashflow changes will be reviewed prior to the 2006-2010 Capital Budget submission.

Advanced TASER User Protocol:

An Advanced TASER procedure will be incorporated into the Service Procedures prior to commencement of training. A draft of this procedure may be found in Appendix 17.

The draft is based on the standard operating procedure employed successfully by the Emergency Task Force since 2000 and mirrors previously established service procedures governing the use of batons and pepper spray. Advanced TASER policy must not be overly specific but rather must recognize the vast variety and dynamic nature of potentially violent situations, in which the entire range of officer, subject and force options must be constantly assessed throughout the course of the interaction. Choosing response options appropriate to specific circumstances will be dealt with during training simulation scenarios. Officers receive extensive training in this area and are taught to articulate their actions using the Ontario Use of Force Model (2004). A

copy of the Ontario Use of Force Model (2004) and background information may be found in Appendix 18.

Advanced TASER Implementation Plan:

The implementation of the Advanced TASER will be in accordance with established Ministry guidelines, Use of Force Legislation and Service Policy. Training & Education approved Course Training Standards based on the manufacturers' recommendations will be utilised. This implementation plan is based on projected availability of Advanced TASERs and associated equipment. The training will take place over a fifteen (15) week period in order not to deplete supervisor availability to the field. Training will commence as soon as sufficient equipment is received from the manufacturer. At the time of this report it is anticipated that delivery of equipment will take approximately eight weeks from the date of order. Highlights of this implementation plan are:

- Purchase five hundred and thirty-nine (539) Advanced TASERs - four hundred and eighty-nine (489) for operational use and fifty (50) for training/spares, and four thousand three hundred and twelve (4312) air cartridges;
- A total of four hundred and eighty-nine (489) personnel - three hundred and ninety-nine (399) uniform front-line supervisors and ninety (90) non-uniform supervisors will receive training and be personally issued an Advanced TASER and associated equipment. The uniform front-line supervisors identified are platoon sergeants in the various divisions, the non-uniform supervisors are those assigned to high risk assignments such as drug squads, Hold-Up, Special Investigation Services etc.;
- Staff Sergeant Peter Button (6194) of Training & Education and Sergeant Douglas Walker (4740) of the Emergency Task Force are certified Master Advanced TASER instructors. They will train and certify Armament Office and Officer Safety Section personnel as Advanced TASER instructors who will in turn train all front-line users of the device;
- All training will take place at the C.O. Bick College;
- Training will include classroom theoretical, practical, scenarios and both a written and practical examination. No officer will be issued an Advanced TASER unless they have demonstrated that they are confident and competent in its use and have successfully passed both the written and practical examination;
- The training will be conducted on Wednesday and Thursday of each week until the entire target group have been trained;
- The training will be eight (8) hours and will be done on an afternoon shift (1600 to 2400 hours);

- Class size will be twenty-five (25) students and three (3) instructors. Course training spots will be assigned by Training & Education. All training spots for Divisions and Units will be allocated in an equitable and timely manner ensuring fair access for all members of the target group. Twenty (20) training positions on each course will be allocated to uniform personnel (sixteen Divisions, Marine Unit, Mounted Unit, Traffic Services and the Public Safety Unit) and five (5) training positions for non-uniform personnel (Hold-Up, Intelligence, Drug Squads, Special Investigation Services, Repeat Offender & Parole Unit);
- In addition, all Toronto Police Service officers will receive training through a decentralized program to familiarise them with the Advanced TASER and permit them to operate safely and effectively in a TASER deployment situation; and
- In accordance with Ministry guidelines and Ontario Regulation 926, each Advanced TASER user must re-certify at least once every twelve months.

The Armament Officer of Training & Education will be responsible for:

- Overall project oversight;
- The training of sufficient personnel as instructors for the program;
- Maintaining records pertaining to training;
- Maintaining records of issuance of Advanced TASERs, air cartridges and all other associated equipment; and
- Maintenance of Advanced TASERs and associated equipment.

Status of De-escalation Training:

In the year 2000, the Training & Education Unit developed a business plan, which proposed radical changes to the way training was delivered to front-line officers. Since 1994, changes to Ontario Regulation 926 of the Police Services Act and the Policing Standards Manual required that all police officers be given a one-day course annually, to requalify on their use of force response options. Also, at this time, officers were required to attend the existing four-day Policing and Diversity Course and the initial ten-day Crisis Resolution Course, later reduced to five days. With that plan in place, it was projected that it would take approximately nine years to train the entire police service on these courses (excluding the annual Use of Force Re-qualification).

To address these issues, the Toronto Police Service adopted the concept of “block training” using the Advanced Patrol Training Course (APT) designed by the Ontario Police College. Block training combines all mandatory and other designated training courses into a single block of time (4 x 10 hours) and delivers the training as one unified package.

The APT Course includes compulsory and elective training modules. These modules include mandatory re-qualification on use of force response options, as well as Criminal Code and Provincial Statute updates and lessons on other significant training issues such as domestic violence and dealing with emotionally disturbed persons.

The elective modules in the APT Course provide the opportunity to address issues specific to Toronto. In this way, the program allows us to include elements of the Crisis Resolution Course and the Policing and Diversity Course as part of the block training. This means all front-line officers will receive training on crisis resolution and diversity issues on an annual basis, rather than potentially once in their entire career.

Topics are developed in conjunction with the Ontario Police College and through a training needs analysis conducted by the Training and Education Unit. Mr. Chuck Lawrence, Manager, Training and Development at the Training and Education Unit vet the course material to ensure it meets the requirements of the skills development and learning system. This is a strategic and systematic training and staff development program based on risk management principles, legislated requirements and professional operational needs.

The APT Program is now in its fourth year of operation. The program has received very positive feedback from field officers. Much of the feedback has been in relation to the officer safety issues and awareness. Due to this training, officers have acted appropriately, ensuring their safety and the safety of the public.

Comparison: Advanced Patrol Training Course and Crisis Resolution Course:

In 1997, in response to the concerns of the public and the organization, the Toronto Police Service created the Use of Force Committee. This Committee was tasked to research and develop best practices in six areas:

- Development of and compliance with Service rules and directives;
- Supervision;
- Development and implementation of appropriate training initiatives;
- Identification of less-lethal force options;
- Dealing with the emotionally disturbed; and
- Expansion of the Emergency Task Force Special Weapons Teams

Crisis Resolution Course:

In 1998, the Use of Force Committee released their “Final Report”. The recommendations of this report became the impetus and template for changes within the Toronto Police Service (BM #282/98 refers).

After an exhaustive study, the committee made a number of recommendations to the Board, the most significant of which was that a five-day Crisis Resolution Course be implemented to deal with the handling of emotionally disturbed persons. The Board made this course mandatory for all front-line personnel.

The Crisis Resolution Course was identified and then mandated by the Use of Force Committee Final Report. This course was developed through extensive consultations with stakeholder communities within Toronto, which included the mental health profession, mental illness survivor groups and community agencies.

The objective of this course was to provide training to ensure a police officer's goal, when faced with any potentially violent confrontation, and to control and de-escalate that situation using tactical communication, crisis resolution, basic officer safety tactics and the minimum force required. Disengagement was always reinforced as an option. The goal of disengagement being police, public safety, containment and the utilization of other resources.

The course was a total of fifty hours and could only be delivered to twenty students at a time, approximately thirty times a year. This meant that it would take a minimum of five years to train all front-line personnel if maximum student attendance was achieved for each course. In addition to completing a Crisis Resolution Course, front-line officers also had to attend a one day (8 hour) Use of Force Re-qualification. A total of 1800 front line officers were trained on the Crisis Resolution Course.

Course Content:

- Emotionally Disturbed Person (EDP) Survivor Panel;
- Presentation by Doctor from the Centre for Addiction and Research;
- Crisis resolution and communication training;
- EDP scenario training;
- Tactical training for front-line officers using EDP scenarios; and
- Diversity and Human Rights Training

Advanced Patrol Training:

Increased policing regulations resulted in an increase in the amount of training being mandated by various levels of government. Traditionally each piece of new mandated training was treated as a separate entity and a different training course would be created to address each issue as it arose. In 2001, The Toronto Police Service adopted the concept of "block training" using the Advanced Patrol Training Course (APT) designed by the Ontario Police College. The advantages of this course would be that every officer would receive crisis resolution training,

diversity training, scenario based judgement training and that use of force would be combined with elements of crisis and diversity.

After reviewing all Provincial and Board mandated training needs for front-line officers, a program entitled Advanced Patrol Training (APT) was initiated by the Training & Education Unit. APT integrated all components of Use of Force (8 hours), Crisis Resolution (50 hours), and Diversity (24 hours), into a four-day (40-hour) program.

At the same time, the Adequacy Standards Regulations compelled the Service to reinstitute first aid training to all personnel. It should be noted that first aid training had not been offered since 1992 at the College. An additional two days of training was added to APT in the first year to capture this component of provincially mandated training.

The impact of APT was that from a personnel-planning perspective, field units could schedule their personnel a year in advance, much like annual leave to make intelligent deployment choices. While the supply demands appear high for field units, it is based on a percentage of their front-line strength over a fixed number of courses.

Units would no longer have a number of one-day courses throughout the year where personnel had to be constantly rotated and scheduled around court appearances or miss the training completely due to cancellation resulting from unknown or unanticipated demands.

Significantly, at this same time, the average of police shootings dropped to 2.3 persons per year, indicating that the crisis resolution techniques were having a positive impact on an officer's approach to unknown risk situations. APT provided a forum to have a larger number of officers trained more efficiently in these techniques.

The current four day (40 hour) program for APT includes crisis resolution techniques, use of force requalification, diversity and ethics, all of which have been mandated in one forum or another. An additional day has been added for first aid re-qualification.

Total number of officers trained on the Advanced Patrol Training Course:

Year	Number of Officers
2001	2979
2002	2507
2003	2684
2004	2709 to date

Course Content:

2001

- Use of force and firearm re-qualification;
- Policing and diversity;
- Domestic violence and Toronto Police Service Procedures;

- Mental illness – dealing with the Emotionally Disturbed;
- Mentally ill – Survivor panel;
- Crisis resolution and tactical communication;
- Arrest;
- Criminal offences and legislative updates;
- Traffic law;
- Building search/containment (dynamic scenario training); and
- High risk vehicle stops (dynamic scenario training).

2002

- Use of force and firearm re-qualification;
- Drug law, enforcement and procedures;
- Crime scene protection;
- Law on interviewing;
- Interviewing techniques;
- Psychology of survival;
- Wellness/fitness pin testing;
- Building search (dynamic scenario training); and
- Clearing stairways and halls/room entry and tactical considerations (dynamic scenarios).

2003

- Use of force and firearm re-qualification;
- Provincial statutes;
- Law on drinking and driving;
- Incident management and school protocols;
- Dealing with youths in crisis/youth suicide and behaviour recognition;
- Hate crime;
- Racial profiling;
- Wellness and nutrition – fitness pin testing;
- Active attacker Incidents/police intervention and resolution;
- Active attacker Immediate rapid deployment tactics training; and
- Use of force model – justification.

2004

- Use of force and firearm re-qualification;
- Organised crime;
- Booking and search of prisoners;
- Search without warrant;
- Frontline response to Chemical, Biological, Radiological, Nuclear (CBRN) incidents and bomb calls;
- Articulate cause;

- Emotionally disturbed persons de-escalation techniques;
- Frontline tactical review – high risk vehicle stops, containment, building searches;
- Rapid deployment tactical skills;
- Active attacker dynamic scenarios;
- Fair and equitable policing;
- Integrity Part 1 and 2;
- Fitness pin testing; and
- Wellness lecture – stress.

Response to the Edmond Wai-Kong Yu Coroner's Inquest Recommendations:

Recommendation #12

The Crisis Resolution Course should have the input of mental health professionals, consumer survivor and multicultural groups, and should include, but not be limited to, the following issues:

- Every opportunity should be taken to convert an unplanned operation into a planned operation. (Covered in APT Program 2001, 2002, 2003, 2004);
- Unless impractical to do so a cordon and containment approach should be adopted. (Covered in APT Program 2001, 2002, 2003, 2004);
- That the aim of crisis resolution should be the de-escalation and resolution of situations without physical force. (Covered in APT Program 2001-2004);
- That the first contact, time talk and tactics approach is used by police whenever possible and that active listening be stressed as a skill that officers must develop. (Covered in APT Program 2001-2004);
- The fear and apprehension experienced by officers as a result of previous experiences, stereotyping or lack of knowledge, whether about mental illness, race, culture or other factors. (Covered in APT Program 2001, 2004);
- The fear and apprehension which persons involved with the police may feel as a result of previous experiences, stereotyping or lack of knowledge, particularly due to mental illness, racial or cultural background. (Covered in APT Program 2001, 2003, 2004); and
- That police officers, whenever possible, should maintain a sufficient reactionary gap to give them the time to disengage, tactically reposition themselves and/or react in such a way which prevents a situation from escalating from the verbal to the violent. (Covered in APT Program 2001-2004).

Recommendation #13:

That the five day Crisis Resolution Course be offered as a training course at Charles O. Bick College until all existing officers are trained.

The Crisis Resolution Course was offered through the years 1999 and 2000, which resulted in a total of approximately 1800 officers being trained. With the introduction of the Advanced Patrol Training Course in 2001, approximately 2979 officers were trained in this one year alone and this training has been ongoing and continual as noted above. All front-line officers attend Advanced Patrol Training on a yearly basis and this program has been recently expanded to

include ranks up to Staff/Detective Sergeant as well as some support units within the Service. With the introduction of Advanced Patrol Training, Toronto Police Service members are more effectively trained than in the past.

Conclusion:

The TASER is in widespread use by law enforcement agencies throughout the world. Where it is employed, officer and subject injuries have been substantially reduced and hundreds of lives have been saved.

The use of any device as a less-lethal weapon carries with it some degree of risk to the subject being controlled. This risk, however, must be compared to the risk associated with the use of traditional weapons including firearms, batons, impact projectiles, pepper spray, chemical munitions, and physical restraint techniques. Analysis of scientific studies, reports and thousands of field uses suggest that the medical risks of the Advanced TASER compare most favourably with those of more conventional means of controlling violent, non-compliant subjects.

In regards to de-escalation training, the Toronto Police Service continues to provide this very important training initiative to its front-line members. Members receive this training on a continual and yearly basis and it is incorporated as a key component in the Advanced Patrol Training Program. The training has proven to be extremely effective and has contributed significantly to enhanced officer and public safety.

It is therefore recommended that:

1. The Board approve the purchase of five hundred and thirty-nine (539) Advanced TASERs (489 for issue and 50 for training and spares) and four thousand three hundred and twelve (4312) air cartridges at a total cost of \$1.1M; and
2. The Board approve an amendment to the Capital Budget request as follows:
 - a. defer \$600,000 from the 23 Division new facility project from the year 2005 to year 2006;
 - b. defer \$250,000 from the Time Resource Management System (TRMS) additional functionality project from the year 2005 to year 2006;
 - c. defer \$250,000 from the Human Resource Management System (HRMS) additional functionality project from the year 2005 to year 2006; and
3. The Board forward a copy of this report to the City's Budget Advisory Committee.

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

Appendices:

1. TASER Technology Review. A study and report from the British Columbia Office Of The Police Complaint Commissioner;
2. Advanced TASER M26 Safety Analysis & TASER X26 Safety Analysis. A study and two reports prepared by Biomedical Engineering, The Alfred, Commercial Road, Melbourne, Victoria, Australia;
3. The Advanced TASER: a Medical Review. A study conducted by Dr. Anthony Bleetman, Consultant in Accident and Emergency Medicine, Birmingham Heartlands Hospital, United Kingdom;
4. Executive Summary For Electromuscular Incapacitation Devices. Report summary from the Human Effects Center Of Excellence (HECOE), Air Force Research Laboratory And The Joint Non-lethal Weapons Program;
5. DSAC Sub-committee on The Medical Implications of Less-Lethal Weapons. Report on the Advanced TASER by the United Kingdom Defence Scientific Advisory Council;
6. UK Association of Chief Police Officers: Independent Evaluation of the Operational Trial of TASER;
7. Cardiac Safety of TASER Conducted Energy Weapon Discharges. A study by Dr. Robert Stratbucker, Stratbucker and Associates, Omaha, Nebraska;
8. Testing of a Conducted Energy Weapon for Electric Current Output. Test report from Bodycote Ortech Materials Testing. Test conducted for the RCMP;
9. Advanced TASER M26 Less-Lethal System. An analysis by Robert G. Harrison, Adjunct Research Professor, Carleton University Department of Electronics;
10. TASER Task Force Medical Findings, July 28, 2004. Transcripts from the Orange County Sheriff's Office, Florida;
11. Electrical Storm. An article by David Griffith in Police – The Law Enforcement Magazine;
12. Chart comparing subject and officer injury rates resulting from various types of force including TASER. Source - Los Angeles Police Department Use of Force Study conducted by Captain Greg Meyer, LAPD;
13. Letter from Dr. J.P. Legault, Chief, Occupational Health Programs, National Health Services Policy Centre;
14. Letter from Dr. Paul J. Hendry, University of Ottawa Heart Institute;

15. Letter from the Chief Executive Officer of the Schizophrenia Society of Canada; and
16. News release from TASER International Inc. in response to November 30, 2004 Amnesty International Report.
17. Proposed Toronto Police Service Advanced TASER Procedure.
18. Ontario Use of Force Model (2004) and background information.
19. All Chiefs of Police Memorandum dated 2005.01.13.

Report, dated January 31, 2005, from David McKeown, Medical Officer of Health:

Subject: HEALTH IMPLICATIONS OF TASERS

Purpose:

To provide a report to the Toronto Police Services Board on the health implications, if any, related to the use of Advanced Tasers by Toronto Police Services.

Financial Implications and Impact Statement :

There are no financial implications for this report.

Recommendations:

It is recommended that this report be received for information.

Background :

At its November 22, 2004 meeting, the Board of Health adopted a recommendation from Councillor McConnell, Acting Chair of the Police Services Board “that the Toronto Board of Health authorize the Medical Officer of Health to provide a report to the Toronto Police Services Board on the health implications, if any, related to the use of Advanced Tasers by the Toronto Police Service.”

At its December 16, 2004 meeting, the Police Services Board received “Taser Less Lethal System, Pilot Project Final Report, X26 Advanced Taser” and heard from Deputy Chief Coroner Dr. Jim Cairns.

In preparing this report, the Medical Officer of Health and public health staff met with Dr. Jim Cairns, Deputy Chief Coroner and Staff Sergeant Peter Button, Training and Education, Tactical Training Unit. Toronto Public Health has also consulted with Emergency Medical Services and Dr. Brian Schwartz, Director of Prehospital Care at Sunnybrook and Women’s College Health Centre, and communicated with the Centre for Addiction and Mental Health (CAMH). Finally, a number of documents pertaining to tasers were reviewed, including a report from Amnesty International, a number of scientific articles supplied by Dr. Mukherjee to the Police Services Board, and others obtained through a review of the scientific literature.

This report provides a brief overview of known health effects of the use of tasers in the context of police work. A more detailed assessment would require considerably more time and expertise in addictions, mental health and emergency response which is beyond the scope of Toronto Public Health.

Comments:

Tasers are used by police services to disarm or subdue individuals in dangerous situations as an alternative to lethal force. Tasers are considered less lethal weapons than firearms. Toronto Police Services (TPS) has been using tasers within its emergency tactical squad for a number of years.

The use of tasers carries health risks for individuals on whom they are used, as well as potential benefits if the circumstances would otherwise pose a serious risk to the individual, police officers and bystanders.

Health Effects of Tasers:

Health effects of tasers can be considered in three categories: immediate trauma, temporally associated mortality and long term effects.

(a) Immediate trauma

Traumatic injury to individuals subdued by a taser is a real and well-documented risk. However, there is insufficient data for a quantitative estimate of this risk. It is probable that minor injuries from taser barbs or falls are more common and fatalities rare. Dr. Cairns reported on one taser-induced fall death, also reported by Amnesty International as having occurred in the US. As reported in the Toronto pilot project, of 32 deployments there were three injuries: one abrasion and two self-inflicted.

(b) Temporally associated mortality

There have been a number of deaths that have occurred in individuals shortly after being subdued with a taser. Dr. Cairns reviewed nine deaths in Canada and concluded that none could be attributed to taser use. The Amnesty International Report also reviewed these nine deaths in their assessment of 74 deaths in North America.

Dr. Cairns makes a convincing case for the condition of “excited delirium” as a medical and police emergency associated with illicit drug use or psychiatric illness. Individuals in this state are extremely distressed, may be potentially violent to themselves or others and are at high risk of sudden death without immediate intervention.

The number of deaths temporally associated with taser use are small and it is difficult to quantify the specific contribution of various factors to the death, including taser use, underlying medical conditions such as excited delirium, and the use of physical restraint.

(c) Long term health effects

There do not appear to be studies evaluating long term health effects of tasers. Such studies would be difficult to conduct as the number of individuals on whom tasers are used and the number of exposures per individual are relatively small. In addition, it is likely that individuals

on whom tasers are used, have other health issues and conditions that would complicate the attribution of any long-term health effects of tasers.

Medical Evaluation Following Taser Use:

Individuals who suffer injuries from taser use require immediate medical attention. In addition, individuals who exhibit serious acute mental illness and/or drug related complications such as excited delirium, require immediate as well as follow-up care for their underlying condition. The current practice for TPS is to call for EMS assistance following all taser use. The EMS paramedics are called to assess, manage and transport to hospital, if necessary, individuals who have been subdued by taser. Dr. Brian Schwartz is conducting a study of individuals who have been assessed. Continued assessment of all individuals following taser use will ensure both appropriate management and referral of conditions requiring medical care as well as surveillance of the health effects of taser use.

Conclusions:

Tasers are typically used as a less lethal alternative to firearms to subdue individuals in violent, dangerous situations where there is severe, imminent risk to the individual, police officers and bystanders.

Some individuals who have been subdued by taser have experienced immediate medical problems clearly related to the taser use. In addition there have been nine reported deaths following but not attributed to taser use in Canada. There is insufficient evidence to assess any long-term health implications of taser use.

Since tasers are capable of causing some harm and there is limited evidence available to assess the precise level of risk, tasers should be reserved for situations in which the risk of not subduing the individual or of using firearms is significant. This will ensure that the benefit of taser use likely outweighs the risk. The circumstances of taser use and the health implications for individuals on whom they are used should continue to be monitored by TPS and through routine medical assessment of all individuals subdued by taser.

Toronto Police Services should ensure that any use of tasers meets strict controls as to the circumstances of use, as well as require training, follow-up and reporting of usage, particularly if the potential for deployment increases with enhanced availability to frontline supervisors. Toronto Police Services should also strengthen links with experts in addictions/mental health and continue ongoing links with EMS/acute hospital services to ensure that training for taser use and medical follow-up meets the best practice standards for health and safety. The Toronto Police Services Board should also request that the Province of Ontario continue to investigate the health implications of all less lethal weapons.

Report, dated February 09, 2005 from Pam McConnell, Chair:

Subject: BACKGROUND INFORMATION REGARDING TASERS

Recommendation:

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

Background:

The Board, at its September 23, 2004 meeting, considered the purchase of additional Tasers as part of the Service's proposed 2005-2009 capital program submission. (Min. No. 294/04 refers) The Advanced Taser is a battery powered, hand held, less-lethal conducted energy weapon (CEW) specifically designed to subdue a violent subject within a short distance. The Service's request of \$1.1M would provide Tasers for front-line supervisors.

At this time, the Board removed Advanced Taser deployment from the list of new capital programs. However, the Board also made a motion that the Chief provide a report to the Board on the use of Advanced Tasers by supervisors in accordance with guidelines established by the Ministry of Community Safety and Correctional Services.

The Board, at its November 18, 2004 meeting, received a report from the Chief regarding the use of Advanced Tasers. (Min. No. 363/04 refers) Service staff also made a presentation to the Board on the issue. In addition, the Board received deputations from two members of the public, Mr. John Sewell and Mr. Don Weitz.

The Board then approved a motion directing that the Chief "report to the Board on an implementation plan for a possible pilot project for the use of Advanced Tasers by front-line supervisors in one division." This report was to be considered at such time as the Board received other reports dealing with any risks related to the use of Tasers. The motion also stated that the Board was to approve a protocol for the use of the Taser before there is any expansion of its use.

In addition, the Board approved a motion requesting the Toronto Medical Officer of Health to provide his comments on the health implications, if any, related to the use of Tasers as well as a motion that Board staff review other studies and information related to Tasers and report back to the Board.

At the December 16th Board meeting, the Board received a report from the Chief entitled "Results of the X-26 Advanced Taser Project." In addition, the Board received a presentation from Dr. Jim Cairns, Deputy Chief Coroner for Ontario, on the use of Tasers.

At this time, the Board has received additional reports regarding Tasers from both the Chief and the Medical Officer of Health.

This report is intended to provide the Board with a background of decisions made regarding Tasers by the province, by the Service, by the Board and by other agencies. Relevant research, studies and evaluations have also been summarized and are included in this report. I believe that it is important for Board members to have as much as information as possible as we determine the next steps that should be taken with respect to this issue.

Ministry Authorization of Taser Use:

From the outset, it is imperative that the Board have a full understanding of the decision-making process employed by the Ministry of Community Safety and Correctional Services (formerly the Ministry of the Solicitor General) in relation to use of the Taser by police officers across the province. I have provided below a chronology of all Ministry decisions, beginning with the initial use of the Taser by specialized units in 2002.

Approval for the Use of the Taser M26

The Taser M26 was approved for use by police tactical units/hostage rescue teams by the Ministry in July 2002. The decision was reached after successful Ministry-sanctioned field testing was conducted by both the Toronto Police Service and the Ottawa Police Service between 2000 and 2001. In addition the Ministry also based its decision on successful field tests conducted by the Victoria Police Service and the Edmonton Police Service and subsequent approval by their respective provincial governments. In addition, the RCMP had tested the Taser M26 with positive results.

The Ministry's decision also took into account positive medical opinions regarding the Taser's cardiac safety from the University of Ottawa Heart Institute and Carleton University's Department of Electronics. In addition, the BC Schizophrenic Society endorsed the use of "alternative methods of control such as TASER" as an option to lethal force when dealing with emotionally disturbed persons.

Approval for the Expanded Use of the Taser M26

On February 17, 2004, the Ministry approved the expanded use of the Taser M26 for use by trained members of preliminary perimeter control and containment teams and trained front-line supervisors or designates. This decision was based primarily on the basis of operational practicality. Many services in Ontario are not large enough to deploy a full-time tactical unit and require assistance from neighbouring police service tactical units or the OPP. However, most services have trained selected officers in the concept of preliminary perimeter control and containment, which theoretically contains the incident until a tactical team can arrive. Thus, it became important to permit Taser use by the containment teams in the event that they had to respond before the tactical unit could arrive. In Northern Ontario, this could take several hours.

Similarly, the Ministry's approval of the expansion of Taser use to front-line supervisors was in recognition of the fact that supervisors (along with other officers) will often be at the scene before the tactical unit can arrive.

Also in February 2004, the Ministry announced the Toronto Police Service field test of the new Taser X26. This model was put on the market in 2003 and there was interest from the Ministry stakeholders for its approval to purchase and use it. At that time, it was the position of the Ministry that as this was a new weapon, it required field testing prior to approval. This led to the field test conducted by the Toronto Police Service.

Approval for the Use of the Taser X26

In a recent memorandum sent to all Chiefs of Police across the province, the Ministry announced that, effective January 13, 2005, the Taser X26 is approved for use across Ontario for trained members of tactical units/hostage rescue teams, preliminary perimeter control and containment teams and trained front-line supervisors or designates. The Taser X26 model was approved in accordance with section 14 of the Equipment and Use of Force Regulation 926/60 which permits the Minister of Community Safety and Correctional Services to approve other weapons for use by police services.

In the memorandum, it is noted that “[f]ield-test results and information from the Toronto Police Service, as well as positive experiences reported by police services across North America, have indicated that the TASER X26 is a safe and effective less-lethal weapon.”

The decision reflected information, data, and research from a variety of sources including the results of the Toronto Police Service field test. Approval for the Taser X26 was recommended based on the following factors:

- The Taser X26 reduces the risk of physical harm to the subject, while producing more muscular incapacitation. The X26 delivers 42% less amperage.
- The Taser X26 offers improved officer accountability and civilian complaint investigation. The X26 records the date, time, and duration for 1,500 deployments. Officers accused of abusing subjects with the X26 will be either held accountable or proven innocent of such charges based on the information provided by the weapon.
- The Taser X26 provides greater benefits to police officers. It is easier for police to use during nighttime incidents, it is 60% smaller and lighter to carry and it has a more reliable battery system that will reduce the amount of failures in the field.
- Authorization of the X26 will assist police services in planning and budgeting capital expenditures and reducing their risk to civil liability.

In its evaluation of the Taser X26, the Ministry specifically looked at the experiences of other police services and agencies and noted the following:

- The Cincinnati Police Department reported that in the first 6 months of 2004, their officers have used the X26 in over 300 incidents. Arrest-related injuries to officers as well as assaults on officers have decreased approximately 70%. Suspect injuries have

decreased 40% and citizen complaints arising from the use of force have experienced a similar reduction.

- As outlined in greater detail later in this report, on September 29, 2004, the British Columbia (BC) Police Complaints Commission released an interim report that recommends the continued use of the Taser by police, after a review of several deaths in that province. One of the key conclusions was the Commission's recommendation of the X26 as the preferred Taser model.

Lastly, the Ministry took into account recent developments regarding the safety of the Taser. Considerations included the following:

- At the inquest into the death of Clayton Willey in British Columbia, pathologist J.D. McNaughton testified that "it was unlikely" that the Taser played a role in the death of Mr. Willey. He also testified that it was unlikely that Taser had indirect effects. This inquest concluded on October 28, 2004 and one of the jury's recommendations included "serious consideration" of the BC Police Complaints Commissioner's September, 2004 Interim Report recommendations, which included an endorsement of the X26.
- The Human Effects Centre of Excellence for the United States Department of Defense studied the medical issues related to the M26 and, to a lesser extent, the X26. They concluded:
 - The use of the Taser M26 and X26, as intended, will generally be effective in inducing the desired temporarily incapacitating effect without presenting a significant risk of unintended severe effects. Although likely to be uncommon, some severe unintended effects might occur. Analyses indicate that increased use of the Taser M26 or X26 has decreased the overall injury rate of both police officers and suspects in conflict situations when compared to alternatives along the use of force continuum.
- In the United Kingdom (UK), the Defense Scientific Advisory Council Sub-committee on the Medical Implications of Less-Lethal Weapons (DOMILL) made the following conclusions regarding Taser M26 safety testing:
 - From the available evidence on the use of the device, the risk of life-threatening or serious injuries from the M26 Taser appears to be very low. The use of the M26 Taser helped secure a positive outcome to an incident, minimizing the potential need for officers to deploy other, possibly more lethal options.
- The Orange County Sheriff's Office in Florida requested a local medical expert panel to review safety issues regarding the use of both the M26 and X26. The experts included a cardiac electrophysiologist, an emergency medicine physician, a pharmacologist and a medical examiner. On July 28, 2004, this panel released their finding that, in summary, concluded that Taser weapons have very little electrical capacity to disrupt heart

functions. In addition, the recent deaths occurring after TASER use are indicative of increasing cases of excited delirium associated with drug use.

- As noted above, Dr. Jim Cairns, Deputy Chief Coroner of Investigations, Office of the Chief Coroner, has also offered his expert opinion on the medical effects of the Taser in relation to the deaths in Ontario. Dr. Cairns has held that the Taser played no role in any of the Taser-related deaths in Canada. The common factor in all Canadian deaths is excited delirium complicated by cocaine intoxication.
- The Schizophrenia Society of Ontario stated in its Fall 2002 newsletter that "the TASER system is a significant improvement in police response to incidents involving individuals suffering from serious and persistent mental illness who need to be subdued for their own safety and the safety of others."

It was based on the evaluation of all of these reviews and studies that the Ministry made its decisions regarding the use of the Taser in Ontario. It should be noted that every decision made by the Ministry went through the Ministry's primary stakeholder consulting group, the Policing Standards Advisory Committee (PSAC).

Evaluation of Less Lethal Weapons by the Service:

For several decades, the Service has actively and consistently researched and tested less lethal devices as they become available to law enforcement. During 1997 in particular, a comprehensive study of less lethal weapons was conducted by the newly established Use of Force committee.

Over the past four years, the issue of the use of Tasers by the Service has been the subject of a number of reports and studies.

Emergency Task Force (ETF) Taser Pilot Project:

In September 1999, after obtaining permission from the then-Solicitor General of Ontario, the Training & Education Unit and the training office of the Emergency Task Force commenced an evaluation of the M26 Advanced TASER. This device was tested for accuracy, minimum/maximum effective range, extreme temperature performance, battery life, water resistance and compatibility with Body Guard oleoresin capsicum spray.

Upon conclusion of the initial testing of the M26 during the spring of 2000, the device showed sufficient promise to warrant an operational evaluation. A Taser use of force policy and a standard operating procedure was developed. A pilot project by members of the Emergency Task Force commenced December 1, 2000 and was to conclude in March, 2001. However, on March 30, 2001, the then-Solicitor General granted an indefinite extension permitting the project to continue.

At this time, the Board also received information regarding the Bean Bag and Stock Round Kinetic Energy Impact Projectiles. At its February 22, 2001 meeting, the Board approved a motion that the evaluation of these two items (M26 Advanced Taser and Kinetic Energy Impact Projectiles) be provided to the Board as part of the semi-annual Professional Standards report (Min. No. 146/01 refers).

In this report, received by the Board at its meeting of May 24, 2001, the Chief provided a report regarding the evaluation of less lethal weapons. (Min. No. 146/01 refers) The report noted that the reaction of ETF officers to the M26 Advanced Taser had been quite favourable. It was “recognized as a valuable addition to the array of less lethal tools already available to them, providing the officers with even greater flexibility when dealing with violent non-compliant individuals.”

Board Examination of Less-Lethal Technology: Urban Alliances on Race Relations Conference:

It should also be noted that the Board has long been involved at looking at alternatives to lethal force. In fact, the Board was a supporter of and contributor to a conference held in June 2000 by the Urban Alliance on Race Relations entitled “Saving Lives: Alternatives to the Use of Lethal Force by Police” which led to a subsequent report. This comprehensive conference, which included participants from all sectors of the community as well as policing experts, examined a number of issues, including a session on less-lethal technology. Suggested actions arising from this session were, among others (at page 39 of the report):

- Develop practical and effective alternatives that will incapacitate a suspect without permanently harming the individual or putting the officer at risk.
- Develop sound policy backed by careful, insightful training, supported by effective tools, governed by effective supervision; and
- Invest in less-than-lethal weapons.

Indeed, one of the recommendations arising directly from the proceedings of the conference was the following, directed to the then-Ministry of Public Safety and Security (at page 92 of the report):

- 13. It is recommended that:
The recent use of “Taser” technology by Toronto Police be publicly reported on and reviewed and any consideration of expanding or reducing the use of such technology be done with public consultation; if after such reporting and consultation it is found that this technology has reduced lethal force, then the Ministry of Public Safety and Security is to consider immediate expansion of its use by police services.

British Columbia Office of the Police Complaint Commissioner Evaluation of the Taser:

While there has been relatively little study by civilian oversight agencies with respect to the Taser at this time, any commentary by such groups is particularly germane to our analysis.

In September 2004, the British Columbia Office of the Police Complaint Commissioner issued a report entitled “Taser Technology Review and Interim Recommendations.” The interim report was prepared at the direction of the Police Complaint Commissioner. At the same time, it was ordered that the Chief of the Vancouver Police Department refer the investigation into the death of Robert Bagnell (who died after being subjected to a Taser) to the Victoria Police Department to conduct an external investigation. The purpose of the interim report was to review the present use of force protocol and to make interim recommendations as deemed appropriate for the use of the Taser by police officers in British Columbia. Investigative team began with a comprehensive review of the medical literature and coroner’s reports.

A medical group was formed to provide a wide range of expertise and to discuss all of the medical issues involved in Taser deployment. The focus of the review was on the field usages of the Taser (i.e. actual operational deployment) as opposed to voluntary exposures during training. The investigative team consulted with a number of people, including police trainers from across B.C. and Ontario, as well as paramedics and the B.C. Civil Liberties Association

The report provided basic information about the Taser equipment. Both the Advanced Taser (3rd generation) and the TASER X26 (4th generation) are Electro-Muscular Disruption (EMD) Systems. These conducted energy weapons stun and override the central nervous system, causing contractions of the body’s muscle tissue. They affect the sensory and motor nervous system causing incapacitation of the subject.

With respect specifically to the X26 model, the report outlined that this equipment is 60% smaller and lighter than the M26. While the M26 uses 18-26 watts of powers; X26 uses 7-11 watts with a more consistent flow of energy. The X26 is deployed in the same manner as the M26 and uses the same cartridge.

The review included 4599 field use reports as provided by TASER International. Of the 4599, 49 contained information that the TASER use on a human resulted in medical complications.

Of the 4372 suitable field uses, only 1.12% ended with any form of medical complication and only 0.09% were associated with an in-custody death.

The report made a number of interim recommendations as follows:

- The TASER should be retained as an Intermediate Weapon for use by police in British Columbia subject to any final recommendations.
- Analysis of field usages and medical literature suggests that the appropriate use of the TASER presents an acceptable level of risk to subjects being controlled.

The report also made recommendations in a number of specific areas.

Standardized Training

- Creation of a standardized Lesson Plan/Course Training Standard for TASER users in British Columbia
- Core curriculum would be delivered to all recruits and all in-service TASER users

Mandatory Reporting

- After any deployment of a TASER, the user must submit a Use of Force report that captures relevant information and will allow for statistical analysis of TASER use across province

Acquisition of New TASER Technology

- If agencies wish to acquire new TASER technology, recommendation is purchase of the X26 model due to its enhanced data collection capabilities and lower electrical output.

Excited Delirium Training

- Creation of standardized Lesson Plan/Course Training Standard for Excited Delirium by the Justice Institute of British Columbia.
- Training to be delivered to all recruits as well as all in-service members, regardless of rank.

Restraint Protocols

- There appears to be a link between restraint positions and enhanced risk to arrested subjects.
- Until definitive research has been conducted, recommend that the use of the maximal restraint position (where handcuffs and ankles are bound behind back) should be eliminated by police agencies in British Columbia. Other restraints should be the subject of police training.

Use of Tasers by Other Police Services in Ontario:

Any analysis of Tasers requires a review of the practices of other police services. Board staff surveyed other GTA and major Ontario police services to determine their use Tasers. Responses received are as follows:

Peel Regional Police Service

Currently, Peel Regional Police are employing Tasers, but their use is limited to the Tactical and Rescue Unit. The model being used is the M26 Taser. However, the Board pre-approved the purchase of sufficient numbers of the X26 Taser once approved by the Ministry. These will be issued to all front-line supervisors.

Niagara Regional Police Service

Use of the Taser was first authorized in 2002 and was limited to the Tactical Unit. However, as part of the 2005 budget deliberation process, the Board approved a request to expand the use of the Taser to include access to the device by front-line supervisory staff. The Service will also be

using the Taser for perimeter control and containment teams. The Service is waiting for Minsitry approval in order to purchase the X26 model.

Durham Regional Police Service

The Durham Regional Police Service currently has a number of M26 Tasers which are deployed by the tactical team and the Nuclear Security Division. Plans are now being made to acquire and deploy X26 Tasers to general patrol sergeants. Board policies allow the Chief to make decisions regarding equipment such as Tasers.

Windsor Police Service

The Windsor Police Service has issued Tasers for use by members of its Emergency Service Unit. The Service is currently looking into expanding the use of Tasers to front-line supervisors as well as replacing the M26 Tasers with X26 Tasers.

Hamilton Police Service

In Hamilton, members of the Emergency Response Unit and front-line supervisors have been authorized to use Tasers. The Service uses the M26 Taser and has been very pleased with this equipment.

Halton Regional Police Service

In Halton, members of the Tactical Response Unit (TRU) are currently equipped with M26 Tasers. Consideration has not yet been given to expanding the use of Tasers to front-line supervisors.

York Regional Police Service

Currently, only members of York Regional Police Services Emergency Response Unit are authorized to use Tasers.

Ottawa Police Service

Tasers are currently deployed to the Ottawa Police Service's tactical unit only. The Service is currently developing a broader implementation plan in collaboration with its Professional Development Centre and is also considering the X-26 model.

Kingston Police Service

In Kingston, members of the Emergency Response Unit are currently equipped with M26 Tasers. However, the expansion of Taser use to include front-line supervisors as well as the upgrade to the X26 model, as recently authorized by the Ministry, is anticipated to occur within the next few months. The Kingston Police Services Board views any decision-making regarding Tasers as an operational issue entirely within the purview of the Chief.

Amnesty International's Report on Tasers:

Lastly, I believe that it is important that the Board review the findings of Amnesty International in its report issued in November 2004. The report entitled "Canada: Excessive and lethal force? Amnesty International's concerns about deaths and ill-treatment involving police use of tasers" was published in conjunction with another report focused on the USA.

Amnesty International states that it has received "numerous reports that the taser is being used not only in situations which do not warrant such an extreme level of force but as a routine force option to subdue non-compliant or disturbed individuals who do not present a danger to themselves or others." It goes on to state that "[i]n some of the cases reported, Canadian police subjected individuals to multiple force options, deploying the taser in combination with pepper spray and/or dangerous restraint holds."

In the report, Amnesty International notes that its research demonstrates "that, in both the USA and Canada, tasers are being used in situations where police use of lethal force – or even batons – would never be justified." Amnesty International believes "that electro-shock weapons are inherently open to abuse by unscrupulous law enforcement officials as they are portable and easy to deploy; can deliver multiple shocks at the push of a button and inflict severe pain without leaving significant marks on the skin."

The organization believes that the level of police force in the reported incidents contravenes international standards prohibiting torture or other cruel, inhuman or degrading treatment as well as standards established for law enforcement officials. Amnesty International indicates that it has strong concerns that the necessary safeguards regarding Tasers have not been established, "despite their growing deployment by forces across Canada and the USA."

In the report, Amnesty International recommends that law enforcement agencies "suspend all use of electro-shock weapons, pending an urgent rigorous independent and impartial inquiry into their use and effects." In addition, where police agencies continue to use Tasers, the organization advocates for recommendations controlling and limiting their use.

Report, dated March 01, 2005, from Michael J. Boyd, Interim Chief of Police:

Subject: DEPLOYMENT OF ADVANCED TASERS

Recommendations:

It is recommended that:

1. The Board approve the rollout plan for the Advanced TASER within the three selected Divisions of 31, 42 and 52;
2. The Board approve the continuation of Advanced TASER implementation subject to the results of the three month interim report on Advanced TASER use in 31, 42 and 52 Divisions;
3. The Board endorse the formation of a community based committee to review, study and make recommendations to the Chief of Police based on the information gathered from the Advanced TASER deployment reports submitted during the initial rollout project;
4. The Board approve the purchase of five hundred and thirty-nine (539) Advanced TASERs (489 for issue and 50 for training and spares) and four thousand three hundred and twelve (4312) air cartridges at a total cost of \$1.1M;
5. The Board approve an amendment to the Capital Budget request as follows:
 - a. defer \$600,000 from the 23 Division new facility project from the year 2005 to year 2006;
 - b. defer \$250,000 from the Time Resource Management System (TRMS) additional functionality project from the year 2005 to year 2006;
 - c. defer \$250,000 from the Human Resource Management System (HRMS) additional functionality project from the year 2005 to year 2006; and
6. The Board forward a copy of this report to the City's Budget Advisory Committee.

Background:

At its February 10, 2005 meeting, the Board requested that it be provided with an Advanced TASER protocol and an implementation plan for a possible pilot project in one division (B.M. #P40/2005 refers).

It is my recommendation that in lieu of a one division pilot, a three month rollout project take place within three (3) divisions - 31, 42, and 52. At the conclusion of this three-month period, the Board will be provided with a comprehensive report detailing the number of Advanced TASER deployments, the nature of the call, circumstances of deployment, injuries/non-injuries to subjects/police and any other information requested. Continuation of deployment Service wide to all front-line supervisors as approved by the Ministry of Community Safety and

Correctional Service would be subject to the results of the initial three-month rollout. The rationale for the three-division rollout is as follows:

- A one-division pilot would not likely provide adequate data to effectively assess the benefits and risks of Advanced TASER deployment by front-line supervisors. Effective use of time and resources dictate that a more substantial target group is studied. Further, it would not be practical to train front-line supervisors all at one time;
- 31, 42 and 52 Divisions were selected based on the large number of calls for service requiring the Advanced TASER by the Emergency Task Force (ETF) over the last four years and their eastern, central and western geographic locations.

Advanced TASER Rollout Plan:

The implementation of the Advanced TASER will be in accordance with established Ministry guidelines, *Police Services Act, Ontario Regulation 926 – Equipment And Use Of Force, Service Policy and Criminal Code Section 25*. Training & Education approved Course Training Standards based on the manufacturers' recommendations will be utilized. This implementation plan is based on projected availability of Advanced TASERs and associated equipment. The training will take place over one five-week uniform cycle in order not to deplete supervisor availability to the field. Training will commence as soon as sufficient equipment is received from the manufacturer and an adequate number of instructors have been trained. At the time of this report it is anticipated that delivery of equipment will take approximately eight weeks from the date of order. Highlights of this implementation plan are:

- Purchase one hundred (100) Advanced TASERs – sixty-one (61) for operational use and thirty nine (39) for training/spares, and eight hundred (800) air cartridges;
- A total of sixty-one (61) uniform personnel supervisors will receive training and be personally issued an Advanced TASER and associated equipment. The uniform front-line supervisors identified are primary response and community response sergeants in 31, 42, and 52 Divisions;
- Staff Sergeant Peter Button (6194) of Training & Education and Sergeant Douglas Walker (4740) of the Emergency Task Force are certified Master Advanced TASER instructors. They will train and certify Armament Office and Officer Safety Section personnel as Advanced TASER instructors who will in turn train all front-line users of the device;
- All training will take place at the C.O. Bick College;
- Training will include classroom theoretical, practical, scenarios and both a written and practical examination. No officer will be issued an Advanced TASER unless they have demonstrated that they are confident and competent in its use and have successfully passed both the written and practical examination;

- The training will be conducted on Wednesday and Thursday of each week until the entire target group has been trained;
- The training will be eight (8) hours and will be done on an afternoon shift (1600 to 2400 hours);
- Class size will be fifteen (15) students and three (3) instructors. All training spots for Divisions will be allocated by Training & Education in an equitable and timely manner ensuring fair access for all members of the target group. Training positions on each course will be allocated in a manner not to deplete the number of supervisors available for front-line duties;
- In addition, all Toronto Police Service officers will receive training through a decentralised program to familiarise them with the Advanced TASER and permit them to operate safely and effectively in an Advanced TASER deployment situation; and
- In accordance with Ministry guidelines and *Ontario Regulation 926*, each Advanced TASER user must re-certify at least once every twelve months.

The Armament Officer of Training & Education will be Responsible for:

- Overall project oversight;
- The training of sufficient personnel as instructors for the program;
- Maintaining records pertaining to training;
- Maintaining records of issuance of Advanced TASERs, air cartridges and all other associated equipment; and
- Maintenance of Advanced TASERs and associated equipment.

Advanced TASER User Protocol:

An Advanced TASER protocol will be incorporated into Service Procedures. A draft copy of this procedure may be found in Appendix 1.

The draft is based on the standard operating procedure employed successfully by the Emergency Task Force since 2000 and mirrors previously established Service procedures governing the use of batons and pepper spray. Advanced TASER policy must not be overly specific but rather must recognise the vast variety and dynamic nature of potentially violent situations, in which the entire range of officer, subject and force options must be constantly assessed throughout the course of the interaction. Choosing response options appropriate to specific circumstances will be dealt with during training simulation scenarios. Officers receive extensive training in this area and are taught to articulate their actions using the Criminal Code Section 25, *Police Services Act*, *Ontario Regulation 926* as well as the Ontario Use of Force Model (2004). A copy of

Criminal Code Section 25, *Police Services Act Reg. 926*, the Ontario Use of Force Model (2004) and background information may be found in Appendix 2.

The Advanced TASER is an intermediate less-lethal weapon and as such is not intended to cause serious injury or death. In relation to the Use of Force Model continuum, it may be considered an appropriate force option beginning at the subject behaviour considered “Assaultive”.

Training will be proactive and emphasize that the Advanced TASER is a less-lethal weapon and not a tool of convenience. Its use must be reasonable and justifiable. It shall not be used in a punitive or unlawfully coercive manner nor should it be used on children, the elderly or pregnant women except under exceptional circumstances wherein the use of other force options would reasonably be expected to cause greater potential injury to a subject.

Toronto Police Service Advanced TASER Oversight Mechanisms:

Measures in place to ensure the Advanced TASER is used according to Service Policy in a reasonable, justifiable and lawful manner include:

- Personal issue of an Advanced TASER and serial numbered air cartridges to each officer thereby ensuring greater accountability;
- Ministry policy restricting use to supervisory personnel;
- Service Policy requirement that the Officer In Charge be notified when the Advanced TASER has been deployed;
- Service Policy requirement that a Use of Force Form (UFR Form 1) and Toronto Police Service Advanced TASER Report be completed in all cases where the Advanced TASER is deployed including Demonstrated Force Presence;
- The requirement that all Advanced TASER deployments be reviewed by the Use of Force Analyst of Training & Education (T&E) and the Toronto Police Service Use of Force Review Committee. The Use of Force Review Committee consists of the Unit Commander of the ETF, the Service Armament Officer, Section Head of the Officer Safety Section of T&E, the Use of Force Analyst of T&E, members of Professional Standards and Corporate Planning and representation from various field units; and
- Utilization of Advanced TASER electronic weapon management features including random data download checks.

Advanced TASER Rollout Evaluation Report:

At the conclusion of the three-month rollout in 31, 42 and 52 Divisions the Board will be provided with a complete report on this project. Additional implementation of the Advanced TASER within the TPS will be determined based on the results of this rollout project, and, if

approved, will continue in the manner laid out in a previous report presented to the Board at its meeting February 10, 2005.

The Report to be Prepared at the Conclusion of the Three-month Rollout will Include:

- The total number of Advanced TASER deployments;
- The nature of the call;
- The circumstances of deployment;
- Injuries/non injuries to subjects/police;
- A determination of effective/ineffective usage rates;
- A summary of benefits and identified risks associated to use of the Advanced TASER;
- The impact, if any, on Emergency Medical Services (EMS) and local hospitals;
- Recommendations; and
- Any other information requested by the Board.

Formation of a Community Based Committee:

It is important that any concerns that may arise from members of the community or groups that may have a specific interest with Advanced TASER deployment are addressed. It is recommended that a community based committee be formed by the Chief of Police to review, study and make recommendations to the Chief based on information gathered from the Advanced TASER deployment reports submitted during the initial rollout project.

There are many stakeholders that may wish to participate in this committee, however, the input of Emergency Medical Services, area hospitals, the Coroners Office and addiction/mental health agencies is essential.

Conclusion:

An initial rollout of the Advanced TASER in 31, 42 and 52 Divisions will provide the best means of accurately assessing the benefits and risks associated with front-line deployment of the Advanced TASER. These divisions were selected based on the large number of calls for service requiring the Advanced TASER by the ETF over the last four years.

The formation of a community-based committee with representation from critical stakeholders to address any concerns is essential. This committee will also facilitate input from public agencies such as Emergency Medical Services and local hospitals, which may be affected by front-line Advanced TASER deployment.

The report dated January 18, 2005, received by the Board at its February 10, 2005 meeting (P40/05 refers) addresses the requested Capital Budget amendments.

It is therefore recommended that:

1. The Board approve the rollout plan for the Advanced TASER within the three selected Divisions of 31, 42 and 52;
2. The Board approve the continuation of Advanced TASER implementation subject to the results of the three month interim report on Advanced TASER use in 31, 42 and 52 Divisions;
3. The Board endorse the formation of a community based committee to review, study and make recommendations to the Chief of Police based on the information gathered from the Advanced TASER deployment reports submitted during the initial rollout project;
4. The Board approve the purchase of five hundred and thirty-nine (539) Advanced TASERs (489 for issue and 50 for training and spares) and four thousand three hundred and twelve (4312) air cartridges at a total cost of \$1.1M;
5. The Board approve an amendment to the Capital Budget request as follows:
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 - c. defer \$250,000 from the Human Resource Management System (HRMS) additional functionality project from the year 2005 to year 2006; and
6. The Board forward a copy of this report to the City's Budget Advisory Committee.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command and A/Deputy Chief Emory Gilbert, Policing Support Command, will be in attendance to answer any questions from Board members.

Appendices

1. Draft Protocol for use of the Advanced TASER by the Toronto Police Service 2005.02.25.
2. Criminal Code Section 25, Police Services Act Regulation 926, Ontario Use of Force Model (2004) and background information.

Appendix 1

Advanced TASER User Protocol (Draft 2005.02.25)

Proposed Procedure

Only those police officers who have successfully completed the prescribed training course shall carry or otherwise use the Advanced TASER. The Ministry approved Ontario Use of Force Model – 2004 is a graphical representation of the various elements involved in the process by which a police officer assesses a situation and acts in a reasonable manner to ensure officer and public safety. The Model assists officers and the public to understand why and in what manner an officer may respond with force. The Model promotes continuous critical assessment and evaluation of each situation and assists officers to understand and make use of a variety of force options including the Advanced TASER to respond to potentially violent situations.

The Advanced TASER is designed as a less-lethal system and is a legitimate force option within the Use of Force continuum. The Advanced TASER is a hand-held conducted energy weapon (CEW) specifically designed to control a violent and/or aggressive subject. Once Advanced TASER contact is made with the subject, the device delivers a metered and pulsed electrical current which results in involuntary muscle spasms and loss of motor control. This causes the subject to become incapacitated, permitting the police officer(s) the opportunity to gain control of the subject.

The Advanced TASER may not be effective under certain circumstances that may include heavy clothing, only one probe in contact with the subject and other device limitations. Officer(s) should be prepared to adjust their use of force options accordingly.

The Advanced TASER has built in weapon management systems to prevent misuse/abuse and protect officers from unfounded allegations through solid documentation of usage. Any time the Advanced TASER is activated, the date, time and duration of the firing is recorded in a microchip. This data can be downloaded for analysis and audit purposes.

The Advanced TASER is an intermediate less-lethal weapon and as such is not intended to cause serious injury or death. In relation to the Use of Force Model (2004) continuum, it should be considered an appropriate force option beginning at the subject behaviour considered "Assaultive".

The Advanced TASER should not be used on children, the elderly or pregnant women except under exceptional circumstances wherein the use of other force options would reasonably be expected to cause greater potential injury to a subject.

Weapon Deployment Strategies

- Demonstrated Force Presence – Meaning that the spark and/or laser sighting system was activated to gain compliance of the subject. The subject shall be verbally cautioned in this type of deployment;

- Drive Stun Mode – Meaning the weapon was utilised as a stun gun only without an air cartridge; and
- Full Deployment – Meaning that the weapon was fully deployed using an air cartridge and the probes were fired at a subject.

Police Officers May Use the Advanced TASER to:

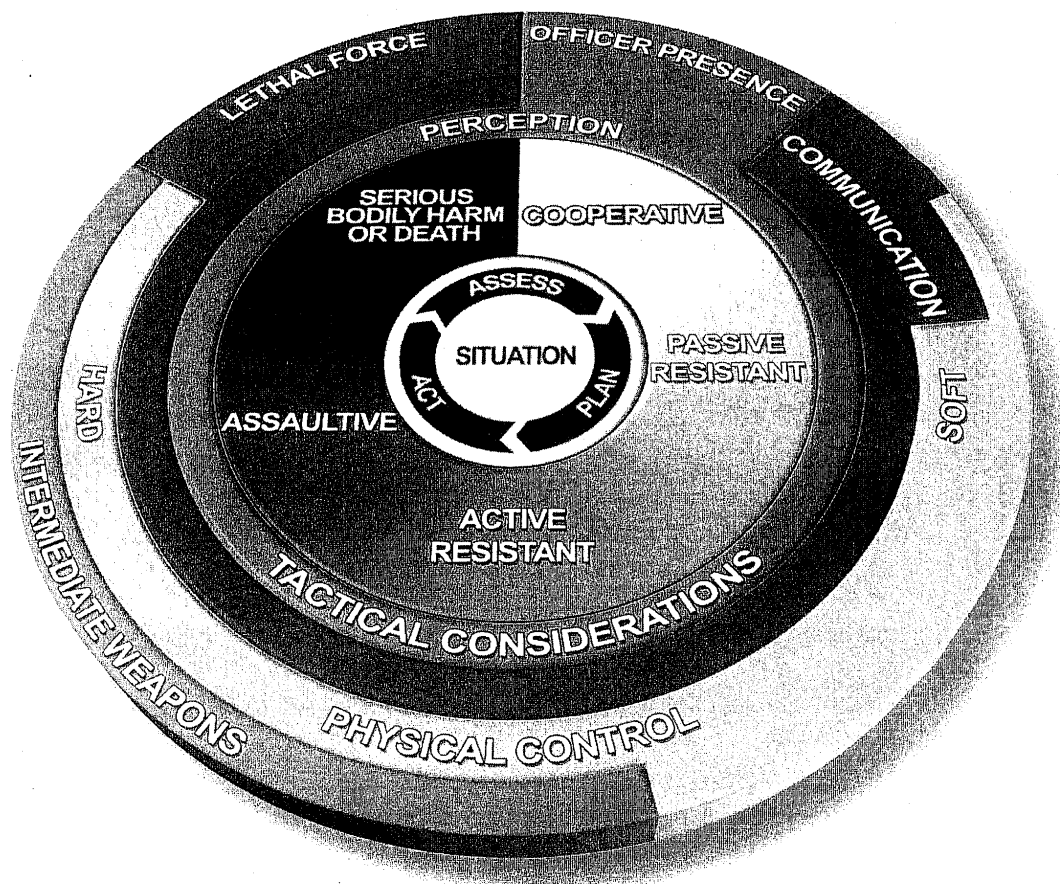
- Prevent being overpowered when violently attacked;
- Prevent a prisoner being taken from police custody;
- To disarm an apparently dangerous person armed with an offensive weapon; and
- To control a potentially violent situation when other force alternatives are not viable.

Police Officer

1. Once the subject has been controlled through the use of the Advanced TASER, the officer(s) shall make every effort to do the following:
 - immediately secure the subject;
 - advise the subject that they have been TASERed and that the effects are short term;
 - monitor the subject and contact Toronto Emergency Medical Services (EMS) to attend the scene (subject shall be evaluated by ambulance personnel);
 - only ambulance personnel or medical staff shall remove probes that have punctured the skin; and
 - Police Officers are authorised to remove the probes if only attached to clothing.
2. Notify the Officer In Charge of their unit that they have deployed the Advanced TASER.
3. A Use of Force (UFR Form 1) and Toronto Police Service Advanced TASER Report shall be completed in all cases where the Advanced TASER is deployed including Demonstrated Force Presence. All deployments will be reviewed by the Use of Force Analyst of Training & Education and the Use of Force Review Committee.
4. When an Advanced TASER is fully deployed and a replacement air cartridge is required a TPS649 from the officer's Unit Commander shall be submitted to the Armament Office.

Appendix 2

Ontario Use of Force Model (2004)



The officer continuously assesses the situation and selects the most reasonable option relative to those circumstances as perceived at that point in time.

BACKGROUND INFORMATION

New Ontario Use of Force Model (2004)

Introduction

The new Ontario Use of Force Model – 2004 (based on the National Use of Force Framework) is a graphical representation of the various elements involved in the process by which a police officer assesses a situation and acts in a reasonable manner to ensure officer and public safety. The Model assists officers and the public to understand why and in what manner an officer may respond with force.

As an aid to training, the Model promotes continuous critical assessment and evaluation of each situation and assists officers to understand and make use of a variety of force options to respond to potentially violent situations.

The Ontario Use of Force Model (2004) is not intended to serve as a justification for officer use of force nor does it prescribe specific response option(s) appropriate to a situation. The Model does provide a valuable framework for understanding and articulating the events associated with an incident involving officer use of force.

History

Graphical models describing use of force by officers first began to appear in the 1970s in the United States. These early models depicted a rather rigid, linear-progressive process, giving the impression that the officer must exhaust all efforts at one level prior to being allowed to consider alternative options. A frequent complaint lodged against these early models was that they did not accurately reflect the dynamic nature of potentially violent situations, in which the entire range of officer, subject and force options must be constantly assessed throughout the course of the interaction.

In Canada, use of force models first began appearing in the 1980's, one of the first being the provincial model of Nova Scotia, followed by Quebec in the early 1990's. In 1994, as part of a comprehensive use of force strategy, Ontario developed a provincial use of force model, and a number of other provinces and the Royal Canadian Mounted Police have since followed suit.

In 1999, the Canadian Association of Chiefs of Police (CACP) endorsed an initiative involving a proposal to develop a National Use of Force Framework. In April of the same year, use of force experts and trainers from across Canada met at the Ontario Police College to undertake to draft a National Use of Force Framework. As conceived by the CACP and the use of force experts and trainers, the National Use of Force Framework would bring together into one model all of the best theory, research and practice about

officer use of force. The model would be dynamic, support officer training, and facilitate professional and public understanding of officer use of force.

In Ontario, the National Framework, along with updated Provincial Use of Force Guidelines, were vetted through the Policing Standards Advisory Committee (PSAC). The new Ontario Use of Force Model-2004 (based on the National Framework) was endorsed by PSAC and has subsequently been approved by the Minister for release.

The Principles

Six basic principles underlie the Ontario Use of Force Model (2004).

1. The primary responsibility of a peace officer is to preserve and protect life.
2. The primary objective of any use of force is to ensure public safety.
3. Police officer safety is essential to public safety.
4. The Ontario Use of Force Model (2004) does not replace or augment the law; the law speaks for itself.
5. The Ontario Use of Force Model (2004) was constructed in consideration of (federal) statute law and current case law.
6. The Ontario Use of Force Model (2004) is not intended to dictate policy to any agency.

The Model - Description

The Ontario Use of Force Model (2004) was developed to assist in the training of officers and as a reference when making decisions and explaining their actions with respect to a use of force. The model does not justify an officer's actions.

The inner-most circle of the model, labelled "SITUATION", contains the "*assess-plan-act*" component which should be visualized as dynamic as an officer's "assessment" of a situation is never-ending. The process of continuous assessment also helps to explain how a behaviour (and response option) can change from co-operative to assaultive (or from communication to lethal force) in a split second without passing through any other behaviour or force options.

The area adjacent to the "SITUATION" contains the various subject behaviour categories including cooperative, resistant, assaultive and serious bodily harm or death.

Perception and Tactical Considerations are interrelated and are therefore contained in the same area, or ring on the model. Factors that the officer brings to the situation, that are

unique to the individual officer *interact* with both situational and behavioural factors to determine how an officer may perceive or assess the situation. Further, the officer's perception of a situation may affect his/her assessment and, in turn his/her tactical considerations.

The outer area of the model represents the officer's use of force options. These options range from officer presence to communication skills, physical control techniques, intermediate weapons and lethal force. Though officer presence and communication skills are not *physical* use of force options, they have been included to illustrate the full range of factors that have an impact on the behaviour of the subject.

THE ASSESSMENT PROCESS:

The process of assessing a situation is threefold involving:

- 1. The Situation,**
- 2. Subject Behaviours, and**
- 3. Officer's Perception / Tactical Considerations**

Careful consideration of all possible factors within each of the above categories, assists the officer in understanding, and responding to situations, and in explaining to others how a particular situation was perceived, assessed, and responded to.

The examples provided throughout this document are presented for the purpose of illustration, and are by no means exhaustive.

1. THE SITUATION:

When an officer responds to an incident, he or she must assess various aspects of the immediate situation. There are at least six different conditions that can characterize a situation. Each of these may become part of the officer's assessment.

It should be noted that some of these factors may fall under more than one category (i.e. situation, subject behaviour, or perception/tactical considerations). Additionally the following lists are not exhaustive. They are simply common factors that an officer can expect to consider when making their decisions.

a) Environment

There will be times when environmental conditions may affect the officer's assessment of the situation.

- weather conditions: rain, snow, wind, heat, etc.
- moment of the day: daylight or darkness
- location: residential, rural, urban, indoor, outdoors

- physical position: roof top, roadside, stairwell, cell area
- other factors: cover, concealment

b) Number of Subjects

The number of officers versus the number of subjects will affect the officer's assessment of the situation:

- one subject facing one officer
- one subject facing two or more officers
- multiple subjects facing one officer
- multiple subjects facing multiple officers

c) Perceived Subjects' Abilities

The officer's perception of a subject's various characteristics will affect his or her assessment of the situation:

- under the influence of drugs or alcohol
- intoxicated vs. under the influence
- subject's physical size, strength, skills
- emotional state
- proximity to weapons

d) Knowledge of Subject

Prior knowledge may affect the officer's assessment of the situation. He or she may be aware of the subject's criminal history, reputation, or the officer may have had prior contacts with the subject.

- Canadian Police Information Centre (CPIC) information
- previous history, reputation
- demonstrated ability

e) Time and Distance

The concept of time and distance refers to those conditions that determine whether an officer must respond immediately or whether a delayed response may be employed. For example, in situations where there is a pressing threat to public safety, an immediate response may be unavoidable. In other situations, conditions may allow the officer to delay his or her response. For example, the availability of cover, the imminent arrival of backup, or simply being able to increase the distance between the officer and the subject may allow the officer to reduce the threat and delay responding until conditions are more favourable. The officer must address the following time and distance factors as part of the *Assess-Plan-Act* process.

- seriousness of situation
- must you act immediately
- can you create more time and distance
- escape routes

f) Potential Attack Signs

A subject may give clues to his or her intentions. The following list includes physical behaviours displayed by a subject that have been known to precede an attack on a police officer.

- ignoring the officer
- repetitious questioning
- aggressive verbalization
- emotional venting
- refusing to comply with lawful request
- ceasing all movement
- invasion of personal space
- adopting an aggressive stance
- hiding

2. SUBJECT BEHAVIOURS:

Central to the *Assess-Plan-Act* process is the behaviour of the subject. The model records five different categories of subject behaviour in the circle adjacent to the *SITUATION*. The gradual blending of colours in this circle reflects the fact that the boundaries between categories are difficult to distinguish. It is often difficult to differentiate between categories of behaviour. Where a subject falls in these categories is in part dependent upon the officer's perception. The following describes each of the five categories of subject behaviour.

Co-operative

The subject responds appropriately to the officer's presence, direction and control.

Resistant (Passive)

The subject refuses, with little or no physical action, to cooperate with the officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity.

Resistant (Active)

The subject uses non-assaultive physical action to resist, or while resisting an officer's lawful direction. Examples would include pulling away to prevent or escape control, or overt movements such as walking toward, or away from an officer. Running away is another example of active resistance.

Assaultive

The subject attempts to apply, or applies force to any person; attempts or threatens by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe upon reasonable grounds that he/she has, present ability to effect his/her purpose. Examples include kicking and punching, but may also include aggressive body

language that signals the intent to assault.

Serious Bodily Harm or Death

The subject exhibits actions that the officer reasonably believes are intended to, or likely to cause serious bodily harm or death to any person. Examples include assaults with a knife stick or firearm, or actions that would result in serious injury to an officer or member of the public.

3. PERCEPTION AND TACTICAL CONSIDERATIONS:

Perception and Tactical Considerations are two separate factors that may affect the officer's overall assessment. Because they are viewed as interrelated, they are graphically represented in the same area on the model. They should be thought of as a group of conditions that mediate between the inner two circles and the responses available to the officer.

The mediating effect of the *Perception and Tactical Considerations* circle explains why two officers may respond differently to the same situation and subject. This is because tactical considerations and perceptions may vary significantly from officer to officer and/or agency to agency. Two officers, both faced with the same tactical considerations may, because they possess different personal traits, or have dissimilar agency policies or guidelines, assess the situation differently and therefore respond differently. Each officer's perception will directly impact on their own assessment and subsequent selection of tactical considerations and/or their own use of force options.

PERCEPTION:

How an officer sees or perceives a situation is, in part, a function of the personal characteristics he or she brings to the situation. These personal characteristics affect the officer's beliefs concerning his or her ability to deal with the situation. For various reasons, one officer may be confident in his or her ability to deal with the situation and the resulting assessment will reflect this fact. In contrast to this, another officer, for equally legitimate reasons, may feel the situation to be more threatening and demanding of a different response. The following list includes factors unique to the individual officer which interact with situational and behavioural factors to affect how the officer perceives and, ultimately assesses and responds to a situation.

Factors that may be unique to the individual officer include but are not limited to:

- strength/overall fitness
- personal experience
- skill/ability/training
- fears
- gender

- fatigue
- injuries
- critical incident stress symptoms
- cultural background
- sight/vision

TACTICAL CONSIDERATIONS:

An officer's assessment of a situation may lead to one of the following tactical considerations. Conversely, these same factors may impact on an officer's assessment of a situation.

- Disengage and consequences**
- Officer appearance
- Uniform and equipment
- Number of officers
- Availability of backup
- Availability of cover
- Geographic considerations
- Practicality of containment, distance, communications
- Agency policies and guidelines
- Availability of special units and equipment: canine, tactical, helicopter, crowd management unit,
- Command post, etc.

** Note: An officer's primary duty is to protect life and preserve the peace. However, when a situation escalates dangerously, or when the consequences of continued police intervention seriously increase danger to anyone, the option to disengage may be considered appropriate. It is also recognized that due to insufficient time and distance or the nature of the situation, the option to disengage may be precluded. If the officer determines the option to disengage to be tactically appropriate, the officer may consider disengagement with the goal being containment and consideration of other options, such as, seeking alternative cover, waiting for back-up, specialty units, etc.

USE OF FORCE OPTIONS

The situation, subject's behaviour, the officer's perception and tactical considerations drive the *Assess-Plan-Act* process. Based on the assessment, the officer must develop a plan that involves selecting what he or she feels to be an appropriate response. The following section discusses the categories of response options available to the officer. In the model's outer ring, there are five use of force options. They range from the simple presence of the officer to lethal force. Unlike the representation of the subject's behaviour there is a great deal of overlap amongst these options. For example, the *Communication* circle overlaps with *Physical Control*, *Intermediate Weapons* and the *Lethal Force*

options. This overlap indicates that the officer may use several of these options at the same time.

There is an approximate correspondence between the model's depiction of a subject's behaviours and the use of force options available to the officer. Because each officer has different personal characteristics that affect his or her perception and because each situation presents different tactical considerations, the correspondence between the subject's behaviour and that of the officer can never be precise. How reasonable one considers an officer's actions can be judged only after one considers the complex interplay amongst the situation, the subject's behaviour, the officer's perceptions and tactical considerations.

The force options may be used alone or in combination to enable the officer to control the situation. The premise of the model is that an officer's perception and tactical considerations are specific to the situation. The dynamic nature of the situation requires continual assessment, therefore, the force options selected may change at any point.

The following provides a brief discussion of the five use of force options available to an officer.

Officer Presence

While not strictly a use of force option, the simple presence of an officer can affect both the subject and the situation. Visible signs of authority such as uniforms and marked police cars can change a subject's behaviour.

Communication

An officer can use verbal and non-verbal communication to control and/or resolve the situation.

The Police Challenge ("*Police, Don't Move!*") is to be delivered loudly and clearly, when a handgun is drawn or a firearm is presented in response to a threat to life, or threat of serious bodily harm, recognizing that some circumstances, due to the need for an instantaneous response, may not immediately allow for the use of the challenge.

Physical Control

The model identifies two levels of physical control: soft and hard. In general, physical control means any physical technique used to control the subject that does not involve the use of a weapon.

Soft techniques are control oriented and have a lower probability of causing injury. They may include restraining techniques, joint locks and non-resistant handcuffing. *Hard* techniques are intended to stop a subject's behaviour or to allow application of a control technique and have a higher probability of causing injury. They may include empty hand strikes such as punches and kicks.

Intermediate Weapons

This use of force option involves the use of a less-lethal weapon. Less-lethal weapons are those whose use is not intended to cause serious injury or death. Impact weapons and aerosols fall under this heading.

Lethal Force

This use of force option involves the use of any weapons or techniques that are intended to, or are reasonably likely to cause serious bodily harm or death.

Summary

The Ontario Use of Force Model (2004) represents the process by which an officer assesses, plans and responds to situations that threaten public and officer safety. The assessment process begins in the centre of the model with the SITUATION confronting the officer. From there, the assessment process moves outward and addresses the subject's behaviour and the officers *Perceptions* and *Tactical Considerations*. Based on the officer's assessment of the conditions represented by these inner circles, the officer selects from the use of force options contained within the model's outer circle. After the officer chooses a response option the officer must continue to *Assess-Plan* and *Act* to determine if his or her actions are appropriate and/or effective or if a new strategy should be selected. The whole process should be seen as dynamic and constantly evolving until the SITUATION is brought under control. Authority to use force separates law enforcement officials from other members of society and the reasonable use of force is central to every officer's duties. The Ontario Use of Force Model (2004) provides a framework that guides the officer in that duty.

**REGULATION 926
EQUIPMENT AND USE OF FORCE**

1. This Regulation applies to police forces established under the Act. R.R.O. 1990, Reg. 926, s. 1.

2. In this Regulation,

"board" means a municipal police services board;

"firearm" means a firearm as defined in section 84 of the *Criminal Code* (Canada);

"handgun" means a pistol that may be carried under section 3. O.Reg. 43/94, s.1.

FIREARM

3. (1) Subject to subsections (5) and (6), where the Commissioner or a chief of police carries a handgun or authorizes a member of a police force under his or her control or administration to carry a handgun, the handgun issued and carried shall meet the technical specifications set out in the Table to this section.

(2) No member of a police force issued a handgun shall alter or modify the handgun issued to him or her.

(3) Subject to subsections (5) and (6), the ammunition issued for a handgun,

(a) shall be factory loaded;

(b) shall be of a jacketed hollow point configuration for the bullets described in paragraphs 1 and 2 of clause (d) and shall be of a hollow point configuration for the bullets described in paragraph 3 of clause (d);
O.Reg. 361/95, s.1;

(c) shall be in magazines unmodified as supplied by the handgun manufacturer; and

(d) shall, until February 3, 1999, meet one of the following specifications and after that date shall meet the specifications set out in paragraph 1 or 2:

- | | | |
|----|------------------|--|
| 1. | calibre: | 9 x 19 mm |
| | weight: | 115 to 147 grains |
| | muzzle velocity: | not less than 950 feet per second when fired from a four inch barrel |
| | penetration: | no less than 12 inches and no more than 18 inches in 10 per cent gelatin when fired from a four inch barrel at a distance of three metres. |

2. calibre: .40 S & W
weight: 155 to 180 grains
muzzle velocity: not less than 950 feet per second when fired from a four inch barrel
- penetration: no less than 12 inches and no more than 18 inches in 10 per cent gelatin when fired from a four inch barrel at a distance of three metres.
3. calibre: .38
weight: 158 grains
muzzle velocity: not less than 850 feet per second when fired from a four inch barrel
- penetration: no less than 12 inches and no more than 18 inches in 10 per cent gelatin when fired from a four inch barrel at a distance of three metres.

O.Reg. 361/95, s.2

(4) Every member of a police force who is issued a handgun shall be issued a minimum of three full magazines, one of which shall be loaded in the handgun while the member is on duty.

(5) The Commissioner or chief of police, or any other police officer designated for the purpose by the Commissioner or chief of police, may authorize a member of a police force under his or her control or administration to carry, for a special purpose, a firearm, except a revolver, of a type other than that permitted by subsection (1).

(6) The Commissioner or chief of police, as the case may be, may authorize on such terms and for such periods as he or she considers appropriate, but not later than February 3, 1999, the continued carrying of a revolver that was permitted under this Regulation before February 3, 1994 and "handgun" in sections 9, 10 and 14.5 shall be deemed to include a revolver permitted under this subsection.

(6.1) The Commissioner or chief of police, as the case may be, may authorize on such terms and for such periods as he or she considers appropriate, but not later than December 31, 1995, the continued issue of ammunition that was permitted under this Regulation on the day before this subsection came into force. O.Reg. 361/95, s.3.

(7) A board shall not,

(a) give away revolvers that were permitted under this Regulation immediately before February 3, 1994; or

(b) enter into an agreement to sell, lease, trade or otherwise dispose of revolvers that were permitted under this Regulation immediately before February 3, 1994.

(8) Clause (7) (b) does not apply in respect of an agreement to dispose of revolvers in order that they be destroyed.

(9) Despite subsection (7), the board may give away or sell a revolver described in that subsection if,

(a) the board is of the opinion that the revolver is of educational or historical value; and

(b) the board first obtains the approval of the Solicitor General to the gift or sale. O.Reg. 664/94 s.1

TABLE
Technical Specifications for Handguns

ITEM	SPECIFICATION
1.	Weapon type i. Semi-automatic pistol, A. that requires a single consistent trigger pressure of not less than 8 pounds and not more than 13 pounds to discharge the weapon on each shot, and B. all the safety features of which are housed within or are in part of the trigger system.
2.	Calibre i. 9 x 19 mm, or ii .40 S & W
3.	Barrel length i. Minimum 90 mm (3.5") ii Maximum 130 mm (5")
4.	Finish i. Corrosion-resistant ii Non-reflective
5.	Sights i. Fixed metal ii Self-luminating
6.	Operation i. The slide remains locked fully open after the last round in the magazine is fired. ii The pistol has an external device that allows the slide to be manually locked open. iii. The pistol has drop safety protection capable of preventing an accidental discharge when dropped from a height of four feet.

O.Reg. 43/94, s.2

4. Before a firearm is issued to a member of a police force, the Commissioner or chief of police, as the case may be, shall satisfy himself or herself that the member has successfully completed the training required by section 12.2 and is competent in the use of the firearm. O.Reg.552/92, S.3.

5, 6. REVOKED: O. Reg. 43/94, s. 3.

7, 8. REVOKED: O. Reg. 552/92, s. 4.

9. A member of a police force shall not draw a handgun or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm. O.Reg. 552/92,s.5,part.

9.1 Sections 3 to 9 do not apply to a member of a police force when engaged in a training exercise, target practice or ordinary weapon maintenance in accordance with the rules of the police force. O.Reg.552/92,s.5,part.

10. Despite section 9, a member of a police force may discharge a handgun or other firearm,

(a) to call for assistance in a critical situation, if there is no reasonable alternative; or

(b) to destroy an animal that is potentially dangerous or is so badly injured that humanity dictates that its suffering be ended. O.Reg.552/92,s.6.

11.-(1) Unless otherwise directed by the board, the chief of police or a superior officer, a member of a police force who is accompanying and supervising an auxiliary member of the police force may issue to the auxiliary member a firearm, except a revolver, if he or she believes, on reasonable grounds, that they are entering into a situation in which it is necessary that the auxiliary member be armed to protect against loss of life or serious bodily harm. O. Reg.43/94, s.4.

(2) Sections 4 to 10, 12 and 13 and 14.2 to 14.5 apply to an auxiliary member to whom a firearm is issued under subsection (1). O.Reg.552/92,s.7.

12. Where a member of a police force, other than the Commissioner or chief of police, unintentionally or intentionally, except on a target range or in the course of ordinary weapon maintenance, discharges his or her firearm, the Commissioner or chief of police, as the case may be, shall immediately cause an investigation to be made into the circumstances. R.R.O. 1990, Reg. 926, s. 12.

13. (1) Where a member of a police force, other than the Commissioner or chief of police, by the discharge of a firearm in the performance of his or her duty, kills or injures another person, the Commissioner or chief of police as the case may be, shall immediately cause an investigation to be made into the circumstances. R.R.O. 1990, Reg. 926, s. 13(1).

- (2) A report on the investigation shall be submitted,
- (a) to the Solicitor General, in the case of an investigation by the Commissioner; or
 - (b) to the board, in the case of an investigation by the chief of police.
- (3) The Solicitor General or the board shall, as soon as practicable, review the report and make such further inquiries as the Solicitor General or the board considers appropriate.
- (4) The board shall file with the Solicitor General a copy of any report submitted to it under subsection (2), together with a report on any additional inquiries made by the board.
- (5) If the Commissioner discharges a firearm in the performance of his or her duty, the Commissioner shall promptly report the matter to the Solicitor General and the Solicitor General shall cause an investigation to be made into the circumstances.
- (6) If a chief of police discharges a firearm in the performance of his or her duty, the chief of police shall promptly report the matter to the board and the board shall cause an investigation to be made into the circumstances and shall file a report on the investigation with the Solicitor General. O.Reg.552/92,s.8,*part*.
- (7) REVOKED: O.Reg. 552/92, s. 8, *part*.

OTHER WEAPONS

14.-(1) A member of a police force shall not use a weapon other than a firearm on another person unless,

- (a) that type of weapon has been approved for use by the Solicitor General;
 - (b) the weapon conforms to technical standards established by the Solicitor General; and
 - (c) the weapon is used in accordance with standards established by the Solicitor General.
- (2) Subsection (1) does not apply to the use of a weapon on another member of the police force in the course of a training exercise in accordance with the rules of the police force.
- (3) This section comes into force on the 1st day of March, 1993. O.Reg.552/92,s.9,*part*.

14.1-(1) Subject to subsection (2), a member of a police force shall not use any gas, chemical or aerosol weapon.

(2) Subject to section 14,

- (a) the use of the substance commonly known as tear gas is permitted if it is not applied intentionally in concentrated form directly to the person; and
 - (b) the use of an aerosol weapon is permitted if the active ingredient is not a gas or chemical.
- O.Reg.552/92,s.9,part.

TRAINING IN THE USE OF FORCE

14.2-(1) A member of a police force shall not use force on another person unless the member has successfully completed a training course on the use of force.

(2) A member of a police force shall not carry a firearm unless, during the twelve previous months, the member has successfully completed a training course on the use of firearms.

O.Reg.552/92,s.9,part.

14.3-(1) Every police force shall ensure that, at least once every twelve months,

- (a) every member of the police force who may be required to use force on other persons receives a training course on the use of force;
- (b) every member of the police force who is authorized to carry a firearm receives a training course on the use of firearms.

(2) The police force shall maintain written records of the training courses taken by members of the police force on the use of force and the use of firearms.

(3) This section comes into force on the 1st day of June, 1994. O.Reg.552/92,s.9,part.

14.4 The training courses referred to in sections 14.2 and 14.3 shall include training on the following matters:

1. Legal requirements.
2. The exercise of judgment.
3. Safety.
4. Theories relating to the use of force.
5. Practical proficiency.

O.Reg.552/92,s.9,part.

REPORTS ON THE USE OF FORCE

14.5-(1) A member of a police force shall submit a report to the chief of police or Commissioner whenever the member,

- (a) draws a handgun in the presence of a member of the public, excluding a member of the police force while on duty, or discharges a firearm;
- (b) uses a weapon other than a firearm on another person; or
- (c) uses physical force on another person that results in an injury requiring medical attention.

(2) The report shall be in Form 1. O.Reg. 751/92, s. 1(1)

(3) Subsection (1) does not apply when,

- (a) a handgun is drawn or a firearm is discharged in the course of a training exercise, target practice or ordinary firearm maintenance in accordance with the rules of the police force;
- (b) a weapon other than a firearm is used on another member of a police force in the course of a training exercise in accordance with the rules of the police force; or
- (c) physical force is used on another member of a police force in the course of a training exercise in accordance with the rules of the police force. O. Reg. 552/92, s.9, part.

(3.1) The chief of police or Commissioner shall ensure that Part B of the report is destroyed not later than thirty days after the report is submitted.

(3.2) Despite subsection (3.1), Part B of the reports submitted under subsection (1) may be retained for an additional period specified by the board or the commissioner, as the case may be, if the board or the Commissioner is of the opinion that the additional period is necessary for the purpose of determining whether members of the police force should receive additional training.

(3.3) The additional period specified under subsection (3.2) shall not extend past the second anniversary of the date the report is submitted.

(3.4) A report submitted under subsection (1) shall not be admitted in evidence at any hearing under Part V or VI of the Act, other than a hearing to determine whether a police officer has contravened this section. O. Reg. 751/92, s. 1(2).

(4) The Solicitor General may require a chief of police or the Commissioner to deliver or make available to the Solicitor General a copy of a report submitted under subsection (1).

(5) Every police force shall review on a regular basis its policies on the use of force and on the training courses provided under section 12.3, having regard to the reports submitted under subsection (1).

(6) This section comes into force on the 1st day of January, 1993. O.Reg.552/92, s.9, *part*.

MOTOR VEHICLES

15. No member of a police force shall use a subcompact motor vehicle for the purpose of general police patrol. R.R.O. 1990, Reg. 926, s. 15.

R. v. Dickie (No. 2) (1982), 67 C.C.C. (2d) 218 (Ont. C.A.) — The judge's function pursuant to s. 24(2) is to determine of whether an act or omission constituted attempt or mere preparation. It is for the jury to decide whether D had the necessary intention for an attempt.

Crown Election [See also s. 463(d)]

R. v. Ellerbeck (1981), 61 C.C.C. (2d) 573 (Ont. C.A.) — Where P can elect to proceed by summary conviction with respect to the completed offence, it has the same election with respect to an attempt.

Related Provisions: Section 24 articulates *no* general test to distinguish attempt from mere preparation.

Under s. 660, D may be convicted of an attempt to commit the offence charged where the evidence establishes an attempt but not the complete offence. Under s. 661(1), where D is charged with an attempt to commit an offence but the evidence establishes the commission of the complete offence, D may be convicted of the attempt or the jury discharged and D indicted for the complete offence.

Attempts are punished under s. 463, except where otherwise expressly provided by law. Under s. 239 attempted murder is punishable by imprisonment for life.

The descriptions of several offences, as for example ss. 119(1)(a)(iii), 123(2), 139(1), 71(a) and (b) and 75(c) include an attempt as an essential element of the complete offence.

Protection of Persons Administering and Enforcing the Law

25. (1) Protection of persons acting under authority — Every one who is required or authorized by law to do anything in the administration or enforcement of the law

- (a) as a private person,
- (b) as a peace officer or public officer,
- (c) in aid of a peace officer or public officer, or
- (d) by virtue of his office,

is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.

(2) **Idem** — Where a person is required or authorized by law to execute a process or to carry out a sentence, that person or any person who assists him is, if that person acts in good faith, justified in executing the process or in carrying out the sentence notwithstanding that the process or sentence is defective or that it was issued or imposed without jurisdiction or in excess of jurisdiction.

(3) **When not protected** — Subject to subsections (4) and (5), a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.

(4) **When protected** — A peace officer, and every person lawfully assisting the peace officer, is justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested, if

- (a) the peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested;
- (b) the offence for which the person is to be arrested is one for which that person may be arrested without warrant;

- (c) the person to be arrested takes flight to avoid arrest;
- (d) the peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and
- (e) the flight cannot be prevented by reasonable means in a less violent manner.

(5) **Power in case of escape from penitentiary** — A peace officer is justified in using force that is intended or is likely to cause death or grievous bodily harm against an inmate who is escaping from a penitentiary within the meaning of subsection 2(1) of the *Corrections and Conditional Release Act*, if

- (a) the peace officer believes on reasonable grounds that any of the inmates of the penitentiary pose a threat of death or grievous bodily harm to the peace officer or any other person; and
- (b) the escape cannot be prevented by reasonable means in a less violent manner.

R.S., c. C-34, s. 25(1994, c. 12, s. 1.

Commentary: The section defines the *scope of authority* that may be exercised by certain categories of persons in the *administration and enforcement of the law*, thereby the ambit of protection afforded to such persons in equivalent circumstances.

Section 25(1) applies to private persons, peace and public officers, persons acting in their aid, and anyone acting "by virtue of his office" who are *required or authorized by law* to do anything in its administration or enforcement. Each is, if acting on *reasonable grounds*, justified, not only in *doing what s/he is required or authorized to do*, but also, *in using as much force as is necessary for that purpose*. The justification and protection of the subsection does *not* extend beyond what is required or authorized to be done, nor to the use of force beyond what is necessary for such purpose. The person claiming justification may be mistaken as to the facts that underlie the conduct sought to be justified. The justification and protection is only vitiated, however, where it is *not* based on *reasonable grounds*.

Section 25(2) justifies the execution of process or carrying out of a sentence, *provided* it is done in *good faith* by a person required or authorized by law to do so. The justification is extended, notwithstanding that the process or sentence is defective or that it was issued or imposed without or in excess of jurisdiction.

Sections 25(3) to (5), impose *limits* upon the justifiable use of force that is intended or likely to cause death or grievous bodily harm.

Section 25(3) applies to *every person*. The *only* justification for the use of force that is intended or likely to cause death or grievous bodily harm arises when the person who uses the force believes, on *reasonable grounds*, that its use is necessary for self-preservation or preservation of anyone under that person's protection from death or grievous bodily harm. In other words, the justification arises from a reasonably grounded belief in the necessity of self or other preservation from an equivalent fate.

Section 25(4), the "fleeing felon" rule, justifies the use of force, *intended or likely to cause death or grievous bodily harm*, by a *peace officer* and anyone who lawfully assists the peace officer in arresting another person (V). The force is justified if:

- i. the *peace officer* is proceeding *lawfully* to arrest V, with or without warrant;
- ii. the *offence* for which V is to be arrested is one for which V may be arrested *without* warrant;
- iii. V takes *flight* to avoid arrest;
- * iv. the peace officer or assister believes, on *reasonable grounds*, that *force is necessary* for the preservation of self or others from imminent or future death or grievous bodily harm, and

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P75. REVIEW OF SEARCH OF PERSONS PROCEDURE

The Board was in receipt of the following report JANUARY 12, 2005 from Albert Cohen, Director, Litigation, City of Toronto – Legal Services Division:

Subject: REVIEW OF SEARCH OF PERSONS PROCEDURE

Recommendation:

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

Background:

At its meeting held on July 29, 2004, the Board received a report from former Chair Alan Heisey respecting concerns raised by the Ontario Civilian Commission on Police Services (“OCCPS”) about the Service’s policy for the conduct of Level 3 searches set out in the Procedure. OCCPS directed the Board to review the policy on Level 3 searches to ensure that it is consistent with the “decision and philosophy directed by the Supreme Court of Canada in the case of *R. v. Golden*” (Minute P239/04 refers).

At the same meeting, the Board also considered two reports from Chief of Police Julian Fantino explaining how the Procedure was consistent with the principles in the *Golden* decision.

In light of the Chair’s report and the two reports provided to the Board by the Chief, the Board requested the City Legal Division to review the Procedure and provide an opinion as to whether the interpretation as outlined in the Chief’s reports is consistent with the principles set out by the Supreme Court of Canada in the *Golden* decision

Discussion:

(a) The Procedure Considered By OCCPS

The version of the Procedure considered by OCCPS provided that where a person in custody is held in short-term detention and will be released from the station by the Officer in Charge, reasonable grounds are required prior to conducting a Level 3 search. The determination of whether reasonable grounds exist for a Level 3 search was based on (but not limited to) a consideration of the following:

- the details of the current arrest
- the history of the person

- any items already located on the person during a Level 1 or 2 search
- the demeanour or mental state of the individual
- the risks to the individual, the police, or others, associated with not performing a Level 3 search

The search ultimately requires the approval of the Officer in Charge. If no reasonable grounds exist for a Level 3 search, a Level 2 search could be conducted.

The Procedure considered by OCCPS provided that all persons who are held in custody pending a Show Cause hearing are deemed to be entering the prison population and are to be subjected to a Level 3 search prior to entering the cells or being transported to court or another facility.

(b) Case Law on Searches

Staff in the City Legal Division reviewed the law on strip searches as discussed in *R. v. Golden* and in cases decided after *R. v. Golden* that specifically address strip searches of individuals held in custody.

Prior to briefly reviewing the law, it should be noted that there is a difference of opinion between counsel for the TPS and counsel at the City Legal Division on the effect of the *Golden* decision. This difference is reflected in the case law considering the effect of the *Golden* decision and whether or not strip searches of persons entering the prison population should be conducted as a matter of course.

On my reading of *R. v. Golden*, the Supreme Court of Canada did not specifically address the question of strip searches when individuals are going to be entering the prison population. In the course of rendering its decision on whether a strip search in a non-custodial setting was acceptable, the Court noted that in custodial situations there is a greater need to ensure that individuals are not concealing weapons or illegal drugs on their persons. However, on the facts of that case, the Court was not explicitly deciding the issue of the appropriate level of search for persons entering the prison population. It did not decide that in all cases where an individual is entering the prison population a strip search is justified. The Court was only indicating that the considerations that might apply to searching a person entering the prison population could not be used to justify searches in other contexts.

Since the *Golden* decision, various courts across the country have addressed the effect of the decision in a number of cases considering the legality of undertaking strip searches in custodial settings. A review of these cases indicates that the courts differ on the question of the effect of the *Golden* decision. Some courts have held that given the Court's comments in *Golden* and the practical realities of administering prisons and jails, strip searches can be permitted as a matter of course in situations where an individual is being introduced into the prison population. Others have concluded that although the decision to strip search an individual in custodial settings must be determined on a case-by-case basis, the fact that the person is entering the prison population is a very significant factor in evaluating the individual case.

In Ontario, the leading cases applying the *Golden* decision suggest that the preferred approach is to apply various criteria to assess whether an individual should be strip searched prior to being placed in the prison population, with the concerns for prison safety and security being an extremely significant criterion. For example, in *R. v. Clarke*, the Ontario Superior Court of Justice fully acknowledged that it would be an extremely rare circumstance when a strip search could not be justified on safety and security grounds when an individual is entering the prison population. However, the Court also concluded that each situation should be considered on a case-by-case basis. In the Court's view, strip searches cannot be carried out as a matter of routine policy, where all individuals would be subject to a strip search. Other Ontario courts have adopted this approach, although there has not been complete uniformity in the approach taken.

Despite the lack of consistency in the approach taken by the courts in applying the *Golden* decision, the weight of Ontario judicial authority supports the approach articulated by the court in *R. v. Clarke*, set out above. While it is likely that concerns for prison safety and security would result in the strip search of persons being introduced into the prison population, in my opinion, an assessment must still be made of each such person on a case-by-case basis.

(c) Opinion of Service Legal Counsel

Counsel for the Service argue that, in *Golden*, the Supreme Court was engaged in the task of delineating the scope of the common law power to search incident to arrest. The issue of whether that power was broad enough to encompass the authority to strip search an arrested individual had never before been put directly to the court. The Court discussed the common law power in light of the competing interests of valid law enforcement goals and individual privacy rights. In the course of rendering its decision, the Court gave guidance on the question of whether strip searches could be justified for individuals entering the prison population.

The Court noted that, in the post-*Charter* era, the cases "suggest a disturbing trend towards strip searching detained persons as a matter of routine policy, regardless of the particular circumstances surrounding the arrest". The Court held that strip searches cannot be carried out as a matter of routine police department policy applicable to all arrestees. The Court then went on to make two useful distinctions. First, the Court made a distinction between strip searches immediately incidental to arrest and searches related to safety issues in a custodial setting. They "acknowledge [sic] the reality that where individuals are going to be entering the prison population, there is a greater need to ensure that they are not concealing weapons or illegal drugs on their persons prior to their entry in the prison environment". The Court then made a second distinction between the prison context and the short term detention context and wrote:

Whereas strip searching could be justified when introducing an individual into the prison population to prevent the individual from bringing contraband or weapons into prison, different considerations arise where the individual is only being held for a short time in police cells and will not be mingling with the general prison population. While we recognize that police officers have legitimate concerns that short term detainees may

conceal weapons that they could use to harm themselves or police officers, these concerns must be addressed on a case-by case basis and cannot justify routine strip searches of all arrestees. (emphasis added)

Counsel for the TPS assert that implicit in this analysis is the recognition that although a routine policy to strip search short-term detainees would not be appropriate, a routine policy to strip search individuals introduced to the prison population could be justified.

While I acknowledge this interpretation, for the reasons stated above, I believe the superior view is as set out in my comments above.

(c) Amendment of the Procedure

I have discussed the issue with members of the Service's Legal Services Unit. We agreed that if my interpretation of the case law is accepted, it would be appropriate to amend the Procedure to remove the automatic Level 3 search for persons held in custody pending a Show Cause hearing. While it would be a rare instance where a Level 3 search would not be justified on security and safety grounds, officers would still be required to engage in a case-by-case analysis prior to a person being strip searched as a consequence of being introduced into the prison population. Each strip search would be conducted on reasonable and documented grounds in accordance with the criteria already stated in the Procedure.

The Board was also in receipt of copies of the following written submissions:

- **March 24, 2004 from Mr. John Sewell, Toronto Police Accountability Coalition; and**
- **July 29, 2004 from Mr. Colin Brown, African Canadian Legal Clinic.**

The foregoing written submissions were originally considered by the Board at its July 29, 2004 meeting (Min. No. P239/04 refers). The written submissions were placed upon the agenda for consideration at today's meeting in conjunction with the foregoing report from Mr. Cohen. Copies of the two written submissions are on file in the Board office.

The Board was also in receipt of a written submission, dated February 09, 2005, from Mr. John Sewell, Toronto Police Accountability Coalition; copy on file in the Board office.

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

- **Ms. Katie Scott, African Canadian Legal Clinic;**
- **Mr. Julian Falconer & Ms. Karen Spector, Falconer, Charney, Macklin;**
- **Mr. John Sewell, Toronto Police Accountability Coalition; and**
- **Mr. George Tucker, Toronto Police Association.**

The Board discussed this issue with Interim Chief Boyd and emphasized the need for a Service Procedure that is consistent with the principles set out in the December 06, 2001 Supreme Court of Canada decision in the matter of *R. v. Golden*.

The Board approved the following Motions:

- 1. THAT the deputations be received;**
- 2. THAT the report from Mr. Cohen be received;**
- 3. THAT the Board ask Interim Chief Boyd to amend Toronto Police Service Procedure 01-02 entitled “Search of Persons” to remove the automatic Level 3 search for persons held in custody pending a Show Cause hearing and insert, instead, a requirement that officers engage in a case-by-case analysis prior to a person being subject to a Level 3 search as a consequence of being introduced into the prison population;**
- 4. THAT the written submissions be referred to Interim Chief Boyd for consideration during the amendment of Service Procedure 01-02;**
- 5. THAT Interim Chief Boyd provide a copy of the final amended Procedure to the Board for information at a future Board meeting.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P76. IN-CAR CAMERAS – PILOT PROGRAM

The Board was in receipt of the following report JANUARY 18, 2005 from Julian Fantino, Chief of Police:

Subject: IN – CAR CAMERAS – PILOT PROGRAM

Recommendation:

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

Background:

At its meeting of June 21, 2004, the Board received a report from the Chief of Police outlining the feasibility of establishing a pilot project involving cameras in police patrol cars in the most cost effective manner possible. Additionally, and as requested by the Board, this proposed pilot project has been submitted for approval as part of the 2005 capital budget request process. (Board Minute #P197/04 refers).

At its meeting of December 16, 2004, the Board requested the Chief of Police provide a status update on the implementation of the In-Car Camera Pilot Program.

Status update

The Board, as part of the 2005 capital budget request, supported the In-Car Camera System – Pilot Project, in May 2004. The Business Case document provides the project description and scope, implementation outline and methodology, as well as impacts and costs. There are two recommendations made in the business case based on all of the supporting analyses, they are:

1. That Capital funding of \$562,050 for the fiscal years 2005 and 2006 be approved
2. That implementation of the In-Car Camera System Pilot Project begins on April 4, 2005 and be completed by January 2007.

With respect to capital costs, it is anticipated that capital funding for \$562,050 will be approved and received by the end of February 2005.

The effectiveness of an In-Car Camera System will be measured against objective criteria as previously reported to the Board at its meeting of March 25, 2004 (Board Minute #P82/04 refers). At that time the Service's Corporate Planning unit identified the following potential advantages of an In-Car camera system:

- Increased officer and community safety;
- Improved public perception of police accountability;
- Demonstration of good faith and willingness to address issues of concern;
- Increased officer professionalism;
- Reduction of false complaints;
- Increase in guilty pleas and convictions;
- Training/debriefing tool;
- Record of traffic stop.

Consistent with the project methodology outlined in the business case and in preparation to begin the implementation on April 4, 2005, I have directed Staff Superintendent Kim Derry of Central Field to oversee this project and to chair the Steering Committee. The Steering Committee will set the objectives for the program and establish the criteria against which the ultimate effectiveness of the program will be measured. The Steering Committee will be comprised of:

- The six (6) Staff Superintendents representing their respective Command areas
- The Director of Information Technology
- The Director of Finance
- The Director of Corporate Planning

The project activities and related timelines listed below are subject to change as approved by the Steering Committee:

- Pilot Project Initiation and stakeholder communication (1 week – April 4 to 8, 2005);
- Develop RFP for the Pilot Project equipment and services (3 weeks – April 11 to 29, 2005);
- RFP Released to Bidders – June 6, 2005;
- Board review and authorization to proceed – September 2005 Police Services Board meeting;
- Final pilot implementation and field testing – (3 months - May 2006 to July 2006);
- Evaluation and Impact Report on Provincial Offence Act video disclosures (4-6 months until court proceedings);
- Evaluation on Professional Standards (6 months after pilot start)
- Submit recommendations and final report to the Police Services Board – January 2007.

Additionally, Staff Superintendent Derry has assigned Staff Sergeant Thomas Russell of Central Field Planning to act as interim project manager and to chair the Pilot Program Executive Committee. The Pilot Program Executive will consist of representatives from each of the TPS units that are primary contributors to the pilot. The Executive Committee will work closely with the project manager to ensure tactical support for this program.

The program calls for fifteen (15) vehicles to be equipped with In-Car video camera systems distributed and installed as follows:

- Five (5) marked patrol cars assigned to a Division in Central Field
- Five (5) marked patrol cars assigned to a Division in Area Field
- Five (5) marked patrol cars assigned to Traffic Services

Consideration for divisional selection is being given to those divisions that have historically shown a higher than average number of traffic stops and serve a diverse multicultural community.

Comments:

The Corporate Planning Unit of the Toronto Police Service has just begun to review the final report of the International Association of Chiefs of Police (IACP) In-Car Camera studies. A preliminary scan of this extensive report suggests it will become a useful reference document for the Toronto Police Service In-Car Camera Pilot Project.

The Ontario Provincial Police In-Car Camera studies are still ongoing and findings are not available at this time.

Deputy Chief Steve Reesor, Policing Operations Command, will be in attendance to answer any questions if required.

The Board was also in receipt of the following report MARCH 03, 2004 from Michael J. Boyd, Interim Chief of Police:

Subject: IN – CAR CAMERA PILOT PROGRAM

Recommendation:

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

Background:

At its meeting of February 10, 2005, the Board received a report from the Chief of Police providing an update on the implementation status of the In-Car Camera Pilot Program. The Board requested the Chief to further review and report on the project timelines as documented in the status report.

Further Information:

Consistent with the project methodology outlined in the business case and in preparation to begin the implementation, I have directed Staff Superintendent Kim Derry of Central Field to oversee this project and to chair the Steering Committee. The Steering Committee will set the objectives for the program and establish the criteria against which the ultimate effectiveness of the program will be measured. The Steering Committee will be comprised of:

- The six (6) Staff Superintendents representing their respective Command areas
- The Director of Information Technology
- The Director of Finance and Administration
- The Director of Corporate Planning

Additionally, a Pilot Program Executive Committee chaired by Staff Sergeant Tom Russell of Central Field Planning has been created and is responsible for all pilot program operations reporting to the Steering Committee. This committee consists of representatives from units within the Toronto Police Service identified as having the expertise required to implement the pilot. Further, the Toronto Police Association has accepted an invitation to participate on the committee.

The Pilot Program Executive Committee held its first meeting on February 17, 2005, signalling the beginning of the implementation, seven weeks ahead of the original project timelines as outlined in the business case (Board Minute P49 refers).

The documentary resource available from the International Association of Chiefs of Police (IACP) In Car Camera study and the practical resource currently available through the Ontario Provincial Police (OPP) In-Car Camera pilot project was discussed at the first committee meeting.

There is a significant amount of detailed and comprehensive planning required, to ensure this project is implemented in an efficient, effective and time realistic manner. The resources mentioned above will prove to be helpful to the implementation of the Toronto pilot program. Savings in time will be derived where possible through those lessons learned. However, the templates, guidelines and lessons learned from these resources must be adapted to meet the specific requirements of the Toronto Police Service environment.

The committee has concluded that some of the project management tasks need to be addressed now in a concurrent manner, including: communicating to stakeholders; refining user needs; developing the project plan and writing a governing policy.

Once these tasks have been completed or are near completion, the Request for Proposal (RFP) related to equipment and services can be developed, advanced, and released to bidders. Once released, the bids will be returned, received, evaluated and a vendor selected. The remaining tasks including but not limited to purchase and delivery of equipment, installation and training are to be completed in a series of progressive steps. Some of these tasks have overlapping timelines, which will also allow for a measure of concurrent development.

As mentioned above, both the IACP study and the ongoing OPP pilot will prove to be valuable resources to assist the Toronto Police Service develop the pilot program and ensure this project is implemented in an efficient, effective and realistic time frame, meeting the needs of all stakeholders.

The In-Car Camera Pilot Program should be considered in the context of a Program having four (4) distinct components:

- A. The program plan, RFP, equipment acquisition / installation & training.
- B. Field Test – In-Car cameras / companion equipment and processes.
- C. Field Test – Video management, storage, retrieval equipment and disclosure processes.
- D. Program monitoring (ongoing through the pilot) and the final evaluation / report.

From a macro perspective, inclusive of all tasks, the Executive Committee has reviewed and submitted the following revised project timelines.

Project Task	Timeline	Date(s) 2005/06
A - Create plan, RFP, equipment acquisition / installation and training.	30 weeks	Feb 21/05–Sep 16/05
B - Field Test – In-Car cameras, companion equipment and processes.	28 weeks	Sep 19/05–Mar 31/06
C - Field Test – Video management, storage, retrieval equipment and disclosure processes	40 weeks	Sep 19/05–Jun 18/06
D - Program - final evaluation / report	6 weeks	Jun 18/06–Jul 31/06

Conclusion:

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

Deputy Chief Steve Reesor, Policing Operations Command, will be in attendance to answer any questions if required.

The Board received the foregoing reports and requested that Interim Chief Boyd explore opportunities to accelerate the exploratory phase of the pilot program so that cameras can be installed in the cars associated with the pilot program as soon as possible; and that he provide a further report to the Board on the feasibility of extending the installation of in-car cameras into all cars.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P77. OUTSTANDING AND PENDING REPORTS - PUBLIC

The Board was in receipt of the following report FEBRUARY 22, 2005 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: February 22, 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 (Feb. 2005)	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 09/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Vice-Chair, 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: Mar. 08/05 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: May 12/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	City of Toronto – Legal Services
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: Apr. 07/05 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 09/05 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

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: Apr. 07/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chair, Police Services Board

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
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: Extension Reqs'd: Yes, Mar. 08/05 Extension Granted: Revised Due Date: Status:	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: Apr. 07/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	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 • foot & bicycle patrols. 	Report Due: Jan. 13/05 Extension Reqs'd: (committees) Feb. 10/05 Extension Granted: Yes, Feb. 10/05 Revised Due Date: Apr. 07/05 Status:	Chief of Police

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P399/04	<p>Deter Identify Sex-Trade Consumers (D.I.S.C.) Program</p> <ul style="list-style-type: none"> Issue: identify the Service's involvement to date, if any, with the D.I.S.C. program 	<p>Report Due: Mar. 08/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:.....outstanding</p>	Chief of Police
C10/05	<p>Level of Federal & Provincial Funds</p> <ul style="list-style-type: none"> Issue: quantify specific costs into categories for fed., prov. & municipal issues, identify how other jurisdictions resolve cost-recovery include information in a summary page 	<p>Report Due: Apr. 07/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P06/05	<p>Destruction of Adult Photographs, Fingerprints & Records of Disposition</p> <ul style="list-style-type: none"> Issue: Board staff to consult with Chief, City Solicitor and IPC Commissioner to develop specific criteria following the review, Chief to provide further report with new recommended policy 	<p>Report Due: Apr. 07/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P09/05	<p>Purchasing – Tender Process</p> <ul style="list-style-type: none"> Issue: how can the Service reduce the likelihood of having a single bid for consideration in a tendering process 	<p>Report Due: Apr. 07/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P13/05	Civilianization <ul style="list-style-type: none"> • <u>Issue:</u> provide a detailed year-by-year breakdown of the number of positions that have been civilianized since 1999 	Report Due: Apr. 07/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P16/05	Professional Standards <ul style="list-style-type: none"> • <u>Issue:</u> provide the questionnaire, methodology and data analysis with regard to the 2003 community survey and a specific breakdown of the penalties imposed as the result of the 29 PSA hearings 	Report Due: Apr. 07/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P34/05	Follow-Up Review on the Investigation of Sexual Assaults <ul style="list-style-type: none"> • <u>Issue:</u> to report on the implementation of the 25 new recommendations from the review by the Auditor General 	Report Due: by the date of June 30, 2005 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P43/05	Organizational Chart – By-Law No. 150 <ul style="list-style-type: none"> • <u>Issue:</u> report on changes to the organization, including the creation of any new positions, new units or other changes affecting costs 	Report Due: May 12/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P49/05	In-Car Cameras – Pilot Project <ul style="list-style-type: none"> • <u>Issue:</u> report on revised projected timelines for the pilot project 	Report Due: Mar. 08/05 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: Apr. 07/05 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: Apr. 07/05 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: Apr. 07/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P284/04 P62/05	Municipal Freedom of Information <ul style="list-style-type: none"> <u>Issues:</u> identify the Service's MFIPPA compliance rate will now be submitted in: Mar., June, Sept. & Dec. 	Report Due: June 09/05 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: May 12/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chair, Police Services Board

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 12/05 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: Aug. 11/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Manager, Labour Relations
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 reports will be submitted in August and February each year <u>Reference</u>: OCCPS Review 	<p>Report Due: Aug. 11/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
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. 07/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>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: Aug. 11/05 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	Chief of Police
P342/02 P81/04 P61/05	“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 • will now be submitted in Mar. & Sept. 	Report Due: Sept. 08/05 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: Sept. 08/05 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. 08/05 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 09/05 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. 2006 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	<p>Audit Recommendations</p> <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. 	<p>Next Report Due: July 12/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P333/95 P97/01 P89/03	<p>Training Programs</p> <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 	<p>Next Report Due: June 09/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P292/96	<p>Special Constables - Univ. of Toronto</p> <ul style="list-style-type: none"> • <u>Issue</u>: to be submitted in April each year 	<p>Next Report Due: Apr. 07/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Chief of Police
P39/96	<p>Special Constables – TTC</p> <ul style="list-style-type: none"> • <u>Issue</u>: to be submitted in April each year 	<p>Next Report Due: Apr. 07/05</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
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. 07/05 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 each year 	Report Due: Feb. 2006 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. 14/05 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"> • Issue: 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"> • Issue: request for funds for the annual conference to be submitted in March 	<p>Next Report Due: Mar. 08/05</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:.....outstanding</p>	Chief of Police
P66/99	<p>“Rules” Changes</p> <ul style="list-style-type: none"> • Issue: 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 12/05</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"> • Issue: 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 07/05</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. 2006 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: Feb. 2006 Extension Reqs'd: Extension Granted: Revised Due Date: Status:	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. 2006 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 07/05 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 09/05</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:	Chair, Police Services Board
	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: Mar. 2006 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. 2006 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. 2006 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 09/05 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 09/05 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. 2006</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	Manager, Labour Relations
P136/03 C27/05	<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. 2006</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. 2006</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. 15/05 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

Required in 2008

Board Reference No's.	Issue - Pending Reports	Report Status	Recommendation Action Required
P34/05	<p>Another Follow-Up Review on the Investigation of Sexual Assaults</p> <ul style="list-style-type: none"> • <u>Issue:</u> the Board has requested that the Auditor General conduct another follow-up audit on the investigation of sexual assaults by the Service within three years from the release of the October 2004 review report. 	<p>Report Due: 2008</p> <p>Extension Reqs'd:</p> <p>Extension Granted:</p> <p>Revised Due Date:</p> <p>Status:</p>	<p>Auditor General, City of Toronto</p>

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P78. APPOINTMENT – MR. HAMLIN GRANGE, ACTING VICE-CHAIR,
TORONTO POLICE SERVICES BOARD**

The Board was in receipt of the following report FEBRUARY 24, 2005 from Pam McConnell, Chair:

Subject: APPOINTMENT – MR. HAMLIN GRANGE, ACTING VICE-CHAIR,
TORONTO POLICE SERVICES BOARD

Recommendation:

It is recommended that the Board ratify a decision made by the Board during a special in-camera meeting on Thursday, February 24, 2005 which approved the appointment of Mr. Hamlin Grange as Acting Vice-Chair during the period between February 28, 2005 and March 04, 2005 inclusive, for the purposes of the execution of all documents that would normally be signed by the Vice-Chair on behalf of the Board.

Background:

On February 24, 2005, during a special meeting of the Board that was held to consider a number of in-camera matters, I advised the Board that I would not be available to perform the duties of Chair of the Board during the period between February 28, 2005 and March 04, 2005 inclusive. Given that Dr. Alok Mukherjee, Vice-Chair, would assume the responsibilities of Chair on my behalf during my absence, I advised the Board that it would be required to appoint one member to act as Acting Vice-Chair during that time for the purposes of the execution of all documents normally signed by the Vice-Chair on behalf of the Board, including legal contracts, personnel and labour relations documents.

The Board subsequently approved the appointment of Mr. Grange as Acting Vice-Chair of the Board during the period between February 28, 2005 and March 04, 2005 inclusive, subject to the Board releasing this decision at its next regularly-scheduled public meeting (Min. No. C42/05 refers).

I have placed this matter before the Board now and recommend that the Board formally publicly ratify the decision that was approved at its special in-camera meeting held on February 24, 2005.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P79. SCHOOL CROSSING GUARDS LONG SERVICE AWARDS - 2005

The Board was in receipt of the following report JANUARY 31, 2005 from Pam McConnell, Chair:

Subject: SCHOOL CROSSING GUARD LONG SERVICE AWARDS - 2005

Recommendation:

It is recommended that: the Board approve an expenditure not to exceed \$3,700.00 from the Board's Special Fund to cover the costs associated with hosting the 2005 School Crossing Guard Long Service Awards Ceremony.

Background:

On Thursday, April 21, 2005, the Toronto Police Services Board will host the annual School Crossing Guard Long Service Awards honouring school crossing guards for their exemplary service. The ceremony will commence at 7:00 p.m. followed by a reception in the 4th floor cafeteria at Toronto Police Headquarters.

The proposed budget for this years' ceremony and reception has been estimated at 10% over the 2004 actual costs based upon information that has been received from the caterers, other suppliers and an increased number of eligible recipients.

The Board will present commemorative lapel pins to each of the school crossing guards who have completed 5, 10, 15, 20, 25, and 30 years of service and a commemorative plaque to one guard who has completed 35 years service with the Toronto Police Service – School Crossing Guard Program. A special "School Crossing Guard of the Year" award will also be presented to the guard who has displayed outstanding enthusiasm, dedication and commitment to community safety.

A copy of the proposed budget for the 2005 ceremony and reception is attached to this report. The budget has been prepared by members of Community Programs, who are co-ordinating this event on behalf of the Board. Any surplus funds will be returned to the Board's Special Fund.

Approximately 105 school crossing guards will be honoured at this years' ceremony. I encourage all members of the Board to attend this event so that we can officially recognize the exemplary service and dedication these individuals display on a daily basis to ensure the safety and well being of school children.

It is therefore recommended, that the Board approve an expenditure not to exceed \$3,700.00 for the Board's Special Fund to cover all costs as outlined in the attached proposed budget for the 2005 School Crossing Guard Long Service Awards.

The Board approved the foregoing.

2005 Budget
School Crossing Guard Long Service Awards

	2004 Actual Costs	2005 Budget
Refreshments	\$2,162.00	\$2,600.00
Cakes	\$169.00	\$190.00
Appreciation chocolates	\$570.00	\$630.00
School Guard of the Year plaque	\$15.00	\$15.00
35 Year Service plaque	\$15.00	\$15.00
Photo finishing	no cost	\$100.00
Frame for proclamation	\$7.00	\$10.00
Long Service Pins	\$1,170.00	sufficient quantity
Presentation boxes	\$1,750.00	sufficient quantity
 Total:	 \$5,858.00	 \$3,560.00

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P80. REQUEST TO WAIVE FALSE ALARM BY-LAW INTEREST FEES –
TORONTO DISTRICT SCHOOL BOARD**

The Board was in receipt of the following report FEBRUARY 25, 2005 from Pam McConnell, Chair:

Subject: REQUEST TO WAIVE FALSE ALARM BY-LAW INTEREST FEES –
TORONTO DISTRICT SCHOOL BOARD

Recommendation:

It is recommended that: the Board decline the request of the Toronto District School Board that the Board waive outstanding interest charges related to the Board's false alarms by-law.

Background:

The Board, at its meeting of August 22, 1996, approved By-law 110 which is to authorize the charging of fees to recover the cost of providing police services in response to false alarms (Board Min.298/96 refers).

By-law 110, Section 4, stipulates that "interest of any unpaid fees will be charged at a rate of two per cent (2%) per month, compounded monthly, for the period from the payment date referred to in section 3 of this by-law, to the date payment is received by the Service".

Discussion:

I have received the appended letter from Ms Sheila Penny, Executive Superintendent, Facility Services, Toronto District School Board, requesting that the Board forgive interest charges that have accumulated as a result of unpaid false alarm fees.

I have been advised by a representative of the School Board that this interest has been accruing since 2000 and the outstanding amount of interest is \$16,964.20.

Given that the false alarms by-law requires that interest be charged on unpaid balances, and that the Service has issued invoices to the Toronto District School Board in accordance with the by-law and with the usual procedures of the Financial Management Unit, I recommend that the Board decline to forgive the interest charges that have accrued to the School Board.

In considering this matter, Board members are reminded that in 2003, the Toronto Transit Commission (TTC) requested that the Board waive by-law provisions in order to eliminate paid duty administrative fees for the Commission. The Board declined the Commission's request.

The Board approved the foregoing.



Toronto
District
School
Board

Office of the Executive Superintendent, Facility Services

1 Civic Centre Court, Etobicoke, Ontario M9C 2B3 Tel: 416-394-3933 Fax: 416-394-3931

January 26, 2005

Councilor Pam McConnell
Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

DATE RECEIVED

JAN 31 2005

TORONTO
POLICE SERVICES BOARD

Dear Ms. McConnell,

Over the last several years, a number of invoices for attendance at false alarms have come into the Toronto District School Board for payment. We have ensured that all of the payments have been made up to date and have revised our internal policies and procedures to ensure that the Toronto Police Services are only called for alarms where there is clear evidence of criminal activity.

Payment on the invoices had been delayed due to inconsistencies in billing addresses associated with legacy and boards and limited information on invoices, requiring extensive investigation by our staff to ensure the accuracy of the invoice.

We are asking that you waive the interest charges for these alarms, as the monies may be better used to provide a safe, clean and healthy learning and working environments for our students, staff and community in all TDSB facilities.

I look forward to your positive response.

Sheila Penny
Executive Superintendent, Facility Services

Copy:

C Joanne Campbell, Executive Director, Toronto Police Services
Sandra Califaretti, Manager, Financial Management
Len Conium, Alarms Co-ordinator
Frank Coppinger - General Manager, Facility Services
Don Higgins - Executive Superintendent, Business Services
Melanie Stoughton - Co-Ordinator, Admin Svcs.
Sanjay Puri - Assistant Comptroller, Business Services

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P81. AWARD FOR A “WIRELESS PARKING TICKET ISSUANCE
SOLUTION” – REQUEST FOR PROPOSAL No. 3412-04-7201**

The Board was in receipt of the following report FEBRUARY 18, 2005 from Julian Fantino, Chief of Police:

Subject: AWARD FOR "A WIRELESS PARKING TICKET ISSUANCE SOLUTION"
REQUEST FOR PROPOSAL NO. 3412-04-7201

Recommendation:

It is recommended that: the Board approve the acquisition of a Wireless Parking Ticket Issuance Solution as outlined in Request for Proposal #3412-04-7201 from Epic Data Inc. for an amount not to exceed \$3.7M inclusive of all applicable taxes.

Background:

At its meeting of September 26, 2002, the Board approved a capital project of \$2.9M and business plan for the provision of a Hand-held Parking Ticket Issuance Solution (Board Minute No. P239/02 refers). Further, City Council approved the project (at the amount of \$2.9M) at its special meeting of February 24, 25, 26, 27 and 28, 2003.

Upon implementation, Parking Enforcement Officers will issue parking tickets from a hand-held computer device and printer. Through a wireless connection, the hand-held computers will communicate in real time with the data collection servers holding parking ticket data. The data collection servers will be interfaced with several City of Toronto and Toronto Police Service systems resulting in a more comprehensive and intelligent parking enforcement system.

Through these interfaces, the City of Toronto will realize financial efficiencies in relation to more expedient data transfer (provision of more timely customer service and management information), a decrease in the number of parking tags not processable due to illegible information (resulting in increased revenue to the City of \$530,000 annually), and a reduction in data entry staff (12 Full Time Equivalents equating to \$450,000 in annual salary savings). Additionally, the Service will gain operational efficiencies as a result of the parking ticket issuance software and through an increase in the ability to identify stolen vehicles, and the enhanced residential permit parking protocol based on the on-line database look-up functionality.

On May 20, 2004, the City of Toronto, Purchasing and Materials Management Division, on behalf of the Toronto Police Service issued Request for Proposal (RFP) #3412-04-7201 for the acquisition of a "Wireless Parking Ticket Issuance Solution" with a closing date of July 5, 2004.

On June 9, 2004, a Vendors meeting for potential proponents was held at which time an overview of the scope of the project was reviewed. Answers to questions that had been received prior to and on the day of the meeting were provided.

Eight (8) firms submitted responses to the Request for Proposal as noted below:

Epic Data Inc.
Fujitsu Consulting Canada Inc.
Group Techna Inc.
Metertek LLC
Parksmart Inc.
T2 Systems Inc.
Vytex Public Safety
Xwave Solutions Inc.

An evaluation team comprised of members from: Toronto Police Service (TPS) Parking Enforcement and Information Technology Service Units; and City of Toronto, Parking Tag Operations, was struck to evaluate all the submissions. It was evident to the evaluation team during the review of the submissions that the approved capital budget of \$2.9M would not be sufficient to implement the project. As a result, a revised capital budget of \$4.1M was submitted for the 2005-2009 Capital Program and approved by the Board at its meeting of September 23, 2004 (Board Minute No. P291/04 refers).

At its meeting held on November 30, December 1 and 2, 2004, City Council pre-approved an increased capital budget for 2005 of \$4.1 million for the procurement and implementation of hand held parking ticket issuance devices for the TPS Parking Enforcement Unit (re: Clause 51 contained in Report No. 9 of The Policy and Finance Committee headed "Pre-Approval for 2005 Capital Projects"), conditional on the Chief Administrative Officer for the City of Toronto, the Chief Administrative Officer for the Toronto Police Service, and the President of the Toronto Parking Authority agreeing on a common technology for hand-held devices for parking ticket issuance. Subsequently, all parties agreed to a common technology in which parking tickets would be issued through a wireless hand-held technology.

City Council, at its meeting of February 21, 22, 23 and 24, 2005, is expected to approve the \$4.1M budget for the Wireless Parking Ticket Issuance solution.

The eight (8) submissions were pre-screened by the evaluation team to ensure compliance with the mandatory requirements. Based on this evaluation, a short list of vendors was selected who provided the most reasonable cost while meeting the minimum requirements. The vendors selected for the short list were:

- Epic Data Inc.;
- Fujitsu Consulting Canada Inc.; and,
- Group Techna Inc.

The above three (3) vendors were invited to present their solution to the evaluation team and to quantify their response. As well, the short listed vendors were required to provide a field trial of their proposed solutions.

On November 17, 2004, one of the short listed vendors (Fujitsu Consulting Canada Inc.) withdrew from the competition. In November/December 2004, the two remaining vendors: Epic Data Inc. and Group Techna Inc. each participated in a one week field test.

The remaining two submissions were evaluated independently using a weighted matrix format and were ranked based on the following:

- System administration/operations,
- Scenario-based transaction exercises,
- Officer ergonomics and functionality,
- Vendor competency, and
- Management reporting tools.

The RFP responses with respect to cost included both one-time costs and costs for various options (e.g. maintenance and other operating costs). The evaluation team determined which options were acceptable and these were included in the total cost analysis. The cost of the Epic Data Inc. solution is \$3.7M and that of Group Techna is \$3.6M.

Epic Data Inc. having received the highest overall score based on the weighted matrix format above provides the solution that is the lowest cost meeting the requirements of the project.

Conclusions:

Therefore, it is recommended that the Board approve the acquisition of a Wireless Parking Ticket Issuance solution from Epic Data Inc. for an amount not to exceed \$3.7M inclusive of all applicable taxes. Service and City staff will enter into negotiations with Epic Data Inc. to finalise the solution within the amount approved.

The Chief Administrative Officer has certified that funding is available in the Parking Enforcement Capital Program.

Mr. Frank Chen, Chief Administrative Officer and A/Deputy Chief Emory Gilbert, Policing Support Command will be in attendance at the Board Meeting to respond to any questions that the Board Members may have.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P82. SUPPLY AND DELIVERY OF PARKING TAGS – OPTION TO RENEW
CONTRACT #47008339**

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

Subject: SUPPLY AND DELIVERY OF PARKING TAGS – OPTION TO RENEW
CONTRACT #47008339

Recommendation:

It is recommended that:

- (1) The Board exercise the option to renew Contract #47008339 for the supply and delivery of Parking Tags for the 2nd, 3rd and 4th year options for the term January 1, 2005 to December 31, 2007, at a total cost, not to exceed \$1.2 million.

Background:

In May of 2003 a Request for Quotation was issued by the City of Toronto for the supply and delivery of Parking Tags.

In July 2003, Contract #47008339 was issued to Datamark Systems for the supply and delivery of approximately 4,000,000 Parking Tags with an estimated value of \$373,750.00. The duration of this contract was from October 21, 2003 to December 31, 2004 with an option to renew for an additional three (3) years: 2005, 2006 and 2007. Funds are available in the Parking Enforcement Unit operating budget, Account #CC7-2012.

The following is an estimated target value for the duration of the Contract.

2005	2006	2007
\$400,000.00	\$400,000.00	\$400,000.00

At its meeting of September 23, 2004, (Board Minute P291/04 refers) the Board approved the Handheld Ticket Issuance Project. It is anticipated that the overall manual Parking Tag requirements will be reduced as a result of the implementation of the hand held ticket issuance system. However, a requirement will always exist for the supply of manual parking tags as a result of issuance by Police Officers, Municipal Law Enforcement Officers and as a contingency plan to run alongside the handheld project.

At this time, the Board has the opportunity to exercise the option to renew the contract for the supply and delivery of parking tags for the 2nd, 3rd and 4th year.

Based on the fact that the project is in its infancy stage and has not yet been implemented, it is recommended that the Board exercise the option to renew Contract #47008339 for the supply and delivery of Parking Tags for the 2nd, 3rd and 4th year options for the term January 1, 2005 to December 31, 2007, at a total cost, not to exceed \$1.2 million. All terms, conditions, and costs contained within the Contract shall remain unchanged. If the full amount of parking tags is not required due to affects of the implementation of the handheld project, the outstanding balance of the funds will not be spent.

A/Deputy Chief Emory Gilbert, Policing Support Command, will be present at the Board meeting to address any questions.

The foregoing report was withdrawn at the request of the Interim Chief of Police.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P83. CLARIFICATION OF TERM FOR HARDWARE MAINTENANCE
CONTRACT FOR COMPUTER AIDED DISPATCH SYSTEM UPGRADE**

The Board was in receipt of the following report FEBRUARY 14, 2005 from Julian Fantino, Chief of Police:

Subject: CLARIFICATION OF TERM FOR HARDWARE MAINTENANCE
CONTRACT FOR COMPUTER AIDED DISPATCH SYSTEM UPGRADE

Recommendation:

It is recommended that the Board approve the revision of the term of the hardware maintenance contract with NexInnovations for the Computer Aided Dispatch System upgrade from January 1, 2004-December 31, 2008 to April 1, 2004-March 31, 2009.

Background:

At its meeting held on November 13, 2003, the Board approved a five-year maintenance contract with NexInnovations for hardware maintenance of the new Computer Aided Dispatch System (CAD) upgrade commencing January 1, 2004 and ending December 31, 2008 (Minute #P332/03 refers).

As the report to the Board indicated, the milestone completion and payments for the CAD upgrade addressed by Minute #P332/03 were dependent on Service staff acceptance of these upgrades. The Service staff acceptance of the hardware installation occurred on March 31, 2004. The commencement of the hardware maintenance contract with NexInnovations should reflect the date of acceptance of the hardware installation at Service locations as prior to the acceptance of the upgrades, there is obviously no need for maintenance and support. The hardware maintenance contract with NexInnovations should reflect a new five-year term with a revised start date of April 1, 2004 and a revised end date of March 31, 2009.

In order to finalize the maintenance contract with NexInnovations for execution, the City Solicitor has requested that this report be submitted to the Board to confirm the Board's acceptance of the revised contract term.

It is therefore recommended that the revision of the term of the hardware maintenance contract with NexInnovations for the Computer Aided Dispatch System upgrade from January 1, 2004-December 31, 2008 to April 1, 2004-March 31, 2009.

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

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P84. LEGAL INDEMNIFICATION – CASE No. NL/2005

The Board was in receipt of the following report JANUARY 31, 2005 from Julian Fantino, Chief of Police:

Subject: LEGAL INDEMNIFICATION – CASE NO. NL/2005.

Recommendation:

It is recommended that: the Board approve payment of an account from Mr. Harry G. Black, Q.C., Barrister, in the total amount of \$487,662.27 for his representation of a police officer in a criminal matter.

Background:

A police officer has requested payment of legal fees under the legal indemnification clause of the Uniform Collective Agreement. The statement of account from Mr. Harry G. Black, Q.C., Barrister, in the amount of \$487,662.27 for representing the aforementioned officer has been received.

This report corresponds with additional information provided on the Confidential Agenda.

It is recommended that this account be approved.

Mr. William Gibson, Director, Human Resources, will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P85. LEGAL INDEMNIFICATION – CASE No. RL/2005

The Board was in receipt of the following report JANUARY 31, 2005 from Julian Fantino, Chief of Police:

Subject: LEGAL INDEMNIFICATION – CASE NO. RL/2005

Recommendation:

It is recommended that: the Board approve payment of an account from Mr. Gary R. Clewley, Barrister and Solicitor, in the total amount of \$420,058.66 for his representation of a police officer.

Background:

A police officer has requested payment of legal fees under the legal indemnification clause of the Uniform Collective Agreement. The statement of account from Mr. Gary R. Clewley, Barrister and Solicitor, in the amount of \$420,058.66 for representing the aforementioned officer has been received.

This report corresponds with additional information provided on the Confidential Agenda.

It is recommended that this account be approved.

Mr. William Gibson, Director, Human Resources, will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P86. LEGAL INDEMNIFICATION – CASE No. L12/2004

The Board was in receipt of the following report JANUARY 21, 2005 from Julian Fantino, Chief of Police:

Subject: LEGAL INDEMNIFICATION – Case No. L12/2004

Recommendation:

It is recommended that: the Board deny the request from the Toronto Police Association for the payment of \$190,000.00 for legal costs associated with the defense of three former police constables and six serving police constables in the civil action filed by a private citizen.

Background:

The Toronto Police Association has requested payment of legal fees under the legal indemnification clause of the Uniform Collective Agreement in the amount of \$190,000.00. This request was made on behalf of above-referenced former and serving officers.

This report corresponds with additional information provided on the Confidential Agenda.

It is recommended that the Board deny the request for payment of legal costs requested by the Toronto Police Association.

Mr. William Gibson, Director, Human Resources, will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P87. CONSULTATIVE COMMITTEES

The Board was in receipt of the following report FEBRUARY 10, 2005 from Julian Fantino, Chief of Police:

Subject CONSULTATIVE COMMITTEES

Recommendation:

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

Background :

At its meeting of November 18, 2004, the Board received a report from the Chief of Police entitled Community Policing. (Board Minute #P362/04 refers). As a result of that report the Board approved a motion:

THAT Chief Fantino provide a report to the Board for its January 13, 2005 meeting on:

- ***the procedures used to establish the various liaison, advisory and consultative committees;***
- ***the powers of these committees;***
- ***the scope of the power of community members in setting the committees' agendas; and***
- ***the role of the local liaison committees in setting policing priorities for their communities.***

The following, report will provide an overview of the established procedures, responsibilities and roles of the liaison, advisory and consultative committees, is provided in response to that request.

The Toronto Police Service (TPS) engages in community consultation on many levels, both formally and informally, but in particular on three formalized community levels. The TPS Community Volunteer and Consultation Manual (The Manual) outlines the consultative process: (See Appendix "A")

“Consultation is the vehicle by which the greater community and the police exchange information about issues and concerns facing them. A true commitment to consultation and partnerships between the Police Service and all community stakeholders, lends itself to a more successful outcome with regards to community issues and concerns.”

The primary level of community consultation are the Community Police Liaison Committees (CPLC). The CPLCs are committees made up of community volunteers and police service representatives from the local division's geographic area. There are 16 Divisional CPLC and 1 Traffic CPLC. The membership of each CPLC is different, as they reflect the unique and diverse

population served by a particular division. Participants on committees may include representatives from racial, cultural or linguistic groups, social agencies, local businesses community, schools or places of worship.

The second level of consultation is designed to represent the ethno-cultural communities within Toronto; Chinese, Black, Aboriginal, South and West Asian, French and the Gay-Lesbian-Bisexual-Transgender-Transsexual communities. The Manual states:

“These consultative committees are meant to serve the specific communities on a Toronto wide basis. The membership is drawn from specific organizations within each of these communities, so those individuals are recognised as credible community spokespersons. These committees serve as a voice on wider policing issues such as training, hiring, recruiting and use of force”.

I have assigned a Staff Superintendent to each of these committees to ensure that there is a point of contact for the community at a senior level of the Service. This facilitates effective information flow with the Executive of the Service and direct access to the decision making process.

The third level of consultation is The Chief's Community Advisory Council. I instituted a consultative council that exists to provide a voice for various ethno-cultural community groups, as well as youth, on a wide variety of issues. The Council has direct access to my office and in return I have a point of reference in the community to initiate discussion when necessary with appropriate, recognized community spokespersons.

Procedures used to establish Committees

The consultative process is subject to established standards, as outlined in The Manual. The procedures used to establish the membership of the CPLC, Community Consultative Committee and the Chief's Community Advisory Council are as follows:

CPLC

- members shall be individuals who live or work in the respective Division or Unit or those individuals who participate with organizations functioning within the respective Division or Unit,
- the membership shall strive to be reflective of its local ethnic, gender and youth constituents,
- the CPLC shall not discriminate against membership on the basis of race, ancestry, place of origin, color, citizenship, ethnic origin, age, gender, creed, sexual orientation, marital status, family status, handicap or political or religious affiliation,
- prior to membership, the Unit Commander or designate will conduct a background check on potential members. The Unit Commander will consider any criminal history of a potential member based on its seriousness and impact on the integrity and reputation of the Service.

Community Consultative Committee

- members shall be individuals who live, work or participate with organizations functioning within the City of Toronto,
- membership should strive to be reflective of the specific ethno-cultural community within Toronto and inclusive of youth,
- to be considered for membership, interested individuals will be required to have bona fide affiliation and sponsorship from established business, social, community or religious organizations within the respective community,
- prior to membership, the Staff Superintendent or designate will conduct a background check on prospective members. The Staff Superintendent will consider any criminal history of a potential member based on its seriousness and impact on the integrity and reputation of the Service.

Chief's Community Advisory Council

- members shall be individuals who live, work or attend a learning institution in the City of Toronto,
- membership shall be at the discretion of the Chief of Police,
- the Unit Commander of the Community Liaison Unit can make membership recommendations to the Chief of Police,
- prior to membership a background check will be completed on potential members. The Chief of Police will consider any criminal history of a potential member based on its seriousness and impact on the integrity and reputation of the Service.

Responsibilities of Executives

CPLC

Co-Chairpersons should:

- be an elected community member from the committee and the Unit Commander,
- preside over all meeting with the co-chairperson,
- with the assistance of the co-chairperson and executive set meeting agendas,
- co-ordinate all CPLC activities, and
- act as a contact person for the matters to be presented to the community.

Community Consultative Committees

The Co-Chairpersons shall:

- consist of an elected community member and the designated Senior Officer,
- preside over meetings,
- with the assistance of the Executive, set meeting agendas,
- co-ordinate all Committee activities, and
- act as a contact for matters presented to the community.

Chief's Community Advisory Council

The Chairperson will be the Chief of Police (or designate) and will:

- preside over all Committee meetings, and
- set the agenda for the Committee.

Powers of these Committees

The three levels of Community Committees are designed to provide an effective and efficient level of consultation with community stakeholders. This process lends itself to more successful outcomes in the identification, prioritizing and problem solving of community issues and concerns. The consultative process is not meant to be another level of police oversight but rather a process that affords opportunities for enhanced effectiveness respecting community based activities and leadership, directed at joint community and policing problem solving initiatives.

The duties and responsibilities of each of the committees are outlined in The Manual. Their roles are:

CPLC

- to establish and maintain a meaningful community-police partnership;
- to work together in identifying, prioritizing, and problem solving of local policing issues;
- to be proactive in community relations, crime prevention, and communications initiatives;
- to act as a resource to the police and the community;
- act as a contact person for matters to be presented to the community.

Community Consultative Committee

- each committee is to be part of a consultative network with the other Community Consultative Committees, creating a formalized consultative component of the Service,
- to act as a resource to the police and the community,
- act as a contact person for matters to be presented to the community.

Chief's Community Advisory Council (Council)

- the Council will be part of a formalized consultation network within the Service which includes CPLCs and Community Consultative Committees,
- the Council will be available to the Chief of Police as a support resource,
- the Council will strive to be reflective of the greater community, based on its diversity and youth communities.

Committee Agendas

Each component of the Service's consultative process, the CPLCs, Community Consultative Committee and the Chief's Community Advisory Council, meet at the beginning of each calendar year to jointly set the goals and objectives for the committee.

Committee volunteers take an active role, in co-operation with their police counterparts, as members of the CPLCs and the Community Consultative Committees in setting meeting agendas for each subsequent committee meeting there after.

Setting Policing Priorities for Communities

All police divisions throughout the City of Toronto, including Traffic Services have a CPLC to provide advice and assistance to the local unit commander. This ensures that the most strategic and effective outcomes are achieved through a formal police/community committee structure, obtaining optimum results whenever possible.

The CPLCs, Community Consultative Committees and the Chief's Community Advisory Council all participate in town hall meetings annually to ensure active and valuable communication between the communities and the police service.

Each component also actively participates in community-police projects annually that promote and enhance police/community interaction and awareness.

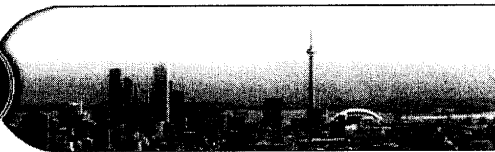
The collective role of the consultative committees, to provide advice, assistance and a network of resources to the Service, provides them direct access to the decision making process at the local level.

Conclusion

The constructive partnerships and positive outcomes that occur as a result of community-police interaction remain the cornerstone of a successful police service, and ultimately impacts the quality of life within the greater community.

The Board received the foregoing.

Attachment 'A'



COMMUNITY CONSULTATIVE PROCESS



4. COMMUNITY CONSULTATIVE PROCESS

INTRODUCTION

A key element of community policing is the effective and efficient level of consultation that is undertaken with all community stakeholders.

Consultation is the vehicle by which the greater community and the police exchange information about issues and concerns facing them. A true commitment to consultation and partnerships between the Police Service and all community stakeholders, lends itself to more successful outcomes in the identification, prioritizing and problem-solving of community issues and concerns.

The Toronto Police Service is a leader in the policing community when it comes to consultation with its community and proves this by words and deeds on a day-to-day basis. The consultative process within the Toronto Police Service exists on many levels, both formally and informally but in particular on three formalized community levels.

The consultation process is not meant to be another level of police oversight but rather a process that affords opportunities for enhanced effectiveness respecting community based activities and leadership, directed at joint community and policing problem solving initiatives. It ensures that the most strategic and effective outcomes are achieved through a formal police/community committee structure, obtaining optimum results whenever possible.

Community Police Liaison Committees (CPLC)

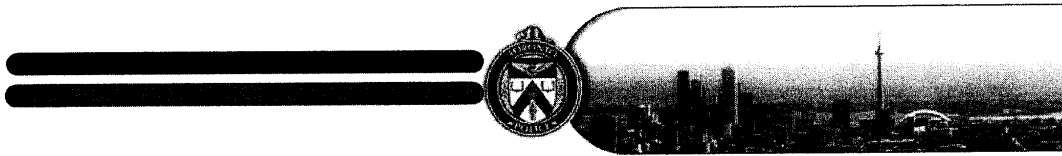
CPLCs are committees made up of community volunteers and police service representatives from the local division's geographic area. Each committee is inclusive to reflect the local community.

The CPLC **Mission** is: *"To encourage mutual trust through understanding, shared knowledge, and involvement which lead to a meaningful partnership to maintain safety and security".*

The CPLC **Mandate** is:

*"To establish and maintain a meaningful community - police partnership;
To work together in identifying, prioritising, and problem solving of local policing issues;
To be proactive in community relations, crime prevention, and communications initiatives;
To act as a resource to the police and the community."*

All of the sixteen police divisions throughout the City of Toronto including Traffic Services have a Community Police Liaison Committee (CPLC) to provide advice and assistance to the local unit commander.



The membership of each CPLC is different as they reflect the unique and diverse population served by a particular division. Participants on committees may include representatives from racial, cultural or linguistic groups, social agencies, businesses, schools or places of worship.

To ensure that no single group is left out, police officers from the divisions also work with already established organizations, such as residents associations and various *ad hoc* committees, to address specific community concerns. The committees in particular work with the Community Response Units in each division to develop short and long-term solutions to local concerns. This system, in place in most Divisions since the early 1990s, has provided direct access to the decision making process at the local level.

Community Consultative Committees

The Service operates a second level of consultation that represents the following ethno-cultural communities: Chinese, Black, Aboriginal, South and West Asian, French and the Gay-Lesbian-Bisexual-Transgender-Transsexual communities. These consultative committees are meant to serve the specific communities on a Toronto wide basis. The membership is drawn from specific organizations within each of these communities so those individuals are recognized as credible community spokespersons. These committees serve as a voice on wider policing issues such as training, hiring, recruiting and use of force. The Chief of Police has assigned a Staff Superintendent to each committee to ensure that there is an information flow with the Executive of the Service.

Chief's Community Advisory Council

The Chief of Police operates a consultative council at the third level. The Chief's Advisory Council, inclusive of youth, exists to provide a voice for various ethno-cultural community groups as well as youth on a wide variety of issues. The Council has direct access to the Chief and in return, the Chief has a point of reference in the community to initiate discussion when necessary with appropriate, recognized community spokespersons.

Although these formalized levels of consultation exist within the Service, many front-line officers along with those officers assigned to specialized units are engaged in various forms of consultations with many community stakeholders, involving a myriad of community-police issues.

The integrity and reputation of the Service are fundamental when liaison or consultation at any level occurs between Service members and the community. The constructive partnerships and positive outcomes that occur as a result of community-police interaction remains the cornerstone of a successful police service and ultimately for the quality of life within the greater community.



GENERAL

The Service shall maintain one consultative process with three components, equal in significance as follows:

- Community Police Liaison Committee (Divisional and Traffic)
- Community Consultative Committees
- Chief's Community Advisory Council

The Service shall maintain a Community Consultative Committee for (but not be limited to) the following communities:

- Aboriginal
- Black
- Chinese
- French
- Gay/Lesbian/Bisexual/Transgender/Transsexual
- South and West Asian

The Service through Community Programs Unit (CPLC's) and Community Liaison Unit (Consultative Committees and Chiefs Community Advisory Council) and in conjunction with community consultative members, shall bring the components of the consultative process together twice per year to maintain effective networking, communication and exchange of best practices.

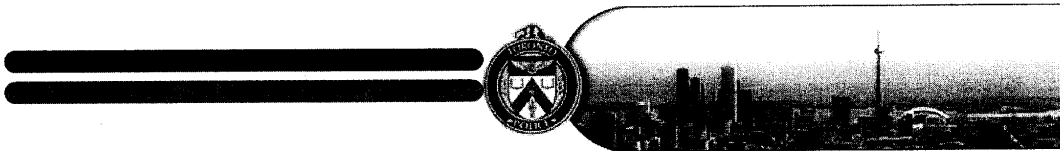
Support for and co-ordination of the Service's consultative process will be conducted by Community Programs Unit and the Community Liaison Unit.

Each component of the consultative process, continue to receive funding, in the amount of \$1,000.00 from the Toronto Police Services Board-Special Fund per year, subject to the availability of such funds as determined by the Toronto Police Services Board, as follows;

- Divisional/Traffic CPLC
- Consultative Committees
- Chiefs Advisory Council

Expenditures of Board monies must be approved by the respective Service member on each of the Committees and paid out through Financial Management.

All fundraising monies will be collected, reported and accounted for by the treasurer directly to the Committee.



Central budgeting and accounting support for the consultative process shall be conducted with the assistance of Community Policing Support and Financial Management.

The consultative process shall be subject to established standards as follows:

- Any correspondence prepared for external use by the respective Committees shall be completed and approved by the respective Committee Executive
- Any active politician, individual living with or individual in the employ of an active politician at the municipal, provincial or federal level will be ineligible for Executive membership on any of the Committees mentioned herein

STRUCTURE

Community Policing Liaison Committee

- this committee shall only be recognized as the _____ Division/Traffic Services Police Liaison Committee
- the _____ Division/Traffic Services Community Police Liaison Committee will be referred hereafter as the CPLC
- each CPLC will be part of a network of Divisional/Traffic CPLCs and the other two formal consultative components of the Service
- every Division shall have at least one CPLC. If circumstances dictate, the Unit Commander of a Division/Unit may choose to have more than one
- the Unit Commander will be responsible for the overall operation and effectiveness of the CPLC within their respective Unit
- the size of each Committee will be determined by the individual CPLC
- each CPLC shall have an Executive consisting of:
 - Co-Chairpersons
 - Secretary
 - Treasurer
- each member of the Executive, except for the Unit Commander, should serve for one year from the time of appointment
- elections should be held every year for the Executive positions, except that of the Unit Commander
- two fifths of the CPLC membership shall constitute a quorum
- the Executive may appoint sub-committees from time to time as deemed necessary
- police officers other than the Unit Commander involved in the CPLCs shall not vote.



Community Consultative Committee

- that the Service maintains consultative committees for the following communities: South and West Asian, Chinese, Black, Aboriginal, French and Lesbian-Gay-Bisexual-Transgender-Transsexual
- each Committee will be part of a network with the other Community Consultative Committees and the other two formalized consultative components of the Service
- a Staff Superintendent as designated by the Chief of Police shall be assigned to each committee
- the Staff Superintendent will be responsible for the overall operation and effectiveness of each Community Consultative Committee
- each Staff Superintendent shall be supported by a liaison officer from the Community Liaison Unit
- each Committee shall have an Executive consisting of:
 - Co-Chairpersons
 - Secretary
 - Treasurer
- each member, except for the Staff Superintendent, should serve for one year from time of membership
- elections for each of the Executive positions, except for the Staff Superintendent, should be held at the end of every year
- each committee shall consist of no more than twelve members including the two police representatives
- meetings shall take place at police headquarters or as directed by the Staff Superintendent in consultation with Executive

Chief's Community Advisory Council

- the Chief's Council will be part of a formalized consultation network within the Service which includes CPLCs and Community Consultative Committees
- a liaison officer from the Community Liaison Unit will be available to the Chief of Police as a support resource
- the Chief of Police shall determine the size of the council
- the Council will strive to be reflective of the greater community based on its diversity and youth communities
- as directed by the Chief of Police, meetings shall take place at police headquarters or at other locations



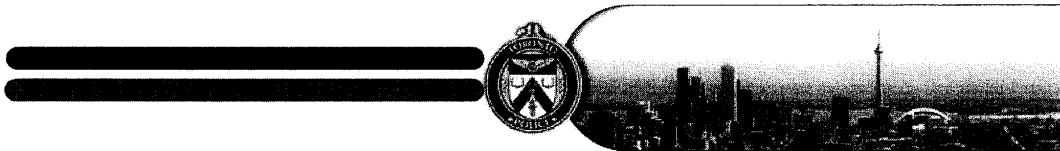
MEMBERSHIP

Community Police Liaison Committee

- CPLC members shall be individuals who live or work in the respective Division or Unit or those individuals who participate with organizations functioning within the respective Division or Unit
- the CPLC shall not discriminate against membership on the basis of race, ancestry, place of origin, colour, citizenship, ethnic origin, age, gender, creed, sexual orientation, marital status, family status, handicap or political or religious affiliation
- the membership of each CPLC shall strive to be reflective of its local ethnic, gender and youth constituents
- prior to membership, the Unit Commander or designate will conduct a background check on potential members. Any results thereof will remain confidential between the Unit Commander or designate and the potential member
- potential members facing criminal charges will not be eligible for membership
- the Unit Commander will consider any criminal history of a potential member based on its seriousness and impact on the integrity and reputation of the Service
- the Unit Commander will make a decision in relation to a criminal history. In the event that a potential member challenges the decision, an appeal in writing can be made to the respective Staff Superintendent who, in consultation with the Deputy Chief, will make final resolution
- should a member be charged with a criminal offence, the member will notify the Unit Commander of such circumstances immediately, failure to do so may result in removal from the Committee
- the Unit Commander will make a decision on continued membership while facing charges
- the membership year shall run for one year from date of membership
- the CPLC shall review membership every year

Community Consultative Committees

- CCC members shall be individuals who live, work or participate with organizations functioning within the City of Toronto
- membership should strive to be reflective of the specific ethno-cultural community within Toronto and inclusive of youth
- to be considered for membership, interested individuals will be required to have bona fide affiliation and sponsorship from established business, social, community or religious organizations within the respective community
- the CCC shall not discriminate against membership on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, age, gender, creed, sexual orientation, marital status, family status, handicap, political or religious affiliation
- potential members will submit application letters to the CCC for review



- prior to membership, the Staff Superintendent or designate will conduct a background check on prospective members. Any results thereof will remain confidential between the Staff Superintendent or designate and the potential member
- potential members facing criminal charges will not be eligible for membership
- the Staff Superintendent will consider any criminal history of a potential member based on its seriousness and impact on the integrity and reputation of the Service
- the Staff Superintendent will make a decision in relation to a criminal history. In the event a potential member challenges the decision, an appeal in writing can be made to the respective Deputy Chief who in conjunction with the Staff Superintendent will make final resolution
- should a member be charged with a criminal offence, the member shall notify the police co-chairperson of such circumstances immediately. Failure to do so may result in dismissal from the committee
- the membership shall be for one year from time of membership
- the CCC shall review membership every year

Chief's Community Advisory Council

- shall be individuals who live, work or attend a learning institution in the City of Toronto
- membership shall be at the discretion of the Chief of Police
- the Unit Commander of Community Liaison Unit can make membership recommendations to the Chief of Police
- individuals facing criminal charges will not be eligible for membership
- the Chief of Police will consider any criminal history of an individual based on its seriousness and impact on the integrity and reputation of the Service
- information on any criminal history will remain confidential between the Chief of Police and the involved member
- the decision of the Chief of Police in relation to any criminal history will be final
- a background check will be conducted on potential members
- should a member be charged with a criminal offence, the member shall notify the Chief of Police or designate of such circumstances immediately. Failure to do so may result in dismissal from the committee
- duration of membership will be at the discretion of the Chief of Police

RESPONSIBILITIES OF EXECUTIVES

Community Police Liaison Committee

Co-Chairpersons should

- be an elected community member from the committee and the Unit Commander
- preside over all meetings with the co-chairperson
- with the assistance of the co-chairperson and executive set meeting agendas



- co-ordinate all CPLC activities
- act as a contact person for matters to be presented to the community

The Secretary should

- be either a police or non-police member of the Committee
- distribute meeting notices
- distribute agendas
- keep minutes for all meetings
- keep records of all correspondence

The Treasurer should

- keep full and accurate books of accounts
- be responsible for necessary Committee banking matters
- prepare separate reporting of the Toronto Police Services Board funding and related expenses
- prepare a monthly financial statement for Committee meetings
- prepare a semi-annual financial statement for the Unit Commander of Community Policing Support

Community Consultative Committees

The Co - Chairpersons shall

- consist of an elected community member and the designated Senior Officer
- preside over meetings
- with the assistance of the Executive, set meeting agendas
- co-ordinate all Committee activities
- act as contact for matters presented to the community

The Secretary shall

- be the liaison officer assigned to the Committee
- distribute meeting notices
- distribute agendas
- keep records of all correspondence
- keep minutes for all meetings
- The Treasurer shall:
 - be a non-police member
 - keep full and accurate books of accounts
 - be responsible for Committee finances
 - prepare bi-annual financial statement for the Committee
 - prepare separate reporting of the Toronto Police Services Board funding and related expenses



Chief's Community Advisory Council

The Chairperson will be the Chief of Police (or designate) and will

- preside over all Committee meetings
- set the agenda for the Committee

The Secretary shall

- be the liaison officer from Community Liaison Unit
- keep records of all correspondence
- notify all committee members of meetings
- keep full and accurate books of accounts
- perform duties as assigned by the Chief of Police or designate
- be responsible for Committee finances
- prepare bi-annual financial statement of funding expenditures

ACTIVITY STANDARDS

Each component of the Service's consultative process shall be subject to the following *minimum* level of activity:

- meet at least four times per year
- set goals and objectives at the beginning of each calendar year. A copy of these goals and objectives are to be sent to the Unit Commander of Community Programs Unit (CPLC's) and Community Liaison Unit (Consultative Committee and Chief's Advisory Council)
- one town hall forum held jointly with police per year
- one value added community-police project per year
- keep minutes of all meetings (in the case of CPLCs, a copy of minutes shall be forwarded to the Unit Commander-Community Programs within one week after completion of each meeting)
- maintain and prepare a monthly financial statement or when requested by the Executive (in the case of the CPLC, a copy of the financial report shall be forwarded to Community Programs Unit)
- year-end activity report and Committee evaluation survey (in the case of the CPLC shall forward a copy to Community Programs Unit)

FINANCIAL AFFAIRS

- Consultative Committees may operate external bank account(s) at recognized financial institutions
- the cheques or other instruments drawn on the account shall bear the signature of at least two members of the committee, one of whom must be the designated Service member
- a financial statement covering the period since the last committee meeting shall be presented at each committee meeting by the treasurer



- the Service Financial Management Unit may conduct an audit of any external accounts operated by any consultative committee at its discretion
- all purchases made by the committee shall be in accordance with the Service's Purchasing Procedure Internal accounts
- funds granted to the committees by the Police Services Board shall remain under the control of the Service through the established budget accounts and such funds shall not be forwarded to the committees for deposit in any external bank account. Funds so allocated will be accessed according to established procedure

FUNDRAISING

- Fundraising within the Service's consultation process shall only be conducted for a specific purpose, which mutually benefits the community and the police
- fundraising efforts shall only be conducted with the approval of the respective Service member of each committee in consultation with the Committee
- any materials or correspondence used for fundraising efforts must be approved by the respective committees
- fundraising cheques must be made payable to the respective Committee account and not directly to the Toronto Police Service
- any fundraising literature must clearly indicate that a tax receipt will not be issued by the Service for monies received
- any Committee accounts shall have four signatories, two from the community and two from the police
- any cheques payable from any Committee accounts shall have two signatures, one of which will be a Toronto Police Service member
- fundraising monies used for the purchase of goods will follow the Toronto Police Service purchasing standards
- all monies collected will be used under the direction of the respective Service member in consultation with the Committee

DONATIONS

- Acceptance of donations shall be governed by established Service Rules and Procedure(18-08) "Donations"

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P88. TIME-LIMITED AGREEMENTS

The Board was in receipt of the following report FEBRUARY 14, 2005 from Julian Fantino, Chief of Police:

Subject: TIME-LIMITED AGREEMENTS

Recommendation:

It is recommended that: the Board receive this report.

Background:

The following status on time-limited agreements is provided for the Board's information (Brd. Min. #P215/04 refers). The status of time-limited agreements is to be provided six months prior to expiry and the information below is past due. The establishment of a process to capture and report contract information on a timely basis took longer than expected however, future status reports will be within the required six months notice period.

Contract Description	Company	Start Date	End Date	Contract Amount	Status at End of Term
Database site licence (DB2) – Brd. Min. #P96/00	IBM	July 1, 2000	June 30, 2005	\$2,403,560	No further action required at end of term.
Maintenance for DB2 – Brd. Min. #P96/00	IBM	July 1, 2000	June 30, 2005	\$1,854,373	Service will undertake a tender process for continued maintenance.
Child Exploitation Tracking System – Brd. Min. #P264/04	Microsoft	May 15, 2003	May 31, 2005	No cost to TPS	Microsoft maintains the option of extending by one year at no cost to TPS.

Therefore, it is recommended that the Board receive this report.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be available to answer any questions that the 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 MARCH 08, 2005**

**#P89. RESPONSE TO CITY OF TORONTO REQUEST FOR REPORT –
MARIHUANA GROW OPERATIONS**

The Board was in receipt of a report, dated February 22, 2005, from Julian Fantino, Chief of Police, with regard to marihuana grow operations. Consideration of the report was deferred to the Board's April 07, 2005 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P90. RESPONSE TO CITY OF TORONTO REQUEST FOR REPORT – FILM,
TELEVISION AND COMMERCIAL INDUSTRY**

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

Subject: CITY COUNCIL MOTION - FILM, TELEVISION AND COMMERCIAL
INDUSTRY

Recommendation:

It is recommended that the Board:

- (1) receive this report, and
- (2) forward a copy to Toronto City Council and the Toronto Film and Television Office.

Background:

At its meeting on November 30th, December 1st and 2nd, 2004, City Council approved three motions directed towards Agencies, Boards and Commissions to “review relevant policies, procedures and revise them where necessary in order to make them consistent with the expressed desire of Council” to maximize the potential of the City of Toronto’s Film, Television and Commercial Production Industry.

City Council also requested that the name of a film liaison from the Service be communicated to the Film Board at their March meeting. City Council further resolved that they will “fix all fees and charges assessed to the industry, by departments, agencies, boards and commissions at a rate coincident with a 78-cent dollar.”

Response:

The Service recognized the importance of appointing a liaison officer to effectively deal with members of the commercial film industry. A Routine Order dated 2004.12.09-1450 announced the transfer of Police Constable Michael Mead (#1840) to Central Field Command - Special Events. Among other responsibilities, Constable Mead is the Service’s Film Liaison Officer. His duties include corresponding with members of the film community and assisting in determining the suitability of proposed filming locations. Constable Mead also acts as a resource for paid duty officers while they are in the employ of the film industry.

Service Procedures entitled “Paid Duties” (20-01), “Commercial Film Industry” (20-02) and “Special Events” (20-15) have been reviewed and effectively address all issues dealing with paid duty and commercial film industry requests received by this Service.

The Toronto Police Association (TPA) establishes the rate of pay received by police officers at a paid duty. Article 20:01 of the Uniform Collective Agreement permits the TPA to set the rate, after which they must advise the Board of any rate changes. The rate charged by this Service is comparable with those charged by other Toronto area police services. The Service has no authority to alter the current rate at this time.

Consideration was given to the possibility of utilizing auxiliary officers at commercial filming events. Section 52(4) and (5) of The Police Services Act authorizes an auxiliary member to perform the duties of a police officer if accompanied or supervised by a police officer, in special circumstances such as emergencies, only where there are insufficient number of police officers available to deal with the situation. A film shoot simply does not meet the criteria required to empower an auxiliary member to perform the duties of a police officer. In order to satisfy the requirements of the Highway Traffic Act, only police officers may direct traffic and stop vehicles, which is the primary function of paid duty officers at these events. Consequently, the use of auxiliary officers would not be justified.

The Police Services Board has set the administrative fee charged by the Service to paid duty requesters at fifteen per cent, (Min. No. P210/03 refers). In 2004, this Service invoiced a total of \$2,860,991.00 in administrative fees for all paid duties; during that period approximately \$300,000.00 was invoiced to the film industry. Revenues earned from paid duty administrative fees are used by this Service to offset budget pressures.

Assigning on-duty personnel is not a viable option. Our paid duty guidelines make a clear distinction between events staffed by on duty personnel and those requiring paid duty officers. In 2004, this Service performed approximately 31,875 hours (estimated) of film industry paid duties alone. We simply do not have the resources to police these types of events with on duty staff without severely impacting on our ability to respond to the needs of the community. Furthermore, other groups would demand similar concessions.

It is recommended that the Board receive this report and forward it to Toronto City Council and the Toronto Film and Television Office.

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

The Board received the foregoing and agreed to forward a copy to the Toronto Film and Television Office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P91. TORONTO POLICE SERVICE – 2004 FINAL CAPITAL BUDGET
VARIANCE**

The Board was in receipt of the following report FEBRUARY 16, 2005 from Julian Fantino, Chief of Police:

Subject: 2004 FINAL CAPITAL BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE

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.

Background:

Toronto City Council, at its meeting held on April 19 to April 23, 2004, approved the Toronto Police Service's (TPS) 2004 Capital Budget at a total expenditure of \$27.5 Million (M), and a total of \$188.4M for 2004 – 2008. This report provides details regarding the capital budget variance for the year ended December 31, 2004.

Summary of Capital Projects:

Attachment A provides a summary of the twenty-one projects in 2004, of which thirteen projects continued from 2003, and eight projects commenced in 2004. Capital projects are managed within a total approved project amount that spans over several years, and any unspent budget allocation from previous years is carried forward to future years. The carry forward amount from 2003, not included in the \$27.5M, is \$5.4M and therefore, the available expenditure for 2004 was \$32.9M (\$27.5M + \$5.4M).

The Service incurred a year-end expenditure of \$26.4M against the \$32.9M available spending amount. This results in an under-expenditure of \$6.5M and this will be carried forward to 2005.

Variances

The following explanations are provided for 2004 projects reflecting a variance when compared to the available spending amount.

- 51 Division – At the time of previous year-end reporting, only \$0.5M of cash flow carry forward was reported; however, work was delayed and additional cash carry forward was realized. This project is now complete and spending is within the total budget.
- Livescan Fingerprinting System – This project provides for the replacement of the present manual system with an inkless electronic system and was scheduled to be completed in 2004; however, the project is slightly behind schedule. The 2004 unspent amount of \$0.29M will be carried forward to 2005 for final acceptance and remaining equipment purchases.
- Police Integration System – This is a four year project with expected completion in 2005. The components of the project allow for the creation of network connections between internal and external systems and interfaces between internal systems in order to provide more timely and accurate information. Integrating the Service's current inventory/asset management systems with the human resource and financial systems (via a new integrated system) was a major project planned for 2004. However, due to unacceptable responses to a Request for Proposal (RFP), the project was delayed and a cash flow deferral to 2005 resulted. The RFP will be re-issued in 2005. The funding allocated in 2005 along with the cash flow deferral of \$0.7M from 2004 will allow the Service to complete the project in 2005.
- State of Good Repair - Police – This project provides funds for the on-going maintenance and repair of Police buildings managed by TPS' Facilities Management. This project is overspent in 2004 by \$0.17M due to renovations required to accommodate operational requirements in Detective Services. The 2004 overspent amount will reduce the amount available in 2005 so that the overall program total budget is not affected.
- New Training Facility – This project provides for the construction of a new Police college (replacing C.O. Bick), a training facility for Firearm/Defensive Tactics and a Police Vehicle Operation (PVO). Land for the new college has been acquired by the City. The environmental assessment and foundation assessment contract has been awarded. Currently the TPS is adjusting the feasibility study to include the Department of National Defence (DND) requirements. Discussions between TPS, the City and DND have commenced in order to reach a partnership agreement. The 2004 unspent amount of \$0.75M will be carried forward to the year 2005.
- 23 Division – Currently the TPS has applied for Site Plan approval and that process is underway (Committee of Adjustment approval has been obtained). Design, working drawings and specifications are complete and the construction management contract has been awarded by the Board. It is expected that construction work will begin in 2005. The 2004 unspent amount of \$1.6M will be carried forward to the year 2005.

- TPS Headquarter Renovation – This project provides funds for renovations within Headquarters in order to improve working conditions and enhance the operational efficiency of units (by situating them more strategically). The 2004 year-end spending of this project is \$0.25M. The remaining amount of \$0.33M will be carried forward to 2005. Due to a number of requests for unscheduled work, staffing resources were not available to complete the 2004 program. The work is currently underway and will be completed in 2005.
- 43 Division – This project is well underway and the construction is about 35% complete. The facility will be completed in the Fall of 2005 with a planned opening date of January 2006. The 2004 year-end expenditure for this project is \$4.2M. The remaining amount of \$1.4M will be carried forward to 2005.
- Mobile Data Network Conversion – This project was scheduled to start in 2004; however, it is currently on hold awaiting a determination of the type of network to be used. The entire available funding of \$0.9M will be carried forward to 2005.
- Voice Logging System – This project provides for replacing all current voice logging systems at both the 703 Don Mills Road and 4330 Dufferin Street sites. A vendor has been selected. The Service is now waiting for the vendor to provide a detailed implementation plan including materials and associated cost. It is expected that full installation, testing and acceptance will be completed in March 2005. The 2004 year-end expenditure for this project is \$0.03M. The remaining amount of \$0.37M will be carried forward to 2005.
- Lawfully Authorised Electronic Surveillance – This project was scheduled to start in 2004; however, the project was delayed until 2005 as the Ontario Provincial Police expressed an interest in creating a joint location in the City of Toronto. Real estate options were considered, but no suitable site has yet been located. The joint venture will continue in 2005. The entire available funding of \$1.9M will be carried forward to 2005.
- Investigative Voice Radio System – Due to operational needs, more radios were ordered in 2004 resulting in a greater expenditure than planned; however, the total expenditure remains within the approved project cost.
- Mobile Command Post Vehicle – This vehicle is custom made and requires extensive construction, and the required technology is very complex (computer, telecommunications including radio, satellite, video, and landline telephone). TPS is presently researching the best technologies to integrate into this Mobile Command Post Vehicle. Construction of the vehicle has commenced and the 2004 year-end expenditure was \$0.3M. The remaining amount of \$0.45M will be carried forward to 2005.
- Police Command Centre – This project provides for the construction of an improved Police Command Centre operating out of Toronto Police Service's Communications Services site at 703 Don Mills Road. The planning and consultation phase did not conclude until late December 2004 and, as a result, the construction did not commence until the first week of January 2005. The construction phase is progressing well and should be completed in March

2005. The 2004 year-end expenditure for this project is \$0.04M. The remaining amount of \$0.56M will be carried forward to 2005.

- Facility Fencing – This is a four year project to erect fences in various police facilities. Only \$0.3M of the available \$0.9M was spent in 2004 for Divisions 52, 53 and 22 due to requirements for regulatory approvals from the City of Toronto. The remaining amount of \$0.6M will be carried forward to 2005.

Summary

The Toronto Police Service incurred a 2004 year-end expenditure of \$26.4M against the \$32.9M available spending amount. This resulted in an under-expenditure of \$6.5M that will be carried forward to 2005. Projects continue to be monitored closely to ensure that they remain within the total project budget and on schedule.

It is recommended that the Board receive this report, and the Board forward this report to the City Chief Financial Officer and Treasurer.

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 a copy of the report to the City Chief Financial Officer & Treasurer.

CAPITAL BUDGET VARIANCE REPORT FOR THE YEAR ENDED DECEMBER 31, 2004

Project Name (\$000s)	Available to Spend in 2004	2004 Actual	Year-End Variance (Over)/ Under	Total Project Cost
Continuing Projects:				
Long Term Facilities - 51D	567.0	2,764.1	(2,197.1)	18,580.0
Time Resource Management System	186.0	183.9	2.1	4,500.0
Livescan Fingerprinting System	3,714.7	3,429.0	285.7	4,979.4
Police Integration System	1,650.0	913.9	736.1	5,250.0
State of Good Repair-Police	1,770.0	1,941.1	(171.1)	6,530.0
New Training Facility	2,870.0	2,119.9	750.1	47,400.0
23 Division	2,687.0	1,087.0	1,600.0	13,300.0
11 Division	200.0	200.0	0.0	15,700.0
TPS Headquarter Renovation	575.0	246.9	328.1	1912.7
Boat Replacement	467.0	400.0	67.0	1,368.0
43 Division	5,608.0	4,179.3	1,428.7	12,700.0
IT Lifecycle Replacement	139.0	130.8	8.20	3,900.0
Traffic Services and Garage	5,100.0	5,067.1	32.9	5,100.0
Projects Commencing in 2004:				
Mobile Data Network Conversion	900.0	0.0	900.0	900.0
Voice Logging Recording System	400.0	32.5	367.5	804.0
Lawfully Authorized Electronic Surveillance	1,850.0	0.0	1,850.0	1,850.0
Investigative Voice Radio System	1,200.0	2,341.0	(1,141.0)	3,600.0
Occupational Health & Safety Furniture Life Cycle Replacement	750.0	679.1	70.9	3,000.0
Mobile Command Post Vehicle	750.0	300.0	450.0	750.0
Police Command Centre	605.0	44.2	560.8	725.0
Facility Fencing	915.0	321.0	594.0	3,660.0
TOTAL:	32,903.7	26,380.8	6,522.9	156,509.1

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P92. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
2004 FINAL CAPITAL BUDGET VARIANCE**

The Board was in receipt of the following report FEBRUARY 18, 2005 from Julian Fantino, Chief of Police:

Subject: 2004 FINAL CAPITAL BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE - PARKING ENFORCEMENT

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.

Background:

Toronto City Council, at its meeting held on April 19 to April 23, 2004, approved the Toronto Police Service - Parking Enforcement 2004 Capital Budget, at a total expenditure of \$1.67 Million (M) and a total of \$1.72M for 2004 – 2008.

Summary of Capital Program:

The following table provides a summary of the Parking Enforcement capital program for 2004. Capital projects are managed within a total approved project amount that spans over several years, and any unspent budget allocation from previous years is carried forward to future years. The carry forward amount prior to 2004, not included in the \$1.67M, is \$1.15M and therefore, the available expenditure for 2004 was \$2.82M (\$1.67M + \$1.15M).

Project Name	Available to	2004 Actual	Year-End
(\$000s)	Spend in		Variance
	2004		(Over)/ Under
Handheld Parking Devices	2,815.1	32.3	2,782.8
TOTAL:	2,815.1	32.3	2,782.8

Based on the above, the Service incurred a year-end expenditure of \$0.032M against the \$2.82M available spending amount, for a favourable variance of \$2.78M.

Variances

Handheld Parking Devices – This project was previously approved for the total funding of \$2.9M based on responses to Request For Purchase put out in 2004; however, it has since been determined that this level of funding is insufficient to complete the project. Therefore, the project was halted, pending further financial approval. Furthermore, since approval for some funds was received in 2003, the City's one-year cash carry forward policy takes effect, and full funding approval is required. Therefore, this project is being treated as a new project for 2005.

In 2005, the new request will include one time additional costs for system integration, electrical renovation and professional consulting, and a two-year system maintenance cost with the recommendation that Information Technology Services takes over system maintenance starting in 2007. The new strategy requires a total project cost of \$4.1M in 2005.

Summary

The Toronto Police Service – Parking Enforcement incurred a 2004 year-end under-expenditure of \$2.78M that will not be carried forward to 2005. This project requires additional funding of \$1.2M above the \$2.9M original approved amount for a total 2005 request of \$4.1M. Due to the City's one year cash carry forward policy, this projects requires full project approval in 2005.

It is recommended that the Board receive this report, and the Board forward this report to the City Chief Financial Officer and Treasurer.

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 a copy of the report to the City Chief Financial Officer & Treasurer.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P93. TORONTO POLICE SERVICE – 2004 FINAL OPERATING BUDGET
VARIANCE**

The Board was in receipt of the following report FEBRUARY 18, 2005 from Julian Fantino, Chief of Police:

Subject: 2004 FINAL YEAR-END OPERATING BUDGET VARIANCE REPORT FOR
THE TORONTO POLICE SERVICE

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 Committee.

Background :

Toronto City Council, at its meeting held on April 19 to April 23, 2004, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$679.2 Million (M), which is the same amount as the revised budget approved by the Toronto Police Services Board at its meeting of April 1, 2004 (Board Minute #P105/04 refers). The Council-approved budget provided 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.

2004 Operating Budget Variance

The final year-end surplus is \$0.9M, which is \$0.1M less than reported in the November variance report.

STAFFING and PREMIUM PAY

The final favourable variance for staffing costs is \$0.4M, which is \$0.1M less than reported in the November variance report.

Final uniform separations for 2004 were 239, compared to the budget of 224 as follows:

	2004 Estimate	2004 Actual	2003 Actual
Full year	224	239	150

Uniform salaries were under spent by \$0.8M due in large part to a greater than expected number of staff on long term sick. There was an average of 27 members funded from the Central Sick Bank Reserve (CSB), compared to the budget of 14, which was based on historical averages. Members are not eligible to receive funding until they have exhausted all of their own leave accumulations that are payable by the Service. Therefore, the number of members funded from the CSB can fluctuate based on leave accumulations as well as the number of sick members. Eligible staff are paid from the CSB and represent savings in the Service's salary accounts. As per the collective agreement, funding to the CSB is provided by the Service through a contribution of 1/6 of one percent of total payroll to the CSB. The Service's operating budget includes a contribution to the CSB. In addition to savings from staff on long term sick, a further \$0.5M savings was achieved due to increased separations compared to budget.

The Service was able to avoid several major crimes, including attempted homicides, and solve others through the increased proactive use of part-time detective support staff in several police investigations. Use of part-time detective support staff is strictly controlled and restricted to high-risk projects. However, the associated unfunded costs were \$0.6M. Every effort has been made to reduce this over expenditure while balancing the need to provide support to ongoing investigations.

Premium pay expenditures were \$0.6M over budget, less \$0.3M of which is recoverable from the City, from increased Provincial Offences Act (POA) revenues. The \$0.3M recovery is due to the combined Service and City initiative to schedule officers to attend night court while off duty, as previously reported to the Board at its meeting of June 19, 2003 (Board Minute P165/03 refers). Improved attendance at court helps to avoid dismissal of cases, which in turn results in increased revenue for the City. On an annualized basis, this initiative is expected to cost \$1.2M in premium pay to the Service (recoverable from the City), with an estimated \$1.9M increase in POA revenues for the City. Approximately half of all premium pay relates to attendance at court (approximately \$15M). Many initiatives, including the one noted above, have been put in place to reduce court spending; however, the success of all such initiatives is subject to operational requirements and the justice system.

While approximately half of premium pay relates to court attendance, 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. The remaining \$0.3M overspending in premium pay was associated with major investigations such as Guns and Gangs (for example, Project Impact where over 60 suspected gang members were arrested), seizure of marihuana grow operations (resulting in increased costs due to dismantling, evidence continuity and security), investigation and prosecution of violent hold-ups, and complex homicide investigations.

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 (\$27.1M) than in 1999 (\$30.1M). Currently, on average, each officer works approximately one hour of overtime per week, excluding court attendance.

BENEFITS

Benefits were overspent by \$0.1M, which is the same as reported in the November variance report.

Starting with the first full pay in 2004, the Ontario Municipal Employees Retirement System (OMERS) required employers and employees to remit pension costs at 100% of the increased rate, compared to 33% during 2003. The Service budgeted for the increased pension contribution costs for the full year; however, the remittance of 100% was applicable to the first full pay of the year. The Service's first full pay of 2004 was in late January and therefore, the first 12 days of the year were remitted at 33%, resulting in a one-time savings of \$1.1M.

During the 2004 budget process the Service reduced the medical/dental accounts, based on 2003 spending. In order to achieve City funding targets, the Service took an aggressive approach and further reduced these accounts. Medical/dental accounts were overspent by \$0.9M.

As part of its budget, the provincial government delisted several services previously covered by the Ontario Hospitalization Insurance Plan (OHIP) and introduced a new health premium. The delisting of services (i.e. eye exams and chiropractic services) resulted in a \$0.3M cost to the Service, as Service employees are eligible for partial reimbursement for these costs from the Service.

NON SALARIES

Non salary accounts were under spent by \$0.6M, which is the same as reported in the November variance report.

The budget for legal indemnification of officers was overspent by \$0.5M. Per the collective agreements, a member charged with but not found guilty of a criminal or statutory offence, because of acts done in the attempted performance in good faith of his/her duties as a police officer, shall be indemnified for the necessary and reasonable legal costs in the defense of such charges. During the 2004 budget process, the budget for legal indemnification of officers was reduced by \$0.4M based on historical average spending patterns. It was reported at the time that this account is unpredictable and subject to large fluctuations based on the types and number of cases experienced each year. Legal bills for a recently settled case are in excess of the liability set aside to cover this case by an amount equal to the entire 2004 legal indemnification budget.

Gasoline prices have continued to fluctuate at high levels. An increase in gasoline prices was anticipated and had been budgeted for; however, gas expenditures exceeded budget by \$0.1M.

The Service experienced an increase in some revenue accounts for a favourable variance of \$1.2M in revenues. Of this favourable variance, \$0.5M related to increased prisoner transportation recoveries and \$0.3M to the sale of clearance letters. The remaining \$0.4M was comprised of variances in various other accounts.

COMMUNITY ACTION POLICING PROGRAM

At its July meeting, Council approved the CAP program at an amount not to exceed \$545,000 and indicated “that funding come from the increased 2004 Provincial payment in lieu of taxes.” The CAP program was completed in 2004 and final expenditures totalled \$461,000. In discussions with City Finance staff, they have advised that the City may not be able to fund CAP and that this cost may have to be absorbed from the Service’s 2004 surplus. Details of the outcomes of the program were provided to the Board Budget Subcommittee on November 19, 2004 in a separate report.

SUMMARY

The final variance is a \$0.9M surplus. The Service has reflected the reported trends during the 2005 budget creation process.

The above variances can be summarized as follows:

	<u>Budget</u>	<u>Actual</u>	<u>Savings / (Shortfall)</u>
Staffing	\$496.3	\$495.6	\$0.7M
Premium Pay	\$32.0	\$32.3	(\$0.3)M
Benefits	\$106.8	\$106.9	(\$0.1)M
Non Salaries	<u>\$44.1</u>	<u>\$43.5</u>	<u>\$0.6M</u>
Total	<u>\$679.2</u>	<u>\$678.3</u>	<u>\$0.9M</u>

I am recommending that the Board receive this report and forward a copy to the City Chief Financial Officer and Treasurer, and to the City Policy and Finance Committee.

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 a copy of the report to the City Chief Financial Officer & Treasurer and the City of Toronto – Policy and Finance Committee.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P94. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
2004 FINAL OPERATING BUDGET VARIANCE**

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

Subject: 2004 FINAL YEAR-END OPERATING BUDGET VARIANCE REPORT FOR
THE TORONTO POLICE PARKING ENFORCEMENT UNIT

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 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.

The final year-end surplus is \$0.5M, which is \$0.5M more than reported in the November variance report.

Salaries & Benefits

A net zero variance was achieved for salaries and benefits. Parking Enforcement Officer staffing is managed quite closely, as staffing turnover is high, and class size and timing is at the discretion of the Service. Attrition was in line with what was budgeted.

Non Salaries

Non salary accounts were under spent by \$0.5M, which is \$0.5M more than reported in the November variance report. The favourable variance was due to savings in various supplies accounts and rent.

Parking Tag Revenue

Budgeted revenue from parking tags is \$63.5M (based on a collectable rate of 81%). The final revenue estimate is \$64.4M.

I am recommending that the Board receive this report and forward a copy to the City Chief Financial Officer and Treasurer, and to the City Policy and Finance Committee.

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 a copy of the report to the City Chief Financial Officer & Treasurer and the City of Toronto – Policy and Finance Committee.

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TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P95. MONTHLY STATISTICAL ANALYSIS OF CONDUCT COMPLAINTS –
JANUARY 2005**

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

Subject: STATISTICAL ANALYSIS OF CONDUCT COMPLAINTS

Recommendation:

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

Background:

At its meeting of April 29, 2004, the Board requested that, as part of the monthly Professional Standards report, it receive a statistical analysis report on all allegations of misconduct against members of the Toronto Police Service. This analysis is to include open cases, closed cases, cases opened and closed since last reported, and should identify the unit conducting the investigation. Further, that the categories of investigations listed must be in a format consistent with the Professional Standards semi-annual report and that such analysis also include any identifiable trends noted by the Service (Board Minute P134/2004 refers).

At its meeting of September 23, 2004, the Board sought to separate the monthly reporting of serious misconduct issues from complaint statistics. Further, the Board directed that the separate monthly complaint statistical report be produced at its regular public meeting (Board Minute C162/2004 refers).

The statistics contained in this document are extracted from the Professional Standards Information System (PSIS) database as near as practicable to the Board report submission date, and therefore may not reflect a full calendar month. Caution must be exercised in using the absolute number of complaints received as an indicator for changes in behavioural patterns, and especially on a limited monthly basis. The figures listed for complaints received reflect the information in its raw format before the complaints are either classified or investigated. Given that an investigation may take upwards of six months to conclude, and may be further delayed while awaiting an appeal to the Ontario Civilian Commission on Police Services, the number of concluded matters may fluctuate extensively when comparing monthly statistics.

The information compiled for this report provides year to date data (January 1 to February 1) for 2005 and compares it to similar time periods for previous years. This year (2005) the data for complaints will be extracted from the PSIS database. It is important to note that PSIS contains the data in a slightly different format and may not always be strictly comparable to previous years.

The number of external complaints received by February 1, 2005 was 60 compared to 52 for the same time period in 2004. This amounts to an increase of 15.4%. Some of the external complaints received by Toronto Police Service (TPS) each year are about members of other agencies, however during this time period all of the complaints received year to date (for both 2005 and 2004) concerned the TPS or TPS officers.

External complaints for 2005 about TPS members that were received and closed by February 1, 2005 amounted to 20 or 33.4% of the total, compared to 15 or 28.8% in 2004. Closure rates for 2003 and 2002 were 7 or 12.1% and 16 or 30.8% respectively.

The 2005 data for internal complaints initiated against police officers by February 1, 2005 is comparable to the same time period in 2004 (40 for both years). The closure rate by February 1, 2005 was 17.5% compared to 32.5% for the same period in 2004. Closure rates for similar periods in previous years were 33.4% in 2003 and 47.4% in 2002.

Each complaint may contain several different allegations, and it is the types of allegations that will define any behavioural trend. The Service has standardized the allegation categories by formulating its reporting structure based on the specific offences contained in the Schedule Code of Conduct within Ontario Regulation 123/98. An in-depth analysis of the allegation categories is undertaken in the Professional Standards semi-annual report, but as an interim indicator, a simplified analysis is provided for the Board's information. The allegations for 2005 complaints receive a provisional allegation category, which may change once the complaint is thoroughly investigated. This will allow for a comparison with previous years.

When the provisional allegations for external complaints received by February 1, 2005 are compared to the same period in 2004 there is little variation in the total number of associated allegations (43 compared to 50). In 2005 approximately two in five external complaints involved an allegation of discreditable conduct (discriminatory practices or incivility) compared to almost two out of three in 2004.

The number of external complaints associated with the allegation of unlawful or unnecessary exercise of authority was comparable for both years (one in five). Neglect of duty accounted for approximately one in ten complaints for this time period in both years.

A review of allegations associated to internal complaints for the period January 1 to February 1, 2005 compared to the same period in 2004 shows a minor increase (40 compared to 35) in the total number of allegations. Allegations of discreditable conduct represented 22.5% for 2005 compared to 15% for 2004. On the other hand, allegations of neglect of duty composed 32.5% of the internal complaints in the 2005 review period compared to 40% during the same period in

2004. Damage to clothing and equipment account for approximately one in five internal complaints in both time periods.

It is important to note that the time period reported on here is for one month only. The statistics within each allegation category (for this short period) are so small that even a difference of one or two could provide a false impression of significance, even though it is essentially meaningless.

Staff Superintendent Richard Gauthier of Professional Standards will be in attendance to answer any questions the 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 MARCH 08, 2005**

#P96. QUARTERLY REPORT: *MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT* COMPLIANCE: SEPTEMBER – DECEMBER 2004

The Board was in receipt of the following report FEBRUARY 18, 2005 from Julian Fantino, Chief of Police:

Subject: QUARTERLY REPORT SEPTEMBER 2004 - DECEMBER 2004:
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF
PRIVACY ACT COMPLIANCE

Recommendation:

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

Background :

At its meeting of September 23, 2004, the Board made a motion that the Chief of Police provide the Board with quarterly reports identifying the Service's *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) compliance rates, and further, that the total number of overdue requests be divided into categories of 30, 60, or 90 days, or longer (BM# P284/04 refers).

Under the *Act*, compliance refers to the delivery of disclosure through the Freedom of Information process within 30 days of receipt of a request for information. The compliance rates for the period September to December 2004, divided into three categories as stipulated by the Board, are as follows:

Toronto Police Service
Compliance Rates

30-Day	60-Day	90-Day or longer
46.5%	15.24%	38.26%

The Board specifically directed an objective for the balance of 2004 to achieve a much higher rate of compliance than the minimum expectation of 34% (BM#P406/04 refers). This goal was, in fact, met by accomplishing a 46.5% compliance rate within the 30-day disclosure requirement for the period September to December 2004. A breakdown of the monthly 30-day compliance rates for this period is as follows:

September 2004	21.61%
October 2004	37.59%
November 2004	69%
December 2004	70.33%

The improvement in the 30-day compliance rates for November and December is directly attributed to the implementation in November of preliminary audit recommendations to streamline Freedom of Information requests. A full update on the interim progress report for the Freedom of Information Unit was provided to the Board at its February 10, 2005 meeting.

Conclusion:

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

Mr. Frank Chen, Chief Administrative Officer, Corporate 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 MARCH 08, 2005**

**#P97. QUARTERLY REPORT: STATUS OF THE SPECIAL FUND: OCTOBER
– DECEMBER 2004**

The Board was in receipt of the following report FEBRUARY 18, 2005 from Pam McConnell, Chair:

Subject: TORONTO POLICE SERVICES BOARD'S SPECIAL FUND UNAUDITED
STATEMENT FOR THE PERIOD 2004 OCTOBER 01 TO 2004 DECEMBER
31

Recommendation:

It is recommended that the Board receive the report on the Toronto Police Services Board's Special Fund unaudited statement for their information.

Background :

Enclosed is the unaudited statement of receipts and disbursements with respect to the Toronto Police Services Board's Special Fund for the period 2004 October 01 to 2004 December 31.

As at 2004 December 31, the balance in the Special Fund was \$444,233. During the fourth quarter, the Special Fund recorded receipts of \$46,714 and disbursements of \$21,044. There has been a net increase of \$9,107 against the December 31, 2003 fund balance of \$435,126.

During the fourth quarter of 2004, Financial Management reclassified a number of expenditures to their proper period, in order to more closely follow accepted accounting practices. The results do not change the overall results of the Special Fund for 2004. Rather, the accounting reclassifications merely alter the quarter in which the results are reported.

The Board approved the issuance of a three year contract to Rite Auctions Limited, at its July 29, 2004 meeting (Board Minute No. P228 refers). The on-line auction process was launched at the end of November. Revenues were recorded in the final quarter of 2004, along with the 50% commission rate paid. Revenue cheques will be received every fifteen (15) business days after the close of each auction.

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.

THE TORONTO POLICE SERVICES BOARD SPECIAL FUND									
2004 FOURTH QUARTER AND ANNUAL RESULTS WITH INITIAL PROJECTIONS									
	2004							2003	
							JAN 01 TO		
	INITIAL	ADJUSTED	JAN 01 TO	APR 01 TO	JUL 01 TO	OCT 01 TO	DEC 31/04		
PARTICULARS	PROJ.	PROJ.	MAR 31/04	JUN 30/04	SEPT 30/04	DEC 31/04	TOTALS	ACTUAL	COMMENTS
<i>BALANCE FORWARD</i>	435,126	435,126	435,126	406,749	419,154	418,564	435,126	341,332	2004 initial projection is based on 2003 results. The adjusted projection is based on the actual results for the year.
<i>REVENUE</i>									Certain numbers have been reclassified for accounting presentation purposes.
PROCEEDS FROM AUCTIONS	200,000	60,093	0	19,655	0	40,438	60,093	172,183	The second quarter auction proceeds are from the City of Toronto auction. In November, 2004, the Service received auction proceeds from the new online provider. Fees are set at 50% of gross proceeds received.
LESS OVERHEAD COST	(42,000)	(23,894)	0	(3,675)	0	(20,219)	(23,894)	(37,585)	
LESS RETURNED AUCTION PURCHASE	0	0	0	0	0	0	0	0	
UNCLAIMED MONEY	0	57,733	14,392	22,010	4,047	17,284	57,733	0	Amounts reported earlier this year were incorrectly classified as Evidence monies.
LESS RETURN OF UNCLAIMED MONEY	0	(1,981)	0	(325)	(1,638)	(18)	(1,981)	0	The return of funds to owners has resulted in decreases to the Special Fund deposits.
EVIDENCE AND HELD MONEY	100,000	0	0	0	0	0	0	88,231	
INTEREST	12,000	16,742	2,649	1,899	1,630	10,564	16,742	11,092	Interest income is based on the average monthly bank balance. The activity fee includes bank service charges and the activity fee allocation.
LESS ACTIVITY FEE	(100)	(1,819)	(182)	(22)	(29)	(1,586)	(1,819)	(60)	
LESS CHEQUE ORDER	(100)	0	0	0	0	0	0	(48)	
SEIZED LIQUOR CONTAINERS	1,000	599	0	348	0	251	599	568	
OTHER	0	0	0	0	0	0	0	0	
<i>TOTAL REVENUE</i>	270,800	107,473	16,859	39,890	4,010	46,714	107,473	234,381	
<i>BALANCE FORWARD BEFORE EXPENSES</i>	705,926	542,600	451,985	446,639	423,164	465,278	542,600	575,713	
<i>DISBURSEMENTS</i>									
<i>SPONSORSHIP</i>									
<i>SERVICE</i>									
ONT. ASSO. OF POLICE SERVICES BOARD	-	5,000	0	5,000	0	0	5,000	0	In order to properly account for expenditures, amounts are now being recorded based on their document dates, not their posting dates.
CPLC & COMMUNITY OUTREACH ASSISTANCE	24,000	20,488	24,000	0	0	(3,512)	20,488	27,190	
UNITED WAY	8,000	8,000	8,000	0	0	0	8,000	8,000	
CHIEF'S CEREMONIAL UNIT	5,000	0	0	0	0	0	0	0	Therefore, some reallocations to previous quarters are noted. Overall results have not changed. Credit balances represent returns of funds.
COPS FOR CANCER	3,000	0	0	0	0	0	0	0	
OTHER	5,000	0	0	0	0	0	0	0	
<i>COMMUNITY</i>									
CARIBANA	4,000	0	0	0	0	0	0	2,166	
RACE RELATIONS	10,000	0	0	0	0	0	0	2,500	
YOUTH ADVISORY GROUP	5,000	0	0	0	0	0	0	0	
BLACK HISTORY MONTH	2,000	0	0	0	0	0	0	2,000	
VARIOUS ORGANIZATIONS	25,000	4,253	0	0	4,500	(247)	4,253	0	The Board has supported Gay Pride and Victim Services in 2004.

AWARDS	100,000	29,994	3,561	7,268	0	19,165	29,994	43,906	The Board is committed to continue it's
CATERING	50,000	10,227	0	3,875	0	6,352	10,227	21,817	recognition of both uniform and civilian
									members with long standing careers in
									the Service.
RECOGNITION OF CIVILIANS									
AWARDS	15,000	7,135	6,549	1,443	0	(857)	7,135	13,990	Recognition of civilian Service members and
CATERING	5,000	1,739	0	1,739	0	0	1,739	2,135	School Crossing Guards resulted in second
									quarter expenditures.
RECOGNITION OF BOARD MEMBERS									
AWARDS	200	0	0	0	0	0	0	0	
CATERING	2,000	1,737	1,737	0	0	0	1,737	0	A dinner in honour of former Board members
									was held once their terms were completed.
CONFERENCES									
BOARD									
COMMUNITY POLICE LIAISON COMMITTEES	5,000	5,402	0	6,000	0	(598)	5,402	0	The credit balance represents the recording
CANADIAN ASS'N OF POLICE SERVICES	5,000	0	0	0	0	0	0	0	of funds returns.
BOARDS									
OTHER	20,000	0	0	0	0	0	0	15,500	
DONATIONS									
IN MEMORIAM	1,000	700	300	200	100	100	700	500	
OTHER	500	0	0	0	0	0	0	0	
DINNER TICKETS (RETIREMENTS/OTHERS)	10,000	3,690	1,090	1,960	0	640	3,690	505	
OTHER	20,000	0	0	0	0	0	0	378	
TOTAL DISBURSEMENTS	324,700	98,366	45,237	27,485	4,600	21,044	98,366	140,587	
SPECIAL FUND BALANCE	381,226	444,233	406,749	419,154	418,564	444,233	444,233	435,126	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P98. SEMI-ANNUAL REPORT: WRITE-OFF OF UNCOLLECTIBLE
ACCOUNTS RECEIVABLE BALANCES: JULY – DECEMBER
2004**

The Board was in receipt of the following report FEBRUARY 10, 2005 from Julian Fantino, Chief of Police:

Subject: WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE
BALANCES SEMI-ANNUAL REPORT: JULY 1, 2004 TO
DECEMBER 31, 2004

Recommendation:

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

Background :

At its meeting of May 29, 2003 (Board Minute #P132/03 refers), the Board approved the new Financial Control By-law 147. Part IX, Section 29 – Authority for Write-offs includes the requirement for a semi-annual report on amounts written off in the previous six months. The following report covers the period of July 1, 2004 to December 31, 2004.

During this period, \$269,116 was written off, as per By-law 147, broken down as follows:

Paid duty administrative fees and equipment rentals	\$231,872
Returned cheques from Corporate Information Services (CIS)	1,647
Parking Enforcement travel advances	21,091
Other	<u>14,506</u>
Total	\$269,116

The write off of paid duty administrative fees and equipment rentals related mostly to older customer balances for which the customer could not be located. Monthly statements sent to these customers were returned and telephones were noted as out of service. These customer balances were forwarded to the Service's collection agency, D&A Collections. D&A Collections' fully licensed tracing staff are equipped with a multitude of information resources such as on-line credit bureau access and database networks, which allow them to locate both businesses and their principals.

In some cases, customer accounts that were written off were closed by the collection agency after all trace efforts were exhausted. In most cases, businesses had been dissolved, leaving no assets from which the receivables to the Toronto Police Service (TPS) could be paid. In most cases, their efforts also failed to locate the principals. In some cases, companies had filed for bankruptcy leaving no recourse for TPS as an unsecured creditor.

Corporate Information Services sells collision and other police reports to individuals, insurance agencies and legal offices. Until recently, cheques were a payment option. However, this option was eliminated in November 2004 as many cheques were returned Not Sufficient Funds (NSF) from our banking service provider. The written off amount relates to customers who could not be located by either TPS or the Service collection agency.

Uncollectible Parking Enforcement travel advances were written off, net of recoveries made.

The majority of the "Other" category relates to the write off of balances from two Alarm companies who declared bankruptcy in 2003. Although receivership documents have been received and are presently filed with TPS Legal Services, expected recoveries of these balances are minimal given TPS' status as an unsecured creditor.

The total write-off amount of \$269,116 is comprised of \$248,052 for the Service and \$21,091 for Parking Enforcement. The Service write-off amount in 2004 is expensed against the allowance for uncollectible amounts and therefore has no impact on the 2004 budget. The Parking Enforcement write-off amount is expensed against the 2004 Parking Enforcement operating budget.

Therefore, it is recommended that the Board receive this report for information.

Mr. Frank Chen, Chief Administrative Officer, will be in attendance to respond to any questions that the Board members may have in regards to this matter.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P99. ANNUAL REPORT – 2005 REVIEW OF PUBLIC REPORTS
PROVIDED TO THE BOARD**

The Board was in receipt of the following report FEBRUARY 01, 2005 from Pam McConnell, Chair:

Subject: 2005 ANNUAL REVIEW OF BOARD REPORTS - PUBLIC

Recommendation:

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

Background:

It is the policy of the Board that the Board review, on an annual basis and at its first meeting in each year, the annual, semi-annual and quarterly reports it requires from the Chief of Police unless otherwise noted.

The Board currently receives:

- 3 reports on a quarterly basis:
 - Criminal Information Processing System Enhancements
 - *(with respect to Searches of Persons)*
 - Special Fund
 - Enhanced Emergency Management Plan

- 8 reports on a semi-annual basis:
 - Professional Standards
 - Parking Enforcement Absenteeism
 - Legal Indemnification
 - Implementation Status of Board Directions
 - Audit - Sexual Assault Investigations
 - Grant Applications & Contracts
 - Professional & Consulting Expenditures
 - "60/40 Staffing Model

- 25 reports on an annual basis
 - Annual Review of Reports (*submitted by Chair, Toronto Police Services Board*)
 - CPLC Committees and Divisional Activity
 - Community and Corporate Donations
 - Use of Police Image and Crest
 - Victim Services
 - Hate Crimes
 - Race Relations Plan
 - Secondary Activities
 - Environmental Scan
 - Rule Changes
 - Secondments
 - Training Programs
 - Corporate Information Services Program Review
 - Special Constables Report (Toronto Transit Commission, Toronto Community Housing Corporation and University of Toronto)
 - Operating and Capital Budgets
 - Police Services Board Budget (*submitted by Chair, Toronto Police Services Board*)
 - Human Resources Strategy
 - Police Cooperative Purchasing Group
 - Parking Tag Issuance
 - Annual Audit Workplan
 - Audited Financial Statements of the Board's Special Fund and Trust Fund
 - Parking Enforcement Unit Budget
 - Toronto Police Service Annual Report
- 2 reports received every two years
 - Complaints – Board Policy Directive
 - Complaints against the Chief/Deputy Chiefs
 - (*both reports submitted by Chair, Toronto Police Services Board*)
- 2 reports received every three years
 - Business Plan
 - Environmental Scan

A list of all the current reports is appended as well as rationale for changes, if recommended, to the reporting requirements.

The Board received the foregoing.

Quarterly Reports

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Special Fund</i>	The Board has asked for quarterly budget forecast of potential revenues and expenses.	
<i>CIPS</i>	As a result of the searches of persons data collection discussions, the Board asked for quarterly reports on the implementation of CIPS enhancements.	
<i>Enhanced Emergency Management Plan</i>	A report to the Board with respect to the Service's role in the City's enhanced emergency management plan.	
<i>*Traffic Enforcement Test Initiative</i>	The Board has asked for quarterly reports regarding the Traffic Enforcement Test initiative.	<i>The Board approved no further reporting on the S.T.E.M. initiative, as relevant Service enforcement data will be considered in annual budget preparations. (Min. No. P152/04 refers).</i>
<i>*Municipal Freedom of Information and Protection of Privacy Act (MFIPPA</i>		<i>The Board has requested that the Chief submit quarterly reports to the Board identifying the Service's MFIPPA compliance rates (Min. No. P284/04 refers).</i>

SEMI ANNUAL REPORTS

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Professional Standards</i>	The Board is required by legislation to review the Chief's administration of the complaints process. The Board receives statistical reports in May and November as well as monthly reports regarding allegations of serious misconduct.	
<i>Parking Enforcement Unit – Absenteeism</i>	Semi-annual statistics on absenteeism requested by the City of Toronto's Policy & Finance Committee.	
<i>Legal Indemnification</i>	A report relating to the payment of accounts for labour relations counsel, legal indemnification claims and accounts relating to inquests that are approved by HR and Labour Relations.	
<i>Audit - Sexual Assault Investigations</i>	The Chief is required to report on the implementation of the City Auditor's recommendations in his report – Review of the Investigation of Sexual Assaults.	
<i>Grant Applications & Contracts</i>	Grant applications and grant contracts require the signature of the TPSB Chairman through Board approvals. Many applications have short due dates for submission and, at times; contractual deadlines do not afford the opportunity for Board approval.	
<i>Implementation Status of Board Directions</i>	The Board requested this as a result of the OCCPS fact-finding mission. The Chief is required to report on the implementation status of the Board's directions.	
<i>"60/40" Staffing Model</i>	The Chief will provide semi annual reports to the Board on deployment figures.	

ANNUAL REPORTS

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Annual Review of Reports to be submitted</i>	The Board has directed the Chairman to review all of the annual, semi annual and quarterly reports the Board has requested.	
<i>CPLC Committees & Divisional Activity</i>	<p>The Board has requested the Chief to provide an annual report on the activities that were funded by the police divisions using Board grants.</p> <p>THAT, effective 2004, the schedule for reporting the activities by the consultative and CPLC committees, including the request for annual funding, be revised from the current March due date to the January Board meeting each year. The request for funds related to the annual CPLC conference continues to be submitted to the Board for consideration at its March meeting. (Min. No. P195/03 refers).</p>	
<i>Community & Corporate Donations</i>	The report identifies all donations that were provided to the Service based upon approvals by the Board and Chief.	
<i>Use of Police Image and Crest</i>	The report is a summary of the requests for use of the Toronto Police image that were approved and denied during the year.	
<i>Victim Services Program</i>	The Board's (adequacy) policy on victim services requires annual reporting.	
<i>Hate Crimes</i>	The Board's (adequacy) policy on hate crimes requires annual reporting.	
<i>Race Relations Plan</i>	To report annually on the status of the Service's multi-year race relations plan and adjustments where necessary.	

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Secondary Activities</i>	The <u>Police Service Act</u> requires that the Board receive reports from the Chief regarding secondary activities.	
<i>Environmental Scan</i>	The Scan has been incorporated into the business planning process. The business planning process is based on a three-year cycle.	
<i>'Rule' Changes</i>	The Board has established rules for the effective management of the police service. The purpose of the report is to ensure that the rules are being regularly updated. Changes can be submitted on an as-needed basis if necessary.	
<i>Training Programs</i>	Annual reports that evaluate the effectiveness of internal Service training programs.	
<i>Police Services Board Budget</i>	To review and approve the estimates for the Board's operations.	
<i>Secondments</i>	A report of all secondments approved by the Chief and submitted in February each year.	
<i>Program Review - CIS</i>	The Board requested updates regarding the status of staffing changes and financial statement with savings-to-date.	
<i>Special Constables Annual Report -TTC, TCHC & UofT</i>	The Board is the appointing body and has entered into legal agreements regarding special constables. The legal agreements require reporting.	

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Operating and Capital Budgets</i>	Annual operating and capital budgets are submitted for approval.	
<i>Human Resources Strategy</i>	Annual strategy coinciding with annual operating budget to be submitted to the Board for approval.	
<i>Police Co-operative Purchasing Group (PCPG)</i>	The report is a summary of specifications for police-related goods and services, what has been purchased and any savings identified.	
<i>Parking Tag Issuance</i>	Annual parking tag issuance statistics.	
<i>Annual Audit Workplan</i>	It is the policy of the Board to develop an annual audit workplan in conjunction with the City Auditor.	
<i>Audited Financial Statements – Board's Special & Trust Funds</i>	Audited financial statements of the Board's Special Fund and Trust Fund by Ernst & Young.	
<i>*Special Fund</i>		<i>The Board's Special Fund policy has been amended to grants standing authority to the Chair to approve funding for the Board's share of equipment for Service fitness facilities. Additional that the Chair provides an annual reporting to the Board of approved requests (Min. No. P344/03 refers).</i>

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Parking Enforcement Unit Budget</i>	Annual budget for the Parking Enforcement Unit is submitted to the Board for approval.	
<i>Toronto Police Service Annual Report</i>	An annual report to the Board is required under the adequacy standards regulation.	
<i>Uniform Promotion</i>	<p>The Chair and Vice Chair have standing authority to sign off on civilian promotions with the exception of promotions to senior level positions which continue to be submitted to the Board.</p> <p>The Board approved Standing authority to the Chairman and Vice Chair, or their designate to sign, authorize and approve all uniform promotions to the ranks of Sergeant/Detective and Staff/Detective Sergeant. The Board will receive a summary report at its February meeting each year on the promotions made to these ranks in the previous year (Min. No. P136/03 refers).</p>	
<i>Professional & Consulting Services</i>	<p>The City of Toronto Council requested all Agencies, Boards and Commissions (ABC's) review current policies and procedures to ensure they match the newly adopted City of Toronto policy (BM P80/02).</p> <p>The Board approved receiving the consulting expenditure report on an annual basis rather than a semi-annual basis. (Min No. P45/03 refers)</p>	
<i>*Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)</i>		<i>The Board approved that the Chief of Police submit annually the year end statistical report for the Information and Privacy Commission to the Board (Min. No. P284/04 refers).</i>

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Implementation of Internal and External Audit Recommendations</i>	<p>Annual report which tracks the implementation status of ongoing internal & external audits recommendations originating from Chief's Administrative Reviews, Coroner's Jury Inquests.</p> <p>The Board approved that future annual reports be submitted in a format suitable for the public agenda and if necessary, any matters which the Service determines should not be contained in a public report be provided to the Board in a separate confidential report to be considered in conjunction with the public report. (Min. No. P264/03 refers)</p>	
<i>*Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)</i>		<i>The Board approved that the Chief of Police submit annually the year end statistical report for the Information and Privacy Commission to the Board (Min. No. P284/04 refers).</i>

Required Every 2 Years

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Complaints - Board Policy Directive</i>	Review policy directive every two years. The policy was approved in December 1999.	
<i>Complaints – Against Chief/Deputy Chiefs</i>	Review Board policy directive every two years.	

REQUIRED EVERY THREE YEARS

REPORT	BACKGROUND	CHANGES DURING 2004
<i>Business Plan</i>	The Board is required to approve a business plan every three years.	
<i>Environmental Scan</i>	A full Environmental Scan is completed every three years.	

**Indicates new report or amendment to existing reports*

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P100. ANNUAL REPORT – 2004 RACE RELATIONS REPORT

The Board was in receipt of a report, dated February 04, 2005 from Julian Fantino, Chief of Police, with regard to the 2004 Annual Race Relations Plan. Consideration of the report was deferred to the Board's April 07, 2005 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P101. ANNUAL REPORT – 2004 HATE/BIAS CRIME STATISTICAL
REPORT**

The Board was in receipt of a report, dated February 01, 2005, from Julian Fantino, Chief of Police, with regard to the 2004 Hate Crime Statistical Report. Consideration of the report was deferred to the Board's April 07, 2005 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P102. ANNUAL REPORT – TORONTO POLICE SERVICES BOARD 2004
CONSULTING EXPENDITURES**

The Board was in receipt of the following report FEBRUARY 24, 2005 from Pam McConnell, Chair:

Subject: ANNUAL REPORT - 2004 CONSULTING EXPENDITURES

Recommendation:

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

Background:

The Board, at its meeting of February 20, 2003, approved a motion requiring the reporting of all consulting expenditures on an annual basis (Brd. Min. #P45/03 refers). City Finance also requires annual reporting of consulting expenditures as per their prescribed format. As a result, the Service utilises the City Finance format to report the consulting expenditures to the Board and this same information is also forwarded to the City. Attachment A reflects the 2004 consulting expenditures for the Police Services Board.

City Finance required this information by February 25, 2005 and in order to comply with this, the attached has been forwarded to the City.

The Board received the foregoing.

ATTACHMENT A

2004 Consulting Expenses - Operating

Expense Category	Contract Date (mm-dd-yr)	Contract # PO # DPO #	Consultant's Name	Description of the Work	Original Contract Value	2004 Budget	2004 Expenditure	2003 Expenditure
External Lawyers and Planners	06/08/04	3180326	Adjudication Services Ltd.	Labour Relations	\$ 2,740.38		\$ 2,740.38	
	09/09/04	3191566						
	06/22/04	3182174	Brandt, Gregory J.	Labour Relations	2,716.39		2,716.39	
	08/26/04	3190071						
	09/09/04	3191570	Freedman, Harry	Labour Relations	1,182.11		1,182.11	
	06/21/04	6013858	Gibson, John E.F.	Labour Relations	15,346.80		15,346.80	
	07/16/04	3185257	Goodmans	Labour Relations	1,659.75		1,659.75	
	11/11/04	3201016						
	06/21/04	6013856	Goodmans Venture Group	Labour Relations	18,130.72		18,130.72	
	11/01/04	3199077	Green and Chercover	Labour Relations	1,500.00		1,500.00	
	09/23/04	6014589	Kirkwood Arbitration & Mediation	Labour Relations	11,740.05		11,740.05	
	06/22/04	3182178	Petryshen, Ken	Labour Relations	1,549.41		1,549.41	
	04/22/04	3174483	Ministry of Finance Mgmt Brd	Labour Relations	176.55		176.55	
	06/11/2003	47007892	Hicks Morley Hamilton Stewart	Legal Services	1,125,000.00		303,507.49	
	06/15/04	6013818	Hunter Arbitration Services	Labour Relations	11,025.09		11,025.09	
	12/08/04	6015494						
	11/29/04	3203755	Jule's B. Bloch	Labour Relations	3,599.08		3,599.08	
	11/29/04	3203802						
	03/29/04	3171646	Torys	Independent Legal Advice	20,250.48		20,250.48	
	06/11/04	3180857	Whitaker Dispute Resolution In	Labour Relations	2,087.50		2,087.50	
	03/08/04	6013127	William Kaplan Arbit. Srvs Inc	Labour Relations	6,083.80		6,083.80	
Sub-Total					\$1,224,788.11		\$ 403,295.60	
Management/R&D	08/16/04	3188677	G.P. Murray Research Limited	Public Relations	\$ 1,406.25		\$ 1,406.25	

Expense Category	Contract Date (mm-dd-yr)	Contract # PO # DPO #	Consultant's Name	Description of the Work	Original Contract Value	2004 Budget	2004 Expenditure	2003 Expenditure
	01/28/04 07/14/04 06/04/04 06/08/04 06/15/04	3163621 3184904 6013737 6013756 6013815	Hay Management Consultants Ltd.	Performance Mgmt	34,338.84		34,338.84	
	04/13/04	6013371	Lovas Stanley/Ray & Berndtson	Deputy Selection	41,310.00		41,310.00	
	04/22/04 06/15/04 06/24/04	3174462 6013816 6013879	Macdowell R.O	Labour Relations	6,375.53		6,375.53	
	06/30/04	3183229	Media Profile Inc	Media Consulting - Chair	798.25		798.25	
Sub-Total					\$ 84,228.87		\$ 84,228.87	
Total					\$ 1,309,016.98	\$ 503,300.0	\$ 487,524.47	\$ 409,343.98

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P103. ANNUAL REPORT – TORONTO POLICE SERVICE 2004 CONSULTING
EXPENDITURES**

The Board was in receipt of the following report FEBRUARY 16, 2005 from Julian Fantino, Chief of Police:

Subject: ANNUAL REPORT - 2004 CONSULTING EXPENDITURES

Recommendation:

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

Background:

The Board, at its meeting of February 20, 2003 (Brd. Min. #P45/03 refers), approved a motion for the Service to report all consulting expenditures on an annual basis. City Finance also requires annual reporting of consulting expenditures as per their prescribed format. As a result, the Service utilises the City Finance format to report the consulting expenditures to the Board and this same information is also forwarded to the City. Attachment A reflects the 2004 consulting expenditures (operating and capital) for the Service and Parking Enforcement Operations. City Finance requires the attached information by February 25, 2005 and in order to comply with this, the attached has been forwarded to the City. These consulting expenditures were approved in either the operating or capital budgets and were processed in accordance with the Board's Financial Control By-law #147.

Therefore, it is recommended that the Board receive this report for information.

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

The Board received the foregoing.

ATTACHMENT A

2004 Consulting Expenses - Operating

Expense Category	Contract Date (mm-dd-yr)	Contract # PO # DPO #	Consultant's Name	Description of the Work	Original Contract Value	2004 Budget	2004 Expenditure	2003 Expenditure
Technical	01/12/2004	6012716	Peoplesoft	HRMS support	\$18,918.00		\$18,144.00	
	04/13/2004	6013367	Fujitsu Consulting Canada	HRMS support	162,058.25		162,058.25	
	02/11/2004	6012931	RCM Technologies Canada	eCOPS	415,533.98		298,113.00	
	02/11/2004	6012929	Allstream IT Services	eCOPS	373,980.58		302,127.00	
Sub-Total					\$970,490.81	\$792,600.00	\$780,442.25	\$1,729,860.07
Information Technology	02/24/2004	6013032	Dean Technical	CIPS	106,376.70		98,510.00	
	02/11/2004	6012930	Interactive Computer Software	eCOPS	249,320.00		196,964.00	
Sub-Total					\$355,696.70	\$250,000.00	\$295,474.00	\$385,470.00
Management/R&D	30/04/2004	6013110	Mercer Human Resource Cons.	Compensation/Benefits	32,710.00		28,282.00	
	05/03/2004	6013529	Fujitsu Consulting Canada	Project management	171,200.00		165,064.00	
	03/16/2004	6013176	Pivotal Technologies	Camera RFP review	3,500.00		3,500.00	
	07/14/2004	6014029	Pivotal Technologies	Leases and contracts review	5,950.00		5,950.00	
	02/27/2004	6013065	Pivotal Technologies	Leases and contracts review	19,417.00		19,417.00	
	10/15/2004	6014778	Pivotal Technologies	Leases and contracts review	7,700.00		7,700.00	
	10/15/2004	6014779	Envoy Equipment Financial	Leases and contracts review	8,800.00		8,800.00	
Sub-Total					\$257,177.00	\$272,200.00	\$238,713.00	\$253,990.00
External Lawyers &	08/12/2004	6014269	Ferguson, George	Review of police misconduct	46,729.00		23,943.67	
Planners								
Sub-Total					\$46,729.00	\$20,000.00	\$23,943.67	\$307,996.96
TOTAL					\$1,636,368.51	\$1,334,800.00	\$1,338,572.92	\$2,677,317.03

2004 CONSULTING EXPENSES - CAPITAL

Expense Category	Contract Date (mm-dd-yr)	Contract # PO # DPO #	Consultant's Name	Description of the Work	Original Contract Value	2004 Expenditure	2003 Expenditure
Technical	04/02/2004	3172427	Unisys Canada Inc.	Hardware support	\$ 1,400.00	\$ 1,400.00	
	04/02/2004	3172432	Unisys Canada Inc.	Software support	2,000.00	2,000.00	
	04/26/2004	6013472	Magnate Engineering	Engineering consultant	26,550.00	26,550.00	
	06/21/2004	6013852	Totten Sims Hubicki Associates	Evidence/drug room upgrade consulting	18,500.00	26,260.00	
	07/06/2004	6013964	Magnate Engineering	Engineering consultant	52,000.00	29,474.80	
	07/07/2004	6013974	BA Consulting group	Roadway engineering	5,500.00	5,500.00	
	10/05/2004	6014667	IBM Canada Limited	Support – Criminal Information Processing System (CIPS)	292,320.00	107,147.50	
	10/05/2004	6014668	RCM Technologies	Support - CIPS	14,288.00	13,395.36	
	10/05/2004	6024665	Fujitsu Consulting	Support - CIPS	126,000.00	47,068.97	
Sub-Total					\$538,558.00	\$258,796.63	\$ 417,676.35
Information Technology							
Sub-Total							\$1,897,789.00
Management/R&D							
	06/28/2004	3182888	Atkins Architects Inc.	Traffic Services/Garage facility	1,236.99	1,236.99	
	02/03/2004	6012864	GSI Consulting Service	Development of RFP - hand held parking devices	40,000.00	33,223.68	
	02/04/2004	6012871	Totten Sims Hubicki Associates	Engineering consultant for new College	127,000.00	127,408.00	
	02/13/2004	6012963	Business Transformation Associates	Inventory/asset management		105,755.00	
Sub-Total					\$ 168,236.99	\$ 267,623.67	\$ 715,633.14
Grand Total					\$706,794.99	\$526,420.30	\$3,031,098.49

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P104. RESPONSE TO BOARD'S EARLIER RECOMMENDATION FOR A
REVIEW OF THE FEDERAL PAROLE SYSTEM AS IT RELATES TO
EARLY RELEASE ELIGIBILITY FOR PERSONS CONVICTED OF
SERIOUS DRUG OFFENCES**

The Board was in receipt of correspondence, dated February 03, 2005, from A. Anne McLellan, Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness Canada, with regard to the federal parole system as it relates to the early release eligibility for persons convicted of serious drug offences. Consideration of the correspondence was deferred to the Board's April 07, 2005 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P105. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:
INCREASING FOOT AND BIKE PATROLS**

The Board was in receipt of the following report JANUARY 28, 2005 from Julian Fantino, Chief of Police:

Subject: INCREASING FOOT AND BIKE PATROLS

Recommendation:

It is recommended that: the Board approve an extension of two months to develop a work plan to review and assess alternative deployment models.

Background:

The Board requested that the Service provide a report for the January Board meeting (Board Minute P343/04) on additional alternative deployment models that could increase the number of foot and bicycle patrol officers.

The Service's current 60/40 model has been used to determine staffing levels in police divisions since 2001, and was created in response to the 90-Day Review process undertaken in 2000 (Board Minute C189/01). Time taken by officers to service both calls from the public and internal administrative demands is the key factor in determining staffing requirement, after factoring in the detractors on officer hours and assumptions about the relationship between reactive policing and other policing functions. Staffing in other divisional policing functions, such as Community Response, investigation, etc., is predicated on the staffing requirement for Primary Response. The 60/40 model was revised in 2003 to provide more equitable staff allocation to divisions. The review, which began in May 2003 and concluded at year-end, was carried out by a working group chaired by Staff Planning and Development, Human Resources.

The 60/40 staffing model is a modified linear model for determining staffing requirements. While non-linear models appear to be more sophisticated and better able than linear models to imitate reality by incorporating more factors and complex relationships, they are also far more complex to build and validate than simple deterministic models. They usually take a long time to design, build, calibrate, and finalize. Different computer software, which can result in significant costs, will be required to manage the various tasks involved. In 1998, a delegation from the Toronto Police Service visited the Merseyside Police to examine their staff deployment system and found that Merseyside Police used three different software programs to manage the tasks of prediction, optimization, implementation, and desirability checking.

During the 1990s, the Service investigated a variety of deployment processes used by other policing agencies; none of the existing models addressed the needs of the Service at that time. While the Service contracted the development of the Strategic Analysis and Resource Allocation model, which commenced in 1997, difficulties with data availability and possible loss of contract personnel, as well as advances in police resource optimization programs, resulted in the termination of this project in 1999. The Service has continued to work on acquiring, developing, and implementing the software and systems required to implement deployment, scheduling, and optimization since 2000 (Board Minutes P190/00, P310/00, P460/00, P98/01, P290/01 refer).

The development of a comprehensive staffing and deployment model is complicated when the intention is to develop a single model that encompasses a full range of variables affecting service requirements. It also requires decisions regarding the relative priority to be given to front-line policing functions and a major review of service requirements, since shifting resources from one policing function, such as Primary Response, to another, such as Community Response, will necessarily affect various aspects of service delivery. As was noted at the Board meeting in January 2005 during discussion of the Service's 2005 Operating Budget, balancing the deployment of resources in different policing functions is a complex task that can be affected by a number of variables and can have significant impacts on our ability to deliver a variety of services and community safety.

This issue is an important one for the Service. Given the complexities inherent in reviewing alternative deployment models and assessing their feasibility for the Toronto Police Service, and the fact that this project was re-assigned to Human Resources in the last week of January 2005, time is required to establish a work group and create a plan to carry out the required task.

Therefore, it is recommended that the Board approve an extension of two months to develop a work plan to review and assess alternative deployment models.

Mr. Frank Chen, Chief Administrative Officer, will be in attendance to respond to any questions the Board may have.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P106. CORRESPONDENCE

The Board was in receipt of a summary of the public correspondence received in the Board office between January 04, 2005 and February 14, 2005. 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 MARCH 08, 2005**

#P107. 2004 PUBLIC SECTOR SALARY DISCLOSURE

The Board was in receipt of the following report MARCH 03, 2005 from Michael J. Boyd, Interim Chief of Police:

Subject: 2004 PUBLIC SECTOR SALARY DISCLOSURE

Recommendation:

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

Background:

In accordance with the *Public Sector Salary Disclosure Act, 1996*, the Toronto Police Service (TPS) is required to disclose the names, positions, salaries and taxable benefits of employees who were paid \$100,000 or more in a year. The report includes both active and retired or terminated members. This information is also submitted to the City of Toronto Finance Department to be included in a corporate report filed with the Ministry of Municipal Affairs and Housing.

The *Public Sector Salary Disclosure Act, 1996* defines "Salary Paid" as "the amount paid by the employer to the employee in 2004 as reported on the T4 slip (Box 40 minus Taxable Benefits total)." The salary paid amount may include "such items as retroactive pay". No TPS member appearing on the 2004 disclosure listing earned any retroactive pay during the year. Taxable benefits are reported as a separate line item. Taxable benefits for TPS includes the value of life insurance coverage, which is the taxable benefit attributed to coverage provided by the employer over \$25,000.

In 2004, one hundred and thirty (130) staff, whose base salary is normally under \$100,000, earned over \$100,000. This is fifty-four (54) more staff than reported in 2003. These earnings were the result of their combined base salary and premium pay (see Attachment A for details). Several factors have contributed to these individuals reaching the legislated disclosure level:

- The final increment of the uniform retention pay increase, negotiated as part of the 2002-2004 Collective Agreement came into effect in July, 2004. As a result, uniform members within the Police Constable to Staff Sergeant ranks obtained an average salary increase of about 5%.

- The November 28 to December 1, 2004 visit of President George W. Bush to Ottawa required that a number of Toronto Police Service officers assist in the security efforts. Although officer time was reimbursed to the Service, officers participating did earn additional premium pay.
- The majority of the premium pay earned by the officers relates to court attendance. The implementation of proactive and enforcement strategies by the Service usually translates into the requirement for court attendance by an officer. Prior to the court attendance, there is a significant amount of work in case preparation, disclosure and trial preparation.
- Many officers are expert witnesses during investigations and court appearances. For example, officers with expertise in domestic violence, gangs and drugs and traffic enforcement were called upon during a number of long running trials to assist in disclosure and evidence presentation.
- The Solicitor General RIDE (Reduce Impaired Driving Everywhere) Program, Community RIDE and Mothers Against Drunk Driving (MADD) program are externally funded programs and do not impact the Service's budget. However, officers sign up to perform duties for these programs during off duty time, and as a result, earn premium pay.
- The following items highlight some of the 2004 occurrences/initiatives that generated the workload above and affected members across the Service:
 - Increased uniform presence in the Entertainment District, throughout the City, resulting in both traffic and Liquor License Act enforcement
 - The establishment of high profile task forces, such as Guns and Gangs and Street Violence
 - Traffic enforcement campaigns such as Back to School, Ped-Safe and Mission Possible
 - Complex homicide cases (e.g. Holly Jones, Cecilia Zhang)
 - Special projects such as Project Star Wars, Project Papa and Project Caesar all involved street level investigations and multi-jurisdictional enforcement of drug grow and trafficking operations
 - The Service strategy that all Night Traffic court appearances be off duty. Although these costs have been reimbursed by the City of Toronto, they still result in premium pay to officers
 - Several officer involved shootings
 - The implementation of the Service wide eCOPS system required infrastructure and security set-up and support

As part of the Chief's monitoring and control mandate, the Toronto Police Service has established aggressive strategies to control premium pay expenditures. For example, overtime incurred must be of an emergent nature, be authorized by a Supervisor, and reported to the Unit Commander daily. Unit Commanders are responsible and accountable for the controllable costs such as premium pay. During the monthly variance reporting process, a review of the actuals against the budget figures is provided to each Unit Commander to assist them in identifying problems so that corrective action may be taken.

Unit Commanders receive the appropriate information to access and further control or curtail undue increases by:

- Monitoring officer court attendance;
- Reducing police witness attendance, where possible;
- Requesting staff to use lieu time to avoid large cash payouts.

However, it is difficult to foresee overtime for special events as these costs are estimated based on past experiences, and are subject to change. In many cases, overtime and court attendance is not within the control of TPS, but controlled by outside sources. Based on our experiences, officers appearing in court do not get to testify a majority of the time, but TPS is required to pay the callback minimum.

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

The Board received the foregoing.

PUBLIC SECTOR SALARY DISCLOSURE ACT
Employees Paid \$100,000 or More in 2004
TORONTO POLICE SERVICE
Prepared Under Public Sector Disclosure Act

Name	Position	Salary Paid	Taxable Benefits	Notes
Abbott, Michael	Detective	109,533.69	199.16	Includes regular salary plus special pay from acting, court, lieu paydown, overtime, statutory holiday worked.
Andrew, Nelson	Detective	106,471.97	202.54	Includes regular salary plus special pay from court, lieu paydown, overtime and statutory holiday worked.
Angle, Brian	Detective	108,703.16	202.54	Includes regular salary plus special pay from court, callback, shift bonus and callback.
Asselin, Glenn	Detective	102,508.27	196.04	Includes regular salary plus special pay from acting, callback, court, shift bonus and overtime.
Babiar, John	Detective	117,974.95	199.16	Includes regular salary plus special pay from overtime, callback, court time, lieu pay down, shift bonus and statutory holiday worked.
Backus, Leslie	Detective Constable	102,038.20	184.86	Includes regular salary plus special pay from callback, court, lieu paydown, shift bonus and overtime.
Banks, Wayne	Detective	105,452.95	202.54	Includes regular salary plus special pay from callback, lieu paydown, shift bonus and overtime.
Barwell, David	Detective	109,344.40	202.54	Includes regular salary plus special pay from court time, overtime, callback, lieu paydown, shift bonus and statutory holiday worked.
Bass, Lorne	Police Constable	105,422.28	179.54	Includes regular salary plus special pay from callback, court, lieu paydown, overtime and shift bonus.
Bates, Wayne	Detective	101,993.57	199.16	Includes regular salary plus special pay from callback, court, lieu paydown, overtime Statutory holiday worked and shift bonus.
Bergen, Francis	Staff Sergeant	101,641.11	219.31	Includes regular salary plus special pay from callback, court, lieu paydown, overtime and shift bonus.
Berger, Brian	Sergeant	106,377.41	202.54	Includes regular salary plus special pay from acting, callback, court, lieu paydown, overtime, statutory holiday worked and shift bonus.
Birrell, John	Detective Constable	101,367.63	184.86	Includes regular salary plus special pay from court, overtime, and shift bonus.
Bishop, David	Detective	107,077.48	196.04	Includes regular salary plus special pay from acting, callback, court, lieu pay down, overtime and shift bonus.
Black, Marinella	Manager, Compensation and Benefits	121,103.49	380.26	Amount represents regular salary plus taxable benefit from life insurance coverage

Name	Position	Salary Paid	Taxable Benefits	Notes
Blair, William	Staff Superintendent	134,897.31	8,638.61	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Bockus, Cory	Detective Sergeant	101,558.61	221.88	Includes regular salary plus special pay from acting, callback, overtime and shift bonus.
Bone, Stephen	Detective	109,637.70	202.54	Includes regular salary plus special pay from callback, court, lieu pay down, overtime, shift bonus and statutory holiday worked.
Bowen, David	Staff Sergeant	104,340.51	222.43	Includes regular salary plus special pay from acting, callback, lieu paydown, overtime, shift bonus and statutory holiday worked.
Bradshaw, Keith	Detective	100,904.29	202.54	Includes regular salary plus special pay from callback, lieu paydown, overtime and shift bonus.
Brammall, Michael	Detective Constable	101,579.87	187.83	Includes regular salary plus special pay from court, non permanent plainclothes, overtime and shift bonus
Brar, Satinder	Inspector	111,467.81	373.68	Amount represents regular salary plus taxable benefit from life insurance coverage
Breen, Francis	Staff Inspector	112,267.77	8,072.86	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Brigham, John	Detective	103,182.22	202.54	Includes regular salary plus special pay from acting, callback, court, overtime, statutory holiday worked and shift bonus.
Brown, Allen	Detective	113,153.21	202.54	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked.
Brown, Robert	Detective	100,891.15	202.54	Includes regular salary plus special pay from overtime, court time, shift bonus and statutory holiday worked.
Brown, David	Inspector	104,954.94	354.18	Amount represents regular salary plus taxable benefits from life insurance coverage
Bryson, Lawrence	Staff Sergeant	107,604.97	222.43	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked.
Buck, Christopher	Detective Sergeant	106,967.38	222.43	Includes regular salary plus special pay from overtime, acting, callback, court time, lieu paydown, shift bonus
Burks, Charles	Detective Sergeant	100,071.35	199.01	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked
Califaretti, Sandra	Manager, Financial Management	116,186.17	281.58	Amount represents regular salary plus taxable benefit from life insurance coverage
Campbell, Donald	Inspector	109,475.11	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Campbell, Joanne	Executive Director, Toronto Police Services Board	106,836.57	258.31	Amount represents regular salary plus taxable benefit from life insurance coverage
Canepa, Antonio	Detective Constable	111,226.70	191.10	Includes regular salary plus special pay from callback, overtime, court time, lieu paydown and shift bonus.
Carey, Maureen	Manager, Employment	124,780.53	433.03	Amount represents regular salary plus taxable benefit from life insurance coverage

Name	Position	Salary Paid	Taxable Benefits	Notes
Carter, Marva	Project Leader, Information Systems	115,349.78	215.02	Includes regular salary plus special pay from acting, overtime, lieu paydown, callback, acting
Cashman, Gerald	Detective Sergeant	112,988.52	222.43	Includes regular salary plus special pay from overtime, callback, lieu paydown, shift bonus
Cecile, Glen	Detective	105,314.20	196.04	Includes regular salary plus special pay from acting, court, lieu paydown, overtime, shift bonus and statutory holiday worked
Cenzura, Kenneth	Superintendent	124,713.65	8,052.92	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Chase, Richard	Detective	102,661.51	202.54	Includes regular salary plus special pay from acting, callback, overtime and shift bonus.
Chen, Francis	Chief Administrative Officer	173,739.32	11,473.54	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Ciani, Maria	Manager, Labour Relations	124,901.63	303.55	Amount represents regular salary plus taxable benefit from life insurance coverage
Clarke, Robert	Superintendent	121,769.97	8,260.60	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Clifford, Ronald	Detective	117,896.39	202.54	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown , shift bonus
Comeau, Alan	Detective Sergeant	112,462.85	219.31	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus
Cook, Olga	Staff Inspector	111,399.31	374.22	Amount represents regular salary plus taxable benefit from life insurance coverage
Corrie, Anthony	Superintendent	122,229.10	7,567.97	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Cotgreave, Wayne	Superintendent	124,713.65	303.55	Amount represents regular salary plus taxable benefit from life insurance coverage
Cowley, George	Staff Inspector	110,842.55	7,787.26	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Crawford, Christian	Staff Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Crawford, Paul	Staff Inspector	112,665.23	8,604.93	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Cristiano, Guido	Police Constable	101,369.13	179.79	Includes regular salary plus special pay from lieu paydown , shift bonus
Cristofaro, Angelo	Director, Finance & Administration	134,890.71	469.56	Amount represents regular salary plus taxable benefit from life insurance coverage
Curtin, Helen	Manager, PLA – Customer Service	116,186.17	281.58	Amount represents regular salary plus taxable benefit from life insurance coverage
Dalgarno, Gordon	Inspector	107,074.00	341.74	Amount represents regular salary plus taxable benefit from life insurance coverage
Dalziel, Thomas	Superintendent	119,875.98	11,088.42	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Darnbrough, Daniel	Detective	100,526.65	202.54	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked
Davis, Karl	Staff Inspector	113,592.33	9,379.07	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
DeCaire, Glenn	Superintendent	118,719.28	410.02	Amount represents regular salary plus taxable benefit from life insurance coverage
De Lottinville, Joseph	Detective	110,285.27	202.54	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked

Name	Position	Salary Paid	Taxable Benefits	Notes
Derry, Kim	Staff Superintendent	132,957.74	9,189.04	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Di Tommaso, Mario	Detective Sergeant	107,380.36	222.43	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus
Dick, Jane	Staff Superintendent	130,568.89	8,598.14	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Dicks, James	Superintendent	119,675.87	9,155.31	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Dicks, William	Acting Deputy Chief, Policing Support Command	148,168.82	7,893.08	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
DiDanieli, Roberto	Detective	103,059.23	196.04	Includes regular salary plus special pay from acting, callback, court, lieu paydown, overtime and shift bonus
Dillabough, Arthur	Detective	102,784.29	202.54	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime, shift bonus and statutory holiday worked
Duchak, Michael	Detective	102,646.01	154.96	Retired member whose pay includes regular salary plus special pay from court, lieu time paydown, shift bonus and final payout
Dunstan, Douglas	Detective	106,649.97	200.76	Includes regular salary plus special pay from callback, court time, lieu paydown, shift bonus
Durancik, Stephen	Police Constable	113,757.91	179.79	Includes regular salary plus special pay from callback, overtime, court time, lieu paydown, shift bonus
Earl, Michael	Detective	101,630.87	222.43	Includes regular salary plus special pay from callback, overtime, court time, lieu paydown, shift bonus
Ellis, Gary	Superintendent	117,055.74	7,577.34	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Ellis, Michael	Manager, Facilities Management	106,714.56	367.77	Amount represents regular salary plus taxable benefit from life insurance coverage
Ellison, William	Inspector	108,403.37	363.20	Amount represents regular salary plus taxable benefit from life insurance coverage
Emond, Glenn	Detective	100,746.55	202.54	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked
Evans, Bryce	Inspector	108,263.63	341.74	Amount represents regular salary plus taxable benefit from life insurance coverage
Fairman, Paula	Manager, Compensation & Benefits	124,901.63	433.03	Amount represents regular salary plus taxable benefit from life insurance coverage
Fantino, Julian	Chief of Police	209,611.12	748.50	Amount represents regular salary plus taxable benefit from life insurance coverage
Farrar, Michael	Staff Inspector	112,267.74	8,979.92	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Faul, Leonard	Inspector	108,616.90	363.56	Amount represents regular salary plus taxable benefit from life insurance coverage
Federico, Michael	Superintendent	119,875.98	6,975.04	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Fenton, David	Inspector	102,690.54	252.52	Amount represents regular salary plus taxable benefit from life insurance coverage
Ferguson, Hugh	Inspector	107,280.65	355.30	Amount represents regular salary plus taxable benefit from life insurance coverage
Fernandes, Selwyn	Superintendent	119,875.78	6,141.72	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage

Name	Position	Salary Paid	Taxable Benefits	Notes
Forde, Keith	Superintendent	124,713.65	7,343.94	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Foster, Roy	Detective	104,188.89	202.54	Includes regular salary plus special pay from callback, court time, lieu paydown and shift bonus
Fowler, Wayne	Detective	101,538.81	196.04	Includes regular salary plus special pay from acting, overtime, court time, shift bonus and statutory holiday worked
Fraser, Simon	Sergeant	107,523.08	199.16	Includes regular salary plus special pay from acting, callback, court, lieu paydown, overtime and shift bonus.
French, Martin	Detective	108,813.61	202.54	Includes regular salary plus special pay from acting, callback, overtime, court time, shift bonus and statutory holiday worked
Frisch, John	Detective	106,896.62	202.54	Includes regular salary plus special pay from callback, acting, overtime, lieu paydown, court time, shift bonus and statutory holiday worked
Gajadhar, Anan	Supervisor, Systems Hardware & Software	104,622.98	200.14	Includes regular salary plus special pay from acting, lieu paydown, service pay, and standby pay
Gallant, Stacy	Detective	103,116.42	196.04	Includes regular salary plus special pay from acting, callback, court time, lieu paydown, overtime, shift bonus and statutory holiday worked
Gallant, Timothy	Detective	102,740.40	196.04	Includes regular salary plus special pay from acting, callback, court time, overtime, shift bonus
Gauthier, Helen	Inspector	109,758.24	363.56	Amount represents regular salary plus taxable benefit from life insurance coverage
Gauthier, Richard	Staff Superintendent	127,708.89	8,900.29	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Genno, Robert	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Gerry, Daryle	Sergeant	101,778.26	202.54	Includes regular salary plus special pay from acting, callback, overtime, court time, lieu paydown, and shift bonus.
Getty, Shawn	Detective	116,913.28	199.16	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, statutory holiday worked and shift bonus.
Gibson, William	Director, Human Resources	149,431.31	2,778.83	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Gilbert, Emory	Staff Superintendent	134,897.31	7,544.70	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Gillespie, Paul	Detective Sergeant	111,800.16	222.43	Includes regular salary plus special pay from acting, callback, lieu paydown, overtime and shift bonus
Giroux, Gary	Detective Sergeant	114,092.72	222.43	Includes regular salary plus special pay from overtime, acting, callback, court time, lieu paydown, and shift bonus.
Goebell, Nad	Police Constable	101,836.85	176.67	Includes regular salary plus special pay from overtime, coach officer allowance, callback, court time, lieu paydown, and shift bonus.
Gottschalk, Paul	Superintendent	125,324.98	11,157.55	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Gordon, Robert	Detective	103,100.76	202.54	Includes regular salary plus special pay from acting, court time, lieu paydown, shift bonus and statutory holiday worked

Name	Position	Salary Paid	Taxable Benefits	Notes
Grady, Douglas	Inspector	108,055.34	362.43	Amount represents regular salary plus taxable benefit from life insurance coverage
Grant, Gary	Staff Superintendent	138,348.73	1,551.12	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Grant, Stephen	Superintendent	124,695.45	9,650.55	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Greenwood, Kim	Inspector	105,442.16	337.61	Amount represents regular salary plus taxable benefit from life insurance coverage
Grinton, Gary	Detective	103,573.57	202.54	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, and shift bonus and statutory holiday worked
Grosvenor, Susan	Staff Inspector	113,592.33	11,604.12	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Haines, Keith	Staff Sergeant	104,214.60	203.31	Includes regular salary plus special pay from acting, callback, court time, lieu paydown, overtime, shift bonus and statutory holiday worked
Halman, Darren	Sergeant	118,705.80	196.04	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus.
Harris, Debbie	Detective	100,770.13	199.16	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus.
Harris, Stephen	Staff Inspector	113,592.33	10,153.32	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Hayes, Daniel	Staff Inspector	111,843.70	8,490.41	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Healy, Michael	Detective	101,217.99	202.54	Includes regular salary plus special pay from lieu paydown, shift bonus.
Hegney, Edward	Staff Inspector	113,592.33	393.12	Amount represents regular salary plus taxable benefit from life insurance coverage
Henderson, Norman	Administrator, Fleet & Materials Management	124,780.53	433.03	Amount represents regular salary plus taxable benefit from life insurance coverage
Hewner, Elizabeth	Manager, Budget & Control	116,229.39	403.65	Amount represents regular salary plus taxable benefit from life insurance coverage
Hicks, Lawrence	Detective	102,176.88	202.54	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus.
Higgins, Christopher	Detective	106,167.97	196.04	Includes regular salary plus special pay from acting, overtime, court time, shift bonus.
Hildred, Lesley	Detective	103,296.36	196.99	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus, statutory holiday worked.
Hoey, Stanley	Superintendent	124,713.65	9,638.51	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Howes, Peter	Manager, Corporate Information Services	106,714.56	367.77	Amount represents regular salary plus taxable benefit from life insurance coverage
Huffman, Richard	Staff Sergeant	110,217.12	249.13	Includes regular salary plus special pay from court time, lieu paydown, overtime, shift bonus and statutory holiday worked.
Hussein, Riyaz	Detective	112,030.69	205.40	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus, statutory holiday worked.
Imrie, Thomas	Manager, Occupational Health	104,541.05	360.51	Amount represents regular salary plus taxable benefit from life insurance coverage

Name	Position	Salary Paid	Taxable Benefits	Notes
Irish, David	Detective	100,678.54	202.54	Includes regular salary plus special pay from acting, overtime, callback, acting, court time, shift bonus
Irish, Timothy	Detective Constable	101,984.67	173.86	Includes regular salary plus special pay from court, lieu paydown, non permanent plainclothes pay, overtime, shift bonus.
Izzett, Steven	Inspector	105,085.85	337.61	Amount represents regular salary plus taxable benefit from life insurance coverage
Johnston, Brian	Detective	100,516.74	196.04	Includes regular salary plus special pay from court, lieu paydown, overtime, shift bonus.
Karpow, Peter	Detective	100,401.20	200.96	Includes regular salary plus special pay from court, lieu paydown, overtime, shift bonus.
Kay, Colin	Detective	100,768.81	202.18	Includes regular salary plus special pay from acting, court, lieu paydown, overtime, shift bonus.
Keller, Darson	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance
Kijewski, Kristine	Director, Corporate Planning	124,780.53	433.03	Amount represents regular salary plus taxable benefit from life insurance coverage
Kimber, Ryan	Senior Technical Analyst, Information Technology Services	106,734.73	181.76	Includes regular salary plus special pay from callback, overtime shift bonus, stand by pay.
Kinsman, Kenneth	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Kulmatycki, Joel	Detective	106,905.87	196.04	Includes regular salary plus special pay from callback, overtime , lieu paydown
Laplante, Gordon	Detective Constable	105,069.02	191.10	Includes regular salary plus special pay from callback, overtime and shift bonus
Lawrence, Charles	Manager, Training and Education	116,186.17	401.18	Amount represents regular salary plus taxable benefit from life insurance coverage
Lentsch, Paul	Detective Constable	102,326.67	179.66	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime, statutory holiday worked and shift bonus
Macchiusi, John	Manager, System Operations	118,656.72	401.18	Amount represents regular salary plus taxable benefit from life insurance coverage
Madeira, Eduardo	Police Constable	106,345.33	179.79	Includes regular salary plus special pay from court time, lieu paydown, overtime, and shift bonus
Margetson, John	Police Constable	100,330.93	181.78	Includes regular salary plus special pay from court time, callback, overtime, and shift bonus
Marks, David	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Martin, Kathryn	Detective Sergeant	111,926.35	219.31	Includes regular salary plus special pay from callback, court time, overtime and shift bonus.
Mason, Martin	Sergeant	104,269.84	202.54	Includes regular salary plus special pay from acting, callback, court time, lieu paydown and shift bonus
May, Andrew	Detective Constable	101,441.80	188.95	Includes regular salary plus special pay from court, lieu paydown, non permanent plainclothes, overtime, shift bonus

Name	Position	Salary Paid	Taxable Benefits	Notes
McCall, Andrew	Detective Constable	107,732.01	184.86	Includes regular salary plus special pay from callback, court time, lieu paydown and shift bonus.
McCourt, Walter	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
McDonald, John	Detective	108,047.11	199.16	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime and shift bonus
McGuire, Jeffrey	Staff Inspector	110,868.39	5488.43	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
McKeown, John	Staff Sergeant	103,181.18	222.43	Includes regular salary plus special pay from callback, lieu paydown, overtime and shift bonus
McLeod, Vernett	Inspector	107,692.91	360.99	Amount represents regular salary plus taxable benefit from life insurance coverage
McMerty, Paul	Plainclothes Police Constable	109,835.72	191.10	Amount represents regular salary plus special pay from callback, court, lieu paydown, shift bonus and overtime.
McNeilly, Joseph	Detective	101,773.83	202.54	Includes regular salary plus special pay from acting, callback, overtime, lieu paydown, court time, statutory holiday worked and shift bonus
McVeigh, Edward	Plainclothes Police Constable	100,579.71	191.10	Includes regular salary plus special pay from callback, overtime, court time, statutory holiday worked and shift bonus
Moore, David	Plainclothes Police Constable	104,185.77	191.10	Includes regular salary plus special pay from callback, overtime, and shift bonus
Morrison, Michael	Plainclothes Police Constable	101,242.74	184.86	Includes regular salary plus special pay from callback, court time, overtime, and shift bonus
Munroe, Randall	Superintendent	122,229.10	9,799.38	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Murray, David	Detective	104,323.23	199.16	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime, shift bonus and statutory holiday worked
Neadles, William	Detective Sergeant	102,929.27	222.43	Includes regular salary plus special pay from callback, lieu paydown, overtime, shift bonus
Nealon, Daniel	Detective Sergeant	103,488.37	222.43	Includes regular salary plus special pay from callback, lieu paydown, overtime and shift bonus
Neeson, Richard	Detective	104,661.95	202.54	Includes regular salary plus special pay from callback, court time, overtime, statutory holiday worked and shift bonus
Page, Howard	Detective	112,415.10	202.54	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Pasini, Rudy	Detective Sergeant	105,779.00	214.83	Includes regular salary plus special pay from overtime, callback, lieu paydown and shift bonus.
Peconi, Stephen	Detective	107,136.01	199.16	Includes regular salary plus special pay from overtime, court time, lieu paydown and shift bonus.
Peden, Wayne	Staff Inspector	111,179.71	7,593.39	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Perlstein, Dan	Program Manager, Wireless Net	116,186.17	281.58	Amount represents regular salary plus taxable benefit from life insurance coverage

Name	Position	Salary Paid	Taxable Benefits	Notes
Pilkington, Roy	Superintendent	125,158.12	7,386.90	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Pitts, Reginald	Detective Sergeant	108,772.78	222.43	Includes regular salary plus special pay from acting, overtime, callback, lieu paydown, court time and shift bonus.
Power, Bernard	Inspector	110,704.11	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Prisor, Rolf	Staff Sergeant	103,179.59	222.43	Includes regular salary plus special pay from callback, overtime, court time and shift bonus.
Proulx, Steven	Detective	112,534.68	202.54	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus.
Pugash, Mark	Director, Corporate Communications	121,027.91	7,710.26	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Pye, Norman	Inspector	106,867.69	362.43	Amount represents regular salary plus taxable benefit from life insurance.
Pyke, Donald	Detective	102,180.15	202.54	Includes regular salary plus special pay from court time, lieu paydown, overtime and shift bonus
Qualtrough, Robert	Superintendent	110,842.55	5,970.03	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Ramer, Donald	Staff Inspector	110,915.23	7,341.48	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Raybould, Brian	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Redden, Jeffrey	Police Constable	108,761.06	176.67	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime and shift bonus
Redick, Reginald	Staff Sergeant	106,195.02	211.78	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime, statutory holiday worked and shift bonus
Reesor, Steven	Deputy, Policing Operations Command	173,734.64	9,894.46	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Reid, Ronald	Detective	102,002.01	202.54	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime and shift bonus
Rew, Stephen	Detective	102,434.79	202.54	Includes regular salary plus special pay from cour time, lieu paydown, overtime and shift bonus
Reynolds, Fergus	Staff Sergeant	100,945.62	229.57	Includes regular salary plus special pay from acting, lieu paydown and shift bonus
Ross, Daniel	Detective	122,214.34	202.54	Includes regular salary plus special pay from overtime, callback, court time, shift bonus, statutory holiday worked.
Ryan, Ernest	Staff Inspector	112,267.74	7,949.76	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Sandeman, John	Manager, Video Services	106,714.56	367.77	Amount represents regular salary plus taxable benefit from life insurance coverage
Sansom, Douglas	Detective	106,038.21	199.56	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Saunders, Mark	Detective Sergeant	100,887.77	211.61	Includes regular salary plus special pay from callback, lieu paydown, overtime and shift bonus

Name	Position	Salary Paid	Taxable Benefits	Notes
Scavone, Gabriele	Police Constable	115,515.58	179.79	Includes regular salary plus special pay from lieu paydown, overtime and shift bonus
Scott, Alyn	Detective	102,350.05	222.43	Includes regular salary plus special pay from callback and lieu paydown
Scott, Gordon	Detective	110,888.04	199.16	Includes regular salary plus special pay from overtime, callback, court time, shift bonus and statutory holiday worked.
Scriven, Patrick	Sergeant	102,048.96	202.54	Includes regular salary plus special pay from acting, callback, court time, lieu paydown, overtime and shift bonus
Shirlow, Robert	Detective Sergeant	101,759.86	222.43	Includes regular salary plus special pay from lieu paydown and shift bonus
Sinclair, Larry	Staff Inspector	111,092.55	6,518.78	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Skubic, Frank	Detective	104,257.67	219.31	Includes regular salary plus special pay from overtime, callback, lieu paydown and shift bonus.
Sloly, Peter	Staff Inspector	114,369.14	273.38	Amount represents regular salary plus taxable benefit from life insurance coverage
Smith, Frederick	Inspector	108,708.40	364.64	Amount represents regular salary plus taxable benefit from life insurance coverage
Smith, Michael	Manager, Vehicle Parts and Equipment	106,714.56	367.77	Amount represents regular salary plus taxable benefit from life insurance coverage
Smollett, Brody	Staff Inspector	112,769.74	6,725.94	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Smollett, Bruce	Staff Inspector	116,078.83	9,186.75	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Sneep, James	Staff Inspector	112,267.74	9,787.79	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Stewart, Edward	Staff Inspector	113,592.33	8,803.12	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Steinwall, Shirley	Staff Sergeant	102,492.74	187.63	Retired member whose pay includes regular salary plus acting pay, lieu time paydown, shift bonus and final payout
Stowell, Ronald	Detective	101,331.12	202.54	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Strathdee, Robert	Superintendent	124,713.65	8,572.61	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Stubblings, Richard	Inspector	107,949.56	355.30	Amount represents regular salary plus taxable benefit from life insurance coverage
Styra, Dana	Manager, Quality Assurance	116,587.35	401.18	Amount represents regular salary plus taxable benefit from life insurance coverage
Taverner, Ronald	Superintendent	124,713.65	12,781.11	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Taylor, Kenneth	Detective Sergeant	106,905.89	222.43	Includes regular salary plus special pay from acting, overtime, callback, lieu paydown and shift bonus.
Teixeira, Andrew	Plainclothes Constable	100,198.16	179.66	Includes regular salary plus special pay from callback, court time, lieu paydown, overtime and shift bonus
Thompson, Michael	Police Constable	108,527.64	176.67	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Thorne, Ronald	Detective	101,771.94	202.54	Includes regular salary plus special pay from court time, lieu paydown, shift bonus
Tomei, Giuseppe	Inspector	109,195.79	257.01	Amount represents regular salary plus taxable benefit from life insurance coverage
Tweedy, Neale	Superintendent	121,769.97	8,331.64	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage

Name	Position	Salary Paid	Taxable Benefits	Notes
Van Andel, Phillip	Detective	105,289.67	199.16	Includes regular salary plus special pay from overtime, court time, shift bonus and statutory holiday worked.
Virani, Abdulhameed	Police Constable	113,379.92	173.42	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and coach office allowance
Vorvis, Paul	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Wallace, John	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Wardle, William	Inspector	105,532.44	222.43	Amount represents regular salary plus taxable benefit from life insurance coverage
Wark, Terry	Detective Sergeant	102,674.66	222.43	Includes regular salary plus special pay from acting, overtime, callback, lieu paydown, shift bonus
Warr, Anthony	Superintendent	119,405.94	9,807.51	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Watson, Marlene	Staff Inspector	113,592.33	8,167.15	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
White, Christopher	Superintendent	110,882.55	381.31	Amount represents regular salary plus taxable benefit from life insurance coverage
White, Ruth	Staff Inspector	111,843.70	10,817.01	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Whitla, Ronald	Detective	100,930.19	199.16	Includes regular salary plus special pay from callback, court time, overtime, lieu paydown and shift bonus
Whittle, Roy	Staff Inspector	113,592.33	10,138.04	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Wighton, Stewart	Detective Sergeant	100,562.36	187.63	Retired member whose pay includes acting, lieu time payout and final payout
Wilcox, Jane	Staff Inspector	110,842.55	381.31	Amount represents regular salary plus taxable benefit from life insurance coverage
Wiley, Jerome	Criminal & Corporate Counsel	147,672.27	514.80	Amount represents regular salary plus taxable benefit from life insurance coverage
Willms, David	Project Leader, Information Technology Services	102,651.32	215.02	Includes regular salary plus special pay from overtime, callback, service pay and standby pay.
Witty, Earl	Staff Inspector	111,092.55	381.31	Amount represents regular salary plus taxable benefit from life insurance coverage
Woodhouse, Martin	Detective	122,543.33	202.54	Includes regular salary plus special pay from acting, overtime, court time, lieu paydown, shift bonus
Yarenko, John	Detective	138,845.86	202.54	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus
Young, Ronald	Detective	110,550.97	201.82	Includes regular salary plus special pay from overtime, acting, callback, court time, lieu paydown, shift bonus
Zeleny, John	Detective	114,657.90	196.04	Includes regular salary plus special pay from acting, overtime, callback, court time, lieu paydown, shift bonus
Ziraldo, Paul	Inspector	109,195.79	366.08	Amount represents regular salary plus taxable benefit from life insurance coverage

NOTES:

According to Provincial instructions, the column entitled 'Salary Paid' represents the "amount paid by the employer to the employee in 2004 as reported on the T4 slip (box 14 minus Taxable Benefits total)". The salary paid amount may include "such things as retroactive pay", which would increase the normal base salary for the position. The column entitled 'Taxable Benefits' represents "amount paid by the employer to the employee in 2004 as reported on the T4 slip (total of boxes 30-40)".

The Provincial definition of an employee is "anyone to whom your organization provides a T4 slip is considered an employee". This definition includes both active and terminated members during the reporting year.

Certified to Completeness

Michael J. Boyd
Chief of Police - Interim

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P108. DEPUTATION – IN SUPPORT OF MS. WENDY MAXWELL EDWARDS

The following persons were in attendance and made a deputation to the Board in support of Ms. Wendy Maxwell Edwards who was arrested on Saturday, March 05, 2005 on an immigration warrant and remains in custody at the Vanier Centre for Women:

- Mr. Craig Fortier; and
- Ms. Cyrus Ware.

The deputants advised the Board that they had received permission from Ms. Edwards to publicly discuss personal details about her immigration status with the Board.

The deputants also advised the Board that they, among others, had been protesting outside police headquarters prior to today's meeting to publicly draw attention to Ms. Edwards' appeal for permanent residency on humanitarian and compassionate grounds. Ms. Edwards is a community activist in Toronto who, the deputants believe, will be deported shortly if there is no immediate intervention by the government or political representatives.

The Board received the deputation.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P109. REQUEST TO PARTICIPATE IN THE SELECTION OF THE NEW
CHIEF OF POLICE**

The Board was in receipt of correspondence, dated March 03, 2005, from David Miller, Mayor, City of Toronto, with regard to his interest in participating in the selection of the new chief of police.

The Board was also in receipt of the following correspondence:

- March 07, 2005 from Mike Del Grande, Councillor, City of Toronto; and
- March 07, 2005 from Frances Nunziata, Councillor, City of Toronto.

Copies of the foregoing correspondence are appended to this Minute for information.

Mr. Albert Cohen, City of Toronto – Legal Services Division, was in attendance and responded to questions by the Board about Mayor Miller's correspondence. Mr. Cohen advised the Board that, should the Board grant Mayor Miller's request to be present during the interview process, or if the Board decides to discuss details about the candidates on the short-list with Mayor Miller, the Board would be required to contact each individual and request their permission, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, prior to involving Mayor Miller.

The Board approved the following Motions:

- 1. THAT the Board meet with the Mayor to seek his direct input into the qualities the Board should look for in a new chief of police and to hear his comments on the interview questions the Board may wish to ask candidates in order to assess their qualities; and**
- 2. THAT the Board receive the correspondence from Mayor Miller and Councillors Del Grande and Nunziata.**

Mayor

DAVID MILLER

March 3, 2005

Toronto Police Services Board
40 College Street
Toronto, Ontario
M5G 2J3
Attn: Pam McConnell, Chair

Dear Chair McConnell:

I am writing to request an opportunity to participate in the Toronto Police Services Board's process for selecting a new chief for the Toronto Police Service. While recognizing the Board's legislative authority to recruit and employ the chief, I believe it is crucial for the Mayor of Toronto to play a role in this important process. As you know, Council has already appointed its full complement of three members of Council to the Board, each of whose term ends by June 2005. I intend to take my seat on the Board at that time. However, given the timeline that you are working with it will not be possible for me to wait until June in order to make a direct contribution to this process. In any event, the nature of the contribution that I wish to make does not require membership on the Board thereby making any discussion of a sitting member vacating their seat for me unnecessary.

In that regard, I would be pleased to participate by providing you with input and advice on the policing needs of Toronto's communities, and indeed the qualities required in the head of the police service, as I have come to appreciate them as Chief Magistrate. Your consultants, Paul Stanley and Tanya Todorovic, have been meeting with a variety of stakeholders in order to canvass their ideas on the new chief. I met with Mr. Stanley and Ms. Todorovic as well to share my insights on the skills and qualities that a successful chief ought to have. While I found that meeting to be very productive, I believe that my direct participation in the process would bring unique and fresh insights to the table, including a voice that represents all Torontonians rather than that of a particular stakeholder.

Clearly, it is the Board that is empowered to recruit and hire the chief of police. That authority also allows you to set your own process and procedure in this matter. Therefore, I ask that you allow me, as Mayor of Toronto, to take part in your recruitment process as it moves forward. While I am not entitled to vote, I believe it would be entirely appropriate for me to:

- assist you in framing the issues and questions that will be put before the short listed candidates; and
- observe the interviews of those candidates in order to provide you with feedback on each of them.

Needless to say, I would hold the deliberations where I am involved in confidence and excuse myself from the Board's discussion and final decision regarding the outcome of the interviews. In that way, my participation will be a positive contribution to the recruitment process that fully respects the Board's legislative responsibility to select the new chief of police.

I welcome the opportunity to work with you and look forward to your response.

Yours truly,


Mayor David Miller



City Hall • 100 Queen Street West • 2nd Floor • Toronto, Ontario M5H 2N2
Telephone: 416-397-CITY • Fax: 416-696-3687 • E-mail: mayor_miller@toronto.ca



Councillor Mike Del Grande B.Comm., C.A., M.T.S., B.Ed.
Toronto City Council
Scarborough-Agincourt
Ward 39

Toronto City Hall
100 Queen Street West, Suite A1
Toronto, Ontario
M5H 2N2
Telephone: (416) 392-1374
Fax: (416) 392-7431
E-mail: councillor_delgrande
@toronto.ca



March 7, 2005

Toronto Police Services Board
40 College Street
Toronto, Ontario
M5G 2J3

Attention: Councillor Pam McConnell, Chair

Dear Madam Chair,

I am writing to you today to express my interest in taking part in the Board's selection process for our new Chief of Police.

Like the Mayor, I recognize the Board's legislated authority to conduct this process free of outside influence. That being said, I firmly believe that the legislation that limits Council's representation on the Board should not preclude the Board from inviting the participation of other Councillors – particularly those who have experience with the Police and public safety issues.

As you are aware, marijuana grow houses are a growing problem in the City of Toronto. The Police estimate that they are finding them at a rate of 1 per day and acknowledge that this pace will quicken before it slows. In Ward 39, I have worked closely with Officers from 42 Division and the Drug Squad in shutting down close to 40 illegal grow houses in the past 15 months. These efforts have provided me with a unique insight into this problem. Many Torontonians feel that grow houses are going to be the # 1 issue that our new Chief of Police will have to deal with. I believe my experience and insight with this issue could be a valuable resource to the Board in making their decision.

Needless to say, I would hold the deliberations where I am involved in confidence and excuse myself from the Board's discussion and final decision regarding the outcome of the interviews. In that way, my participation will be a positive contribution to the recruitment process that fully respects the Board's legislative responsibility to select the new Chief of Police.

I look forward to your favorable response.

Yours truly,

A handwritten signature in black ink that reads 'Mike Del Grande'. The signature is written in a cursive, flowing style.

Mike Del Grande
Councillor, Ward 39
Scarborough-Agincourt



Councillor Frances Nunziata
Toronto City Council
Ward 11
York South-Weston

City Hall
100 Queen Street West
Suite C49
Toronto, ON Canada M5H 2N2
Telephone: (416) 392-4091/92/93
Fax: (416) 392-4118
www.city.toronto.com

Via Fax: 416-808-8082

March 7, 2005

Chair Pam McConnell
Toronto Police Services Board
40 College Street
Toronto ON M5G 2J3

Dear Chair McConnell:

Re: Participation in Process of Selecting the Chief of Police

I am writing to you in reference to Mayor Miller's letter of March 3, 2005 in which he is requesting to participate in the interview process of selecting the next Chief of Police. Specifically, he indicates that he would assist in framing the issues and questions, and to observe in order to provide feedback on each candidate.

I find his request to now get involved in the selection process to be quite hypocritical when considering his past decisions not to become involved in other Board processes. In the case of the Board's decision not to extend the former Chief's contract, he stated at Council that he cannot and would not get involved in the decision making process, or in influencing the process since he was not a member of the Board.

But more importantly, and based on his position of influence, I find his request to become involved in the selection process to be highly improper. In fact, it is contradictory to and in conflict, with the spirit and requirement of maintaining confidentiality and the absence of outside influence as defined by Section 35 of the Police Services Act.

My arguments in this regard are as follows:

- Although Mayor Miller states that deliberations would be held in confidence, and that he would excuse himself from the Board's discussions and final decision, his presence alone would nevertheless be interpreted as influencing the vetting of questions, the assessment of candidates and the selection process.
- The source of any potential influence of the process can emanate verbally as well as from body language.

March 7, 2005
Chair Pam McConnell
Toronto Police Services Board

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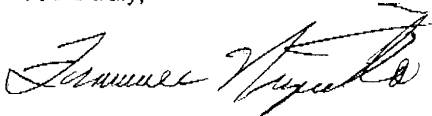
- There may also be a perceived conflict of interest by the fact that the municipal representatives of the Board are also appointed through a process that is ultimately influenced by the Mayor. In this regard, the Mayor is not a member of the Police Services Board. However, his presence will put forward the impression of a lack of trust on his part of the Board to conduct its business appropriately and fairly with an absence of influence and bias. It must be remembered that the Mayor oversees the process that selects the municipal members of the Police Services Board.

These are legitimate arguments that must be considered if the Toronto Police Services Board is to maintain its position of being free from influence. In this case, the ability of the Mayor to influence the process is quite clear by virtue of his position of overseeing the appointment of the municipal representatives of the Police Services Board.

The mayor has had the opportunity to meet with the consultants empowered to recruit and hire the next Chief of Police. As such, he has already been given the opportunity to provide his views on the requirements needed by the next Chief of Police. Any further involvement in the recruitment process would be the application of his criteria, and feedback of the suitability of candidates in relation to the views that he previously made to the consultants.

In light of these arguments, I would request that you follow a process of selecting the next Chief of Police that maintains the impartiality and independence of the Board. Therefore, I would ask that you decline his request to participate in the selection process.

Yours truly,



Frances Nunziata, Councillor
Ward 11, York South-Weston

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P110. IN-CAMERA MEETING – MARCH 08, 2005

In addition to the public meeting conducted by the Board today, an in-camera meeting was held to consider a number of matters which were exempt from the public agenda in accordance with the criteria for considering confidential matters set out in s.35(4) of the *Police Services Act*.

The following members attended the in-camera meeting:

Chair Pam McConnell
Dr. Alok Mukherjee
Mr. Hamlin Grange
Councillor John Filion
Councillor Case Ootes

Absent:
The Honourable Hugh Locke, Q.C.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

**#P111. SELECTION PROCESS & RECRUITMENT OF THE NEW CHIEF OF
POLICE**

Chair McConnell advised the Board that information gathered from the recent Board-sponsored community consultations and stakeholders consultations regarding the competency profile for the position of chief of police would be posted on the Board's website the following day.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON MARCH 08, 2005**

#P112. ADJOURNMENT

Councillor Pam McConnell
Chair