



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on September 20, 2007 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on August 09, 2007 and the special meeting held on August 28, 2007, previously circulated in draft form, were approved by the Toronto Police Service Board at its meeting held on September 20, 2007.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **SEPTEMBER 20, 2007** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Ms. Judi Cohen, Member
Mr. Frank Di Giorgio, Councillor & Member
Mr. Hamlin Grange, Member
The Honourable Hugh Locke, Q.C., Member
Mr. David Miller, Mayor & Member

ALSO PRESENT:

Mr. William Blair, 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 SEPTEMBER 20, 2007**

#P295. INTRODUCTION

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

Superintendent Jeffrey McGuire
Staff Inspector Elizabeth Byrnes
Staff Inspector Mark Fenton
Staff Inspector Frank Ruffolo
Ms. Christine Bortkiewicz, Manager, Occupational Health & Safety
Detective Sergeant William Crews
Detective Sergeant Pauline Gray
Detective Sergeant Gary Grinton
Detective Sergeant Alan Riddell
Detective Sergeant Sydney Thomas
Sergeant Michael Allen
Sergeant Daniel Belanger
Sergeant Joanne Bennett
Sergeant Sach Biring
Sergeant Andrew Ecklund
Sergeant Jason Ferry
Sergeant John Green
Sergeant Jack Gurr
Sergeant Jeanille John
Sergeant Kevin Leahy
Sergeant Ruth Moran
Sergeant Michael Patterson
Sergeant Scott Purchess
Sergeant Joni Sousa-Guthrie
Sergeant Karthi Velauthan
Sergeant Dave Webster
Sergeant Kevin White
Sergeant Kane Worth

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P296. METROPOLITAN TORONTO POLICE BENEFIT FUND BOARD OF
TRUSTEES – NAMING OF DESIGNATE**

The Board was in receipt of the following report September 13, 2007 from Alok Mukherjee, Chair:

Subject: METROPOLITAN TORONTO POLICE BENEFIT FUND BOARD OF
TRUSTEES – NAMING OF DESIGNATE

Recommendation:

It is recommended that:

1. the Board authorize the Chair to name Councillor Pam McConnell as his designate on the Metropolitan Toronto Police Benefit Fund Board of Trustees until December 31, 2008, which coincides with the end of Councillor McConnell's term on the Toronto Police Services Board; and
2. this decision be communicated to the Secretary for the Board of Trustees.

Financial Implications:

There are no financial implications arising from this report.

Background/Purpose:

The Metropolitan Toronto Police Benefit Fund ("the Fund") is one of five pre-OMERS plans administered by the City of Toronto. Plan membership as at December 31, 2006, included 16 active employees, 1,544 retired members and 654 surviving spouses.

The Fund provides pension benefits for certain Toronto Police Services employees and retirees who were hired prior to July 1, 1968. The plans are administered by a Board of Trustees comprised of employer and employee/retiree members. The Board currently consists of the following nine members:

David Miller, Mayor (designate – Mr. Frank DiGiorgio, Councillor York South Weston)

Appointed By City Council:

Mr. Geoffrey Clarkson- Chairman

Mr. Rob Ford-Councillor Etobicoke North

Mr. Michael Walker-Councillor North Toronto

Dr. Alok Mukherjee-Chair, Police Services Board

Elected by Pensioners:

Mr. Art Lymer
Mr. John Reid
Mr. Paul Walter

Elected by Active Employees:

Mr. Gary Grant (recently retired creating a vacancy)

The Board is supported by the following City of Toronto staff:

Ivana Zanardo - Director, Pension, Payroll & Employee Benefits
Imma Monardo - Manager, Pension
Derek Brown - City Solicitor
Rose Bettencourt - Secretary

The duties of the Board of Trustees are:

- to be responsible for the receipt of all contributions to the fund and for the custody of the fund;
- to administer and invest the fund as required from time to time in accordance with the Pension and Benefits Act (PBA), exercising therein the care, diligence and skill that a person of ordinary prudence would exercise in dealing with the property of another person;
- to appoint the actuary;
- to advise the Council of the condition of the fund and of any action which may be necessary or desirable to safeguard the same or improve its operation, expeditiously after receiving the actuary's reports;
- to be responsible for the payment out of the fund of benefits to which members become entitled under the Fund;
- to keep proper and correct records with respect to disbursements from the fund and members data;
- to consider all communications from members concerning their benefits, privileges and responsibilities and to make any necessary decisions thereon;
- to determine the validity of all claims against the fund, including the obtaining of all necessary declarations, certificates or other evidence of any condition or thing whose determination is required for the proper administration of the Plan;
- where a person entitled to any benefit payable under the Plan is incompetent to act on his or her own behalf, to make such provisions as may be expedient having regard for the safeguarding of the interests of the recipient and the fund;
- to comply with all reporting and other notification requirements of and pursuant to the PBA and of the Income Tax Act (Canada).

Discussion:

Currently, the Chair sits on the Board of Trustees.

Subsection 3(1) of Metropolitan By-law No. 181-81 governing the Metropolitan Toronto Police Benefit Fund provides:

Members 3. (1) The administration of the plan shall be vested in a [10-member] Board of Trustees consisting of

* * * * *

Police Chair (c) the chair of the Toronto Police Services Board, who may designate a member of that Board to act as his or her representative at any meeting of the Board of Trustees and exercise his or her voting rights;

* * * * *

Quorum (4) A quorum of the Board of Trustees shall be a majority of the voting members [i.e., all except the Treasurer] provided that one representative of the officers or the pensioners, one representative of the Council and the [City] Treasurer or his Deputy or his designate are present.

Pursuant to these provisions, Councillor Pam McConnell has agreed to act as my designate on the Board of Trustees. .

Conclusion:

Therefore, it is recommended that:

1. the Board authorize the Chair to name Councillor Pam McConnell as his designate on the Metropolitan Toronto Police Benefit Fund Board of Trustees until December 31, 2008, which coincides with the end of Councillor McConnell's term on the Toronto Police Services Board; and
2. this decision be communicated to the Secretary for the Board of Trustees.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P297. PROPOSED POLICY GOVERNING THE DESTRUCTION OF ADULT
PHOTOGRAPHS, FINGERPRINTS AND CRIMINAL HISTORY**

The Board was in receipt of the following report July 25, 2007 from William Blair, Chief of Police:

Subject: PROPOSED POLICY GOVERNING THE DESTRUCTION OF ADULT
PHOTOGRAPHS, FINGERPRINTS AND CRIMINAL HISTORY

Recommendation:

It is recommended that the Board approve the attached policy (Appendix A) entitled “Destruction of Adult Fingerprints, Photographs and Records of Disposition”.

Financial Implications:

Should the Board approve the policy as recommended, there would be no financial implications arising as a result.

However, should the Board amend the policy and approve the creation of an expanded internal appeal process, as outlined on page 6 of the report, annual costs are estimated at approximately \$340,000. These costs are not currently included in the Service’s Operating Budget.

Lastly, should the Board amend the policy and approve the creation of an independent external appeal process, as outlined on pp. 6-7 of the report, annual costs are estimated at approximately \$790,000. These costs are not currently included in the Service’s Operating Budget.

Background/Purpose:

Legislative Authority

The courts may dispose of charges by *conviction* or *non-conviction* disposition. The federal *Identification of Criminals Act*, R.S.C. 1985, c.I-1, as amended (the Act), provides the authority for a police service to collect the fingerprints and photographs of a person *charged* with an indictable offence; however, the Act is silent with respect to the subsequent destruction of such records when the underlying criminal charge does not result in a *conviction*. In fact, there is no legislative direction specifying what a police service should do with such fingerprints and photographs in these circumstances (Min. No. P279/04 refers).

Each police services board in Ontario has traditionally been empowered to create its own adult file destruction policy for *non-conviction* dispositions; therefore, in the absence of a standardized destruction procedure, fingerprints and photographs have been retained in accordance with the policy and procedure of the individual service (Min. No. P6/05 refers).

Current Policy

The existing Board policy, adopted in 1969, states as follows (Min. No. P454/69 refers):

“Fingerprints and photographs concerning withdrawn or dismissed charges against first offenders shall be expunged from the files of the Metropolitan Toronto Police when a request is received, in writing, for the return of the material from the individual concerned or his solicitor.”

Currently, such requests are forwarded to Records Management Services – Criminal Records for processing. (Min. No. P279/04 refers)

Legal Challenges

Under the current 1969 policy governing the destruction of adult photographs, fingerprints, and criminal history, individuals who have been *charged*, as outlined in Section 2(1) of the *Identification of Criminals Act*, and the charge resulted in a *non-conviction* disposition, may request to have their fingerprints and photographs destroyed; however, the applicant must meet the policy of being a ‘first time offender’ prior to the destruction.

Historically, the Service has interpreted the term ‘first offender’ as an individual who has been *charged* with a criminal offence regardless of the disposition of the charge (Min. No. P454/69 refers). Fingerprints and photographs taken for a subsequent criminal charge that, again, did not result in a *conviction* would be retained. The current policy, therefore, prevents fingerprint destruction for those individuals who have had no *convictions* but more than one set of fingerprints and photographs retained following *non-conviction* dispositions. The existing policy does not take into account the nature of the charge and any public interest in relation to the destruction of photographs, fingerprints and associated criminal history.

The policy went largely unchallenged until July 19, 2002, when the Ontario Court of Appeal released its decision in the matter of *Regina v. Dore*. The court interpreted the term ‘first offender’ as having a different meaning from the meaning originally intended in 1969 when the policy was implemented. The court ruled that individuals without a prior *conviction* have the right to request that the police destroy his/her *non-conviction* disposition records pursuant to the privacy protections under section 8 of the *Charter*. Where a police service refused to destroy a first offender’s non-conviction fingerprints, then the court held that the burden to show that retention was required in the public interest rested with the police. (*R. v. Dore*, (2002) O.J. No. 2845).

A similar legal challenge arose in February 2003 in the case of *Liu v. Toronto Police Services Board* (2004) O.J. No. 170. Mr. Shuqin Liu commenced an action against the Toronto Police Service for a refusal to destroy his fingerprints after the withdrawal of a charge. Mr. Liu previously had another criminal charge against him withdrawn. Based on the interpretation of the existing policy, the Service determined that Mr. Liu was not a ‘first offender’ as he had two *non-conviction* dispositions on record. The Small Claims court, relying heavily on the Court of Appeal decision in *Dore*, found in favour of Mr. Liu and awarded him costs and damages.

Process of Policy Review

At its July 29, 2004 meeting, the Board approved a motion to revise the policy entitled “Request for Destruction of Adult Photographs, Fingerprints and Records of Disposition” in relation to *non-conviction* criminal charges. The revised policy, as recommended by the Chief, was intended to achieve the following:

1. Clarify the procedure by changing the wording from a first offender to a non-conviction disposition.
2. Provide a mechanism to permit the Service to retain those files on non-conviction where it is necessary in the public interest (Min. No. P218/04 refers).

The proposed policy raised concerns among some stakeholders, and, as a result, a working group of Board and Service members, as well as representatives from City Legal, was formed to “...develop specific criteria regarding the destruction of adult fingerprints, photographs and records of disposition.”

Since that time, the working group has held a number of meetings with stakeholders, including Dr. Ann Cavoukian, Information and Privacy Commission of Ontario, Ms. Avvy Yao-Yao Go, Clinic Director, Metro Toronto Chinese & Southeast Asian Legal Clinic and Mr. Alan Borovoy, Canadian Civil Liberties Association. Subsequently, the Board received submissions from each of these agencies outlining their position with respect to the implications of the proposed policy. These submissions are discussed in greater detail below.

In addition, Service and Board staff members have met with representatives from the Royal Canadian Mounted Police (RCMP), both in Toronto and in Ottawa, in order to engage in discussions about policy development for both the Service and the RCMP. The reasons for discussions with the RCMP are explained below.

The working group members have, themselves, met on a numerous occasions in order to develop the policy and associated internal processes.

Royal Canadian Mounted Police (RCMP) Policy

The Royal Canadian Mounted Police (RCMP) maintains in excess of 3 million records which are related to criminal charges and dispositions. As part of those records, 391,000 fingerprints are attached to files with only *non-conviction* dispositions, or approximately 11%. Toronto

represents 25% of the national total of fingerprint files. All of the fingerprints retained by the RCMP are available for comparison with those found at crime scenes.

The federal pardons process provides an offender with the opportunity to expunge his/her criminal record for *conviction* dispositions, not by destroying, but by sealing the file when the appropriate conditions are met. The fingerprints, however, are still available for comparison with those found at crime scenes to ensure the conditions of the pardon are met.

As reported to the Board at its meeting on March 23, 2006 (Min. No. P80/06 refers), the RCMP is currently developing a new federal policy relating to the destruction of photographs, fingerprints and criminal history. This policy is not yet finalized, but it is recognized that the RCMP may, in the public interest, make decisions to retain *non-conviction* disposition fingerprints and photographs at the federal level; these files would not be available to local police services.

This proposed Board policy cannot override federal retention and can only deal with locally held records. The Board may only dictate through policy what the Toronto Police Service does with the records; records under the control of the RCMP are not within the jurisdiction of either the Service or the Board. The proposed Board policy will, however, recommend destruction to the RCMP if the Board's policy's criteria are met.

Proposed Board Policy/Process

In drafting the new policy, which is attached as Appendix A, the working group took into consideration a number of important principles, including transparency, balance, fairness and safety of the public. The working group sought the views of a number of different groups and individuals, including other police agencies as well as community stakeholders. The working group was very appreciative of the comprehensive input received from members of the community and made great efforts to take their views into consideration in developing the new policy.

Under the new policy, the Service will provide affected individuals with the opportunity to request destruction of his/her locally held records relating to *non-conviction* dispositions, i.e. photographs, fingerprints and criminal history unless:

- a) the associated record contains an alleged offence listed as a primary designated offence or secondary designated offence as defined in section 487.04 of the *Criminal Code*, (Section 487.04 sets out the list of offences which may attract a judicial order for the taking and retention of DNA.) or
- b) there are compelling reasons in the public interest to refuse destruction.

The Record Management Services Public Interest Guidelines attached as Appendix B to this report outline what is meant by "public interest." In considering whether there are compelling reasons in the public interest to refuse destruction, the Service will consider the following criteria:

- (a) Frequency of dispositions;
- (b) Nature of circumstances;
- (c) Nature of disposition(s);
- (d) Contacts with police; and
- (e) Where facts of original circumstances which resulted in non-conviction disposition are of public concern.

It is anticipated that more approvals will be granted under the new policy than has been the case in the past. Further, applicants who were previously rejected under the existing policy may be eligible for file destruction under the new policy; therefore, there may be renewed requests from past applicants who had destruction refused under the 1969 policy. For consistency, any backlogged requests received prior to the implementation date will be processed under the new policy.

It should be noted that the new policy governs the destruction of adult photographs, fingerprints and criminal history only. The process in relation to fingerprints and photographs of young offenders is mandated under the *Youth Criminal Justice Act*.

In addition, it should be noted that non-conviction dispositions are defined as:

- Charges are withdrawn (dismissed, quashed, stayed)
- A finding of *not guilty* by a court
- A stay of proceedings
- A finding of *not criminally responsible* by a court
- An acquittal
- Peace bond entered into

File Destruction Applications

The new policy, process, and application form will be posted on the Service's Internet for public access, and will include a detailed list of criteria that must be met to qualify for the destruction of criminal record information. Applications will be accepted from the individuals themselves or their representative. Hard copy applications are available upon request from the Criminal Records sub-unit of Records Management Services.

A copy of the Fingerprint and Photograph Destruction Application Form is attached as Appendix C.

Appeal Process

An applicant whose request for destruction is denied will be supplied with the reason for refusal of the application. The applicant then will have the right to request a review of this decision. Further information to support an appeal requesting that the Service give consideration to mitigating factors, must be supplied by the requester to substantiate his/her position.

The applicant will be notified of the outcome in writing. It is anticipated that approximately 3 to 5 percent of applicants will elect to pursue a review of a rejection decision through the appeal process. Should the appeal be denied, an individual may seek redress through the courts.

The number of file destruction requests totalled 3496 in 2006 and 1906 applications have been received to date in 2007. The Service currently holds approximately 98,000 fingerprints which are attached to files with only *non-conviction* dispositions. As public awareness increases via the media and the Service website, this number is expected to increase. It is, therefore, quite possible that the Service may receive upwards of 150 requests for appeal, annually. This will have an impact on program delivery resources and is addressed later in this report.

The Records Management Services Process Map proposed in the new Board policy is attached as Appendix D.

Alternatives to the Proposed Policy/Process

In response to the Board's call for submissions, the Information and Privacy Commission of Ontario (IPC) put forward a number of recommendations which were also endorsed by other agencies. These recommendations can be encapsulated under three general headings and are set out below with Service responses.

1. Responsible Record Handling

In correspondence dated February 28, 2007, Commissioner Cavoukian states:

“The Toronto Police Service must routinely and periodically review all non-conviction disposition (NCD) records upon finalization of a disposition and destroy the records unless the individual has a pre-existing criminal conviction, faces outstanding criminal charges, or in the particular circumstances of the case, the Chief of Police or his or her delegate (hereafter “the Chief”) has reasonable grounds to believe that the individual will commit a ‘serious personal injury offence’ as defined in section 752 of the Criminal Code of Canada.

Response:

Dispositions are rendered for approximately 140,000 charges in Toronto courts each year. Approximately 45% of these result in non-conviction dispositions. It is not practical that a review be initiated by the Service, particularly as the dispositions and other records are not provided electronically by the courts. Routine, periodic review of all non-conviction dispositions

and notification to all affected individuals would place an enormous administrative burden upon the Service with corresponding costs in terms of human resource requirements to facilitate and monitor this process. There are approximately 98,000 Service-processed *non-conviction* specific files in the RCMP archives. From an administrative perspective, it is simply not practical to review them regularly.

Further, it is not feasible to expect that the Chief or his/her delegate would be able to predict an individual's future behaviour or likelihood that he or she will 'commit a serious personal injury offence' based solely on *non-conviction* dispositions. Risk assessment, including determinations regarding an individual's potential future behaviour, is an extremely complex process that requires significant expertise and labour. For each individual, there must be detailed review and analysis of responsive records on all police databases, which would be an onerous process given the approximately 98,000 *non-conviction* dispositions on file with the Service. Given the volume of *non-conviction* dispositions to be reviewed, this option would not be practical or possible with current human and physical resources. Further, it could place liability on the Board and the Toronto Police Service should one of the reviewed individuals re-offend after their records were destroyed.

2. *Limited and Focused Retention Decisions Founded on Fair and Appropriate Procedures*

The IPC also recommends that the Chief must provide an affected individual with written notice of his preliminary finding regarding the records. The affected individual must be provided disclosure and must be given a fair and full opportunity to reply to that information and evidence. The onus is on the Chief to establish that the individual has a pre-existing criminal conviction, faces outstanding criminal charges, or, in the particular circumstances of the case, there are reasonable grounds to believe that the individual will commit a "serious personal injury offence" as defined in section 752 of the *Criminal Code*.

Response:

Based on the Service's previous response in No. 1 (above) with respect to responsible record handling, the points raised in the section would not be feasible for implementation by the Service.

3. *Accessible, Independent, and Impartial Review*

The IPC asserts that an internal Service review process does not provide for a rigorous, fair, or independent review. The IPC further objects to the onus and expense being placed upon the individual to gather evidence and substantiate the existence of mitigating factors in order to request a review of a decision by police to retain non-conviction disposition records.

In its place, the IPC outlines an alternative appeal process which is premised on the Board hiring an independent, impartial expert who would provide written opinions in the case of all appeals.

Response:

The Service has evaluated the implications surrounding an appeal process overseen by an independent and impartial expert advisor versus an internal appeal process involving case review with input from Service legal advisors.

Given that the Service has not resourced an appeal process in the past and anticipates approximately 150 requests for appeal each year, there would be a significant financial and resource impact. An internal process would require the addition of clerical and administrative support staff within Records Management Services and Legal Services. Costs for an internal process are estimated at approximately \$340,000 per annum.

In addition to the internal process costs above, an independent or external process would require the retention of a person of sufficient standing and independence as to lend credibility and neutrality to the proceedings. Together with the requirement for additional clerical and administrative support staff, and based on a projected allowance of 3 days per appeal, costs for an external appeal process are estimated at approximately \$790,000 per annum.

Taking into account the costs associated with an independent review process, the process recommended by the IPC is, in my view, not a practical proposition.

Collection of DNA Evidence

At its meeting on March 23, 2006, the Board inquired about the disposal of DNA evidence that has been collected by the police (Min. No. P80/06 refers). The Board also approved the following Motion:

THAT the further report to be submitted on the policy governing the destruction of adult photographs, fingerprints and criminal history include a separate section on the collection, retention and disposal of DNA evidence that has been collected by the Toronto Police Service.

The collection, retention, and disposal of DNA evidence is legislated by the *DNA Identification Act* and the *Criminal Code*. Whereas the *Criminal Code* governs the actual collection, retention, and disposal processes, the *DNA Identification Act* regulates the Canadian National DNA Databank (NDDDB) where the evidence is stored. Therefore, there is no discretion afforded the Service on matters relating to DNA.

Conclusion:

The new Board policy entitled “Destruction of Adult Fingerprints, Photographs and Records of Disposition” was developed to improve upon the current policy that was approved in 1969. The 1969 policy is unduly restrictive, preventing destruction in cases where records should be destroyed. In addition, it does not take into account the nature of the charge and any public interest in relation to the destruction of photographs, fingerprints and associated criminal history.

Lastly, several court decisions have successfully challenged the 1969 policy, resulting in the need for amendments to the policy.

The new policy outlines a fair and transparent process for individuals who apply to have such records destroyed. It provides greater clarity both for members of the public who are seeking destruction of their records and members of the Service who administer this process. It also retains an appeal process for individuals who are unsatisfied with the decision made pertaining to their records.

Balance must be reached between individual rights and the need to retain sufficient information to foster community safety and protect the public interest. In my view, the proposed Board policy, developed after extensive research and consultation, achieves this balance.

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that the Board members may have regarding this report.

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

- **Alonzo Abbey ***
- **Graham Norton, Canadian Civil Liberties Association ***
- **Michael Lomer, Criminal Lawyers' Association**
- **John Sewell, Toronto Police Accountability Coalition ***
- **Robert Vaughan**

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

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

- **September 17, 2007 from Avvy Yao-Yao Go, Metro Toronto Chinese & Southeast Asian Legal Clinic; and**
- **September 17, 2007 from Ken Anderson, Information and Privacy Commissioner/Ontario.**

Mr. Peter Howes, Manager, Corporate Information Services, was in attendance and responded to questions by the Board related to concerns raised by the deputants.

The Board approved the following Motions:

- 1. THAT the deputations and the written submissions be received;**
- 2. THAT the foregoing report from the Chief of Police be approved; and**
- 3. THAT the Chief of Police, in consultation with the Chair, provide a report to the Board six months after the implementation of the new policy that:**

- **takes into consideration the issues and concerns raised by the deputants;**
- **outlines the experience to date using the appeals process as provided for in the new policy;**
- **provides statistics in terms of the destruction and retention of records under the new policy; and**
- **recommends amendments to the policy, if necessary.**

Appendix A

TORONTO POLICE SERVICES BOARD
POLICY AND DIRECTIONS

TPSB POL – XXX **Destruction of Adult Fingerprints,
Photographs and Records of Disposition**

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

New

Amended

Reviewed – No Amendments

Board Authority:

Board Authority:

BOARD POLICY

It is the policy of the Toronto Police Services Board that, the Chief of Police will develop processes that incorporate the following criteria for the destruction of adult fingerprints, photographs and records of disposition::

- 1) Upon written request, destroy adult fingerprints, photographs and records of dispositions associated with non-conviction disposition(s)¹ after the expiration of all applicable appeal processes, or, in the case of a stay of proceedings, after a period of one year unless:
 - (a) the individual's records on file contain an alleged offence(s) listed as a primary designated offence or secondary designated offence as defined in section 487.04 of the *Criminal Code*, R.S.C., 1985, c. C-46, as amended; or
 - (b) there are compelling reasons in the public interest to refuse destruction.
- 2) In applying criteria 1(a) and 1(b) as listed above, give consideration to mitigating factors.
- 3) Establish a process of review for those cases in which destruction has been refused by the Service; and

¹ Non-conviction dispositions are defined as:

- o Charges are withdrawn (dismissed, quashed, stayed)
- o A finding of *not guilty* by a court
- o A stay of proceedings
- o A finding of *not criminally responsible* by a court
- o An acquittal
- o Peace bond entered into

4) Where destruction has been approved by the Service, make a recommendation to the RCMP for the destruction of records in its possession associated with the individual's non-conviction disposition(s).

REPORTING:

LEGISLATIVE REFERENCE

Act	Regulation	Section
Police Services Act R.S.O. 1990 as amended		s.31(1)(c)

BOARD POLICIES:

Number	Name

BOARD OFFICE PROCEDURES:

Number	Name

SERVICE PROCEDURES: Refer to service procedures.

Appendix B

Records Management Services Public Interest Guidelines

As referred to in the *Dore* decision, the policy must strike a balance between the individual request for file destruction and the public interest in retaining an individual's file. In implementing the policy, consideration must be given as to whether destruction would have an adverse impact on the administration of justice and enforcement of the law, including the detection and prevention of crime or the apprehension and prosecution of offenders.

The public interest will change over time which may require adjustments to the process for considering the suitability for retention of non-conviction disposition information. .

Below is a list of criteria the Service will consider when deciding whether there are compelling reasons in the public interest to refuse destruction.

- (a) Frequency of dispositions;
- (b) Nature of circumstances;
- (c) Nature of disposition(s);
- (d) Contacts with police;
- (e) Where facts of original circumstances which resulted in non-conviction disposition are of public concern.

2007.07.25



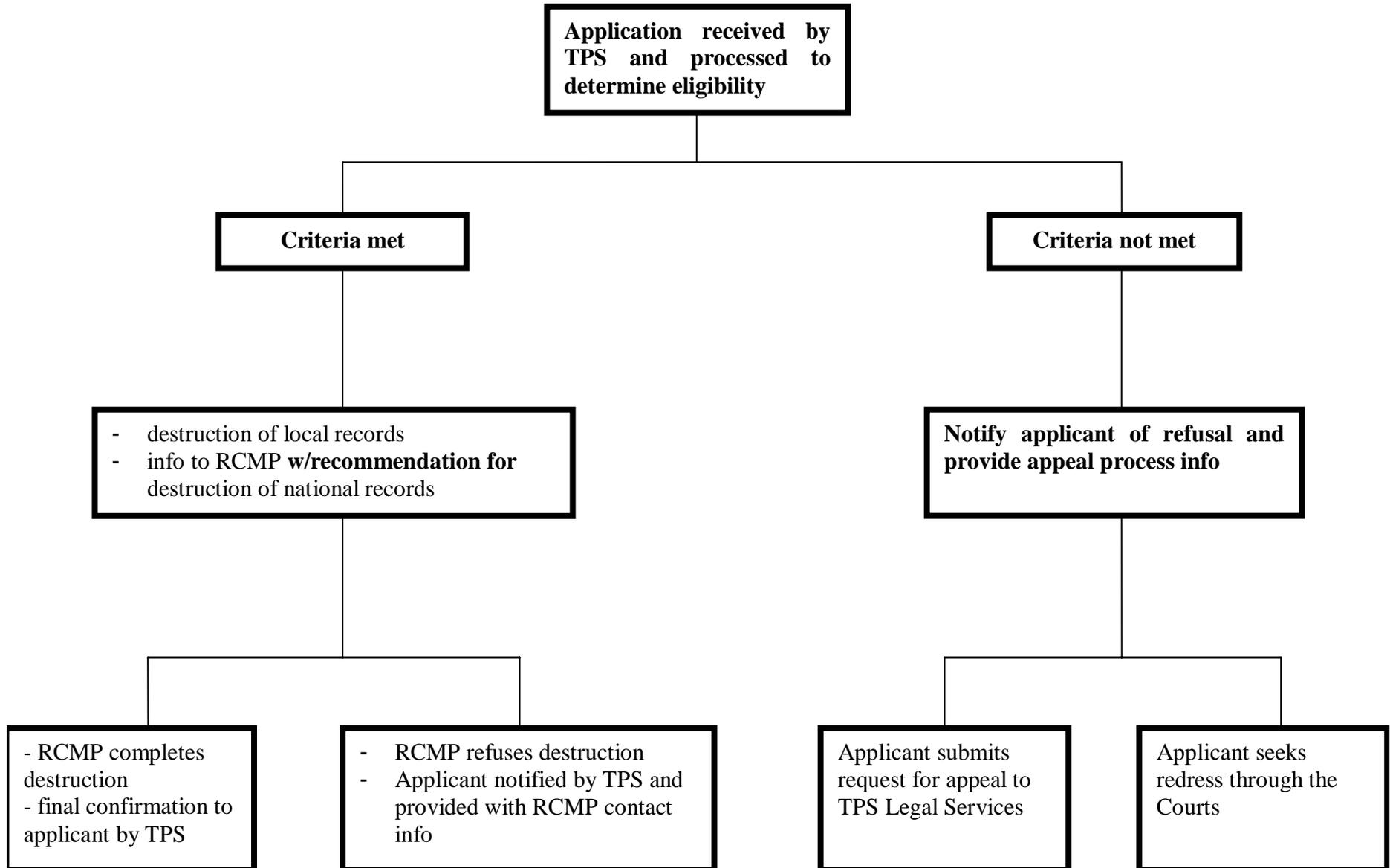
Toronto Police Service
To Serve and Protect

FINGERPRINT AND PHOTOGRAPH DESTRUCTION – APPLICATION FORM

Please refer to the *Destruction of Fingerprints and Photographs Procedure* for information about this process.

PERSONAL INFORMATION						
Surname		First Name			Middle Name	
Contact Telephone Number				Date of Birth	YYYY	MM DD
Address	Number/Unit	Street	City	Prov.	Postal Code	
AGENT / LAWYER INFORMATION (if applicable)						
Surname		First Name			Middle Name	
Contact Telephone Number						
Address	Number/Unit	Street	City	Prov.	Postal Code	
CHARGES						
Final Court Date	Court Location		Charge	Disposition		
CONSENT TO DESTROY FINGERPRINTS, PHOTOGRAPHS AND CRIMINAL HISTORY						
<p>I hereby request the Toronto Police Service to consider destroying my fingerprints and photographs for the charges listed above. I acknowledge that I will be notified in writing, to the address provided above, when a decision has been made and when the process has been completed. NOTE: <i>Other records pertaining to your arrest(s) may exist, i.e. Toronto Police Service Record of Arrest report. These documents will not be destroyed pursuant to your application for destruction of fingerprints and photographs. Rather, they are subject to retention under the Toronto Police Services Board Record Retention Schedule, City of Toronto Municipal Code, Chapter 219, Article 1.</i></p>						
Date _____, 20____			Signature _____			
MMM/DD						
FOR POLICE USE ONLY						
Action	Action Processed By:			Date (YY/MM/DD)		
<input type="checkbox"/> Acknowledgement Letter Sent						
<input type="checkbox"/> Request Approved						
<input type="checkbox"/> Request Submitted to FIS						
<input type="checkbox"/> Fingerprints Received from FIS						
<input type="checkbox"/> Request Submitted to RCMP						
<input type="checkbox"/> Fingerprints Received from RCMP						
<input type="checkbox"/> Destruction Completed						
<input type="checkbox"/> Destruction Confirmation Sent						
<input type="checkbox"/> Request Denied						
<input type="checkbox"/> Decision Letter Sent						
<input type="checkbox"/> Appeal Received						
<input type="checkbox"/> Appeal Completed						
<input type="checkbox"/> Appeal Decision Letter Sent						

RECORDS MANAGEMENT SERVICES PROCESS MAP



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P298. POLICE TOWING AND POUND SERVICES CONTRACTS – FACTORS
AFFECTING THE ESTABLISHMENT OF A PRICE CAP**

The Board was in receipt of the following report July 25, 2007 from William Blair, Chief of Police:

Subject: POLICE TOWING AND POUND SERVICES CONTRACTS - FACTORS
AFFECTING THE ESTABLISHMENT OF A PRICE CAP

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting of August 11, 2005, the Board requested that prior to considering the next police towing contracts, the Chief of Police provide the Board with a report identifying any additional factors that could be considered with regard to the establishment of a price cap (Min. No. P255/05 refers).

Discussion:

The Toronto Police Service (TPS) requires prompt and efficient towing and pound services on a 24 hour a day, 7 day a week basis. The need for this service arises from police contact with vehicles such as those recovered after being stolen, impounded for bylaw infractions, or those impounded following the arrest of the driver. The current police towing and pound services contracts commenced on June 1, 2004, and were to be in effect for a period of three years. The contracts contain a condition whereby they may be extended for a period of one full year at the sole discretion of the Board. This option was exercised by the Board and the current contracts will now expire on May 31, 2008. Prior to this date a request for quotation process to solicit towing and pound services from qualified tow operators will be initiated.

Over the years the TPS has developed a standard to ensure that contracted towing and pound service providers deliver acceptable levels of service to both the community and the Toronto Police Service. To meet these established standards requires significant capital investment on the part of the contracted tow operator. Historically, only well established and financially secure towing operators were in a position to satisfy the requirements of the contract and tender a bid.

The City of Toronto is divided into six separate tow districts. Towing operators are contractually permitted to bid on a single district only. Each towing operator must maintain a fully fenced and secured pound area of between 90,000 and 105,000 square feet, depending on the respective tow district. This pound area must be leased or owned by the contract holder for the entire duration of the contract. Within this pound area, a permanent customer service structure must be provided and staffed 24 hours a day, 7 days a week. Both the customer service area and the pound area must be continuously monitored by a video surveillance or alarm system. In addition, the towing operator for district six (downtown core) must operate and maintain an additional pound facility at 10 York Street. This location is leased from the city to provide for the storage of vehicles towed from rush hour routes.

Towing operators must also lease or own a minimum number of tow vehicles, depending upon the tow district. The number of tow vehicles required ranges from 10 to 35, and is based upon the district's historical tow volume. Contracted tow operators must also provide a heavy tow vehicle capable of providing service to larger vehicles. All tow vehicles are required to be available on a continuous basis, 24 hours a day, 7 days a week.

As a condition of their contract towing operators are required to pay cost recovery fees to the TPS. The costs being recovered from the tow operators are the wages, benefits, and operational overhead costs related to the assignment of police administration staff to oversee towing and pound service processes. The total cost recovered from the contracted tow operators is equivalent to the combined salaries (effective May 31, 2004) of one administrative clerk, four constables, and one sergeant. The amount recovered includes a 55% premium to cover the estimated costs of member benefits, administrative fees, and operational overhead. This total expense is recovered quarterly from each of the contracted tow operators based on the actual tow volume from each of the six districts.

From an operational perspective it is imperative that the Service ensure the ongoing availability of efficient, effective, and economical towing and pound services. As in many contracted business arrangements, the interests of the parties are not necessarily the same. Balanced against the interests of the Service in this instance, are the concerns of towing operators to ensure economically viable terms and conditions under their respective contracts.

In order to consider a price cap, the following factors must be taken into account:

- Changes in the cost of living index;
- Changes relative to the cost of vehicle purchases and maintenance;
- Changes in related fuel expenses;
- Changes in human resources expenses;
- Changes in insurance premium expenses;
- Comparison charges for impounding (towing and storage) in other jurisdictions;

- Changes in the expenses related to cost recovery fees;
- Fluctuations in the number of vehicles towed;
- Amendments to the City of Toronto Municipal Code established fees for towing under a schedule to the city's licensing bylaw; and
- The right of the towing company to set its prices to be competitive in the marketplace (towing firms cannot be expected to operate a business at a loss)

Conclusion:

The towing and pound services quotation process is structured to ensure a competitive bidding process. This process allows reasonable market pricing for contracted towing and pound services to be provided to the public while at the same time ensuring the operational needs of the Service are met. Pending any other issues arising, the Service will initiate a request for quotation process in January, 2008. A report regarding towing and pound services providers will be provided to the Board for its April 2008 meeting.

Deputy Chief A.J. (Tony) Warr, Specialized Operations Command, will be in attendance to answer any questions the Board may have.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P299. RESPONSE TO THE CORONER'S JURY RECOMMENDATIONS FROM
THE INQUEST INTO THE DEATH OF EDWARD MCNEIL – FURTHER
INFORMATION**

The Board was in receipt of the following report July 30, 2007 from Alok Mukherjee, Chair:

Subject: RESPONSE TO CORONER'S JURY RECOMMENDATION FROM THE
INQUEST INTO THE DEATH OF EDWARD MCNEIL

Recommendation:

It is recommended that:

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

Financial Implications:

There are no financial implications relating to the recommendation contained within this report. However, should the MCIT program be expanded, additional money would be required. The Service is proposing approaching the provincial government for funding, as this program is health-related.

Background/Purpose:

On February 6, 2003, at approximately 3:35 p.m., police officers from 55 Division responded to an unwanted guest call inside a restaurant located at 2783 Danforth Avenue. The complainant, a staff member of the restaurant, had called 9-1-1 and reported that a man in the restaurant was "fooling around" and would not leave. The complainant requested that police attend to remove the man.

Two police officers arrived at the scene and spoke with a waitress at the restaurant. The officers were advised that the man, later identified as Mr. Edward McNeil, was in the basement and would not come up. When the officers attempted to communicate with Mr. McNeil, he ignored them and was seen at the bottom of the stairs pacing back and forth. He appeared to be talking to someone.

As the officers approached Mr. McNeil in the basement, he continued to talk incoherently, would not comply with their requests and then retreated into the men's washroom where he locked himself into a stall. Mr. McNeil appeared to be in a very agitated state and spoke about "flushing demons down the toilet".

Mr. McNeil seemed to calm down briefly and then became more agitated, kicking the tiles on a wall inside the stall. The officers grew concerned about both Mr. McNeil's and their safety because he now had access to an edged weapon (the jagged tiles). At this point the officers decided to apprehend Mr. McNeil pursuant to the *Mental Health Act* (MHA).

During the arrest, Mr. McNeil struggled violently with the officers. One of the officers used his expandable baton on Mr. McNeil's leg in an attempt to control the man's violent behaviour, but this had little effect.

Mr. McNeil ultimately began to tire and the officers were able to remove him from the stall and handcuff him. Due to his irrational and violent behaviour, an ambulance was requested so that Mr. McNeil could be medically examined. However, shortly thereafter Mr. McNeil was observed not breathing and a rush for the ambulance was requested. Subsequently, the officers performed cardiopulmonary resuscitation (CPR) on Mr. McNeil.

When the Toronto Fire Services and Emergency Medical Services personnel arrived, Mr. McNeil had no vital signs. Mr. McNeil was transported to Toronto East General Hospital by ambulance but was pronounced dead soon after his arrival.

An autopsy was performed the following day and the pathologist determined the cause of death to be "*cardiac arrhythmia associated with restraint, superficial blunt force injuries and agitated state with contributory factor of chronic rheumatic aortic valvular heart disease.*"

On December 20, 2005, at the conclusion of a six day inquest into Mr. McNeil's death, the Coroner's jury made a total of ten recommendations, five of which were directed at the Toronto Police Service.

At its confidential meeting on February 15, 2006, the Board directed the Chief of Police to report on the jury recommendations directed to the Toronto Police Service (Recommendations 1 to 5) (Min. No. C58/06 refers).

At its public meeting on June 15, 2006, the Board received a report from the Chief containing the response to the jury recommendations (Min. No. P186/06 refers). Inadvertently, there was no response given to Recommendation 6, directed to the Board, that states as follows:

We recommend that the Toronto Police Services Board approve sufficient funding to ensure the continued operation of the Mobile Crisis Intervention Team currently in operation and that they recommend funding to ensure the program is expanded city wide.

Discussion:

The Service, along with the three hospitals, currently supports three Mobile Crisis Intervention Teams (MCITs) that serve seven police divisions. One team serves 51 and 52 Divisions and St.

Michael's Hospital; the second team serves 11 and 14 Divisions and St. Joseph's Hospital; and the third team serves 41, 42, 43 Divisions and the Scarborough Hospital.

The Service provides trained and equipped police officers to staff the MCIT seven days a week, during the evening hours. The hospitals supply a mental health nurse to work alongside with the police officer. The current policing costs are borne entirely by the Service within its operational budget. This includes the officer's salaries, benefits and overtime, the officers' personal equipment, the police vehicles, and teams' office space equipment.

In those areas not currently served by MCITs, it is planned that during 2007, the Service, in collaboration with the designated hospitals, will study the feasibility of establishing such teams. If expansion is warranted, the teams can be deployed with existing staff and within the anticipated 2007 operating budget.

The Service is fully committed to maintaining the current MCITs and expanding the teams where feasible. The progress and timing of the expansion of the MCIT, then, depends more on the response from the affected hospitals than any specific budget concern within the Service. Nevertheless, any expansion of the MCIT would put additional pressure on the Service's budget. Since the need for MCITs is health-related, it might be possible to arrange for provincial funding to cover any new expansions. Such an arrangement will be explored by the Service.

Conclusion:

This report responds to the one outstanding recommendation from the jury.

Therefore, it is recommended that:

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

The Board received the foregoing report and agreed to forward a copy to the Chief Coroner for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P300. COURTESY ENVELOPE PILOT PROGRAM AS PART OF THE
ENFORCEMENT OF ON-STREET METER PARKING**

The Board was in receipt of the following report June 29, 2007 from William Blair, Chief of Police:

Subject: COURTESY ENVELOPE PILOT PROGRAM AS PART OF THE
ENFORCEMENT OF ON-STREET METER PARKING

Recommendation:

It is recommended that:

- (1) the Board receive the following report for information; and
- (2) the Board forward a copy of this report to the City of Toronto Planning and Growth Management Committee for its consideration.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report. However, in the event that a Courtesy Envelope Pilot Program is implemented, the costs associated with producing the envelopes could become the responsibility of the Toronto Police Service.

It should also be noted that a measurable decrease in net revenue to the City of Toronto would be anticipated if a Courtesy Envelope Pilot Program were implemented. The actual revenue impact of the pilot, and of the program if rolled out City-wide, cannot be determined at this time.

Background/Purpose:

At its meeting of May 3, 2007, the City of Toronto Planning and Growth Management Committee made the following request (Meeting No. 4, item PG4.6 refers) of the Toronto Police Services Board:

Decision Advice and Other Information:

The Planning and Growth Management Committee on May 3, 2007, requested the Police Services Board to consider piloting a "courtesy envelope" program with willing Business Improvement Areas for on-street meter parking, and report thereon to the Planning and Growth Management Committee as soon as possible.

The above decision advice from the City of Toronto Planning and Growth Management Committee resulted from discussion during a recent meeting in which changes were recommended to on-street parking meter rates and increasing the maximum parking durations to better accommodate the needs of the citizens of Toronto. The committee was also in receipt of correspondence from the Downtown Yonge Business Improvement Area.

By way of clarification, a courtesy envelope is a private notice and envelope used by the Toronto Parking Authority at their unmanned, automated off-street parking facilities in an effort to collect outstanding fees due for parking at their locations. The envelopes are issued to vehicles which are parked at Toronto Parking Authority off-street parking facilities but are not displaying a valid proof of payment receipt. It is our understanding that the purpose of the courtesy envelope program is to provide the customer a second opportunity to pay the outstanding parking fee as an alternative to receiving a Parking Infraction Notice, under the City of Toronto bylaw. Since the courtesy envelopes are not issued in accordance with any bylaw, vehicles may not be towed.

Discussion:

The Toronto Police Service is proud of our ability to mediate issues of concern within all segments of the community. Equitable enforcement, fairness and consistency are central to the Toronto Police Service Parking Enforcement Unit's Core Values.

The purpose of paid permitted parking on City of Toronto streets is to ensure the availability of short-term parking. The most efficient and effective method of ensuring this situation exists is the continued official enforcement of paid parking regulations. There exists a strong possibility that voluntary compliance brought about by the implementation of a Courtesy Envelope Pilot Program would not match the current level of public compliance achieved with existing paid parking regulations. Failure to maintain the current public compliance levels would greatly diminish the availability of on-street parking in many areas of the city where necessary services are readily accessible.

The Parking Enforcement Unit has implemented several other measures across the city to promote a more customer-friendly, community oriented approach to the enforcement of parking regulations. These include extended time limits and an enforcement grace period. The decision advice from the City of Toronto Planning and Growth Management Committee was exploratory in nature; therefore the purpose of this report is to consider the concept of a Courtesy Envelope Pilot Program in principle only.

Considerations:

Public vs. Private Context

Currently the Toronto Parking Authority initiates courtesy envelopes as a voluntary compliance program at their off-street parking facilities. The fairness of this practice for off-street parking lots cannot be disputed. Off-street parking involves a private relationship between a customer and the operator of the parking facility. The customer accepts the private lot operator's prerogative to establish certain parking regulations, providing such regulations are fair, clearly

understood and accepted by the customer. By leaving a private vehicle parked at one of these facilities, the customer is in effect accepting the regulations imposed by the owner within the physical boundaries of the parking lot. In comparison, on-street parking is a privilege provided by the city for an established fee. It is clearly understood that failure to comply with the parking regulations established by the municipality, could result in strict enforcement and the issuance of a Parking Infraction Notice. There is an expectation on behalf of the public that a consistent set of rules, including enforcement of all parking regulations, will be applied equitably on all City of Toronto streets.

Differential Enforcement

The proposed pilot program would create a situation where residents in adjacent neighbourhoods would receive differential treatment for committing the identical parking infraction. An individual parked within an area governed by the pilot program would receive a courtesy envelope, while an individual parked in close proximity but outside the pilot program area, would receive a Parking Infraction Notice. This approach to on-street parking enforcement is not consistent with the fair and equitable enforcement policy employed by our Service. It could also create a situation where a single vehicle could receive both a courtesy envelope as well as a Parking Infraction Notice, should the vehicle be parked in violation of pay-and-display regulations at a location which later becomes a rush hour route.

Program Boundaries

The proposal from the City of Toronto Planning and Growth Management Committee requesting consideration be given to implementing a Courtesy Envelope Pilot Program indicates that it will involve “willing” Business Improvement Areas. A pilot program of this nature, involving only selected Business Improvement Areas could very well be viewed as providing preferential treatment to certain areas of the city. In addition, the process of defining the streets and portions of these streets in order to delineate the geographic boundaries of the program may result in criticism that the decisions are subjective, even arbitrary to those who have been excluded.

Increased Disputes

The equitable enforcement and fairness issues invoked by a selective approach to enforcement raises the potential for confusion among members of the public concerning the geographic boundaries of the program and could result in increased incidents of verbal and physical abuse towards parking enforcement officers. In consultation with the City of Toronto Revenue Services-Parking Tag Operations, it is anticipated that the volume of complaints received would also increase.

Risk to Program Compliance

The purpose of paid permitted parking on city streets is to ensure the availability of short-term parking which lends support to the commercial viability of business areas. Official enforcement of paid parking regulations ensures that paid permitted parking continues to achieve its objective of ensuring regular vehicle turnover. A voluntary system of courtesy envelopes may present

serious risk to vehicle turnover as the public becomes aware that it is possible to park all day in selected Business Improvement Areas.

Impact on Revenue

In consultation with City Revenue Services-Parking Tag Operations, a measurable decrease in net revenue brought on by decreased compliance would be anticipated if a Courtesy Envelope Pilot Program were implemented globally across the City. It is impossible to accurately project the impact on revenue as the recommendation from the Planning and Growth Management Committee did not suggest the geographical scope of the program nor the monetary value placed on the courtesy envelope.

Balanced Enforcement Approach

As referred to previously in this report, the Parking Enforcement Unit has implemented measures to promote a more customer-friendly, community oriented approach to parking enforcement. These measures include:

- A five (5) minute grace period observed by parking enforcement officers before issuing a ticket for expired pay-and-display receipts, allowing for a reasonable variance among different time displays;
- It is also a matter of unit policy that officers be alert to customer activity near pay-and-display machines in the event that a motorist may be in the process of purchasing a receipt;
- If a motorist receives a ticket while actively engaged in purchasing a receipt, the officer may recommend the ticket for cancellation.

These unit policies and procedures help to mitigate potential complaints of overzealous enforcement and are applied equitably to all pay-and-display areas.

Increased Parking Durations

In May 2007, Toronto City Council approved a recommendation from the Planning and Growth Management Committee to extend the maximum parking duration to 3 hours in areas of the city where a 2 hour limit previously existed. This change allows customers to purchase one additional hour of parking to accommodate those individuals engaged in activities where the driver expects to complete their activity within 2 hours but experiences an unexpected or unpredictable delay. The amended parking duration time limits adopted by the City represent a new measure to help promote a more customer-friendly parking environment, without significantly affecting the turnover of vehicles.

On-going Liaison with Municipal Partners

The Parking Enforcement Unit engages in regular meetings with the Toronto Parking Authority, the City Manager's Office and City of Toronto Revenue Services. The purpose of these meetings is to analyze pay-and-display usage and enforcement data. This is an on-going process

to identify by geographic area, variance in public compliance and the possible factors influencing the differences in compliance. The Parking Enforcement Unit ensures equitable deployment of personnel to support high public compliance in all areas of the city.

Conclusion:

The Toronto Police Service is committed to fair and consistent enforcement practices as part of its Traffic Safety Priority. The Service does not support an on-street Courtesy Envelope Pilot Program for the many reasons outlined in this report. The Parking Enforcement Unit acknowledges that the customer experience in Business Improvement Areas should be customer friendly. As a result, measures have been implemented to help instill this feeling among clientele frequenting these areas of the city. The 3-hour maximum parking period that has recently been approved by Toronto City Council is more accommodating to the needs and expectations of the community and will help promote a more consumer-friendly approach.

In conclusion, one of the most effective methods of ensuring a positive customer experience is the availability of short-term, on-street parking. The most efficient method of ensuring this situation exists is the official enforcement of on-street parking violations. The Toronto Police Service does not support a voluntary compliance approach to enforcement which may adversely affect public compliance, vehicle turnover and the safe and orderly movement of traffic on our streets.

Deputy Chief A.J. (Tony) Warr, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

The Board received the foregoing report and agreed to forward a copy to the City of Toronto – Planning and Growth Management Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P301. EXCHANGE PROGRAM WITH THE JAMAICA CONSTABULARY
FORCE**

The Board was in receipt of the following report August 08, 2007 from William Blair, Chief of Police:

Subject: EXCHANGE PROGRAM WITH THE JAMAICA CONSTABULARY FORCE

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

The decision to enter into an exchange program with the Jamaica Constabulary Force (JCF) signifies the Toronto Police Service's recognition of the global nature of organized crime. It is also a demonstration of the Service's commitment to ensuring that the Toronto Police Service (TPS) continues to be fully equipped to provide premium service to our communities, by establishing and maintaining international partnerships where possible.

The Memorandum of Understanding (MOU) between the JCF and the TPS came into effect in October 2006 and established the initial term of six months, with a provision to review the program and to make decisions regarding its future.

The primary objective of the exchange program was the strengthening of international law enforcement partnerships aimed at organized crime, drug trafficking, money laundering and the associated violence.

Discussion:

In October 2006, Staff Inspector David McLeod was assigned as the TPS Liaison Officer and spent the following six months in Kingston, Jamaica (Min. No. P38/06 and P307/06 refer). Deputy Superintendent Maurice Mattis of the Jamaica Constabulary Force was assigned to Toronto Intelligence Services for one year.

The Jamaica Constabulary Force was established in 1867 and currently employs approximately 10,000 sworn members and 2,000 support staff. It is administratively structured into 19

geographic divisions distributed across the island and provides police services to a population of about 2.7 million.

In 1998, the JCF, embarked upon a modernization process, aimed at enhancing its operations and service delivery, in response to escalating violence.

To this end, a Corporate Plan was developed and is being implemented in stages, with a view to completion in 2008. The key policing priorities articulated in the Modernization Plan are:

- Proactively dealing with organized crime and general criminality;
- Improving traffic management; and
- Developing community-based policing.

In furtherance of the Modernization Plan, the Government of Jamaica has embarked upon a program of recruiting International Police Officers (IPOs) at the rank of Deputy Commissioner and Assistant Commissioner. Funding for this program is derived from a combination of sources including the Private Sector Organization of Jamaica (PSOJ), the British Department for International Development (DFID) and the Ministry of National Security and Justice (MNSJ).

The JCF has been the subject of a variety of reviews and studies resulting in volumes of recommendations, one of which is the establishment of a National Intelligence Bureau. This recommendation resulted from studies conducted by the Police Executive Research Forum (PERF), and by the Director General of National Criminal Intelligence Service (NCIS) in the United Kingdom.

After reviewing their reports, Staff Inspector McLeod, with the approval of the JCF Command, embarked upon a restructuring of their National Intelligence Bureau aimed at enhancing its capacity to support the Force's priorities. His recommendations were in the process of being implemented when his assignment ended.

One of the major barriers to progress in the JCF is the lack of technology and training to effectively use technological tools. This affects the JCF's ability to analyze and disseminate information to enhance officer safety, reduce crime and to solve crime.

Organizations such as DFID and USAID have provided funding for computers and training to assist in this area. However, much more is needed and the Toronto Police Service may be able to assist by:

1. Donating cycled-out computers, lap-tops and appropriate software to the NIB;
2. Providing training to key individuals such as NIB analysts;
3. Providing management training to carefully vetted JCF management personnel;
4. Donating serviceable cycled-out equipment such as bullet-proof vests (subject to any labour relations and/or liability concerns);
5. In partnership with the Department of Immigration, ensure that intelligence is shared with the JCF regarding criminal deportees from Toronto to Jamaica;

6. Formalizing our partnership with the Royal Canadian Mounted Police Liaison Officer program at the High Commissioner's office to maximize our intelligence capability; and
7. Donating office supplies to the JCF.

The Jamaican population in the Greater Toronto Area stands at approximately 400,000, most of whom are law abiding citizens. The globalization of organized crime and its impact, suggests that in assisting the JCF in its efforts to reduce crime, the TPS will gain a better understanding of transnational organized crime; gain a better understanding of the trans-shipment of drugs through Jamaica to Toronto; and enhance our understanding of Jamaican culture which will enhance our relationship with the Jamaican diaspora in Toronto.

The obvious benefits for the Jamaica Constabulary Force will be an enhancement of their crime analysis; better intelligence on criminals returning from Canada; an enhanced intelligence gathering capability; enhanced management techniques and processes.

Conclusion:

The current Jamaican environment is a challenging one, especially from a law enforcement stand point. The alarming violent crime rate has negatively impacted the quality of life for most Jamaicans in the affected areas of Kingston, Spanish Town, and Montego Bay. This in turn has impacted the economy due to declining tourism and reluctant trading partners.

Amid this reality, however, most Jamaicans continue to be optimistic, hard working, and law abiding people who expect and deserve safety and security.

The exchange program has established the foundation for ongoing productive partnerships between the Jamaica Constabulary Force and the Toronto Police Service. It has also confirmed the existence of direct links between organized crime activities in Jamaica and Toronto.

At this time I feel there is no need for a Toronto police officer to be physically attached to the Jamaica Constabulary Force. Our experience has taught us that we can assist the JCF better by providing training to their members here in Canada.

I welcome members of the Jamaica Constabulary Force working within Toronto Police Service for extended periods and hope this will continue in the future.

Based on this and other related intelligence, any initiative by the TPS aimed at improving the function of the Jamaica Constabulary Force, will benefit both organizations in their efforts to reduce crime in their respective jurisdictions.

Deputy Chief Tony Warr, Specialized Operations Command, will be available to answer any questions that the Board may have in relation to this matter.

The Board was advised that the length of Deputy Superintendent Maurice Mattis' term with the Toronto Police Service – Intelligence Services Unit will be extended from 12 months to 18 months.

The Board noted the shipping costs that would be incurred by the Service if it donates surplus office supplies and serviceable cycled-out equipment to the JCF given the current budget situation and the Service's intention to implement cost-containment measures.

Chief Blair advised the Board that the donation of surplus goods is just one of several alternate options available to all the organizations that are assisting the JCF. The Service will carefully review all the options before it determines what future assistance to provide.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P302. QUARTERLY REPORT: MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT COMPLIANCE: APRIL TO JUNE
2007**

The Board was in receipt of the following report July 23, 2007 from William Blair, Chief of Police:

Subject: QUARTERLY REPORT - MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT COMPLIANCE: APRIL TO JUNE 2007

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting on September 23, 2004, the Board approved 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 (Min. No. 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 April 1, 2007 to June 30, 2007, divided into three categories as stipulated by the Board, are as follows:

Discussion:

Toronto Police Service
Compliance Rates
April 1 – June 30, 2007

30-Day	60-Day	90-Day or longer
77.99%	94.53%	96.61%
Requests to be completed during this time period: 768	169	42
Requests completed: 599	Requests completed: 127	Requests completed: 16
Requests remaining: 169	Requests remaining: 42	Requests remaining: 26

A total of 768 requests were required to be completed within 30 days. The running totals reflect, for the 30, 60, and 90 day (or longer) periods, the number of requests that were actually completed. The number of incomplete files is carried over as 'requests remaining.' All numbers shown are based on the number of files it was possible to be compliant with during this period.

A further breakdown of requests received April 1 to June 30, 2007 is as follows:

Category	Total	Description
Individual/Public	467	- Personal
Business	232	- Witness contact information/Memobook notes/911 calls/reports - General reports - Governance and procedures - Training records
Association/Group	55	- Mental Health - Children's Aid - Lawyer's Association
Media	1	- Incident involving firearm
Government	7	- Ministries - Marijuana cultivation locations - Industrial accidents
Other	3	- Clinical Psychologists - Community Clinic - Medical Clinic
Statistics	3	- Criminal Code crimes, including suicide - Toronto Police Service forms - Calls for service

The above table reflects the numbers and types of requests received during the entire reporting period. The number of files required to be completed during the reporting period are not reflected.

A breakdown by month of the 30-day compliance rates for this quarterly period is as follows:

April 2007	81.51%
May 2007	74.36%
June 2007	77.78%

Conclusion:

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that the Board members may have in relation to this report.

The Board received the foregoing report.

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TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P303. QUARTERLY REPORT: ENTERPRISE CASE AND OCCURRENCE
PROCESSING SYSTEM (ECOPS): MAY TO JULY 2007**

The Board was in receipt of the following report August 10, 2007 from William Blair, Chief of Police:

Subject: QUARTERLY REPORT - ENTERPRISE CASE AND OCCURRENCE
PROCESSING SYSTEM (ECOPS) - MAY TO JULY 2007

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting on September 23, 2004, the Board requested that the Chief of Police provide the Board with quarterly reports outlining the progress, efficiency, and future plans with respect to the development of the Enterprise Case and Occurrence Processing (eCOPS) records management application (Min. No. P329/04 refers).

This report provides a summary of the eCOPS historical background and progress to date, the lack of anticipated deliverables, and the challenges faced by the Service directly in relation to the restricted functionality of the eCOPS application.

Discussion:

Occurrence Re-engineering Historical Background

The Occurrence Re-engineering Project was initially approved by the Board in March 1997 as a capital budget initiative (Min. No. P107/97 refers). This business case projected the downsizing of 139 clerical positions in Records Management Services (formerly referred to as Corporate Information Services) through the implementation of a more efficient, streamlined records management system designed to provide integrated information management in the desktop and mobile environment, eliminating the need for duplicate and triplicate data entry. The automated updates to CPIC (Canadian Police Information Centre) and UCR (Uniform Crime Reporting) were intended to expel the labour intensive coding and classification work historically performed by Records Management Services (RMS) staff (Min. No. P339/03 refers). This staff reduction in

RMS, however, was ultimately reduced to 70 positions as eCOPS did not deliver the functionality originally anticipated.

In mid 1999, the Service advised the Board of its decision to build its own records management solution as opposed to purchasing a commercially available product (Min. No. P211/99 refers). This decision was largely based on the fact that existing vendor applications did not have the ability to scale to the needs of a large concurrent user organization, did not provide full integration with CPIC and UCR, and did not meet the Service's mandatory requirement to achieve staff reduction through the elimination of coding and duplicate entry of occurrence data (Min. No. P339/03 refers).

The Service therefore undertook the initiative to develop the records management system now known as eCOPS. The scope of the work was outlined to the Board at its December 2003 meeting and encompassed the following (Min. No. P339/03 refers):

- Develop a 'cruiser to courts' integrated information system designed for uniform officers that would enable one-time data entry (and reuse of data) from first contacts through to the filing of crown briefs to the courts. This includes reporting occurrences, arresting suspects, booking prisoners, warrants, case preparation, and case tracking.
- Design business rules into the system for the automatic coding of CPIC and UCR information.
- Design business rules into the system to ensure high integrity in the quality of data in police reports.
- Engineer a design specifically for wireless computing in order that officers on the road can access information, keeping in mind that wireless data networks, unlike land based networks, have significant constraints on capacity.

The Enterprise Case and Occurrence Processing System (eCOPS) was implemented in September 2003, commencing with desktop rollout to RMS, the Centralized Alternate Response Unit, and the Property and Evidence Management Unit. Desktop functionality was later delivered to field units Service-wide, enabling users to enter, modify, and retrieve occurrences, including automated coding for federal systems (CPIC, UCR). The mobile workstation component was installed Service-wide in December 2004, allowing officers to perform the same function in the mobile environment as that available on a standard desktop workstation (Min. No. P186/05 refers).

Divisional Quality Control

As the eCOPS project progressed, the occurrence, coding, and CPIC data entry functions were transferred from experienced clerical staff in RMS - Operations to the field. The role of supervisors approving those entries now encompassed not only the review and verification of the report content and appropriateness of investigative police related information, but also the validation of CPIC and UCR downloads. Significant data integrity issues have persisted since this reassignment of responsibility, despite on-going efforts to support the new processes through the provision of additional training and detailed application user guides. In essence, the eCOPS

application itself has proven to be much more challenging for front-end users than anticipated (Min. No. P97/06 refers).

Research has shown that where occurrence preparation and review processes require officers to perform job functions formerly undertaken by skilled clerical support staff, data quality concerns persist. Other police jurisdictions such as Los Angeles, Metropolitan London Police, Royal Canadian Mounted Police (RCMP), the Ontario Provincial Police (OPP), and the New York Police Department (NYPD) also re-aligned clerical functions to officers and are experiencing similar data quality challenges.

In order for RMS to comply with newly introduced CPIC validation rules, in June 2006, the responsibility for quality control of field generated occurrences was assumed by dedicated uniform and civilian divisional personnel. (Min. No. P226/06 refers). This support utilizes more expensive uniform resources and directly detracts from service delivery to the public.

E-Mail Notification

Information Technology Services has deferred further examination of the provision of e-mail access in the mobile environment until on-going issues relating to two factor authentication and future mobile workstation hardware requirements have been resolved.

Contact Cards (TPS 208)

Testing of the redesigned eCOPS Contact Module will commence early September followed by implementation in selected pilot divisions. The rewrite of the current Contact screen will enable officers to enter Contact information on either mobile workstations or in the traditional hard copy format. Contact data historically maintained on the mainframe will be migrated post implementation.

Future Planning – eCOPS Maintenance Release and Domain Code Redesign

The primary focus of Maintenance Release 2.3 is the Domain Code redesign that will allow designated RMS personnel to expire, modify, or add table data to the drop down selection lists within eCOPS rather than requiring skilled Information Technology Services' (ITS) programmers to modify the application itself. The capability to update domain codes is necessary to structure data more effectively and to provide consistent data for statistical and crime analysis purposes.

Development of this module has been supported within the maintenance budget for eCOPS. It has taken some months to develop, consuming ITS time and resources that would have been better utilized making enhancements for users were the domain codes not considered a critical functionality. This was identified as a business requirement within the scope of the original eCOPS project and was not delivered. Implementation of Maintenance Release 2.3 is scheduled for August 12, 2007.

As reported to the Board at its June 14, 2007 meeting, developers will prepare an eCOPS maintenance release every four months in order to address outstanding defects and change requests (Min. No. P211/07 refers). The next maintenance release, eCOPS Version 2.4, is scheduled for late 2007. The estimated operating cost for the ITS role in preparing each maintenance release is \$242,550.

It must be noted, however, that since the introduction of the eCOPS records management application, maintenance efforts have focussed on application stability, performance enhancements, infrastructure, critical production issues, and compliance with mandatory external standards such as those required within CPIC Renewal. Little progress has been made on user required enhancements over the last two years. This highlights the challenges associated with developing and maintaining a sophisticated end-to-end application in which data flows on a continuum from point of entry to back-end in a fully automated environment where changes require significant end-to-end testing, validation, and heavy investment of ITS resources. Any errors have to be tracked through the application, resulting in lengthy and time consuming resolution utilizing RMS resources the Service no longer has. Often the solution requires programming effort, further delaying opportunities for user enhancement and increasing frustration for both front-line field users and eCOPS administration and technical staff alike.

Looking ahead, the Service is required to modify all of the eCOPS CPIC outputs by November 2009. It is estimated that at least nine months of development effort is required by ITS staff to prepare for this CPIC Renewal requirement, in addition to three months of corresponding testing demands on ITS and RMS staff.

As a result of competing demands and planning required for the upgrade to UCR Version 2.2, there is no opportunity in the foreseeable future to develop, test, and implement eCOPS application functionality shortfalls.

Information Sharing Among Police Agencies

At its inception, eCOPS was to provide the level of sophistication and functionality to simplify information sharing. The application was compromised in the deliverables, requiring the maintenance of legacy silo applications accessed by the Unified Search tool that severely challenges the Service's ability to participate in data sharing initiatives.

In February 2004, the eCOPS Steering Committee was informed that the Toronto Police Service had entered in a Memorandum of Agreement to share information in accordance with the provincial Law Enforcement Information Portal (LEIP) initiative with a milestone target of May 2004.

LEIP provides participating Ontario users (such as municipal police agencies) with a gateway or portal to browse or electronically query other indexed data repository, affording access to legacy data. Although the Service is currently participating in LEIP, the existing process requires monthly downloads of data, which is far removed from the on-line real-time solution envisioned.

The Police Information Portal (PIP) is a national initiative under the auspices of the RCMP sponsoring information sharing between provinces via a query tool capable of electronically accessing data in records management systems used by most Canadian police services and produced by Canadian vendors. In practice, PIP would permit a police officer conducting an investigation in Toronto to efficiently and without clerical intervention drill down into records management information in any participating agency in Canada.

Pressures for the Toronto Police Service to participate in information sharing initiatives is mounting; however, the limitations and restricted functionality of the existing records management application inhibits the Service from contributing to and reaping the benefits of intelligence information available through LEIP and PIP in the manner envisioned for these programs.

The RCMP has set an aggressive timetable for all police services in Canada to be sharing information through PIP by April 2008. Information Technology Services is still developing the technical solution; therefore, the Service may have to revert to a manual process supported by clerical staff, further straining limited resources.

Business Process Analysis

At its March 22, 2007 meeting, the Board was apprised of the establishment of IMPART (Information Management Processes Assessment and Review Team) and given an outline of the project purpose as restated below (Min. No. P121/07 refers):

- To detail the structure, methodology, system architecture, capability, and capacity of existing relevant information management systems and repositories
- To consult with stakeholders within the Service and external who contribute to, extract from, and/or utilize the information within these systems to determine their needs
- To consult with peer agencies and organizations to evaluate their needs and the methods by which they have managed information challenges
- To examine current business practices and processes to determine whether more effective, efficient, and economical information and records management practices can be developed to better complement the needs of the Service

Members of the IMPART have visited numerous units across the Service, completing a system inventory of the various applications utilized to support front-line policing and investigative support.

An Interim Report has been prepared for Command review, identifying a number of issues and proposing appropriate recommendations for improved, streamlined information management practices. The IMPART will document a thorough gap analysis to assist the Command in determining the future of records keeping and information management strategies for the Toronto Police Service.

Budget Impact

As previously reported to the Board, the reduction of staff in RMS as per the original Occurrence Re-engineering Business Case has resulted in increased overtime expenditures within the unit (Min. No. P45/07 refers). As eCOPS did not deliver the full automated functionality anticipated in the original Business Plan, it is necessary, for example, for RMS data entry staff to manually enter Record of Arrest information on eCOPS and CPIC for the purpose of facilitating up-to-date statistical reporting capabilities and to mitigate risk management factors.

Overtime expenditures to maintain production in RMS – Operations for the period May 1, 2007 to July 11, 2007 inclusive, total \$13,260, which equates to 340 hours of data entry by clerical support staff. In addition, approximately 100 personnel hours in RMS have recently been allocated for testing requirements for eCOPS Maintenance Release 2.3, adding another \$2755 to the costs directly attributable to the constraints and complexity of the COPS application. This level of testing demands on RMS – Operations was not foreseen prior to the implementation of eCOPS.

Conclusion:

Since the Service explored a new records management solution (eCOPS) in accordance with the Occurrence Re-engineering Project, alternative records management and information sharing solutions have been developed in the private sector offering a wide range of functionality, much of which was originally envisioned for the eCOPS application but not delivered. Examples include, but are not limited to the following fundamental deliverables required to reduce multiple data entry and provide enhanced search and retrieval capabilities.

- Master Filing
- CAD Interface
- Enhanced Crime Analysis
- Integrated Occurrence Management
- Prisoner Management
- Record of Arrest Processing
- Case Preparation
- Warrant Management
- Geocoding
- Contacts (desktop and mobile)
- Domain Codes and Maintenance Tool
- Law Enforcement Information Portal (LEIP)
- UCR Version 2.2
- Sophisticated Search Capabilities

A number of viable private sector records management and intelligence gathering application solutions now exist. Functionality has expanded significantly as a result of competition between vendors and funding available through the United States Department of Homeland Security in response to the 911 tragedy. This has allowed the industry to progress at a much more rapid rate than privately funded initiatives such as eCOPS.

With little opportunity for Information Technology Services to allocate resources to develop functional requirements (outlined above) within the existing maintenance budget, our Service is reviewing options for the future development of eCOPS and possible migration to a more effective long term solution.

As previously reported to the Board, the eCOPS Business Case was predicated on cost recovery, promising staff reductions with corresponding annualized savings and enhanced records management (Min. No. P329/04 refers). At this cost recovery juncture, there is an opportunity for the Service to determine the future of records management and information sharing through the continued funding of internal eCOPS development or the migration to new information management solutions that have emerged since eCOPS was envisioned.

The Service's foray into developing the eCOPS application has demonstrated the challenges associated with such a huge undertaking. In hindsight, the challenges associated with developing an internal records management solution have far outweighed the benefits delivered. As a result, the Service is beginning to assess proprietary solutions that were not available in the market place when a new records management solution was being considered almost ten years ago.

Chief Blair advised the Board that the second sentence in the last paragraph under the heading "Information Sharing Among Police Agencies" should be revised as reprinted below:

Current version:

Information Technology Services is still developing the technical solution; therefore, the Service may have to revert to a manual process supported by clerical staff, further straining limited resources.

Revised version:

Information Technology Services is still developing the technical solution and is working with the RCMP and other agencies on the implementation schedule.

The Board received the foregoing report as amended above.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P304. TRIENNIAL REPORT: SKILLS DEVELOPMENT AND LEARNING
PLAN**

The Board was in receipt of a report dated August 20, 2007 from William Blair, Chief of Police, with regard to the triennial report on skills development and learning plan. A copy of the report is on file in the Board office.

The Board deferred consideration of the foregoing report to its next meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P305. TORONTO POLICE SERVICES BOARD – 2007 OPERATING BUDGET
VARIANCE REPORT AS AT JULY 31, 2007**

The Board was in receipt of the following report August 20, 2007 from Alok Mukherjee, Chair:

Subject: 2007 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICES BOARD AS AT JULY 31, 2007

Recommendation:

It is recommended that the Board suspend all conference spending for the remainder of 2007.

Financial Implications:

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

Background/Purpose:

Toronto City Council, at its meeting of April 20 and April 23, 2007 approved the Toronto Police Services Board Operating Budget at a net amount of \$2,238,300.

The purpose of this report is to provide information on the Board's 2007 variance.

Discussion:

The following chart summarizes the variance by category of expenditure.

Expenditure Category	Annual Budget (\$000s)	Actual Expend. to July 31/07 (\$000s)	Projected Year- End Actual Expend. (\$000s)	Projected (Under)/Over- Expend. (\$000s)
Salaries & Benefits (incl. premium pay)	\$779.6	\$456.7	\$779.6	\$0.0
Non-Salary Expenditures	<u>\$1,458.7</u>	<u>\$238.6</u>	<u>\$1,458.7</u>	<u>\$0.0</u>
Total	<u>\$2,238.3</u>	<u>\$695.3</u>	<u>\$2,238.3</u>	<u>\$0.0</u>

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

As at July 31, 2007, no variance is anticipated. Details are discussed below.

Salaries & Benefits (including Premium Pay)

Expenditures during the first quarter are consistent with the estimate and therefore no year-end variance is projected.

Non-salary Budget

The majority of the costs in this category are for arbitrations / grievances and City charge backs for legal services. No variance is anticipated in these accounts at this time.

Conference Costs

In accordance with the City's cost-containment efforts, I am recommending that the Board suspend all conference spending for the remainder of 2007. While there may be some cost savings associated with this recommendation, these savings have not been quantified and, in any event, would likely not offset the additional legal costs anticipated this year, as outlined below.

Conclusion:

The most significant expenditure risk for the Board is legal costs for arbitration grievances. As at the end of July the actual spending does not reflect any concerns; however, this will be monitored closely and the Board will be updated with the next scheduled variance report at its November meeting.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P306. TORONTO POLICE SERVICE – 2007 OPERATING BUDGET
VARIANCE REPORT AS AT JULY 31, 2007**

The Board was in receipt of the following report August 20, 2007 from William Blair, Chief of Police:

Subject: 2007 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE AS AT JULY 31, 2007

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

Toronto City Council, at its meeting of April 20 and April 23, 2007, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$784.958 Million (M). This level of funding included an unspecified reduction of \$1.6M and the Service was required to identify how this would be achieved.

Subsequently, on July 19, 2007, the City Manager of the City of Toronto provided an e-mail communication indicating that “all Divisions and ABCs immediately implement cost containment measures with the goal of reducing operating and capital costs for the remainder of 2007.” At its meeting of July 25, 2007, the Board was in receipt of my response to the City Manager’s e-mail, and the Board recommended that “Chief Blair continue to control costs, monitor expenditures, implement any necessary additional cost containment measures and report on any savings achieved no later than the October 18, 2007 Board meeting” (Min. No. P265/07 refers). This variance report provides the response to the Board’s request.

At its meeting of July 10, 2007, the Board noted that the level of detail provided in operating budget variance reports is less than the level of detail provided in capital program variance reports. Service staff committed to providing a higher level of detail in future operating variance reports (Min. No. P239/07 refers). This variance report reflects that commitment.

The purpose of this report is to provide information on the Service’s 2007 projected year-end variance.

Discussion:

The following chart summarizes the variance by category of expenditure.

Expenditure Category	2007 Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Salaries	570.9	315.2	569.9	(1.0)
Premium Pay	41.4	19.0	41.4	0.0
Benefits	130.7	83.8	130.5	(0.2)
Materials and Equipment	26.2	19.8	26.5	0.3
Services	<u>69.4</u>	<u>30.4</u>	<u>68.7</u>	<u>(0.7)</u>
Total Gross	<u>838.6</u>	<u>468.2</u>	<u>837.0</u>	<u>(1.6)</u>
Revenue	<u>(53.6)</u>	<u>(31.1)</u>	<u>(54.7)</u>	<u>1.1</u>
Total Net	<u>785.0</u>	<u>437.1</u>	<u>782.3</u>	<u>(2.7)</u>

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in year grant funding and the revenue and expense budgets are adjusted when receipt of funds is confirmed.

As at July 31, 2007, based on available information, a year-end surplus of \$2.7M is anticipated. This surplus could increase to \$3.0M by year-end if current trends continue. In addition, the \$1.6M unallocated budget reduction has been achieved and reflected in the applicable categories. Therefore, the Service has identified total savings of \$4.3M (\$2.7M plus \$1.6M). Details for each expenditure category are provided below.

Salaries

A \$1.0M surplus is projected in the Salaries category (details are discussed below). However, it is anticipated that cost containment measures may realize some further savings by year-end.

Expenditure Category	2007 Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Uniform Salaries	\$434.0	\$243.1	\$434.0	\$0.0
Civilian Salaries	<u>\$136.9</u>	<u>\$72.1</u>	<u>\$135.9</u>	<u>(\$1.0)</u>
Total Salaries	<u>\$570.9</u>	<u>\$315.2</u>	<u>\$569.9</u>	<u>(\$1.0)</u>

Uniform separations for 2007 are now projected to be 250 compared to the budget of 250, and the actual experience of 267 in 2006. This projection has been reduced from the 260 projected in the previous variance report. Experience early in the year indicated an increase in separations, earlier than expected in the year. As a result, the April and August 2007 recruit class sizes were adjusted in an attempt to maintain an average deployed strength of 5,510 for 2007 and 2008. Attrition has decreased in recent weeks, resulting in the reduced year-end figure. The current projected attrition will be used to determine the recruit class size for December 2007.

As indicated in my response to the City Manager (Min. No. P265/07 refers), we are reviewing civilian vacancies on a case-by-case basis, and deferring the filling of those positions where such deferral will not adversely impact the objectives and priorities of the Service. Many of our civilian vacancies arise in areas that require 100% staffing (e.g., court services, communications). As a result, the savings that will arise from this measure will be minimal, and cannot be projected with any degree of certainty as they are completely dependent on the type of vacancies that have and will occur. The November 2007 variance report will provide better information with respect to the anticipated savings.

The 2007 operating budget includes \$3.5M in part-year funding for the hiring of 90 additional court officers to address additional court rooms. The Service has endeavoured to staff all new courts as they open. There has been some small delay in the opening of some of the new courts. Furthermore, due to the hiring process and projected attrition of current court officers, savings in the salaries for court officers have also been realized. The Service currently projects savings of \$1.0M in total court funding for 2007 (of which \$300,000 is attributed to the delay in court openings).

These savings are one-time savings due to the timing of court openings, and the Service's capacity to staff all courts. Although these one-time savings will not impact on the projected annualized cost of the new courts, the entire court budget will be reviewed for the 2008 operating budget.

Premium Pay

No variance is projected in the Premium Pay category.

Expenditure Category	2007 Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year- End Actual Expend. (\$Ms)	Projected (Under)/Over- Expend. (\$Ms)
Court	\$10.5	\$6.1	\$10.5	\$0.0
Overtime	\$6.0	\$3.9	\$6.0	\$0.0
Callback	\$7.6	\$3.1	\$7.6	\$0.0
Lieutime Cash Payment	\$17.3	\$5.9	\$17.3	\$0.0
Total Premium Pay	<u>\$41.4</u>	<u>\$19.0</u>	<u>\$41.4</u>	<u>\$0.0</u>

The Service continues to strictly enforce the monitoring and control of premium pay to achieve the budgeted funding level. In a recent communication to all Unit Commanders, I reiterated the responsibility all Unit Commanders and supervisors have to carefully manage premium pay accounts and only authorize expenses where absolutely necessary, where it is a more cost-effective option, or where it enables us to achieve Service objectives. Overtime is to be authorized based on activities for protection of life (i.e., where persons are at risk), protection of property, processing of arrested persons, priority calls for service (i.e., where it would be inappropriate to wait for the relieving shift), and case preparation (where overtime is required to ensure court documentation is completed within required time limits).

It must be noted, however, that premium pay is subject to the exigencies of policing and uncontrollable events could have an impact on expenditures. Furthermore, there is an impact on court attendance due to policing initiatives in 2006 (e.g., TAVIS). There is the potential that court attendance could increase for the remainder of 2007, due to the result of the 2006 enforcement activities. In all instances, court attendance is being monitored to ensure that it is limited to the required witnesses for each case.

The most significant cost risk in this category is the lieu-time cash payment. As per the working agreement, payments to staff are made four (4) times per year with the last payment occurring in December. The final payment is the largest and since it is subject to how staff uses their accumulated time prior to the cut-off of November 30th, the cost impact could be significant. Any time not paid out or used by the end of the year must be accounted for in a liability account and this could also have an impact.

Benefits

A \$0.2M surplus is projected in the benefit category.

Expenditure Category	2007 Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Medical/Dental	\$30.8	\$16.8	\$30.6	(\$0.2)
OMERS/ CPP/EI/EHT	\$83.5	\$54.2	\$83.5	\$0.0
Sick Pay/CSB/LTD	\$6.3	\$7.5	\$6.3	\$0.0
Other (e.g. WSIB, life ins.)	<u>\$10.1</u>	<u>\$5.3</u>	<u>\$10.1</u>	<u>\$0.0</u>
Total Benefits	<u>\$130.7</u>	<u>\$83.8</u>	<u>\$130.5</u>	<u>(\$0.2)</u>

During the analysis of the Service's benefit accounts, a favourable variance of \$1.0M in the medical and dental accounts was identified. As a result, \$0.8M has been applied towards achieving the remaining "unallocated reduction," previously allocated to miscellaneous revenue (as discussed in the May 2007 variance report, or Min. No. P239/07 refers). City Council's \$1.6M budget reduction has been absorbed by the Service through \$0.8M in medical / dental benefit accounts (discussed here), and \$0.8M in computer maintenance accounts (discussed in the May 2007 variance report).

Materials and Equipment

A shortfall of \$0.3M is projected in the Materials and Equipment category.

Expenditure Category	2007 Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Vehicles (gas, parts, purchases)	\$13.8	\$10.6	\$14.1	\$0.3
Uniforms	\$3.6	\$3.5	\$3.6	\$0.0
Other Materials	\$4.6	\$2.9	\$4.6	\$0.0
Other Equipment*	<u>\$4.2</u>	<u>\$2.8</u>	<u>\$4.2</u>	<u>\$0.0</u>
Total Materials & Equip	<u>\$26.2</u>	<u>\$19.8</u>	<u>\$26.5</u>	<u>\$0.3</u>

* Approx. \$3M is attributed to grant-funded expenditures (revenue budget has been increased by same amount).

As indicated previously, all Unit Commanders in the Service have been made aware of the need to implement cost containment measures. All expenditures are being carefully monitored and controlled, and commitments are being made only for items that are essential to the on-going and effective operations of the Service or that help mitigate a risk to the Service.

All discretionary expenditures are to be cancelled or deferred wherever possible. Decisions on expenditures for equipment are to be made on a case-by-case basis, in the context of operational necessity, and whether the useful life can be reasonably extended, without adversely impacting operations or incurring increased maintenance costs.

At this time, gasoline is projected to be over budget. Gas prices have increased during the year, although stabilized recently. The full-year impact of every one cent increase in the price of gasoline is \$60,000.

Services

A \$0.7M surplus is projected in the Services category.

Expenditure Category	2007 Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Legal Indemnification	\$1.0	\$0.1	\$1.0	\$0.0
Uniform Cleaning Contract	\$2.2	\$1.4	\$2.2	\$0.0
Courses/Conferences	\$1.6	\$0.7	\$1.5	(\$0.1)
Clothing Reimbursement	\$1.7	\$0.6	\$1.7	\$0.0
Computer Lease/Maint	\$13.2	\$9.5	\$12.9	(\$0.3)
Phones/Cell Phones/911	\$6.2	\$3.6	\$6.2	\$0.0
Contribution to Reserves	\$14.5	\$3.9	\$14.5	\$0.0
Caretaking / Maintenance	\$15.5	\$3.9	\$15.5	\$0.0
Other Services*	<u>\$13.5</u>	<u>\$6.7</u>	<u>\$13.2</u>	<u>(\$0.3)</u>
Total Services	<u>\$69.4</u>	<u>\$30.4</u>	<u>\$68.7</u>	<u>(\$0.7)</u>

* Approx. \$2.5M is attributed to grant-funded expenditures (revenue budget has been increased by same amount).

Again, all discretionary expenditures are to be cancelled or deferred wherever possible. Decisions on expenditures are to be made on a case-by-case basis. I have directed that no expenditures be incurred for conferences for the balance of the year, unless a financial commitment has already been made, based on prior approval, or if a member is required to speak

at a conference or seminar. Attendance at training courses will only be approved if they are necessary to the effective delivery of front-line services or support functions.

The Service has reviewed all spending on courses and conferences and is projecting savings of \$120,000 through deferral of non-essential training and restrictions in the number of members attending the same sessions. It must be noted that the Service budgets only for required training and that significant reductions in the training accounts cannot be made without negatively impacting members' technical knowledge and expertise.

The \$0.8M reduction in computer maintenance accounts, to absorb part of City Council's \$1.6M budget reduction, is reflected in the budget. Experience to date indicates a further savings of \$300,000 in that account.

Small savings are projected in various "other services" accounts, resulting in \$0.3M projected savings for that group of accounts. No other significant savings have been identified at this time, although it is anticipated that the cost containment measures may result in further year-end savings. These will be reported on in future variance reports.

Revenue

A \$1.1M surplus is projected in the Revenue category.

Revenue Category	Annual Budget (\$Ms)	Actual Expend. to July 31/07 (\$Ms)	Projected Year- End Actual Expend. (\$Ms)	Projected (Under)/Over- Expend. (\$Ms)
Recoveries from City	(\$5.1)	(\$3.3)	(\$5.1)	\$0.0
CPP and Safer Communities Grants	(\$15.7)	(\$6.6)	(\$15.7)	\$0.0
Other Government Grants	(\$9.0)	(\$4.0)	(\$9.0)	\$0.0
Fees (e.g. paid duties, alarms, reference checks)	(\$9.4)	(\$5.0)	(\$9.4)	\$0.0
Secondments	(\$2.3)	(\$1.4)	(\$2.3)	\$0.0
Draws from Reserves	(\$5.0)	(\$6.4)	(\$5.0)	\$0.0
Other Revenues (e.g. prisoner returns)	<u>(\$7.2)</u>	<u>(4.4)</u>	<u>(\$8.3)</u>	<u>\$1.1</u>
Total Revenues	<u>(\$53.6)</u>	<u>(\$31.1)</u>	<u>(\$54.7)</u>	<u>\$1.1</u>

When the Service switched benefit providers from Clarica to Manulife, a surplus had been recognized by Clarica due to a favourable experience rating in life insurance claims. The amount of surplus (including interest) reached \$1.9M by mid-year 2007. This amount has been on deposit with Manulife since the switch from Clarica, pending a complete analysis and reconciliation of the Service's health, dental and life insurance accounts with Manulife. The reconciliation is now complete. Of the \$1.9M surplus, \$0.8M is required to fund the Service's Life Benefit Account, Life Claims Fluctuation Reserve, to reflect recent life insurance claims experience and to increase the float held by Manulife against benefits expenses incurred by the Service. As a result, a net amount of \$1.1M will be refunded to the Service and has been reflected above.

There are variances in several other revenue accounts (for example, pay duty revenues are projecting somewhat higher than budgeted, while police record checks are projecting lower than budgeted). As a result, no further variances in revenue accounts are being projected at this time.

Outstanding City Council Recommendation 81:

City Council at its meeting of April 20 and 23, 2007 adopted the following motion pertaining to the 2007 Toronto Police Service operating budget:

81. the Toronto Police Services Board report back to the Budget Committee as part of the 2007 1st quarter operating variance report, on a firm schedule for the opening of the new Provincial courtrooms in 2007, and adjustments to the recommended funding for 2007 should the opening of the new courtrooms be delayed

This request was not responded to in the 1st quarter variance report, as there were no updates available at that time regarding planned opening of courts. In large part, courts have been opened, and staff have been assigned, as scheduled. One court, with four staff assigned, is opening approximately one month later than anticipated. Furthermore, the increase in the prisoner transportation burden as a result of the new courts has not been as immediate as anticipated. As a result, \$300,000 savings has been attributed to the timing of the opening of courts. These savings have been reflected in the “salaries” section of this report.

Outstanding City Council Recommendation 82:

City Council also adopted the following motion pertaining to the 2007 Toronto Police Service operating budget:

82. the Toronto Police Services Board report back to the Budget Committee by September 2007, on how the \$1.000 million unspecified expenditure reduction to the Toronto Police Service 2007 Base Budget can be accomplished

As indicated in the body of this report, in addition to the \$1.0M unspecified expenditure reduction, City Council did not approve \$0.6M in new initiatives. In effect, therefore, there was a \$1.6M reduction to the Board-approved budget. This \$1.6M reduction has been absorbed through a \$0.8M budget reduction in medical / dental benefit accounts, and a \$0.8M reduction in computer maintenance accounts. It is projected that both of these budget reduction targets will be met.

Conclusion:

As at July 31, 2007, a favourable variance of \$2.7M is projected. All Unit Commanders have been made aware of the need for cost containment and the customary monitoring and control of accounts has been augmented to address these requirements. Commitments for discretionary spending are to be made only for items that are essential to the on-going and effective operations of the Service, or that help mitigate a risk to the Service. It is anticipated that these cost containment measures may result in further savings; future variance reports will provide details on realized savings as they occur. The Board will be updated with the next scheduled variance

report at its November meeting.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P307. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT -
2007 OPERATING BUDGET VARIANCE REPORT AS AT JULY 31, 2007**

The Board was in receipt of the following report August 20, 2007 from William Blair, Chief of Police:

Subject: 2007 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE PARKING ENFORCEMENT UNIT AS AT JULY 31, 2007

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

Toronto City Council, at its meeting of April 20 and April 23, 2007, approved the Toronto Police Parking Enforcement Operating Budget at a net amount of \$33.6 Million (M).

The purpose of this report is to provide information on Parking Enforcement’s 2007 projected variance.

Discussion:

The following chart summarizes the variance by category of expenditure.

Expenditure Category	Annual Budget (\$000s)	Actual Expend. to July 31/07 (\$000s)	Projected Year- End Actual Expend. (\$000s)	Projected (Under)/Over- Expend. (\$000s)
Salaries & Benefits (incl. premium pay)	\$29,028.8	\$15,123.3	\$28,828.8	(\$200.0)
Non-Salary Expenditures	<u>\$4,596.3</u>	<u>\$2,309.4</u>	<u>\$4,596.3</u>	<u>\$0.0</u>
Total	<u>\$33,622.1</u>	<u>\$17,432.7</u>	<u>\$33,422.1</u>	<u>(\$200.0)</u>

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

As at July 31, 2007, a \$0.2M favourable variance is anticipated. Details are discussed below.

Salaries & Benefits (including Premium Pay)

Staff attrition has been greater than anticipated levels included in the 2007 approved budget. As a result, a \$0.2M favourable variance is projected in this category.

Benefits are trending to be within the approved budget amounts.

Non-salary Expenditures

Expenditures in this category are projected to be on budget.

As discussed in more detail in the Service operating budget variance report, Parking Enforcement will also be reviewing all discretionary expenditures in response to the July 19, 2007 City Manager of the City of Toronto e-mail communication indicating that “all Divisions and ABCs immediately implement cost containment measures with the goal of reducing operating and capital costs for the remainder of 2007.” Any savings will be reported in the next variance report, scheduled for the Board’s November meeting.

Conclusion:

Projections to year-end indicate a \$0.2M favourable variance to the approved budget. The Board will be updated with the next scheduled variance report at its November meeting.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P308. TORONTO POLICE SERVICE – 2008-2012 CAPITAL PROGRAM
SUBMISSION**

The Board was in receipt of the following report August 28, 2007 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE 2008-2012 CAPITAL PROGRAM
SUBMISSION

Recommendations:

It is recommended that:

- (1) the Board approve the 2008-2012 Capital Program with a 2008 net request of \$45.6M (excluding cash flow carry forwards from 2007) and a net total of \$154.1M for 2008-2012 (an average of \$30.8M per year) as detailed in Attachment A;
- (2) the Board approve a transfer of \$1.165M from the 2007 allocation for the Human Resources Management System (HRMS) project to the Radio Replacement Project (in 2007);
- (3) the Board approve a transfer of \$0.994M from the 2007 allocation for the 14 Division project to the Radio Replacement Project (in 2007); and
- (4) the Board forward a copy of this report to the City of Toronto Budget Committee for approval, and to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

The capital budget, as submitted in this report, exceeds the City's debt target by \$1.8M for the four years 2008-2011 (an average of \$0.45M per year), and is below the City's 2012 debt target by \$2.4M. In total, the Service's capital submission is \$0.6M below the total five year debt target provided.

Background/Purpose:

The Service's Capital Program, as submitted, addresses the Service's Infrastructure priorities. The projects identified meet the operational requirements in the areas of state of good repair, service enhancement, occupational health and safety, officer and public safety and lifecycle replacements.

Attachment A provides a financial summary of the Toronto Police Service's 2008-2012 Capital Program submission and a summary of the requests for the years 2013-2017, as per City of

Toronto instructions. Attachment B provides a summary of the incremental operating budget impact of the capital projects, where applicable.

The currently-approved five-year program represents several years of detailed planning and analysis. Each capital project has been carefully reviewed and approved by the Command to ensure the request is necessary, fiscally responsible and takes into account the City's affordability target while addressing the Service's requirements. The Board's Budget Sub-Committee (BSC), at its meeting of August 13, 2007, also reviewed the 2008-2012 capital program, taking into consideration these factors. The BSC, from their review, requested that the Service further examine the capital submission, with a view of achieving the City's debt targets and reducing the 2008 cash flow requirements as much as possible. The Service has examined the capital submission and through deferrals, the 2008 cash flow has been reduced by \$1M and the total program reduced by \$2.4M. The cash flow allocation for each project takes into account project milestones, procurement planning and third-party action and approvals. Details of the capital submission are outlined in this report.

Discussion:

City Debt Affordability Targets:

The Service's 2007-2011 program was approved in the amount of \$32.7M debt funding for 2007, and an average of \$32.7M debt funding for the four years from 2008-2011.

The City's Financial Planning Department has identified the targets for 2008-2012 as follows:

2008	2009	2010	2011	2012
Average of \$32.7M				\$23.9M

The 2012 target has been established as equal to the 2011 amount approved in the 2007-2011 Capital Program. The 2012 target is of concern to the Service as it is a significant reduction from the previous years. Although planning occurs for the five year capital program, there will be projects which are not known at this time that would impact 2012. This is typical in capital budgeting. Moreover, the basis for arriving at the 2012 target (i.e. the same amount that was identified for the year 2011 in the current program) was not communicated to the Service until a few weeks prior to the capital submission due date to the City.

Prior to 2008, City Finance direction had been to identify any new land acquisition costs outside of debt funding (land costs were funded through the Land Acquisition Reserve Fund, or LARF). Beginning in 2008, due to the depletion of LARF with respect to new requirements, City Finance direction is to include any newly identified land acquisition costs within the debt funding envelope. This change was not accompanied by any increase to debt target allocations.

Capital budgets by their very nature require long-term planning, and it is difficult to continue to plan in an environment of changing targets and pressures. The capital program attempts to come as close as possible to the target for each year, and to minimize fluctuations from year to year.

2007 Accomplishments:

In 2007, the Service is anticipating that 90% of available funds will be spent. Several significant projects have been completed to date: 23 Division was occupied in May, 2007, and the new Traffic Services and Garage facility was occupied in April, 2007. Five Information Technology (IT) projects are anticipated to be completed in 2007.

Strategic Direction:

The focus of the 2008-2012 capital program is the New Training Facility, which has broken ground and is proceeding on schedule (with minor delays due to labour disruptions) and projected to be within budget. The remaining projects continue to concentrate on facility and information technology infrastructure, as well as necessary equipment replacement. No new projects have been included in the program until 2012, in light of debt targets and the workload associated with the projects currently underway.

2008-2012 Debt-Funded Program:

The 2008-2012 debt-funded portion of the capital program is segregated into three categories for presentation purposes:

- A. Facility Projects
- B. Information Technology Projects
- C. Replacement / Maintenance / Equipment Projects

A. Facility Projects

New Training Facility (\$75.8M gross, \$66M net) – On-going

This project provides for the construction of a new Training Facility (replacing C.O. Bick) and firing range. The parcel of land that was purchased from the City's Land Acquisition Fund is 16.4 acres in size and is located at 70 Birmingham Drive in south Etobicoke. Construction of the new training facility started in February 2007, with an anticipated completion date of early 2009.

The main issue for this project continues to be the uncertainty with respect to the Department of National Defence (DND) participation. Debt funding requirements for this project will increase by an estimated \$10.3M if the Service is required to proceed without DND. The most recent information from DND indicates that they are still very committed to the project and that Treasury Board approval is expected by late Septemebr. The Service's Chief Administrative Officer and the Chair are working with senior DND representatives to expedite this process.

Upon completion, the operating cost impact will be \$1.0M, for the net additional cost for building operations and service contracts.

11 Division (\$25.5M) – On-going

This project provides funding for the construction of a new 11 Division. A surplus school site owned by the Toronto District School Board (TDSB) has been identified that meets the needs of the Service. The TDSB approved the sale of this property to the City in late June 2007. City Real Estate is working with the TDSB to finalize the agreement, and will then proceed to obtain Council approval for the purchase by year end 2007. The new 11 Division facility project is scheduled to start in 2008 and be completed by 2011.

The budget (from the 2007-2011 capital program) for this project has been revised by \$1.2M based on the following assumptions:

- the construction cost of the recently completed 23 Division (\$227/sq.ft.) was used to estimate the construction cost for the new 11 Division;
- a 3% inflation factor (current industry standard) was applied annually from 2007;
- \$2M has been included to achieve the LEED-Silver certification;
- soil remediation has been included at \$1.5M however, this will not be known until work on the site commences; and
- furniture and workstation costs assume that the majority of current equipment will require replacement.

A more accurate estimate will not be available until the major construction contracts have been awarded.

Upon completion, this project will have a \$0.2M impact on the annual operating budget (net additional cost for building operations, generator and utilities).

14 Division (\$30.8M) – On-going

This project provides funding for construction of a new 14 Division facility. A surplus school site owned by the Toronto District School Board (TDSB) has been identified that meets the needs of the Service. The TDSB approved the sale of this property to the City in late June 2007. City Real Estate is working with the TDSB to finalize the agreement, and will then proceed to obtain Council approval for the purchase by year end 2007. A project plan will be developed and submitted to the Board once the property purchase has been finalized.

The budget (from the 2007-2011 capital program) for this project has been revised by \$2.1M based on the same assumptions identified above for 11 Division plus the inclusion of \$5M for the construction of an underground parking garage. This results in a total revision of \$7.1M for the entire project.

Upon completion, this project will have a \$0.2M impact on the annual operating budget (net additional cost for building operations, generator and utilities).

Due to the delays in acquiring a site for this facility, \$0.994M of 2006 funding has not been spent. If not spent in 2007, these funds must be returned to the City. In order to maximize the use of available funding, and minimize the impact on future years' debt requirements, approval is being sought to transfer these funds from the 14 Division project to the Radio Replacement project. New radios can be acquired in 2007, ensuring these funds will be spent in the allotted time period.

Intelligence / Special Investigations Facility (\$4.6M) – On-going

The purpose of this project is to upgrade the existing Special Investigation Services (SIS)/Intelligence facility. The Occupational Health & Safety / Employment Equity (OHS/EE) Study, completed in 1995, identified a variety of issues. The Internal Audit Program Review Study highlighted additional issues, and confirmed previously-identified problems that include accommodation, technical suitability, security, HVAC, parking, etc.

The first phase of the project, to be completed in 2007, encompasses the installation of a "Dry" Fire Suppression System in the Interception Computer/Telephone Server room, and upgrading of the security system to meet these changes. This phase also provides for the assessment of the structural integrity of the building and electrical system. Some drawings will also be completed for the future phases. This phase also allows for the creation of three (3) additional Electronic Surveillance rooms and support facilities in order to accommodate new operational requirements.

The second phase of the project provides for the renovation of enclosed and under-utilized areas in the building in order to create open-concept, multiple-use areas to ensure increased efficiency and effectiveness.

In light of budget pressures, the Service is currently reviewing the scope and magnitude of this project to better determine space requirements. Approval has been requested, in a separate Board report at the special Board meeting of August 28, 2007, to transfer \$0.235M from this project to the Time Resource Management System (TRMS) in 2008. The capital program in Attachment A assumes this transfer will be approved.

Property & Evidence Management Storage (\$23M) – Previously Identified

This project provided funding in 2007 for a Needs Assessment and Feasibility Study, to be conducted by a consulting firm with expertise in logistics. Future year (2012 onwards) funding is earmarked for the construction of a new facility.

The following factors contribute to ever-growing storage requirements: The rate of evidence collection is greater than the rate of evidence disposition; the number of items collected per occurrence is increasing; and the length of time evidence needs to be retained is increasing due to various factors. If TPS continues with the same process and operation, a new facility of approximately 228,000 square feet would be required to manage property and evidence for the next 25 years.

The feasibility study conducted in 2007 identified a few short-term solutions that could reduce the amount of property stored. These, and other longer-term business redesign solutions that may reduce the size of the future facility are being considered. Due to the current uncertainty regarding size, location and scope of this facility, no estimate for land has been included. Moreover, the estimate included in the capital program for the construction of a new facility was developed at a very high level without any detailed information and prior to the study. This estimate will need to be adjusted based on the results of the study and the approved direction for a new facility. However, at this time the estimate has not been modified due to the uncertainties mentioned above. As plans for this facility become firmer, an assessment of available City land will be conducted. If nothing is available at the time, the budget will be adjusted to reflect potential land costs.

54 Division - \$36.6M – Previously Identified

This project provides funding for the land acquisition (\$5.5M) and construction (\$31.0M) for a new 54 Division. Land acquisition is assumed to occur in 2012, with design and construction starting in 2013. An additional operating impact of \$0.1M is assumed for the increased cost of building operations and utilities.

B. Information Technology Projects

Geocoding - \$0.5M – On-Going

This project provides funding for a system that will automatically geocode new or existing data. Geocoding is the process of assigning geographic coordinates to records (for example, associating a latitude and longitude value to a street address). The vast majority of TPS location data does not have corresponding geographical coordinates. It is not possible to analyze data at a community or neighbourhood level without geocoding. Manual geocoding is very labour intensive.

The development of a geocoding engine will resolve many data analysis issues faced by TPS. This implementation will also move the Service closer to the latest Uniform Crime Reporting Program compliance.

There is an operating budget impact of \$52,000 annually for salary and benefits of ½ full-time equivalent employee, and \$10,000 for equipment maintenance and upgrades.

Police Community Automated Notification System (PCANS) - \$0.8M – On-Going

This project provides funding for the acquisition and implementation of an automated notification system. Citizen communication is an essential ingredient to achieving the highest levels of community relations. Some divisions do have an electronic outbound telephone communication system currently (installed 15 to 20 years ago). These systems, for the most part, have become obsolete and unusable and are in need of replacement (nine of the Divisions have operational systems; seven of the Divisions have no system or it is non operational).

There are various alternatives available to change this system. A central solution has been decided on, to alleviate the local support requirements for the system. The system will provide additional support services to the Divisions such as authoring support, media translation, and language translation. Communication with the public remains at the Divisional level.

There is an operating budget impact of \$30,000 annually for salary and benefits of ½ full-time equivalent employee for administrative support.

Automated Vehicle Location (AVL) System Expansion - \$1.6M – On-going

This project provides funding for the acquisition and implementation of automated vehicle location (AVL) systems in approximately 1,000 police vehicles.

The first phase of this project was initiated in 2001 and was completed in 2003; AVL systems were installed in marked police vehicles. The second phase of the AVL system project encompasses the installation of a further 1,000 Global Positioning System (GPS) receivers in fleet vehicles not equipped in the first phase, along with the associated software solution on the mobile workstation for the display of vehicle location. The GPS data is transmitted to the Computer Aided Dispatch (CAD) system to display the location of the vehicle.

This information is used to: locate an officer in an emergency; determine the vehicle nearest to a call for service; determine the speed, location and direction of a vehicle during a pursuit; provide data for resource deployment analysis; and provide information relating to crime information and occurrence information management.

The additional operating cost impact of \$30,000 annually is for equipment maintenance.

HRMS Upgrade & Additional Functionality – \$0.9M – On-Going

The objective of this project is to improve operational efficiencies in the area of workforce management by implementing a technical upgrade and additional functionalities available in PeopleSoft (the Service's Human Resources Management System).

Originally, this project was approved in the amount of \$3.2M, and provided for a technical upgrade to HRMS, and the implementation of additional functionality. The first portion of this project, the technical upgrade, was successfully completed in June 2007. The additional functionality portion of this project is being delayed until 2012, to allow the Service to focus on more urgent priorities.

First of all, \$1.165M of the \$3.2M funding was approved in 2006 and, if not spent in 2007, will be returned to the City due to the City's one-year cashflow carryforward rule. In order to maximize the use of available funding, and minimize the impact on future years' debt requirements, approval is being sought to transfer these funds from the HRMS project to the

Radio Replacement project. New radios can be acquired in 2007, ensuring these funds will be spent in the allotted time period.

Of the remaining funds, the Board has been requested to approve a transfer of \$0.745M from the HRMS to the TRMS project, to address additional pressures in the TRMS project and the capital program assumes that this transfer will be approved.

Finally, as mentioned above, the additional functionality portion of this project is being deferred to 2012, to allow the Service to focus on TRMS (the same personnel would be involved in both projects) and to more closely meet debt funding targets. All of these changes are reflected in the capital program submission (Attachment A).

TRMS Upgrade (\$3.6M) – On-Going

This project provides funding for an upgrade to the Service's Time Resource Management System (TRMS) as well as enhancements to TRMS functionality.

TPS has a goal of improving its ability to store and retrieve human resources information, track deployment and monitor the time and attendance of members for several years. TRMS replaced DECS in August 2003.

In keeping with the Service's goals of continuing to optimize workforce management, additional business practices can be supported with further enhancements to TRMS. These include increased technology access to more workforce segments, expanded use of employee self-service, the use of decision support tools, attention to small cost-saving measures that add up to a cumulative process improvement effect, and the growing focus on optimizing current Human Resource systems by improving legacy systems and connecting existing disparate systems.

Originally, this project was approved in the amount of \$2.7M. A revised project charter and work plan to complete the upgrade has been developed, and a detailed update will be provided to the Board at its special meeting of August 28, 2007. Transfers of \$0.98M from HRMS and the Intelligence / Special Investigations Facility projects have been requested and assuming approval, the increased project cost has been included in the 2008-2012 capital program.

The operating cost impact is an increase of \$0.1M per year from 2008 for maintenance costs related to new TRMS modules.

In-Car Camera -\$8.7M – On-going

In an attempt to increase officer/community safety, the Board has directed that the Service undertake a pilot project to evaluate the effectiveness and cost of in-car camera systems and technology. Through the pilot project that was implemented on November 1, 2005, TPS equipped 10 marked patrol cars at 13 Division and 5 marked patrol cars at Traffic Services

with cameras, microphones and digital video capture systems. The full budget provides for the rollout to an estimated 140 vehicles.

There were a number of technical challenges identified during the original pilot that was launched on November 1, 2005 that affected the reliability and performance of the equipment for this project. One of the main reasons for the pilot part of this project was to ensure the performance and reliability of the system before a significant investment was made.

It should also be noted that the Service is currently involved in a number of projects that have implications relating to digital storage, processes, networking and costs. A review of three projects (digital video asset management system (DVAMS), closed-circuit television (CCTV) cameras, and the in-car camera project), will be undertaken to develop a comprehensive strategy for digital storage, networking and process requirements.

Digital Video Asset Management II (DVAM) - \$5.7M – On-going

In 2003, TPS launched a project to improve the efficiency of the organization by reducing the manual effort required to acquire, transport, manage, disclose and purge video evidence. The vision of the Digital Video Asset Management program I (DVAM I) was to eventually eliminate the use of physical video evidence media within the organization. The Video Services Unit (VSU) conducted research and identified several computer technologies to move the organization in the direction of realizing this vision.

The 2003/2004 DVAM I initiative has provided digital video file technologies for TPS Media Monitoring; Training Videos; Production Videos; Corporate Communications (Public Information Unit) and Detention Area Monitoring. Digital Video Asset Management II extends network-based digital video data file technology to evidence management for interviews, booking and breath tests.

By implementing the technologies and processes of DVAM II, TPS will significantly reduce physical video media from evidence management and disclosure within the organization. TPS is reaching the capacity of its secure video archives and funding of a new storage space is not cost effective; this project addresses this storage problem.

An increase of \$0.2M in the operating budget begins from 2010 for third-party system support and maintenance costs.

Data Warehouse Establishment - \$6.5M – Previously Identified

This project provides funding for the design and implementation of a Corporate Integrated Database (DB) and Data Warehouse (DW) with Business Intelligence (BI). The project is scheduled to start in 2012.

Some of the benefits of an integrated database and Data Warehouse / Business Intelligence environment are:

- Provide business intelligence, enabling users to make more effective business decisions;

- Integrate data currently in silos, thus reducing time spent in the search, acquisition and understanding of data results;
- Reduce report development overhead and delay;
- Reduce impact of data searches on operational systems;
- Provide comparison reporting across time periods, and enable improved trend analysis; and
- Identify data errors, anomalies and missing data.

The Service will coordinate with the City of Toronto on this project, as the City is currently implementing a data warehouse. The operating budget impact of \$0.31M annually is broken down to \$0.16M for salaries and benefits, and \$0.15M for system maintenance.

Electronic Document Management - \$0.5M – Previously Identified

This project provides funding for the implementation of standardized equipment, software and storage techniques for the conversion of Service data to an electronic format.

Some of the benefits of electronic document management are:

- To reduce costs of storage, retrieval and transporting of documents;
- To improve information accessibility; and
- To contribute to reducing the use of paper (environmental benefits).

The operating budget impact of \$0.05M annually is an initial estimate for the reduction in paper usage (\$0.18M) offset by an increase for hardware / software maintenance (\$0.13M). Total cost savings potential for this project will be determined after the project has started.

Record Management System Replacement - \$8.0M – Previously Identified

This project provides funding for the replacement of the Service's Record Management System.

The current eCOPS system was implemented in 2003/2004. In 2012, the system will be eight years old, and current functionality does not fully meet the Service's requirements. Funds have been earmarked to identify the potential need to begin to replace the system in 2012.

The \$8M is a broad estimate which will be refined as more detail becomes available.

Disaster Recovery Site - \$tbd – New Project

This project provides a placeholder for the cost of establishing a Disaster Recovery Site for the TPS.

TPS' disaster recovery (DR) Data Centre (backup data centre) located at 703 Don Mills, is located in a 3,000 square foot leased facility from the City of Toronto. This site houses the

TPS critical systems for disaster recovery purposes such as our CAD communication/system hardware, applications and other IT infrastructure.

There is a critical load issue at our DR site. All future installations are on hold, and TPS does not have the authority to power up any net-new equipment at the location.

TPS has requested that the City of Toronto migrate hardware from 703 Don Mills to free up enough UPS capacity to meet the Service's current and budgeted growth needs. This would maintain 703 Don Mills as the primary Disaster Recovery site in the short term.

Should this not occur, however, TPS will be forced to look for alternatives. The alternatives range from housing net-new equipment in rental space; move all equipment to rental space; assess the feasibility of a separate UPS site; etc. Due to the wide range in cost of options, no funds are currently earmarked. The project has been identified, however, to identify the potential need.

Regardless of the short term solution, in the long term, based on Disaster Recovery best practice, this managed service facility should be at least 40 km from TPS headquarters. The Service is working with the City of Toronto on the long term plan.

C. Replacement / Maintenance / Equipment Projects

State of Good Repair – Police - On-going

This project provides funds for the on-going maintenance and repair of police-occupied buildings and is managed by TPS' Facilities Management. The scope of the work includes flooring replacement, window coverings, painting, and Occupational Health & Safety renovations. The scope of this project covers major renovations (e.g., replacement of flooring or window coverings for a complete facility).

The budget has been increased for future years (beginning in 2010) to address increasing State of Good Repair issues arising from the continued delay in replacement of aging facilities. The budget increase of \$1.7M (over the five years) also takes into account Facilities Management's capacity to complete work required.

Facility Security - \$3.7M – On-going

This project addresses site security for police facilities. The initial plan included the installation or upgrading of fences as well as the provision of security gates where required.

This project was put on hold until a security assessment could be conducted. This security assessment is now complete, and priority areas (e.g., Property Unit, Tower Sites, Marine Unit, Jane St.) that need to be addressed have been identified. Service staff are seeking cost estimates to determine whether current funding will be sufficient to address these priorities. Based on the estimated cost, the Service will proceed with the priority areas and accomplish as much as possible with the approved funds remaining for the project. If additional funding

is required to address remaining facilities, this will be requested during next year's capital program.

Fuel Management System - \$0.6M – New project

This project would provide funding for the implementation of an automated fuel management system for the Service. The project has been deferred to 2012 in light of current funding targets.

Presently, fuel usage data is collected and recorded manually. The present system requires the (ad hoc) support of various divisional staff members to record and report fuel usage. Due to the manual nature of data collection, this system provides information that can be inaccurate and incomplete.

In order to meet the on-going and increasing requests for accurate and all-inclusive fuel usage reports, the installation of an automated fuel system is recommended. This system will reduce human error and provide quick access to up-to-date fuel data, allowing for the creation of effective management reports. An automated system will also provide better information regarding kilometers traveled, which will result in improved vehicle maintenance.

By maintaining status quo, TPS will continue to have staff manually entering fuel transaction data and updating vehicle odometer readings, and the inability to produce reliable, timely reports will continue. This also has a negative impact on vehicle preventative maintenance scheduling.

The additional operating cost impact is for system maintenance. It should be noted that the staff time that will be saved, although significant, is spread across many individuals, and will not result in any staffing savings.

Radio Replacement - \$29.6M – On-going

This project provides funding for the replacement of the Service's communication radios to ensure operability on the new platform. Radios must be replaced prior to the complete installation of the new platform, anticipated in 2012.

As discussed in the HRMS and 14 Division capital projects, approval is being sought to transfer funds from these projects to the Radio Replacement project in 2007, in order to maximize the use of available funding, and minimize the impact on future years' debt requirements. The capital program in Attachment A reflects these transfers.

2008-2012 Other-than-debt Expenditures (Vehicle and Equipment Reserve):

All projects listed in this category are funded from the Vehicle and Equipment Reserve, and have no impact on debt financing. Utilising the reserve for the lifecycle replacement of equipment is a strategy that the Service has implemented, with the support of City Finance. This strategy avoids

having to request the equipment replacements through the capital program and as a result does not require the City to debt finance these purchases. When projects are funded from the Vehicle and Equipment Reserve, there is an impact on the operating budget (Attachment B), as it is necessary to make regular annual payments to replenish the reserve.

Operating Budget Impact:

As detailed in the individual projects, earlier in this report, capital projects may incur subsequent operating costs or savings, such as increased maintenance costs for new systems. In addition, projects funded from the Service’s Vehicle and Equipment Reserve usually have an incremental impact on the operating budget. Each year the operating budget impact for capital projects is reviewed and updated as part of the annual capital process.

Attachment B provides an incremental operating budget impact from each project. The following table is a summary of the operating impact from 2008-2012 capital budget request.

Net Incremental Operating Budget Impact of 2008-2012 Projects (\$000s)				
2008	2009	2010	2011	2012
4,778.6	3,092.0	3,016.3	1,555.5	206.6

Comparison to Target:

Corporate targets for Agencies, Boards, Commissions and Departments (ABCDs) are allocated by the City’s Deputy City Manager and Chief Financial Officer (City CFO). The Service’s Capital target is currently set at \$32.7M on average for the four years 2008-2011, and \$23.9M for the fifth year, 2012.

The capital program submitted is slightly above target in the first four years (\$0.45M on average) and below target in the fifth year. In order to achieve City targets for the years 2008-2011, projects would have to be reduced or deferred by \$1.8M. Most project costs (or estimates) in the capital submission are fixed based on current plans. There are two projects where it is possible to reduce the scope to achieve the City targets however; I am not recommending these actions:

- The budget increase of \$0.9M in State of Good Repair (in 2010 and 2011) could be removed, returning to levels approved in the 2007-2011 capital program. This reduction would result in an increased backlog of state of good repair work.
- The budget for Intelligence / Special Investigations facility could be reduced by the remaining \$0.9M required to achieve target. If this direction were chosen, the scope of work for this project would have to be revisited to determine what could be reduced.

The capital program submission has been reviewed and prioritized carefully based on Service requirements. Although the Service’s submission is above the City’s targets for the years 2008-2011, it is below the 2012 target amount and below the five year total target amount. As a result, it is not appropriate to make arbitrary reductions to achieve a target that continually changes.

Conclusion:

A capital program by its nature is a long-term plan comprised of many multi-year projects. While the Service is aware of and understands the City's budget pressures, continual reductions to the Service's capital funding targets impact on the Service's ability to properly plan and deliver the projects in the program.

The 2008-2012 Capital Program, as submitted, addresses the Service's Infrastructure priority. Projects have been evaluated and prioritised to reflect the Service Goals and Objectives. A detailed review of all projects was conducted by the Command and the Board's Budget Sub-Committee to identify that the Capital Program reflects the needs of the Service for the effective delivery of services. Project costs have been revised to represent more up-to-date estimates and cash flows have been adjusted and deferred wherever possible (e.g. the replacement of 54 and 41 Divisions).

The 2008-2012 capital submission is a net amount of \$154.1M with a 2008 net amount of \$45.6M. The City has provided a target of \$32.7M average for the years 2008-2011 and \$23.9M for 2012. The Service's submission is \$1.8M (\$0.45M per year) over the City's target for 2008-2011 and \$2.4M below the City's target of \$23.9M for 2012.

The Service has also identified, in this report, the actions required to achieve the City's target however, these are not being recommended.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

Mr. Tony Veneziano, Chief Administrative Officer, was in attendance and delivered a presentation to the Board about the 2008-2012 capital program submission. Paper copies of the presentation are on file in the Board office.

The Board approved the foregoing report noting that, with regard to recommendation no. 4, a copy would be forwarded to the City of Toronto - Executive Committee for information rather than the Budget Committee.

2008-2012 CAPITAL BUDGET REQUEST (\$000s)

Attachment A

Proj. #	Project Name	Plan to end of 2007	2007 Carry forward	2008-2012 Request					2008-2012 Proj. Total	2013-2017 Proj. Total	Total Project Cost
				2008	2009	2010	2011	2012			
Facility Projects											
1	New training Facility (Replacement of C.O. Bick)	32,069.0		38,663.0	5,072.4	0.0	0.0	0.0	43,735.4	0.0	75,804.4
2	11 Division - Central Lockup	0.0		365.6	7,398.0	11,957.0	5,754.3	0.0	25,474.9	0.0	25,474.9
3	14 Division - Central Lockup	1,000.0	0.0	0.0	591.0	10,561.0	14,257.3	5,388.6	30,797.8	0.0	30,797.8
4	Intelligence / Special Investigations Facility	1,000.0	500.0	765.0	2,800.0	0.0	0.0	0.0	3,565.0	0.0	4,565.0
5	Property & Evidence Management Storage	258.0		0.0	0.0	0.0	0.0	1,155.0	1,155.0	21,541.0	22,954.0
6	Long Term Facility Plan	0.0		0.0	0.0	0.0	0.0	0.0	0.0	77,121.9	77,121.9
7	54 Division (includes land)	0.0		0.0	0.0	0.0	0.0	5,500.0	5,500.0	31,000.7	36,500.7
8	41 Division (includes land)	0.0		0.0	0.0	0.0	0.0	0.0	0.0	40,334.3	40,334.3
Information Technology Projects											
9	Geocoding	457.0	457.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	457.0
10	PCANS	927.0	827.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	927.0
11	Automated Vehicle Location System Expansion	1,185.0		405.0	0.0	0.0	0.0	0.0	405.0	0.0	1,590.0
12	HRMS upgrade and additional functionality	750.0	0.0	0.0	0.0	0.0	0.0	265.0	265.0	0.0	1,015.0
13	TRMS upgrade and additional functionality	2,453.0	-120.0	1,195.0	0.0	0.0	0.0	0.0	1,195.0	0.0	3,648.0
14	In - Car Camera	1,662.0	144.0	2,300.0	2,300.0	2,400.0	0.0	0.0	7,000.0	0.0	8,662.0
15	Digital Video Asset Management II	2,350.0		2,015.0	1,300.0	0.0	0.0	0.0	3,315.0	0.0	5,665.0
16	Data Warehouse Establishment	0.0		0.0	0.0	0.0	0.0	1,500.0	1,500.0	5,014.0	6,514.0
17	Electronic Document Management	0.0		0.0	0.0	0.0	0.0	500.0	500.0	0.0	500.0
18	Record Management System Replacement	0.0		0.0	0.0	0.0	0.0	4,000.0	4,000.0	4,000.0	8,000.0
19	Disaster Recovery Site	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Replacements / Maintenance / Equipment											
20	State-of-Good-Repair - Police	12,430.0		1,800.0	1,800.0	2,000.0	2,500.0	2,600.0	10,700.0	13,000.0	36,130.0
21	Facility Security	3,145.0		515.0	0.0	0.0	0.0	0.0	515.0	0.0	3,660.0
22	Fuel Management System	0.0		0.0	0.0	0.0	0.0	600.0	600.0	0.0	600.0
23	Radio Replacement	10,684.9		0.0	0.0	7,440.8	11,400.0	0.0	18,840.8	0.0	29,525.7
Total Capital Budget Request		70,370.9	1,808.0	48,023.6	21,261.4	34,358.8	33,911.6	21,508.6	159,063.9	192,011.9	420,446.8
Other than debt expenditure (Draw from Reserve)											
24	Vehicle and Equipment Replacement	20,197.0		5,033.0	5,033.0	5,033.0	5,033.0	5,033.0	25,165.0	25,165.0	70,527.0
25	Workstation, Laptop, Printer - Lifecycle plan	11,399.0		3,774.0	4,785.0	4,816.0	3,774.0	3,774.0	20,923.0	20,922.2	53,244.2
26	Servers - Lifecycle Plan	4,506.0		2,810.0	2,910.0	3,010.0	3,120.0	3,230.0	15,080.0	17,180.0	36,766.0
27	IT business resumption- Lifecycle Plan	6,923.0		0.0	0.0	1,590.0	1,640.0	1,700.0	4,930.0	9,050.0	20,903.0
28	Mobile Workstations	0.0		7,970.0	0.0	0.0	0.0	7,970.0	15,940.0	7,970.0	23,910.0
29	Network Equipment	0.0		1,600.0	970.0	480.0	500.0	520.0	4,070.0	4,610.0	8,680.0
30	Locker Replacement	550.0		550.0	550.0	550.0	0.0	0.0	1,650.0	0.0	2,200.0
31	Furniture Replacement	0.0		750.0	750.0	750.0	750.0	750.0	3,750.0	3,750.0	7,500.0
32	Radio Replacement	0.0		4,000.0	2,000.0	0.0	0.0	0.0	6,000.0	0.0	6,000.0
Total - Other than debt expenditure		43,575.0	0.0	26,487.0	16,998.0	16,229.0	14,817.0	22,977.0	97,508.0	88,647.2	229,730.2
Land Acquisition Reserve Fund											
33	14 Division	5,950.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	5,950.0
34	11 Division	8,700.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	8,700.0
Total Land Request		14,650.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	14,650.0
Total Gross Request		128,595.9	1,808.0	74,510.6	38,259.4	50,587.8	48,728.6	44,485.6	256,571.9	280,659.1	664,827.0
Total - Other than debt expenditure		-43,575.0	0.0	-26,487.0	-16,998.0	-16,229.0	-14,817.0	-22,977.0	-97,508.0	-88,647.2	-229,730.2
Total Land Request		-14,650.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-14,650.0
Funding from Department of National Defense		-4,916.0	0.0	-2,458.0	-2,458.0	0.0	0.0	0.0	-4,916.0	0.0	-9,832.0
Total Net Request		65,454.9	1,808.0	45,565.6	18,803.4	34,358.8	33,911.6	21,508.6	154,147.9	192,011.9	410,614.8
Target				32,700.0	32,700.0	32,700.0	32,700.0	32,700.0			
Variance to Target				12,865.6	-13,896.6	1,658.8	1,211.6	-11,191.4			
2008-2012 Average								30,829.6			

**2008-2012
Incremental Operational Impact
(\$000s)**

Attachment B

Project Name	2008-2012					2008-2012 Impact	2013-2017 Impact	Total Impact
	2008	2009	2010	2011	2012			
Facility Projects								
23 Division	102.0	0.0	0.0	0.0	0.0	102.0	0.0	102.0
New Training Facility (Repl. C.O. Bick College)	0.0	520.0	520.0	0.0	0.0	1,040.0	0	1,040.0
11 Division	0.0	0.0	0.0	101.0	101.0	202.0	0	202.0
14 Division	0.0	0.0	0.0	0.0	104.0	104.0	104.0	208.0
54 Division	0.0	0.0	0.0	0.0	0.0	0.0	144.0	144.0
Property & Evidence Management Storage	0.0	0.0	0.0	0.0	0.0	0.0	144.0	144.0
Information Technology Projects								
Livescan Fingerprinting System (net of AFIS 2000)	0.0	1.0	0.0	0.0	0.0	1.0	0.0	1.0
Voice Logging Recording System	40.0	0.0	0.0	0.0	0.0	40.0	0.0	40.0
Automated Vehicle Location System Expansion	0.0	30.0	0.0	0	0	30.0	0.0	30.0
TRMS Additional Functionality	100.0	0.0	0.0	0.0	0.0	100.0	0.0	100.0
Jet forms Replacement	20.0	20.0	0.0	0.0	0.0	40.0	0.0	40.0
In-Car Camera	0.0	0.0	0.0	200.0	0.0	200.0	0.0	200.0
Digital Video Asset Management II	0.0	0.0	200.0	0.0	0.0	200.0	0.0	200.0
Geocoding Engine	25.0	27.0	0.0	0.0	0.0	52.0	0.0	52.0
PCANS	0.0	30.0	0.0	0.0	0.0	30.0	0.0	30.0
CASC System	0.0	30.0	1.5	1.6	1.6	34.7	0.0	34.7
Data Warehouse Establishment	0.0	0.0	0.0	0.0	0.0	0.0	310.0	310.0
Electronic Document Management	0	0	0	0	0	0	-52.5	-52.5
Replacements / Maintenance / Other Projects								
Police Radio Communication System	267.0	133.0	0.0	0.0	0.0	400.0	0.0	400.0
Fuel Management System	0.0	5.0	0.0	0.0	0.0	5.0	0.0	5.0
Other than Debt								
IT Business Resumption	350.1	353.3	355.7	356.9	0.0	1,416.0	0.0	1,416.0
Mobile Workstations	1,993.0	0.0	0.0	0.0	0.0	1,993.0	0.0	1,993.0
Servers	665.0	671.5	676.1	678.5	0.0	2,691.1	0.0	2,691.1
Workstations, laptops	849.0	1,053.8	1,045.6	0.0	0.0	2,948.4	0.0	2,948.4
Locker Replacement	36.7	36.6	36.7	36.7	0.0	146.7	0.0	146.7
Network Equipment	180.8	180.8	180.7	180.8	0.0	723.1	0.0	723.1
Furniture Replacement	150.0	0.0	0.0	0.0	0.0	150.0	0.0	150.0
Total Incremental Operating Impact	4,778.6	3,092.0	3,016.3	1,555.5	206.6	12,649.0	649.5	13,298.5

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

#P309. NO. 23 DIVISION – FINAL PROJECT REPORT

The Board was in receipt of the following report August 16, 2007 from William Blair, Chief of Police:

Subject: 23 DIVISION - FINAL PROJECT REPORT

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

This report provides statistical and financial information on the recently completed new 23 Division capital project. The new 23 Division (located at 5230 Finch Avenue West) was constructed as a central lock-up facility, utilising the 43 Division design with minor operational changes and taking into account any lessons learned (e.g. improvements on storm water retention, material selection and design improvements) from the construction of 43 Division. The lessons learned resulted in cost savings and operational efficiencies. Eastern Construction Company Limited (Eastern) was the Construction Manager for the new 23 Division project (Min. No. P403/04 refers).

Discussion:

The new 23 Division project was constructed in a shorter time frame than originally scheduled and below the approved budget. The construction management approach was used in the construction of the new 23 Division and proved to be very effective. Details on construction management, the schedule and budget/cost of the project are provided in the sections below.

Construction Management

Eastern worked with the Service's Facilities Management and City Facilities & Real Estate (F&RE) staff to pre-qualify major subcontractors for the project. This ensured that only those firms with the necessary expertise and resources capable of completing a project of this size were considered. Tender packages were structured in a manner that combined similar activities and therefore taking advantage of the economies of scale. Given that firms were pre-qualified, the low bidder (meeting the requirements) for each tender package was selected. Prior to award on

the work, Eastern was able to clarify any issues with the low bidder and negotiate any addendums into the contract and therefore mitigate further project extras. The contracts with the sub-contractors were with Eastern and Eastern assumed the role of “Constructor” and the associated liabilities.

Project Schedule

The new 23 Division site was acquired in early 2003. Design work, utilising the 43 Division design, commenced in May 2003. The original schedule indicated a period of 18 months for the construction portion. Eastern commenced construction on September 12, 2005 and substantial completion was achieved on January 2, 2007. This reflected a sixteen (16) month actual construction period compared to 18 months in the original schedule. Subsequent to substantial completion, a fit-up (e.g. installation of security system, furniture, computers, etc.) of the facility is required prior to move-in. The new 23 Division was occupied on May 9, 2007, four (4) months after substantial completion. The new 23 Division was ready to accept an earlier move-in date. However, due to other Service priorities (e.g. move to Hanna St.) staff were not able to schedule this move until April 2007.

Project Budget and Projected Final Cost

The total project approved budget for the new 23 Division was \$17.665M. The project budget consisted of the construction component (including construction management costs) and other facility related costs such as the security system, furniture, computers, fees etc. The table below summarises the components of the budget and projected final cost.

Component	Budget (\$M)	Projected Final Cost (\$M)	Variance +/- (\$M)
Construction (incl. construction mgmt.)	14.082	13.129	+0.953
Security, furniture, technology, fees, etc.	3.583	4.250	-0.667
Total	17.665	17.379	+0.286

The projected final cost of the project is \$17.379M, which is \$0.286M below the approved budget. A portion of the construction savings were utilised to offset increased requirements for furniture and computer equipment identified by 23 Division staff. The projection includes minor amounts that still need to be paid and therefore it is not a final actual cost at this time. Also, there may be building deficiencies that are identified during the first year of occupancy and the remaining funds would be used to address these. The deficiencies are not expected to be significant and are typical for any new facility constructed.

Conclusion:

The new 23 Division was built using the previously constructed 43 Division design and adjusting for lessons learned. The construction management approach was utilised and proved to be very effective. Eastern was selected as the Construction Manager for the project and their expertise, along with that of the Service's Facilities and City F&RE staff, resulted in a successfully managed project. The project was constructed in less time than originally scheduled, below budget and meets the Service's requirements.

The project management and control recommendations identified in the audit of the 51 Division capital project were implemented in mid-2006 and were used in the management of the 23 Division capital project from that point. This formed the basis of a structured framework for the management of the project.

The 23 Division capital project will be used as a basis for the development of estimates for future new divisions.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, will be in attendance to answer any questions from the Board.

The Board received the foregoing report and congratulated members of the Service who were involved in managing the No. 23 Division project and completing it on time and under budget.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P310. RESPONSE TO THE CITY OF TORONTO BUDGET COMMITTEE
REQUEST FOR A REPORT ON INTERNAL AND EXTERNAL LEGAL
COSTS**

The Board was in receipt of the following report July 30, 2007 from Alok Mukherjee, Chair:

Subject: RESPONSE TO CITY OF TORONTO BUDGET COMMITTEE REQUEST
FOR A REPORT: LEGAL COSTS

Recommendations:

It is recommended that:

- (1) the Board authorize the Chair to discuss setting a flat-rate chargeback with the City of Toronto, as has been the practice in the past; and
- (2) the Board forward a copy of this report to the City of Toronto Budget Committee.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report. Should recommendation (1) be approved, there may be budgetary impacts in future years.

Background/Purpose:

At its April 2007 meeting, City Council approved the following Motion:

In an effort to control the legal costs in the Toronto Police Services Board Operating Budget, it is recommended that the Chair of the Toronto Police Services Board report to the Budget Committee prior to the 2008 Budget process on the drivers associated with the increased legal costs, and any options which can be taken to minimize both internal and external legal costs.

Discussion:

The following discussion responds to City Council's motion:

Control of External Costs

There is currently a contract in place for labour relations legal services. This is managed by the Service's Labour Relations Unit. The contract is tendered and the Board selects the successful firm. Cost efficiency is a consideration in the selection process. The Manager of Labour Relations makes a determination as to whether an arbitration case can be handled by a more

junior lawyer, i.e. with a lower hourly rate. If, during the course of the case, the Manager of Labour Relations sees an opportunity for a reasonable settlement to be made, the Manager will pursue this option; this means fewer days will be spent at a hearing. After the conclusion of a case, the Manager reviews the bill to ensure it is accurate and that the costs are appropriate to the work performed. The costs of each case are tracked and all of the information is summarized in an annual report.

Control of Internal Costs

Currently, internal legal costs are presented as a chargeback from the City of Toronto Legal Division. The primary users of this service are the Board, Professional Standards and Finance and Administration. The City of Toronto Legal Division provides critical advice from a risk management perspective. Indeed, there have been a number of recent occasions when more extensive use of the City of Toronto Legal Division would have been beneficial.

The City of Toronto invoices on a quarterly basis; these invoices are reviewed by the various “client units” for accuracy.

Although we have only two years of experience with the current chargeback system based on docketing, there have been some difficulties with this process. Invoices for the services only come at year end and in some cases, later than this, making it difficult to track and review charges as well as to budget for the future. Invoicing is also labour-intensive for the City. As a result, I believe that it would be beneficial to return to a system of a flat-rate chargeback, as has existed in the past.

Conclusion:

Therefore, I am recommending that:

- (1) the Board authorize the Chair to discuss setting a flat-rate chargeback with the City of Toronto, as has been the practice in the past; and
- (2) the Board forward a copy of this report to the City of Toronto Budget Committee.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P311. SEMI-ANNUAL REPORT: WRITE-OFF OF UNCOLLECTIBLE
ACCOUNTS RECEIVABLE BALANCES: JANUARY TO JUNE 2007**

The Board was in receipt of the following report July 09, 2007 from William Blair, Chief of Police:

Subject: WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE BALANCES
SEMI-ANNUAL REPORT: JANUARY 1 TO JUNE 30, 2007

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

There are no financial implications as a result of the write-offs processed. The write-off amount of \$17,050 in the first half of 2007 has been expensed against the allowance for uncollectible accounts. The current balance in the allowance for uncollectible accounts is approximately \$217,000. The adequacy of this account is analyzed annually and any adjustment required will be included in operating expenses.

Background/Purpose:

At its meeting of May 29, 2003 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 to the Board on amounts written off in the previous six months (Min. No. P132/03 refers.)

This report provides information on the amounts written off during the period of January 1, 2007 to June 30, 2007.

Discussion:

During the six month period of January 1 to June 30, 2007, a number of accounts totalling \$17,050 were written off, in accordance with By-law 147. The write-offs are broken down as follows:

Paid duty administrative fees and equipment rentals	\$16,930
Corporate Information Services (CIS) report sales	120
Total Write-offs Processed (January 1 to June 30, 2007)	<u>\$17,050</u> =====

Paid Duty Administrative Fees and Equipment Rentals (\$16,930):

In 2006, paid duty administrative fees and equipment rentals generated almost \$4.1 million in recoveries for the Service. The amount of \$16,930 written off in the first six months of 2007 represents 0.42% of this balance.

Paid Duty customers are provided with an invoice for the administrative fee and any equipment rentals, after the paid duty has been completed. The Toronto Police Service Central Paid Duty Office and Financial Management unit work closely with divisions, units and customers to ensure that accurate and complete invoices are sent to the proper location, on a timely basis. Customers are provided with progressively assertive reminder letters every 30 days if their accounts are outstanding. Customers with balances outstanding over 90 days must make payment arrangements with Financial Management or they can be denied additional duties. This practice is in place for all customers, unless the Central Paid Duty Office determines that there are public security reasons for continuing to provide paid duties.

The \$16,930 written off includes an amount of \$12,434 resulting from a special event held in July 2006. The invoice was finalized immediately after the event concluded. However, the event was not profitable for the customer, resulting in the dissolution of their organization immediately after the event occurred. The account was sent to D&A Collections as soon as it was discovered the customer office closed down. D&A Collections made every effort possible to locate the principals without success. As the Service is an unsecured creditor, and there are no significant business assets, it was recommended that the amount be written off.

The write-off also includes a number of small dollar value customer balances which had been forwarded to the Service's collection agency. The collection agency's staff is equipped with various information resources such as on-line credit bureau access and database networks, which allow them to locate individuals, as well as businesses and their principals.

In all cases, customer accounts that have been written off were closed by the collection agency after all collection and trace efforts were exhausted. In most cases, the businesses had been dissolved, leaving no assets from which the amounts due to the TPS could be paid, or the companies had filed for bankruptcy leaving no recourse for TPS as an unsecured creditor.

Corporate Information Services (CIS) report sales (\$120):

The balance written off in the first half of 2007 relates to two 2006 cheques written by a customer which were returned "Not Sufficient Funds" (NSF) to the Service. Accounts Receivable staff made several attempts to contact the customer for replacement payments, however, the organization went out of business. The Service's collection agency also attempted collection without success.

Report sales and criminal reference checks generated almost \$2 million in revenues for the Service in 2006. The write-off is not significant compared to the revenue generated.

Conclusion:

In accordance with Section 29 – Authorization for Write-offs of By-law 147, this report provides information to the Board on the amounts written off by the Service during the period January 1, 2007 to June 30, 2007. The write-off of these accounts clears those outstanding receivables, where collection efforts have been fully exhausted.

Action has been taken to reduce the risk of amounts owing to the Service from becoming uncollectible and to more aggressively pursue amounts owing, in accordance with the Service's Accounts Receivable collection procedures.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, will be in attendance to answer any questions from the Board.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

#P312. MEDAL OF MERIT – POLICE CONSTABLE KEITH LINDLEY (8257)

The Board was in receipt of the following report August 16, 2007 from William Blair, Chief of Police:

Subject: MEDAL OF MERIT - POLICE CONSTABLE KEITH LINDLEY (8257)

Recommendation:

It is recommended that the Board grant the Medal of Merit to Police Constable Keith Lindley (8257) formerly of the Public Safety Unit.

Financial Implications:

The Board delegated standing authority to the Chair to approve the payment of costs related to the presentation of Medals of Merit from the Board's Special Fund. Costs of the medal and the certificate are not expected to exceed \$330.00.

Background/Purpose:

The Medal of Merit may be granted to a Police Officer for outstanding acts of bravery and performance of duty where there was risk to the recipient's life.

Discussion:

On July 31, 2005, Toronto Police Service divisions and squads were assigned to patrol the area of Dundas Square during Caribana festivities.

At approximately 4:25 a.m. two men became involved in a verbal dispute at the north-west corner of the square. One of them produced a handgun and fired two shots, fatally wounding the other.

Police Constable Keith Lindley of the Public Safety Unit was on foot patrol when he heard the sound of the two gunshots. As he approached, a large crowd ran towards him. At this time, he saw a man acting in a suspicious manner. Police Constable Lindley drew his Service firearm and told the man to get down on the ground. As the man turned to face him, Police Constable Lindley yelled to alert his fellow officers about the gun. The suspect then placed the handgun into the waistband of his pants. Police Constable Lindley continued to approach the suspect while holding his Service firearm in one hand; he used the other hand to attempt to take control of the suspect's right hand which was near where he had concealed the gun. At this time, a violent struggle ensued as the suspect was forced to the ground by Police Constable Lindley.

Police Constable Lindley acted in an exemplary manner in dealing with a very volatile and dangerous situation. He alerted his fellow officers of the danger the suspect presented, while at the same time, he faced the dangerous threat.

Conclusion:

I therefore recommend that the Board grant the Medal of Merit to Police Constable Keith Lindley for his meritorious service.

Deputy Chief Jane Dick of Executive Command will be in attendance to answer any questions the Board may have.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P313. 2007 CIVILIAN LONG-SERVICE RECOGNITION – PURCHASE OF
COMMEMORATIVE PINS**

The Board was in receipt of the following report August 28, 2007 from Alok Mukherjee, Chair:

Subject: 2007 CIVILIAN LONG-SERVICE RECOGNITION - PURCHASE OF
COMMEMORATIVE PINS

Recommendation:

It is recommended that the Board approve the purchase of 80 commemorative pins from Universal Time Corporation at an approximate cost of \$5,800.00 (excluding taxes) and that the expenditure be paid from the Board's Special Fund.

Financial Implications:

The proposed recommendation, if approved, would result in an expenditure from the Board's Special Fund, not expected to exceed \$5,800.00 (excluding taxes).

Background/Purpose:

It has been customary for the Board to recognize long-service employment by civilian members of the Toronto Police Service by presenting them with a lapel pin containing two sapphires, two rubies and two diamonds upon the completion of 20, 30 and 40 years service respectively. In the past, commemorative pins have been presented to civilian members at a special ceremony followed by a reception.

The number of civilian members who will be presented with commemorative pins in 2007 based upon the long-service achieved during the period between January 1, 2006 and December 31, 2006 is outlined below:

20 Years Service	47
30 Years Service	33
40 Years Services	<u>0</u>
Total:	80

Discussion:

A request for quotations was issued by Purchasing Support Services for 80 commemorative pins. The lowest bidder, Universal Time Corporation, was selected. The cost of the pins is \$72.50 each, excluding taxes, and a summary of the bids is appended to this report for information.

Funds are available within the Board's Special Fund to cover this expenditure in accordance with the Board's Recognition Program. The catering costs associated with providing a reception will continue to be paid by the Service (Min. No. P63/95 refers).

Presentations of the long-service pins will be held on Tuesday, October 23, 2007 and Wednesday, October 24, in conjunction with the Police Exemplary Service Medal and the Ontario Auxiliary Police Medal.

Conclusion:

The Board should continue to honour our civilians in this manner and therefore it is recommended that the Board approve the expenditure from the Board's Special Fund, not expected to exceed \$5,800.00 (excluding taxes), to cover the costs associated with the purchase of 80 commemorative pins from Universal Time Corporation.

The Board approved the foregoing report.

SUMMARY SHEET
QUOTATION REQUEST
20 & 30 YEAR PINS

Quantity	Description	Universal Time	Corona Jewellery	Bond Boyd	Canadian Spirit
47	20 Year Service Pins	\$72.50 ea \$3,407.50 net	\$75.00 ea \$3,525.00 net	\$85.00 ea. \$3,995.00 net	\$108.70 ea \$5,108.90 net
33	30 Year Service Pins	\$72.50 ea \$2,392.50 net	\$75.00 ea \$2,475.00 net	\$85.00 ea. \$2,805.00 net	\$108.70 \$3,587.10 net
	Casting Molds (Property of TPS)	N/C	N/C	N/C	N/C
	Total (<i>net</i>)	\$5,800.00	\$6,000.00	\$6,800.00	\$8,696.00
	Total (<i>incl. taxes</i>)	\$6,612.00	\$6,840.00	\$7,752.00	\$9,913.44
	Delivery	30 days	3 weeks	4 weeks	4 weeks

QUOTATION AWARDED TO:

APPROVED BY:

NOTE: 5 SUPPLIERS INVITED TO BID 4 RESPONDED

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

#P314. NEW JOB DESCRIPTION – ENTERPRISE DATA ARCHITECT

The Board was in receipt of the following report August 08, 2007 from William Blair, Chief of Police:

Subject: NEW JOB DESCRIPTION - ENTERPRISE DATA ARCHITECT

Recommendation:

It is recommended that the Board approve the new civilian job description and classification for the position of Enterprise Data Architect (Z28017).

Financial Implications:

Funding for this position has been provided for within the Service's 2007 operating budget and any further annualized costs will be included within the 2008 and future operating budget requests.

Background/Purpose:

Information Technology Services is mandated to provide a data management framework which integrates an operational and management reporting data environment. The Board has approved an increase in establishment to address the Unit's need for a senior data architect position within Information Technology Services' 2007 operating budget (Min No. P147/07 refers).

Discussion:

Historically, databases used by the Service have been designed by project teams who have not adequately addressed the issue of data management. In reality, these teams created a data repository for the business need at hand without having sufficient knowledge of the complexity and needs of the Service's total requirement for data management. The current database support group, which consists of three database administrators, have focused primarily on production support from a reactive perspective and consequently, only implemented end results.

For this reason, there is a critical need in Information Technology Services for an enterprise data architect to strategically design, develop, implement and monitor enterprise-level applications and systems. The architect would act as a primary advocate of data modelling methodology utilizing best practices. The objective is to build an integrated corporate database and data warehouse to ensure consistent, reliable and timely information for the decision-making processes at the various levels.

To this end, Compensation and Benefits has now completed the development of the job description for this position. Based upon the attached, the Joint Board/Senior Officer's Job Evaluation Committee evaluated this position within the Services job evaluation plan and it was determined to be a job class Z28 within the Civilian Senior Officer Salary scales. This carries a current salary range of \$86,597 to \$100,247 per annum, effective January 1, 2007.

Conclusion:

It is hereby recommended, therefore, that the Board approve the attached new job description for the position of Enterprise Data Architect (Z28017). Subject to Board approval, this position will be staffed in accordance with the established procedure.

Deputy Chief Keith Forde, Human Resources Command, will be in attendance to respond to any questions the Board may have.

Mr. Cel Giannotta, Director of Information Technology Services, was in attendance and delivered an overview of the organizational structure of the ITS unit. A copy of the unit's organizational chart is on file in the Board office.

Mr. Giannotta explained the reasons for creating the new Enterprise Data Architect position and how it will be integrated into the ITS unit.

The Board approved the foregoing report subject to the Chief reviewing the hiring timelines in light of the current cost-containment strategy.



TORONTO POLICE SERVICE
JOB DESCRIPTION

Date Approved:
Board Minute No.:
Total Points: 793
Pay Class: Z28

JOB TITLE:	Enterprise Data Architect	JOB NO.:	Z28017		
BRANCH:	Administrative Command	SUPERSEDES:	New		
UNIT:	Information Technology Services	HOURS OF WORK:	35	SHIFTS:	1
SECTION:	Enterprise Architecture	NO. OF INCUMBENTS IN THIS JOB:	1		
REPORTS TO:	Manager, Enterprise Architecture		DATE PREPARED:	09 May 2007	

SUMMARY OF FUNCTION:

Responsible for managing and co-ordinating TPS's strategy associated with the capture, retention and capacity planning of all data, database and data warehousing, including audio and video information, in line with the Service's business intelligence needs and corporate reporting functionality; provides planning and directs all Information Technology data management efforts and operational activities including the implementation of cost-effective technology solutions for all aspects of the organization.

DIRECTION EXERCISED:

Provides guidance and direction to staff and others directly involved with/or working on database management technology issues related to data warehousing, resource planning and design..

MACHINES & EQUIPMENT USED:

Micro-computers/standard TPS workstations, associated software/computer applications and any other officer related equipment that may be required.

DUTIES AND RESPONSIBILITIES:

1. Lead Database team and strategic planning, including fostering innovation, planning projects, and organizing and negotiating the allocation of resources.
2. Manage the deployment, monitoring, maintenance, development, upgrade, and support of all database systems, including servers, operating systems, hardware, software, and associated components.
3. Benchmark, analyze, report on, and make recommendations for the improvement and growth of the ITS infrastructure and ITS systems.
4. Oversee provision of end-user services, including technical support services.

..../2

dg:138682

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.



TORONTO POLICE SERVICE
JOB DESCRIPTION

Date Approved:

Board Minute No.:

Total Points: 793

Pay Class: Z28

JOB TITLE:	Enterprise Data Architect	JOB NO.:	Z28017		
BRANCH:	Administrative Command	SUPERSEDES:	New		
UNIT:	Information Technology Services	HOURS OF WORK:	35	SHIFTS:	1
SECTION:	Enterprise Architecture	NO. OF INCUMBENTS IN THIS JOB:	1		
REPORTS TO:	Manager, Enterprise Architecture	DATE PREPARED:	09 May 2007		

DUTIES AND RESPONSIBILITIES: (cont'd)

5. Work with stakeholders to define business and systems requirements for new technology implementations.
6. Direct research on potential technology solutions in support of procurement efforts.
7. Keep current with the latest technologies.
8. Manage financial aspects of the IT Department, including purchasing, budgeting, and budget review.
9. Develop business case justifications and cost/benefit analyses for IT spending and initiatives.
10. Approve and oversee projects and project portfolio.
11. Develop and implement all ITS policies and procedures related data and database/data warehouse, including those for architecture, security, disaster recovery, standards, purchasing, and service provision.
12. Develop requests for proposal.
13. Negotiate and administer vendor, outsourcer, and consultant contracts and service agreements.
14. Practice asset management for ITS hardware, software, and equipment.
15. Manage ITS staffing, including recruitment, supervision, scheduling, development, evaluation, and disciplinary actions.
16. Establish and maintain regular written and in-person communication with the organization's executives, department heads, and end users regarding pertinent ITS activities.

Note: Prior to submission for job evaluation, all signatures required.

dg:138682

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P315. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION - APPOINTMENTS**

The Board was in receipt of the following report July 25, 2007 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLES FOR THE TORONTO
COMMUNITY HOUSING CORPORATION

Recommendation:

It is recommended that the Board approve the appointment of the individuals listed in this report as special constables for the Toronto Community Housing Corporation, subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background/Purpose:

Under Section 53 of the Police Services Act of Ontario (the Act); the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the former Metropolitan Toronto Housing Authority (MTHA), now called the Toronto Community Housing Corporation (TCHC), for the administration of special constables as a pilot project (Min. No. P414/99 refers).

At its meeting on January 29, 1998, the Board approved a recommendation requiring requests for appointment of special constables, who are not members of the Toronto Police Service (Service), be forwarded to the Board with the Chief's recommendation, for the Board's consideration (Min. No. P41/98 refers).

On May 27, 2004, the Board approved the continuation of the TCHC special constable program for an initial five year term, in accordance with the agreement between the Board and the TCHC in respect to the program (Min. No. P146/04 refers).

The Service has received a request from the TCHC, Community Safety Unit, to appoint the following individuals as special constables:

1. COLMAN, Wayne
2. DOAN, Tuan-Kiet
6. LINDO, Aubrey
7. NICHOLL, Craig

3. DUHANEY, Seolochanie (Pam)
4. FRONCZAK, Kinga
5. GORDON, Janice

8. POPESCU, Amedeo
9. REID, Azariah

Discussion:

The TCHC special constables are appointed to enforce the Criminal Code of Canada, Controlled Drugs and Substances Act, Trespass to Property Act, Liquor Licence Act and Mental Health Act on TCHC property situated within the boundaries of the City of Toronto.

The agreement between the Board and the TCHC requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constable. The Service's Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five-year term.

The TCHC has advised that the individuals satisfy all the criteria as set out in the agreement between the Board and the TCHC for appointment as special constables.

Conclusion:

The Toronto Police Service and the TCHC work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well-being of TCHC communities. The individuals currently before the Board for consideration have satisfied the criteria contained in the agreement between the Board and the TCHC.

Deputy Chief Anthony Warr, Specialized Operations Command, will be in attendance to respond to any questions that the Board may have regarding this report.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P316. SPECIAL CONSTABLES – TORONTO TRANSIT COMMISSION -
APPOINTMENT**

The Board was in receipt of the following report July 25, 2007 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLE FOR THE TORONTO TRANSIT
COMMISSION

Recommendation:

It is recommended that the Board approve the appointment of the individual listed in this report as a special constable for the Toronto Transit Commission, subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background/Purpose:

Under Section 53 of the Police Services Act of Ontario (the Act); the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the Toronto Transit Commission (TTC) for the administration of special constables (Min. No. P39/96 refers).

At its meeting of January 29, 1998, the Board approved a recommendation requiring requests for the appointment and re-appointment of special constables, who are not members of the Toronto Police Service (Service), be forwarded to the Board with the Chief's recommendation, for the Board's consideration (Min. No. P41/98 refers).

The Service has received a request from the TTC to appoint the following individual as a special constable:

FINDLAY, James Alan

Discussion:

The TTC special constables are appointed to enforce the Criminal Code of Canada, Controlled Drugs and Substances Act, Trespass to Property Act, Liquor Licence Act and Mental Health Act on TTC property situated within the boundaries of the City of Toronto.

The agreement between the Board and the TTC requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constables. The Service's Employment Unit completed background investigations on this individual and there is nothing on file to preclude him from being appointed as a special constable for a five-year term.

The TTC has advised that the individual satisfies all the criteria as set out in the agreement between the Board and the TTC for appointment as a special constable.

Conclusion:

The Toronto Police Service and the TTC work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well-being of patrons using the transit system. The individual currently before the Board for consideration has satisfied the criteria contained in the agreement between the Board and the TTC.

Deputy Chief A.J. (Tony) Warr, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P317. AUXILIARY MEMBER APPOINTMENT STATUS REPORT:
TERMINATION OF APPOINTMENTS: DECEMBER 2006 TO JUNE
2007**

The Board was in receipt of the following report August 01, 2007 from William Blair, Chief of Police:

Subject: AUXILIARY MEMBER APPOINTMENT STATUS REPORT:
TERMINATION OF APPOINTMENTS OF AUXILIARY MEMBERS:
DECEMBER 2006 TO JUNE 2007

Recommendations:

It is recommended that:

- (1) the Board terminate the appointments of 35 Auxiliary members for the period between December 2006 and June 2007, who are identified in Appendix 'A' appended to this report; and
- (2) the Board notify the Minister of Community Safety and Correctional Services about the termination of appointments for these 35 Auxiliary members.

Financial Implications:

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

Background/Purpose:

Auxiliary members are governed by the Police Services Act (PSA); Revised Statutes of Ontario, 1990; Policing Standards Guidelines; Board Policy TPSB A1-004; Toronto Police Service Governance; Standards of Conduct; and Service Procedure 14-20 entitled, "Auxiliary Members."

Under section 52(1) of the PSA, the Board is authorized to appoint and suspend, or terminate the appointment of Auxiliary members, subject to the approval of the Minister of Community Safety and Correctional Services (Minister) and with respect to the suspension or termination of the appointment of an Auxiliary member, section 52(2) of the PSA, states:

If the board suspends or terminates the appointment of an Auxiliary member of the police force, it shall promptly give the Solicitor General written notice of the suspension or termination.

Discussion:

The terminations of appointments of the 35 Auxiliary members consist of one Sergeant, one Acting Sergeant and 33 Police Constables.

Conclusion:

In accordance with section 52(2) of the PSA, please find the names of the 35 Auxiliary members, whose appointments terminated during the period between December 2006 and June 2007, in the list attached as Appendix 'A' to this report.

Deputy Chief Keith Forde, Human Resources Command, will be in attendance to answer to any questions that the Board may have regarding this report.

The Board approved the foregoing report noting that the Auxiliary members are not available to perform their duties due to resignation, retirement or death.

APPENDIX “A”

**AUXILIARY TERMINATIONS OF APPOINTMENTS
FOR THE PERIOD DECEMBER 2006 – JUNE 2007**

<i>NO.</i>	<i>SURNAME</i>	<i>GI</i>	<i>RANK</i>	<i>BADGE</i>	<i>UNIT</i>	<i>DATE</i>
1.	MARKOU	Dan	PC	51205	53D	06/12/01
2.	SINGH	Rawlins	PC	50896	23D	06/12/14
3.	MEULEMAN	Chris	PC	51009	53D	06/12/18
4.	ALMEIDA	Antonio	PC	50740	TSV	06/12/19
5.	BALINGIT	Joe	PC	51010	43D	06/12/20
6.	WARNER	Matthew	PC	51227	22D	06/12/28
7.	ST. LOUIS	Matt	PC	51238	51D	07/01/04
8.	McMAHON	Andrew	PC	50242	32D	07/01/02
9.	JOHNSTON	Gordon	PC	51145	14D	07/01/08
10.	RAIMONDI	Adriano	PC	51147	55D	07/01/13
11.	SWEENEY	Catherine	A/Sgt	50747	53D	07/01/15
12.	HALL	George	PC	51224	51D	07/01/16
13.	CURRAN	Mary	PC	50819	23D	07/01/17
14.	JACOBS	Sidney	PC	50227	55D	07/01/19
15.	DI CINTIO	Francesco	PC	50978	51D	07/01/23
16.	SMITH	Craig	PC	50892	51D	07/02/05
17.	FEHLER	Matthew	PC	51183	11D	07/02/07
18.	GILL	John	PC	51194	31D	07/02/08
19.	TIMM	Ulrich	PC	50951	33D	07/02/12
20.	SMITH	Kevin	PC	51071	52D	07/02/19
21.	WARD	Gail	PC	51184	52D	07/02/20
22.	IZDEBSKI	Peter	PC	50989	33D	07/02/24
23.	BLAIR	Faith	PC	50941	31D	07/02/26
24.	TURNER	Bryan	PC	51170	52D	07/03/12
25.	MARTON	Elena	PC	51150	31D	07/03/15
26.	LEVESQUE	Jason	PC	51065	51D	07/03/27
27.	BONNEY	Darren	PC	51155	TSV	07/04/09
28.	PURVES	Joanna	PC	51056	54D	07/04/14
29.	FERNANDES	Basil	PC	51102	31D	07/04/17
30.	METZGER	Katimarie	PC	51151	53D	07/04/17
31.	HAKIMI	Abdul	PC	51063	32D	07/04/19
32.	WYLOTEK	Michael	PC	51246	14D	07/05/07
33.	UNO	Jeff	Sgt	50682	51D	07/05/09
34.	HOLE	Bradley	PC	51219	43D	07/06/01
35.	KHAN	Wahid	PC	51231	54D	07/06/03

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P318. 2006 PUBLIC SECTOR SALARY DISCLOSURE – FURTHER
INFORMATION**

The Board was in receipt of the following report August 15, 2007 from William Blair, Chief of Police:

Subject: 2006 PUBLIC SECTOR SALARY DISCLOSURE

Recommendation:

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

Financial Implications:

There are no financial implications as a result of the recommendation contained in this report.

Background/Purpose:

The Board, at its meeting of March 22, 2007 requested that the Chief review the 2006 Public Sector Salary Disclosure listing to identify anomalies, if any, in terms of income relative to rank and seniority, and to report back to the Board with the results of his review (Min. No. P128/07 refers.) This report provides the results of the review conducted.

Discussion:

In 2006, seven hundred and eight (708) employees earned more than \$100,000. The 2006 listing contained five hundred and seventy one (571) members whose base salary is normally less than \$100,000. The salary of these individuals included premium pay from overtime, call-backs, court appearances, retroactive pay and final vacation pay-outs.

Each Command area was provided with details relating to their members on the Public Sector Salary Disclosure listing for 2006. The Command Officers reviewed this information for any anomalies between position, rank, seniority, salary and work performed by the members. All Command Officers indicated that no anomalies were found.

As part of the Chief's monitoring and control mandate, Unit Commanders are responsible for reviewing and managing premium pay expenditures. They are provided accurate and up to date information to allow them to perform this function. Unit Commanders can access a monthly cash earnings in excess of regular pay report which summarizes the premium payments received by their members. In addition, they receive a quarterly report noting the individuals who have earned \$25,000, \$50,000 and \$75,000 for each respective quarter. This report allows them to

note trends in the earnings of members approaching the public sector salary reporting threshold of \$100,000. Finally, internal controls have been built into processes to ensure that premium pay is earned on an emergent basis only, that is has been approved by a Supervisor and reported to the Unit Commander daily.

Conclusion:

The Service conducted a review of all members on the public sector salary disclosure listing whose base salary is normally less than \$100,000 and has determined that there are no anomalies relating to income, rank and seniority.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, will be in attendance to respond to any questions the Board may have.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P319. SEMI-ANNUAL REPORT: LABOUR RELATIONS COUNSEL AND
LEGAL INDEMNIFICATION: JANUARY TO JUNE 2007**

The Board was in receipt of the following report July 10, 2007 from William Blair, Chief of Police:

Subject: LABOUR RELATIONS COUNSEL AND LEGAL INDEMNIFICATION:
SEMI-ANNUAL REPORT JANUARY 1 – JUNE 30, 2007

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

This report provides a semi-annual update for the period of January 1 to June 30, 2007.

At its meeting on January 25, 2001, the Board approved a Policy Governing Payment of Legal Accounts which provides for a semi-annual report relating to payment of all accounts for labour relations counsel, legal indemnification claims and accounts relating to inquests which were approved by the Director, Human Resources Management and the Manager, Labour Relations (Min. No. P5/01 refers).

Discussion:

During the period of January 1 to June 30, 2007, seven (7) accounts from Hicks, Morley, Hamilton, Stewart and Storie LLP for labour relations counsel totalling \$154,050.78 were received and approved for payment by the Director, Human Resources Management and the Manager, Labour Relations.

During the same period, twenty nine (29) accounts relating to legal indemnification were paid totalling \$79,892.12. One (1) account relating to an inquest for \$27,309.84 was also paid and there were no accounts received for civil action.

Therefore, during the period of January 1 to June 30, 2007, a total of \$261,252.74 was paid in settlement of the above accounts.

Conclusion:

In summary, this report provides the Board with a semi-annual update for the period January 1 to June 30, 2007 of all labour relations counsel, legal indemnification claims and accounts relating to inquests and civil action.

Mrs. Marinella Black, Acting Director, Human Resources Management, will be in attendance to answer any questions that the Board may have regarding this report.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P320. LEGAL FEES – TORONTO POLICE SERVICES BOARD – CIVIL
ACTION INVOLVING MR. NORMAN GARDNER**

The Board was in receipt of the following report August 28, 2007 from Alok Mukherjee, Chair:

Subject: LEGAL FEES - TORONTO - POLICE SERVICES BOARD ATS NORM
GARDNER

Recommendation:

It is recommended that the Board approve payment of legal fees charged by Torys LLP, in the amounts of \$7,267.32 and \$1,570.21.

Financial Implications:

The funding required to cover the cost of these legal fees is available within the Board's 2007 operating budget.

Background/Purpose:

Attached are statements of account from the legal firm of Torys LLP for professional services rendered in connection with the above-noted matter. The attached accounts are for the months ending June 30, 2007 and July 31, 2007, in the amounts of \$7,267.32 and \$1,570.21, respectively.

I have also appended a letter dated August 24, 2007, from Mr. Albert Cohen, City Solicitor, Legal Services, in which he recommends "*payment of these accounts as they are reasonable in my opinion.*"

I, therefore, recommend that the Board approve payment of this account from the Board's operating budget.

This report corresponds with additional information provided on the in-camera agenda.

The Board approved the foregoing report.



Anna Kinastowski, B.A., LL.B.
City Solicitor
Legal Services
Metro Hall, 26th Fl., Stn. 1260
55 John Street
Toronto, ON M5V 3C6
Tel. 416-392-8047
Fax 416-397-5624

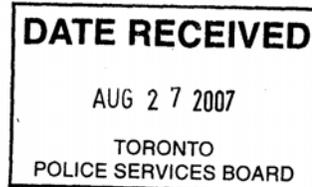
Reply To: Albert H. Cohen
Tel: 416-392-8041
Fax: 416-397-5624
E-Mail: acohen0@toronto.ca

File No. 8404-A60-4879.06

August 24, 2007

Delivered by Regular Mail

Ms. Joanne Campbell
Executive Director
Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3



Dear Ms. Campbell:

Re: Toronto Police Services Board ats Norm Gardner

Enclosed please find the following invoices from Torys LLP. for services provided with respect to the above referenced matter:

1. June 30, 2007, in the amount of \$7,267.32 for the period ending June 30, 2007;
2. August 15, 2007, in the amount of \$1,570.21 for the period ending July 31, 2007;

I recommend payment of these accounts as they are reasonable in my opinion.

Yours truly,



Albert H. Cohen
Director of Litigation

AHC:tt
Encl.

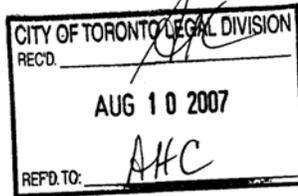
TORYS LLP
NEW YORK TORONTO

Suite 3000
79 Wellington St. W.
Box 270, TD Centre
Toronto, Ontario
M5K 1N2 Canada

Patricia D.S. Jackson
Direct Tel. 416.865.7323
tjackson@torys.com

TEL 416.865.0040
FAX 416.865.7380

www.torys.com



August 2, 2007

Mr. Albert Cohen
Metro Hall
25th Floor, Stn. 1260
55 John Street
Toronto, Ontario
M5V 3C6

Dear Mr. Cohen:

Re: Toronto Police Services Board ats Norm Gardner

I enclose our account for services rendered in connection with the above-noted matter for the period ending June 30, 2007, which I trust is satisfactory.

Yours very truly,

A handwritten signature in black ink, appearing to read "Trisha Jackson".

Trisha Jackson

PDSJ/fc
Enclosure

In Account With **TORYS** LLP
NEW YORK TORONTO

Suite 3000
79 Wellington St. W.
Box 270, TD Centre
Toronto, Ontario
MSK 1N2 Canada

TEL 416.865.0040
FAX 416.865.7380

www.torys.com

All accounts
are payable on receipt.

GST registration number
R119420685

July 31, 2007

The Toronto Police Services Board
Metro Hall, 25th Floor, Stn. 1260
55 John Street
Toronto, Ontario
M5V 3C6

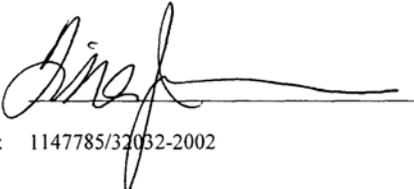
Attention: Albert Cohen

Re: Toronto Police Services Board ats Norm Gardner

TO PROFESSIONAL SERVICES RENDERED, for the period ending June 30, 2007 as described on the attached Schedule.

Fee		\$7,050.50
<u>Disbursements Subject to GST</u>		
Binding Charges	\$4.91	
Copies	35.55	
Laser Printing	<u>5.00</u>	45.46
GST		<u>425.76</u>
TOTAL		\$7,521.72
TOTAL LESS CASH RECEIVED		<u>(254.40)</u>
TOTAL AMOUNT PAYABLE		<u>\$7,267.32</u>

TORYS LLP

Per: 

REF: 1147785/32032-2002

Please retain this copy
for your files.

Interest at the rate of 4.50% per year, calculated on a daily basis,
will be charged on all accounts overdue one month or more.

TORYS LLP
NEW YORK TORONTO

Suite 3000
79 Wellington St. W.
Box 270, TD Centre
Toronto, Ontario
M5K 1N2 Canada

Patricia D.S. Jackson
Direct Tel. 416.865.7323
tjackson@torys.com

TEL 416.865.0040
FAX 416.865.7380

www.torys.com

August 21, 2007

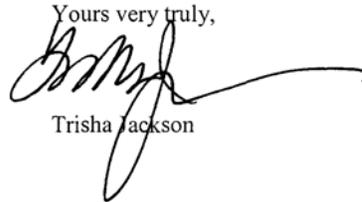
Mr. Albert Cohen
Metro Hall
25th Floor, Stn. 1260
55 John Street
Toronto, Ontario
M5V 3C6

Dear Mr. Cohen:

Re: Toronto Police Services Board ats Norm Gardner

I enclose our account for services rendered in connection with the above-noted matter for the period ending July 31, 2007, which I trust is satisfactory.

Yours very truly,



Trisha Jackson

PDSJ/fc
Enclosure

5562902.1
32032-2002

In Account With **TORYS** LLP
NEW YORK TORONTO

Suite 3000
79 Wellington St. W.
Box 270, TD Centre
Toronto, Ontario
M5K 1N2 Canada

TEL 416.865.0040
FAX 416.865.7380

www.torys.com

All accounts
are payable on receipt.

GST registration number
R119420685

August 15, 2007

The Toronto Police Services Board
Metro Hall, 25th Floor, Stn. 1260
55 John Street
Toronto, Ontario
M5V 3C6

Attention: Albert Cohen

Re: Toronto Police Services Board ats. Norm Gardner

TO PROFESSIONAL SERVICES RENDERED, for the period ending July 31, 2007 as described on the attached Schedule.

Fee		\$1,470.00
<u>Disbursements Subject to GST</u>		
Copies	\$0.63	
Courier	4.50	
Laser Printing	<u>6.20</u>	11.33
GST		<u>88.88</u>
TOTAL		<u>\$1,570.21</u>

TORYS LLP

Per: 

REF: 1148145/32032-2002

Please retain this copy
for your files

Interest at the rate of 4.50% per year, calculated on a daily basis,
will be charged on all accounts overdue one month or more.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P321. FEDERAL RESPONSE TO BOARD'S CONCERNS ABOUT GUN
VIOLENCE**

The Board was in receipt of correspondence dated August 10, 2007 from Stockwell Day, Minister of Public Safety, containing a response to the Board's concerns about gun violence. A copy of the Minister's correspondence is appended to this Minute for information.

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

- 1. THAT the Board urge all parties to support the reintroduction of Bill C-10, Bill C-27 and Bill C-35 to the same stage they were before parliament prorogued; and**
- 2. THAT the Chair write to the Prime Minister, copying all party leaders, requesting that the next speech from the throne include a reference to working with all orders of government and police services boards to provide and fully fund an additional 2500 front line officers.**

Office of the
Minister of Public Safety



Cabinet du
ministre de la Sécurité publique

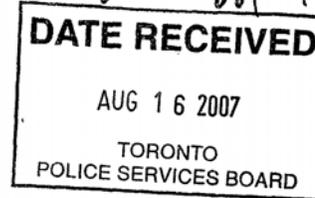
27

Ottawa, Canada K1A 0P8

AUG 1 0 2007

AM
08/27/07

Mr. Alok Mukherjee
Chair
Toronto Police Services Board
40 College Street
Toronto, Ontario M5G 2J3



Dear Mr. Mukherjee:

I am writing in response to the concerns you have expressed with regard to gun crime and gun control in Canada. I would like to share with you the steps that our government is taking to address this very serious problem.

Recent tragic events have reemphasized the importance of taking strong but effective measures to combat gang and firearms related crime. Organized crime and criminal gangs are the major source of illegal firearms on our streets. In November 2006, Chief William Blair of the Toronto Police Service told the House of Commons Justice Committee that "close to 80% of the firearms we're seizing have in fact been smuggled" into Canada. Similarly, the Vancouver Police's Strategic Plan recently reported that 97 percent of firearms seized in 2003 were illegal guns smuggled into Canada, usually by organized crime.

Most firearms crime in Canada is committed with handguns that are already illegal. In 2005, 124 of 128 (about 97 percent) handgun homicides were committed with unregistered handguns or handguns of unknown registration. In 2003, about 92% of handgun homicides were committed with unregistered handguns or handguns of unknown registration while the figure for 2004 was more than 96%.

Aggressive policing is part of the solution to the scourge of gang and gun violence in our communities. In Toronto, the aggressive strategies of the city police have lead to a reduction in gun crime. As of April 2007, the number of shooting occurrences in Toronto was down by 28.3% from that same time last year. The numbers of victims was down by 46.6% for the same time period, and compared to 2006, 46.6% fewer people were wounded by firearms (47 in 2007 compared to 88 in 2006)."

Canada

However, additional tough measures are needed. Toward this end, our Government has introduced legislation imposing stronger mandatory minimum penalties for serious firearms crime, including trafficking in illegal firearms. This legislation focuses on repeat criminals and on gun crime and firearms trafficking which involves organized crime and gangs.

Unfortunately, the Opposition parties have repeatedly sought to water down and delay this vital piece of legislation which was first introduced one year ago. While this Bill (C-10) has now finally passed the House of Commons, it is still before the Senate. If you support this important legislation, I urge you communicate your views strongly to the Opposition parties.

Our Government has also introduced Bill C-35, toughening Bail provisions for those charged with serious firearms offences and creating a "reverse onus" in such cases. This legislation has also passed the House of Commons and is currently before the Senate.

The legislation we have introduced is supported by key budgetary measures designed to put more police officers on our streets and to improve security at our borders. These measures include:

- Budget 2006 provided resources to hire an additional 1,000 RCMP personnel for federal law enforcement tasks.
- Budget 2006 provided for the arming of border officers and ending "work alones" at the border. This process is now underway.

We have also announced that we will invest \$16.1 million to help communities in order to ensure that our youth are provided with alternatives to involvement in gangs. This funding included \$11.1M to create a Youth Gang Prevention Fund at the National Crime Prevention Centre (NCPC) and \$5M to enhance the Youth Justice Fund at the Department of Justice.

Lastly, Canada is working closely with the United States in Integrated Border Enforcement Teams to combat cross border crime including firearm smuggling. In November 2006 I signed a Memorandum of Understanding with the United States allowing our law enforcement agencies to solve more crimes by connecting firearms and bullets used in one or more crime scenes across North America.

One approach which we do not support to address the problem of gang and gun violence are proposals to seize the firearms of the licensed collectors of historic guns or those individuals involved in shooting sports, such as Olympic target shooting. Such a move would potentially cost hundreds of millions of dollars in compensation costs and would have no impact on the problem of illegal guns in the hands of gangs on our streets. Indeed, in other jurisdictions where such

policies have been attempted, gun and gang violence has often tragically increased rather than declined.

Restricted firearms are already highly regulated in Canada. Only licensed target shooters, licensed collectors of historic firearms and those requiring such firearms for the protection of life (such as the police, armoured car guards and some others), have access to such firearms. These are legitimate purposes for restricted firearm ownership which have been in place in Canada for decades.

Anyone acquiring restricted firearms must pass the Restricted Firearms Safety Course, pass a police background check and obtain a restricted firearms license. Owners of restricted firearms must also securely store their firearms and may only transport them to designated and approved locations. The Government will also maintain the handgun registry which has been in place since 1934.

In Budget 2007, the Government announced it take the additional step of strengthening front-end screening of first-time firearms licence applicants. Consistent with the commitment to tackle crime, and in recognition of the tragic events at Dawson College last year, \$14.2 million over two years was announced for this enhanced screening. This will ensure over 20,000 first-time firearms licence applicants will be interviewed, along with references for the applicant, to help prevent guns from getting into the hands of those who are legally ineligible.

The Government believes in investing in gun control measures that work. As the Prime Minister has stated, "we want to make sure that what we do is actually effective".

We must focus on combating the criminal use of firearms while maintaining a strong firearms control system which requires owners to undergo a thorough background check, pass a safety training course, and possess a valid firearms licence before being able to acquire and possess firearms and to acquire ammunition. These requirements help to maintain public safety for all Canadians. At the same time, we are committed to easing any unnecessary and wasteful bureaucratic burdens on lawful firearms owners, such as the long-gun registry, which fail to enhance public safety and actually serve to undermine compliance levels.

Thank you for taking the time to write.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stockwell Day". The signature is fluid and cursive, with the first name "Stockwell" written in a larger, more prominent script than the last name "Day".

Stockwell Day, P.C., M.P.
Minister of Public Safety

c.c: The Honourable Rob Nicholson, P.C., M.P.
Minister of Justice and Attorney General of Canada

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P322. APPRECIATION LETTER – FUNDS PROVIDED FOR THE 2007 CAPB
ANNUAL CONFERENCE**

The Board was in receipt of correspondence dated July 30, 2007 from Ian Wilms, President, Canadian Association of Police Boards, expressing appreciation for the financial donation the Board provided towards the 2007 CAPB Annual Conference in Calgary. A copy of Mr. Wilms' correspondence is appended to this Minute for information.

The Board received the foregoing correspondence.



28

Canadian Association of Police Boards
Association canadienne des commissions de police

[Handwritten signature]
08/01/07

DATE RECEIVED

AUG 01 2007

TORONTO
POLICE SERVICES BOARD

July 30, 2007

Dr. Alok Mukherjee
Chair, Toronto Police Services Board
40 College Street, 7th Floor
Toronto, ON M5G

Dear: Dr. Mukherjee,

On behalf of the Board of Directors and members of the Canadian Association of Police Boards, please accept our thanks for the generous financial sponsorship provided by the Toronto Police Services Board for a *Gold Sponsorship* at the CAPB's Eighteenth Annual Conference being held in Calgary, Alberta, August 18 – 20, 2007.

CAPB, as a non-profit association relies entirely on the support of its members, partners and a small number of exclusive sponsors. In our efforts to ensure that our conferences are largely self-financing, we have been very fortunate to receive financial assistance for our conferences from police commissions and boards across the country.

Your contribution of \$7,500 is very much appreciated and will help us to deliver a first-class conference for our members and partners in the policing community. Your sponsorship will be acknowledged in written material associated with the conference, as well as verbally during the event.

Thank you once again for your ongoing support of the CAPB and the work it does on behalf of municipal police governing bodies across Canada.

Sincerely,

[Handwritten signature of Ian Wilms]

Ian Wilms
President
Canadian Association of Police Boards

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P323. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: SEMI-
ANNUAL REPORT: DOMESTIC VIOLENCE QUALITY CONTROL
REPORT: JANUARY TO JUNE 2007**

The Board was in receipt of the following report August 21, 2007 from William Blair, Chief of Police:

Subject: DOMESTIC VIOLENCE QUALITY CONTROL REPORT: JANUARY 1 -
JUNE 30, 2007

Recommendation:

It is recommended that the Board approve the request for a two month extension of time to submit the semi-annual report on domestic violence statistics for the first two quarters of 2007.

Financial Implications:

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

Background/Purpose:

At its meeting of April 26, 2007, the Board approved a recommendation to revise the reporting schedule for future Domestic Violence Quality Control Reports to be provided semi-annually (Min. No. P145/07 refers).

Discussion:

A revision in the Ministry requirements for collection of the domestic violence statistics required the Toronto Police Service to review reports collected from January 1 – June 30, 2007. This review has caused a delay in the availability of the statistics for the first two quarters that were to be appended to this report.

Conclusion:

A two month extension of time would allow the Service a sufficient amount of time to collect and review the data required for the first two quarters of 2007.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P324. RULES REVIEW: REPEAL OF RULES AND APPROVAL OF BOARD
POLICIES**

The Board was in receipt of a report dated September 04, 2007 from Alok Mukherjee, Chair, with respect to a review of the Service rules. A copy of the report is on file in the Board office.

The foregoing report was withdrawn by the Chair. It is anticipated that a revised report will be submitted for the October 2007 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

**#P325. TORONTO POLICE HEALTH AND SAFETY AWARENESS DAY –
OCTOBER 01, 2007**

The Board was in receipt of the following report September 11, 2007 from Alok Mukherjee, Chair:

Subject: TORONTO POLICE HEALTH AND SAFETY AWARENESS DAY -
OCTOBER 1, 2007

Recommendation:

It is recommended that:

1. the Board establish October 1, 2007 as “Toronto Police Health and Safety Awareness Day”, and;
2. the Chair be authorized to announce this initiative during the opening ceremonies of the Municipal Health and Safety Association of Ontario Conference on October 1, 2007.

Financial Implications:

There are no financial implications arising from this report.

Background/Purpose:

The Toronto Police Services Board, as the employer, is ultimately responsible for worker health and safety, and workplace safety is a priority of the Toronto Police Service.

The Central Joint Health and Safety Committee (CJHSC) is comprised of representatives of the Toronto Police Services Board, the Toronto Police Service and the Toronto Police Association. Included in the CJHS Committee’s mandate are the responsibilities: to review all health and safety issues that may have an impact on the Service, to ensure education is provided to employees, to address legislative compliance and to deal with any other health and safety matters that the Committee deems appropriate.

The CJHSC wishes to continuously promote awareness, not only on October 1, 2007, but throughout the year. The Toronto Police Service promotes safety, daily, by:

- Active local joint health and safety committees which meet quarterly and perform regular inspections
- Continuous training at C.O. Bick College and at the unit level

- Wellness programs which include organization-wide information sessions, health screening and health promotion
- Pamphlet distribution service – i.e. heart and stroke, sun sense , colorectal cancer screening awareness
- Continuous communication to Service members from external agencies

Included in the minutes of the CJHS Committee's February 1, 2007 meeting are the following references:

Dr. Mukherjee commented that it was important that the CJHSC be proactive and welcomed the Committee's input on ways to heighten member awareness of health and safety issues and raising the profile of the Health and Safety Act. Dr. Mukherjee also stressed the importance of the flow of information from the CJHSC to and from local Health and Safety Committees

Deputy Forde suggested that a strategy should be established for disseminating information from the CJHSC to Service employees and that perhaps one week a year could be designated "Health and Safety Week".

At its meeting on July 18, 2007, the CJHSC, in discussions with representatives of the Municipal Health and Safety Association of Ontario, recommended that a proclamation be issued at the Conference scheduled for October 1 -3, 2007, and that the proclamation declare October 1, 2007 to be Toronto Police Health and Safety Awareness Day. I undertook to contact the Mayor's office to request this proclamation.

Discussion:

To promote greater awareness of health and safety in the workplace, the Central Joint Health and Safety Committee wants to demonstrate the commitment of the Toronto Police Service to workplace health and safety through the proclamation of a day dedicated to workplace health, wellness and safety.

The establishment of October 1, 2007 as Toronto Police Health and Safety Day will promote an awareness of health and safety issues and further develop an atmosphere of cooperation between management and workers. This special day is intended to promote awareness of health and safety initiatives undertaken by the Toronto Police Service. It will help to create and maintain an active interest in health and safety with a goal of reducing workplace accidents. Further, it will reinforce the message that we must all work together to eliminate workplace injuries and illnesses. If police employees are healthy and safe the community will benefit.

The City has adopted the practice of proclaiming a municipal Health and Safety Week earlier in the year and does not make similar proclamations for individual agencies. There is no reason, however, that the Board cannot establish a day of significance in support of a special initiative.

Conclusion:

I recommend that the Board establish October 1, 2007 as Health and Safety Day at the Toronto Police Service and that it be announced at the Municipal Health and Safety Association of Ontario Conference.

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

#P326. IN-CAMERA MEETING – SEPTEMBER 20, 2007

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:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Ms. Judi Cohen, Member
Mr. Frank Di Giorgio, Councillor & Member
Mr. Hamlin Grange, Member
The Honourable Hugh Locke, Q.C., Member
Mr. David Miller, Mayor & Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 20, 2007**

#P327. ADJOURNMENT

Alok Mukherjee
Chair