



PUBLIC MEETING

Minutes

Thursday, February 22 at 1:00 PM

**Auditorium, 40 College Street, 2nd Floor
Toronto, Ontario**

www.tpsb.ca

The following *draft* Minutes of the meeting of the Toronto Police Services Board that was held on February 22, 2018 are subject to adoption at its next regularly scheduled meeting.

Attendance:

The following members were present:

Mr. Andrew Pringle, Chair
Mr. Chin Lee, Councillor & Vice-Chair
Mr. John Tory, Mayor & Member
Shelley Carroll, Councillor & Member
Mr. Ken Jeffers, Member
Uppala Chandrasekera, Member

The following were also present:

Chief of Police Mark Saunders, Toronto Police Service
Ms. Joanne Campbell, Executive Director, Toronto Police Services Board
Ms. Karlene Bennett, Board Administrator, Toronto Police Services Board
Mr. Karl Druckman, Solicitor, City of Toronto - Legal Services Division

Declarations:

Declarations of Interest under the *Municipal Conflict of Interest Act* - none

Previous Minutes:

The Minutes of the meeting that was held on [January 18, 2018](#), were approved by the Board.

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P15. [Statement Regarding Chief Mark Saunders](#)

The Chair read a statement on behalf of the Board in support Chief Saunders. A copy of the Chair's statement is attached to this minute.

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P16. [Re-Appointment to the Board – Marie Moliner](#)

The Board was in receipt of the attached Order-in-Council No. 240/2018 which was approved by the Lieutenant Governor on February 8, 2018 reappointing Ms. Moliner to the Toronto Police Services Board for a period not to exceed three years from March 27, 2018.

Deputation: Derek Moran

The Board received the deputation and the Order-in-Council and congratulated Ms. Moliner on her re-appointment.

Moved by: C. Lee
Seconded by: U. Chandrasekera

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P17. [Update – Interim Steering Committee](#)

The Board was in receipt of a report dated February 09, 2018 from Notisha Massaquoi, on behalf of the Interim Steering Committee

Recommendation(s)

It is recommended that the Board receive this report.

Ms. Massaquoi was in attendance and provided the Board with an update regarding the Steering Committee's activities to date. She said that it will be a

difficult process as well as one that will require an enormous amount of patience and time. Ms. Massaquoi emphasized that this is very much a trust-building exercise that is going to be heavily scrutinized by the public. She emphasized that Andrew Loku was a member of the Black community who tragically lost his life. She said the Steering Committee's goal is to ensure that his life has some meaning through this process and that it is going to guide us to do better and that the inquest recommendations are a step in achieve this outcome.

The Board received Ms. Massaquoi's update and the foregoing report.

Moved by: S. Carroll
Seconded by: U. Chandrasekera

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P18. [Issuance of Naloxone Kits to Specified Uniformed Members](#)

The Board was in receipt of a report dated February 8, 2018 from Mark Saunders, Chief, with regard to this matter.

Recommendation(s):

It is recommended that the Board receive this report.

Superintendent Scott Baptist delivered a presentation with regard to this report. A copy of Superintendent Baptist's presentation is attached to this minute.

The Board received the foregoing report and approved the following Motion:

THAT the Chief provide the Board with a verbal update at the March 2018 meeting and a full report to the April 2018 meeting regarding the ongoing implementation of officers being equipped with naloxone, including the model being used to reduce overdose harm through naloxone response and any ongoing discussions regarding whether the SIU plans to invoke its mandate when hospitalization occurs after the administration of naloxone by police.

Moved by: S. Carroll
Seconded by: J. Tory

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P19. [Zero Deaths - Expanded Deployment of Conducted Energy Weapons](#)

The Board was in receipt of a report dated February 15, 2018 from Mark Saunders, Chief, with regard to this matter.

Recommendation(s):

It is recommended that the Board approve:

1. The expanded deployment of Conducted Energy Weapons (C.E.W.) to frontline police constables; and
2. The purchase of the C.E.W.s from M.D. Charlton Co. Ltd., who is the sole distributor of Axon Taser products in Canada.

[The Board was also in receipt of a memo dated February 15, 2018 from Board Member, Marie Moliner, regarding Zero Deaths - Expanded Deployment of Conducted Energy Weapons](#)

Deputy Chief Barbara McLean delivered a presentation with regard to this report. A copy of Deputy Chief McLean's presentation is attached to this minute.

Deputations: [John Sewell, Toronto Police Accountability Coalition*](#)
[Antonella Scali, Schizophrenia Society of Ontario*](#)
Brian De Matos

Written Submissions:

[Jennifer Chambers, The Empowerment Council](#)
[Steve Lurie, and Camille Quenneville, Canadian Mental Health Association](#)
[Roslyn Shields, Centre for Addiction and Mental Health](#)
[Dr. Kwame McKenzie](#)

The Board received Ms. Moliner's memo and received the deputations and written submissions. The Board approved the foregoing report.

In accordance with section 21 of the Board Procedural By Law a request for a recorded vote with respect to each of the following motions was submitted. The voting was recorded as follows:

1. **THAT the Board approve the deployment of up to 400 additional CEWs to uniform front-line police constables and constables from designated specialized units, and in keeping with the recommendations made by The**

Honourable Frank Iacobucci, in his 2014 report, *Police Encounters with People in Crisis*, the following measures be incorporated into the implementation plan:

- a. The Chief ensure that all annual service training, procedures and governance related to CEWs emphasize the concept that the purpose of equipping officers with CEWs is to provide opportunities to reduce fatalities and serious injuries, not to increase the overall use of force by police and that CEWs should only be used as a last resort after all other de-escalation techniques have proven unsuccessful.
- b. **Accountability**
 - i. The Chief be required to ensure that CEW reports are reviewed regularly, and that inappropriate or excessive uses are investigated comprehensively and immediately including whether, and what, de-escalation measures were attempted prior to deploying the CEW as part of this review.
 - ii. The Chief be required to carefully monitor the data downloaded from CEWs on a periodic basis, investigate uses that are not reported by Service members, and discipline officers who fail to report all uses appropriately.
 - iii. The Chief be required to periodically conduct a comprehensive review of data downloaded from CEWs and audio/visual attachments or body cameras, where available, to identify trends in training and supervision needs relating to CEWs, as well as the adequacy of disciplinary measures imposed following misuse.

For

Chair Pringle
Councillor Lee
Mayor Tory
Councillor Carroll
Mr. Jeffers

Opposed

Ms. Chandrasekera

The motion was approved.

2. THAT the Board direct the Chief to conduct, by engaging an external body, an international review of best practices regarding use of force options, including possible alternatives to CEWs, and tactical approaches, and to provide a public report with recommendations, where appropriate, at the culmination of this review.
 - a. As part of this review, evaluate best practices on the safety of CEWs in different modes, including TPS members that are already using CEWs and from other jurisdictions that have implemented policies on permitted methods of discharging CEWs.

- b. **THAT the Board, as an exception to the Board's Special Fund Policy, make a contribution to the cost of this review and evaluation in an amount not to exceed \$80,000.**

For

Opposed

Chair Pringle
Councillor Lee
Mayor Tory
Councillor Carroll
Mr. Jeffers
Ms. Chandrasekera

The motion was approved.

3. **THAT as part of the next applicable quarterly report with respect to CEW's the Board direct the Chief to include information on the following:**
- a. **Input from MCIT members with respect to any proposed changes to the MCIT program, especially in light of the expansion of CEWs.**
 - b. **Input from consumer survivor groups and experts in human rights and mental health including the Board's recently established anti-black racism committee with respect to the impact of the expansion of CEWs, on the lives of people with lived experience with mental health issues.**
 - c. **A discussion of any possible reliance upon or misuse of CEWs and the steps taken to remedy any overreliance or misuse, including additional training, and discipline where appropriate.**
 - d. **Analysis so that data from the phased expansion of CEWs is analyzed in consideration of such factors as per The Honourable Frank Iacobucci:**
 - i. **whether CEWs are used more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors;**
 - ii. **whether CEWs are misused more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors;**
 - iii. **the disciplinary and training responses to misuses of CEWs by officers and supervisors;**
 - iv. **whether TPS procedures, training or disciplinary processes need to be adjusted to emphasize the objective of reducing deaths without increasing the overall use of force or infringing on civil liberties; and**

- v. whether use of force overall increases with expanded availability of CEWs.
- e. Number of officers who have received the three-day de-escalation training in the last 12 months, and that this be reported annually hereafter.

For

Opposed

**Chair Pringle
Councillor Lee
Mayor Tory
Councillor Carroll
Mr. Jeffers
Ms. Chandrasekera**

The motion was approved.

- 4. THAT Mayor Tory, on behalf of the Toronto Police Services Board, correspond with Hon. Eric Hoskins, Ontario Minister of Health & Long-Term Care, to advocate for greater funding for hospitals to expand the Mobile Crisis Intervention Teams, to ensure that each Toronto Police Service division has a dedicated team with full coverage.

For

Opposed

**Chair Pringle
Councillor Lee
Mayor Tory
Councillor Carroll
Mr. Jeffers
Ms. Chandrasekera**

The motion was approved.

*Written submission provided, copy attached to this minute.

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P20. [The Way Forward \(T.W.F.\) Fourth Quarterly Implementation Update](#)

The Board was in receipt of a report dated February 1, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Toronto Police Service's Board (Board) receive the T.W.F. Fourth Quarterly Implementation Update for the period November 1st 2017 through January 31st 2018.

Deputation: Brenda Ross*

The Board received the foregoing report.

Moved by: C. Lee
Seconded by: S. Carroll

*Written submission provided, copy on file in the Board office.

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P21. [Quarterly Report: Occupational Health and Safety Update for October 1, 2017 to December 31, 2017 and Year-End Summary](#)

The Board was in receipt of a report dated January 15, 2018 from Mark Saunders, Chief, with regard to this matter.

Recommendation(s):

It is recommended that the Board receive this report.

The Board received the foregoing report.

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

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P22. [Annual Report: 2017 Protected Disclosure](#)

The Board was in receipt of a report dated January 2, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Board receive this report.

The Board received the foregoing report.

Moved by: S. Carroll
Seconded by: J. Tory

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P23. [2017 Secondment Listing](#)

The Board was in receipt of a report dated January 15, 2018 from Mark Saunders, Chief, with regard to this matter.

Recommendation(s):

It is recommended that the Board receive this report.

The Board received the foregoing report.

Moved by: J. Tory
Seconded by: K. Jeffers

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P24. [Annual Report: 2017 Uniform Promotions](#)

The Board was in receipt of a report dated January 23, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Board receive this report.

The Board received the foregoing report.

Moved by: C. Lee
Seconded by: S. Carroll

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P25. [Annual Report: 2017 Summary of Grievances](#)

The Board was in receipt of a report dated January 18, 2018 from Peter Mowat, A/Manager Labour Relations, with regard to this matter.

Recommendation(s)

It is recommended that the Board receive the following report.

The Board received the foregoing report.

Moved by: C. Lee
Seconded by: U. Chandrasekera

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P26. [New Job Description: Special Constable – Priority Response Command](#)

The Board was in receipt of a report dated February 1, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Board approve the attached new civilian job description, classification, and hiring of the position for Special Constable, Priority Response Command (P.R.C.), (Job Code – C06005).

The Board approved the foregoing report.

Moved by: S. Carroll
Seconded by: K. Jeffers

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P27. [Annual Report: 2017 Parking Enforcement Unit – Parking Ticket Issuance](#)

The Board was in receipt of a report dated February 1, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Board:

1. Receive the following report; and
2. Forward a copy of this report to the City of Toronto (City) Government Management Committee, for its meeting on April 30, 2018, to be considered in conjunction with the City of Toronto 2017 Parking Ticket Activity Report.

Deputation Derek Moran

The Board approved the foregoing report.

Moved by: S. Carroll
Seconded by: K. Jeffers

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P28. [Annual Report: 2017 Statistical Report Municipal Freedom of Information and Protection of Privacy Act and Request for Additional Disclosure Analyst Positions](#)

The Board was in receipt of a report dated February 5, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Board:

1. Receive the 2017 Municipal Year-End Statistical Report, Information and Privacy Commissioner of Ontario, Canada;
2. Forward a copy of this report to the Ontario Information Privacy Commission; and
3. Approve the addition of three Disclosure Analyst positions, and the conversion of two temporary clerical positions to permanent clerical positions.

Deputations [Paul Cozzi*](#)
 Derek Moran

The Board approved the foregoing report.

Moved by: S. Carroll

Seconded by: J. Tory

*Written submission provided, copy attached to this minute.

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P29. [Special Constable Appointments – February 2018](#)

The Board was in receipt of a report dated February 5, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

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 (T.C.H.C) and the University of Toronto (U of T), subject to the approval of the Minister of Community Safety and Correctional Services.

The Board approved the foregoing report.

Moved by: J. Tory
Seconded by: U. Chandrasekera

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P30. [Environics Analytics - Vendor of Record](#)

The Board was in receipt of a report dated February 5, 2018 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation(s):

It is recommended that the Board:

1. Approve Environics Analytics as the vendor of record for the provision of territorial optimization tools, required licenses, technical development services on neighbourhood demographics, and maintenance services for the period April 1, 2018 to March 31, 2023; and
2. Authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

The Board approved the foregoing report.

Moved by: C. Lee
Seconded by: K. Jeffers

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P31. [Nomination of Toronto Police Services Board Representation to the Future of Policing Advisory Committee \(FPAC\)](#)

The Board was in receipt of a report dated February 6, 2018 from Andy Pringle, Chair, with regard to this matter.

Recommendation(s):

It is recommended:

1. THAT the Board nominate its Chair to represent the Toronto Police Services Board on the Future of Policing Advisory Committee and that the Board's Executive Director serve as the Chair's alternate; and
2. THAT the Board notify FPAC of this nomination.

The Board approved the foregoing report.

Moved by: C. Lee
Seconded by: U. Chandrasekera

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P32. [Appointment of Special Constables to Direct Traffic Under the Highway Traffic Act](#)

The Board was in receipt of correspondence dated January 15, 2018 from The Honourable Marie-France Lalonde, Ministry of Community Safety and Correctional Services, with regard to this matter.

The Board received the foregoing correspondence.

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

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P33. Missing Persons Investigations

Mayor Tory raised the foregoing matter as a new item for discussion by the Board.

In response to questions from the Board regarding the timelines for completion of the review, the Chief said that there are legal implications, as well as collaboration with other agencies that can affect the timelines for completing the review. However, his intention is to complete the review as expeditiously as possible.

The Board approved the following Motions:

- 1. THAT the Board request that the Chief make available to the Board and the public the findings of the internal review into TPS missing persons investigations upon its completion, taking into account legal and other constraints which may affect the need to preserve confidentiality of some information.**
- 2. THAT upon receipt of the internal review, the Board establish a process pursuant to which community feedback can be received on the internal review and on the broader matter of missing persons investigations, with the results to be reported back to the Board within 120 days of the receipt of the internal review. Following receipt of this public input, the Board will consider what further steps, if any, need to be taken by the Board in respect of this matter.**

Moved by: J. Tory
Seconded by: S. Carroll

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on February 22, 2018

P34. **Confidential**

In addition to the public meeting conducted by the Board today, a confidential 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 confidential meeting:

Mr. Andrew Pringle, Chair
Chin Lee, Councillor & Vice-Chair
Mr. John Tory, Mayor & Member
Shelley Carroll, Councillor & Member
Mr. Ken Jeffers, Member
Ms. Uppala Chandrasekera, Member, participated by telephone

Next Regular Meeting

Date: Thursday, March 22, 2018
Time: 1:00 PM

Minutes Approved by:

-original signed-

Andy Pringle
Chair

Members of the Toronto Police Services Board

Andy Pringle, Chair	Marie Moliner, Member
Chin Lee, Councillor & Vice-Chair	John Tory, Mayor & Member
Shelley Carroll, Councillor & Member	Uppala Chandrasekera, Member
Ken Jeffers, Member	

***Statement regarding Chief Mark Saunders
on behalf of the Toronto Police Services Board***

February 22, 2018

The Board fully and unequivocally supports Chief Saunders. The Board stands behind Chief Saunders. The Board will continue to work with Chief Saunders to ensure that the Toronto Police Service is, and continues to be, an organization of excellence, and an organization committed to positive change and growth, and Toronto's continued status as one of the safest big cities in the world.

We know that modernization of our police service is necessary. We also know that it is difficult. We are keenly aware of the challenges this substantial change poses for our members, both uniform and civilian, as well as their families. But we also believe that the organization will emerge from this transformation stronger, more effective and more responsive to, and trusted by, the community. We believe, too that it will ultimately be a better place to work for all of our members. We want our members to be meaningfully invested in our transformation, voicing their opinions and suggestions throughout in a constructive way. This has always been our position. This has not changed.

We know that the strength of the Toronto Police Service is in the men and women who, day in and day out, work tirelessly and with dedication to keep our city safe. We are entirely committed to ensuring the safety and well-being of our officers, consistent with the wishes of their family members.

We understand that the Toronto Police Association (TPA) strongly prefers the status quo. The TPA has been invited to the table and we have sought its input from the outset. Notwithstanding this reluctance to help bring about necessary change and modernization, we continue to seek opportunities to work constructively with the TPA and with the men and women of the Toronto Police Service in the cause of transforming and modernizing the Service itself and policing in our city.

The committed participation of the TPA in that process is, in our view, a more constructive approach to ensure consideration of the concerns of police officers than actions such as this vote, which do not achieve any positive results.



**Executive Council of Ontario
Order in Council**

**Conseil exécutif de l'Ontario
Décret**

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

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

PURSUANT TO section 27 of the *Police Services Act*, as amended, Marie Moliner be reappointed as a part-time member of the City of Toronto Police Services Board to serve at the pleasure of the Lieutenant Governor in Council for a period not to exceed three years from March 27, 2018.

EN VERTU DE l'article 27 de la *Loi sur les services policiers*, dans sa version modifiée, Marie Moliner est de nouveau nommée, à titre amovible, membre à temps partiel de la Commission des services policiers de la ville de Toronto pour une période maximale de trois ans prenant effet le 27 mars 2018.

Recommended: Premier and President of the Council
Recommandé par : La première ministre et présidente du Conseil

Concurred: Chair of Cabinet
Appuyé par: Le président/la présidente du Conseil des ministres,

Approved and Ordered: FEB 08 2018
Approuvé et décrété le:

**Administrator of the Government
L'administratrice du gouvernement**



Toronto Police Services Board Report

February 9, 2018

To: Chair and Members
Toronto Police Services Board

From: Notisha Massaquoi, on behalf of the Interim Steering Committee

Subject: Update – Interim Steering Committee

Recommendation(s):

It is recommended that the Board receive this report.

Financial Implications:

There are no financial implications arising from the recommendation in this report.

Background / Purpose:

At its meeting on December 14, 2017 the Board considered a report recommending its response to the three recommendations directed to the Board by the jury in the Coroner's inquest into the death of Andrew Loku. The Board approved the report and the following motions (Min. P261/17 refers):

1. THAT the Board approve the establishment of an interim Steering Committee consisting of one nominee of the Board, Ms. Notisha Massaquoi, and one nominee put forward by the Andrew Loku Coalition, to recommend to the Board the composition of the Committee noted in recommendation no. 2, its terms of reference, governance matters including financial resources and any other matters relevant to the mandate of the committee. The report would be expected for consideration at the February 2018 Board meeting; and

2. THAT the Steering Committee noted in recommendation no. 3 provide a report to the Board recommending approval of the terms of reference of the pilot project and it's resourcing.

Discussion:

The Board, at its meeting on January 22, 2018 determined that the members of the Interim Steering Committee are: Uppala Chandrasekera, Member, Toronto Police Services Board, Notisha Massaquoi, Executive Director, Women's Health in Women's Hands Community Health Centre and one representative of the Andrew Loku Coalition. Chair Pringle, on behalf of the Board, has corresponded with Ms Aseefa Sarang, Executive Director of Across Boundaries to request that the Andrew Loku Coalition identify a representative to participate on the Interim Steering Committee. The Interim Steering Committee looks forward to welcoming a representative of the Coalition in the very near future.

In addition, and as part of the preparatory work which will inform the drafting of terms of reference for the Board's new anti-racism committee, we have met with Denise Andrea Campbell, Director, Social Policy, Analysis and Research Section, Social Development, Finance and Administration Division, City of Toronto and Omo Akintan, Acting Director, Equity, Diversity and Human Rights Division, City of Toronto. We discussed their experience with the process that the City followed to arrive at the Toronto Action Plan to Confront Anti-Black Racism, including the process to select community participants and subject matter experts and we focussed on the recommendations in the report which are directed to the Board and the Service in order to identify where they intersect with the recommendations arising from the inquest into the death of Andrew Loku. We hope to continue these discussions so that effort and resources are not duplicated and so that the Board's Committee is aligned with the City's Action Plan.

We also met with Akwatu Khenti, Assistant Deputy Minister and Casper Hall, Director of Policy, Research and Strategic Initiatives, representing the Province's Anti-Racism Directorate, to gain a greater understanding of its three year strategic plan in order that it may also inform and guide us as we draft terms of reference.

Board members have also been consulted and have given us preliminary input into the content of the terms of reference as well as direction with respect to the resourcing that will be required to support the new committee.

Conclusion:

Once we have rounded out our membership with the addition of a representative of the Andrew Loku Coalition, we will begin the process of drafting terms of reference. We

anticipate that we will be in a position to provide a further report to the Board at its April meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'AMZ' with a long horizontal flourish extending to the right.

Notisha Massaquoi
On behalf of the Interim Steering Committee



Toronto Police Services Board Report

February 8, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Issuance of Naloxone Kits to Specified Uniformed Members

Recommendation(s):

It is recommended that the Board receive this report.

Financial Implications:

The Toronto Police Service must obtain a medical delegation from a physician to administer Naloxone to the Public. The cost to employ a physician to oversee the program is approximately \$3,000 annually. This amount will be funded within the current operating budget and will be built into future operating budget requests.

The Service is eligible to receive free naloxone kits through Toronto Public Health.

Background / Purpose:

At its meeting of November 16, 2017, the Board requested a detailed report on the issuance of Naloxone to police service members, including comparable information about the issuance of Naloxone to officers by other large police services in Canada. The following information is provided in response to this request. This report is also provided in accordance with the Board's Uniforms, Working Attire and Equipment Policy which states:

The Chief of Police will consult with the Board prior to making any changes to the uniform, working attire or equipment of such significance or import as to alter the appearance of the uniform, working attire or equipment in the eyes of the community.

Discussion:

The rapid increase in the number of unintentional opioid-related deaths has become a national health care crisis. Naloxone is a life-saving medication which can be used to block the effects of opioids and prevent an overdose death. Toronto Police Service will implement a structured issuance of the drug Naloxone to its' sworn members.

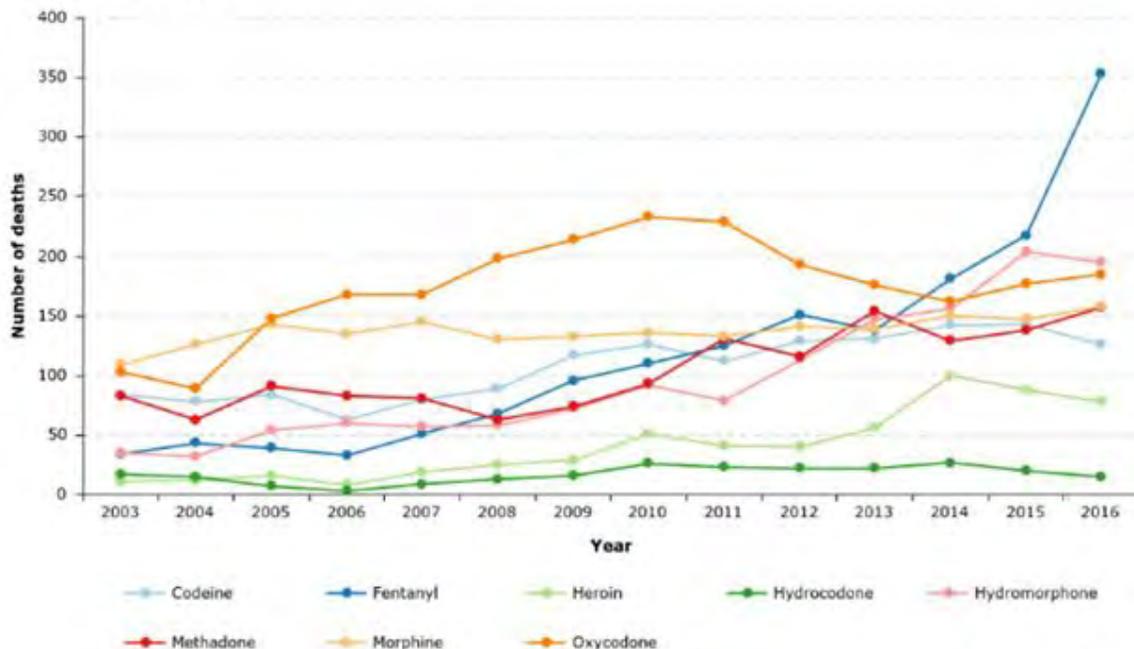
Opioid-related overdose deaths in Toronto have more than doubled in the last five years. In 2016 there were 186 opioid-related deaths.

Rates of Opioid Related Mortality Toronto Public Health Data		
YEAR	# of Deaths	Rate per 100,000 population
2016	186	6.5
2015	137	4.8
2014	131	4.7
2013	104	3.7
2012	85	3.1

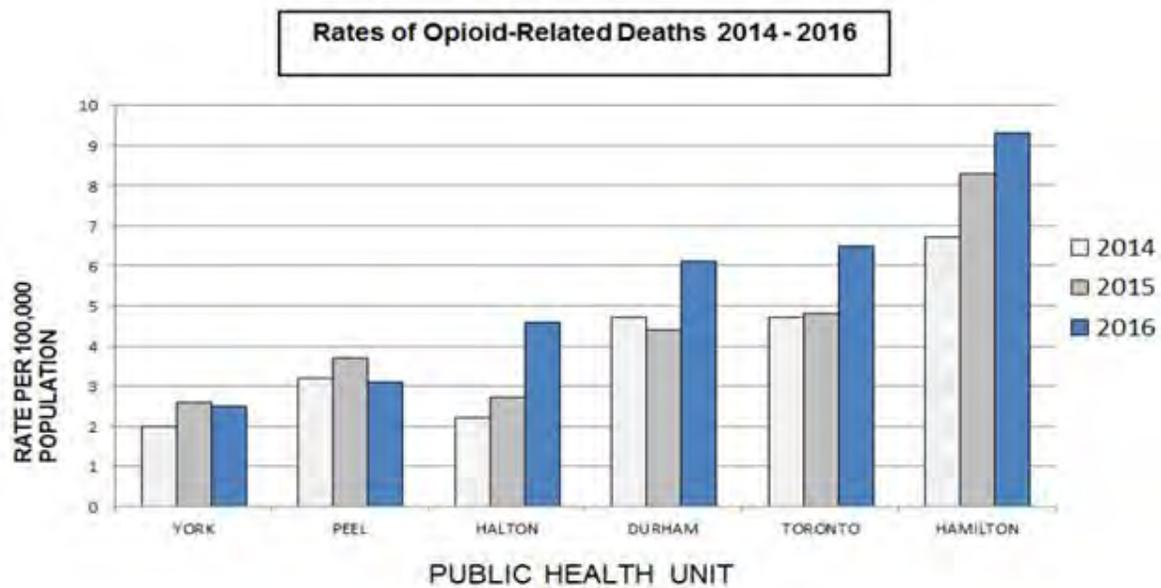
* 2017 data is not yet available as the investigation to determine the cause of death is on-going.

Fentanyl is a synthetic type of opioid that is 50 times more potent than heroin. Illicit fentanyl is showing up more and more on the street. Carfentanil is an even stronger opioid derivative and is 100 times more potent than fentanyl. As little as 20 micrograms can cause a fatal overdose. A microgram is smaller than a single grain of salt. In many cases, drug users unknowingly purchase street drugs that are tainted with these incredibly potent synthetic opioids resulting in unintentional drug overdoses. The number of fentanyl-related deaths have spiked profoundly in the past few years, more so than any other type of opioid.

Type of opioid present at death,
Ontario, 2003 - 2016

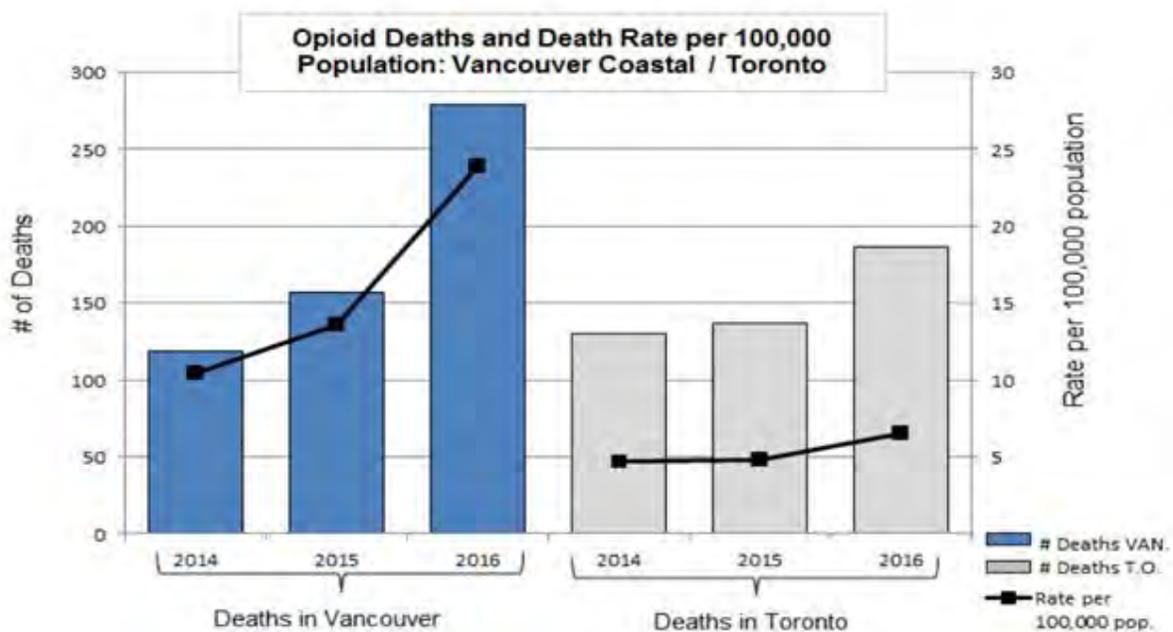


Most public health units surrounding the Toronto area have reported an increase in the rate of opioid-related deaths for 2016. Toronto and Durham experienced similar rates of opioid-related deaths. Hamilton Public Health Unit has reported much higher rates of opioid-related deaths from 2014 -2016 than Toronto.



COMPARISON: Opioid Death Rates Vancouver / Toronto

In 2016, the Vancouver Coastal Health Unit reported a much higher opioid-related death rate per 100,000 population (23.9 deaths per 100,000 pop.) than Toronto (6.5 deaths per 100,000 pop.). The opioid death rate per 100,000 population in the Vancouver coastal area increased by 74% from 2015 to 2016, while in Toronto it increased by 3.5%



Naloxone Nasal Spray

Naloxone nasal spray contains 4mg of preloaded medication. There is no risk of medication overdose errors. It is easily applied and has a clear expiry date with an 18-24 month expiry. Naloxone nasal spray requires storage protection from extreme temperature changes. It must be stored between 15°C - 25°C, with brief excursions permitted between 4°C - 40°C. Naloxone cannot be frozen and must be protected from direct sunlight. This presents challenges for our members who work in extreme temperature conditions in summer and winter. Exposing this drug to extreme temperatures for prolonged periods deteriorates its effectiveness.

Training

There is minimal training required for the use of Naloxone nasal spray. Each member would require up to date first aid certification. Training for Naloxone nasal spray is composed of a 1 hour on-line e-learning course through the Canadian Police Knowledge Network. A brief practical exercise is also recommended.

Medical Oversight / Legal Position

The Good Samaritan Act states, *any person who voluntarily and without expectation of remuneration provides emergency first aid is not liable for damages that are caused by their actions or failure to act unless it is established that the damages were caused by intentional gross negligence of that person.* We are advised that the Good Samaritan Act does not apply to police officers because they receive remuneration for the services they provide. Therefore, police officers would not be protected from liability for damages caused by their actions while administering Naloxone.

In the Province of Ontario, section 27 of the Regulated Health Professionals Act (R.H.P.A.) states, controlled medical acts (such as administering Naloxone nasal spray to a person experiencing an opioid overdose) may only be performed by non-physicians if the controlled act is delegated by a physician. Medical “delegation” means that a physician transfers his/her authority to perform a medically controlled act to another person but first provides medical oversight to ensure adequate training is completed and that the individual is proficient in conducting the medical act. Section 29 of the R.H.P.A. contains an exemption to this requirement for situations when “rendering first aid or temporary assistance in an emergency.”

Toronto Police Legal Services has examined the R.H.P.A in the context of our members administering Naloxone nasal spray to the public and has advised if Toronto Police Service establishes a Naloxone program and issues Naloxone nasal spray to its members intended for regular use on the public then the action of administering the drug in the course of their duties becomes a matter of routine. The exemption found in

section 29 (rendering first aid in an emergency) contemplates a situation where a person is confronted by a crisis and does something they would not normally do. This is not the case for police officers who regularly attend overdose calls and could potentially administer Naloxone nasal spray. Therefore, the Toronto Police Service is expected to comply with section 27 and obtain a medical delegation from a physician.

In order to obtain a medical delegation from a physician, all officers being issued Naloxone would require current first aid certification. At present, there are 1200 officers that have expired first aid certifications and another 1000 officers are scheduled to expire in 2018. Therefore first aid training would have to be directed for a large number of officers prior to Naloxone issuance.

Costs Associated to Medical Delegation

The Toronto Police Service must obtain a medical delegation from a physician to administer Naloxone to the public. The cost to employ a physician to oversee the program is approximately \$3000 annually.

Special Investigations Unit (S.I.U.) Position

A great deal of consideration was given to the legal responsibility and liability issues for our officers where an overdose patient is hospitalized or dies despite the issuance of Naloxone. The SIU has given the position that they will invoke their mandate in instances where their established injury threshold is met.

It is important to consider the impacts that such S.I.U. investigations would add to our members and the organization itself. A high percentage of opioid overdose situations result in admission to hospital, a threshold that requires Toronto Police Service to notify the S.I.U. It is anticipated that the resulting impact of numerous notifications and subsequent invocations of the S.I.U. investigative mandate would be organizationally significant and detrimental to our members.

Ontario Ministry of Health Funding

The Toronto Police Service is eligible to receive free Naloxone kits through Toronto Public Health. In order to obtain the kits, the Toronto Police Service must enter into an agreement with Toronto Public Health, develop related policies and procedures, and arrange training and education for our members.

The Toronto Police Service would be required to report quarterly to Toronto Public Health using a standardized form on the use of Naloxone by their service. The Toronto Police Service is eligible to order Naloxone in early 2018. The Ontario Ministry of Health will advise police services of the effective enrollment date once it has been

determined. Special Constables, auxiliaries and civilians are not eligible to obtain free kits under this program.

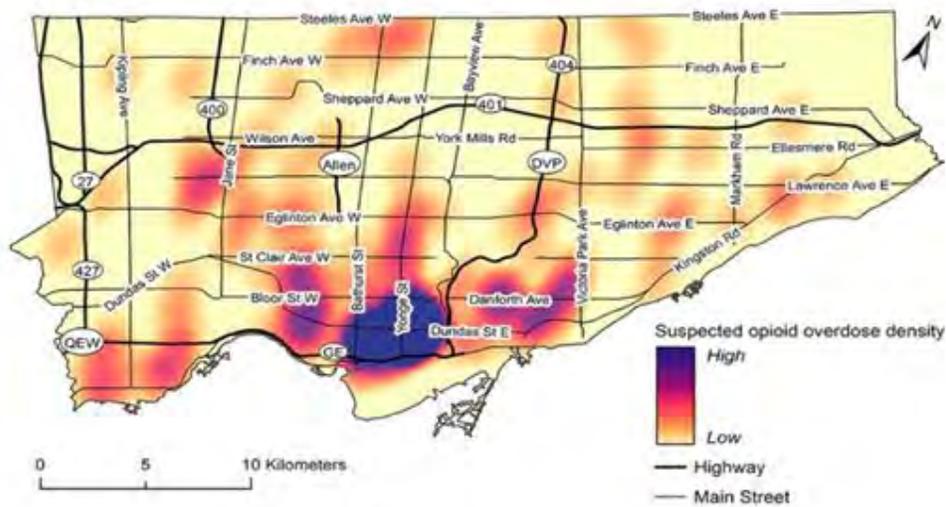
Structured Deployment of Naloxone

In a structured deployment the following members would be issued Naloxone nasal spray:

- All frontline Primary Response Unit / Community Response Unit / Major Crime Unit sergeants/detectives/constables in 14/51/52/55 Divisions (supervised injection site divisions)
- All Primary Response Unit and Community Response Unit sergeants and Major Crime Unit detectives in all other divisions
- All members of Toronto Drug Squad
- All sergeants and detectives in the Emergency Task Force, Police Dog Services, and Gun and Gang Task Force

A structured deployment of Naloxone would in all likelihood assist in alleviating public and officer concerns regarding opioid safety issues, particularly in neighbourhoods surrounding supervised injection sites. There are distinct concentrated areas in the city where emergency calls to Toronto Paramedic Services for suspected opioid overdoses occur. The epicentre for these calls is in the downtown core between Bathurst St / Don Valley Parkway, and Lakeshore Blvd / Bloor Street. The deployment proposed would ensure every front line officer in this core area would be equipped with Naloxone nasal spray.

Map of suspected opioid overdose calls received by Toronto Paramedic Services, Toronto, December 1 to 31, 2017



Prepared by Surveillance & Epidemiology Unit, Toronto Public Health

Source: Toronto Paramedic Services Electronic Patient Care Record (December 1 to 31, 2017) | Extracted January 3, 2018

In surrounding areas, all front line road supervisors would be equipped with Naloxone and would monitor radio calls for service for overdoses. This deployment of officers equipped with Naloxone will complement Toronto paramedic and fire personnel who are also able to administer Naloxone.

City of Toronto paramedics can administer Naloxone nasally, intramuscularly, and subcutaneously. Some paramedics can administer the medication intravenously. Toronto Fire Services also carry Naloxone nasal spray. To date, our fire services have not administered the drug at any overdose calls; instead their crews have managed multiple opioid overdose calls with good airway management and respiratory support.

Both paramedic and fire service policy directives hold a strong position that managing the patient's airway, supporting ventilation and oxygenation is the preferred management protocol for suspected opioid overdose patients. Naloxone administration is their last option in treatment protocol.

A structured deployment also allows the police service to balance the need for front line officers to have access to this drug against the significant impact that numerous additional S.I.U. investigations would have on members and the organization. This deployment model provides a level of control surrounding the deployment of this drug to Service members. Supervisors can ensure that Naloxone is only administered as a last resort when a person is in respiratory depression and paramedic or fire service attendance is not imminent. A supervisory level of control can ensure that Naloxone is only being used when absolutely necessary thereby limiting the number of additional S.I.U. investigations.

Under this deployment model officers will only administer Naloxone nasal spray as needed when they arrive first on scene of an overdose call and paramedic or fire service attendance is not imminent. These situations are uncommon. Analysis of data on first responder arrival times has determined that police only arrive on scene before paramedic and fire services 2.7% of the time for overdose/poisoning calls (data collected from Toronto Fire Services from 2015 to 2017). Primary response supervisors equipped with Naloxone will monitor overdose calls for service and be more available to attend these calls than front line officers who are often occupied by other emergency calls for service.

Toronto Fire Services collect data on first responder arrival times of fire fighters, paramedics and police for the radio calls they attend. The below chart provides first responder arrival times for a three year period from January 1, 2015 to December 31, 2017. This data was filtered using "Cause of Illness-Drug Overdose Poisoning" which is a field entered by the on scene fire captain after response. There are a total of 777 records for overdose poisoning in this three year data set. The fire captain on scene of

each call is responsible to collect a timestamp record of fire fighter, paramedic and police arrival times.

Analysis of this data determined that police arrive first on scene before paramedic and fire services only 2.7% of the time for overdose/poisoning calls.

Responder First On Scene	2015 Count of Incidents	2016 Count of Incidents	2017 Count of Incidents	Total
All the Same Time	2	5	4	11
Paramedics	8	11	7	26
Paramedics & Police	1	0	0	1
Fire	166	178	253	597
Fire & Paramedics	31	30	44	105
Fire & Police	5	7	4	16
Police	6	8	7	21
Total	219	239	319	777

Police arrived first before Paramedics or Fire	2.7%
Police arrived same as Paramedics or Fire	3.6%
Police arrive after Paramedics or Fire	93.7%

Issuance of Naloxone to Police Officers in Other Jurisdictions

The following chart describes how other police services across Canada have chosen to issue Naloxone to their members. Deployment models range from individually issuing every police officer on the service with Naloxone, to issuing only a select group of officers, such as supervisors and specialized units, to no issuance at all.

POLICE SERVICE	INDIVIDUAL ISSUE	SELECT ISSUE	NO ISSUE	NOTES
Vancouver, BC	X			Available to all but issued on officer request. Police do not attend overdose calls.
Surrey, BC	X			Issued to all officers.
Calgary, AB	X			Issued to all officers.
Winnipeg, MN	X			Issued to all officers.
Halifax, NS	X			Issued to all officers.
RCMP	X			Issued to all officers.
OPP	X			Broad issuance. One kit for every two members. Daily issued equipment.
Ottawa, ON	X			Issued to all officers.
London, ON	X			Issued to all officers starting Jan 2018.
Kitchener-Waterloo, ON	X			Issued to all officers.
Peel, ON	X			Issued to all officers.
Edmonton, AB		X		Issued only to road supervisors and specialized units.
York, ON		X		Issued only to road supervisors and specialized units but starting in 2018 will be issued to all officers.
Durham, ON		X		Issued only to road supervisors and specialized units.
Halton, ON		X		Issued only to high risk specialized units. But will be issued to all officers spring 2018
Hamilton ON			X	Do not issue.
Montreal, QC			X	Do not issue. Paramedics and Firefighters all equipped - deemed sufficient.

Naloxone Usage by Police in Vancouver /Surrey British Columbia

Vancouver and Surrey, British Columbia, are among the highest areas in the country for overdose deaths. In these jurisdictions front line police officers are not dispatched to overdose calls. They only get dispatched to these calls if paramedics or fire service personnel request their attendance to keep the peace or to ensure their safety.

Vancouver experiences almost double the number of opioid deaths than Surrey does, however, Vancouver Police officers administered Naloxone nasal spray only nine times since they started carrying it in January 2016, while Surrey RCMP officers have used Naloxone 139 times since they started carrying the drug in October 2016. Vancouver has 1327 police officers and Surrey has 804 officers.

The main reason for the difference in usage between the two services comes down to the geographical size of their service area and ambulance/fire service response times. Vancouver has a very concentrated population in a small area. Fire and ambulance services are able to attend first on scene before police, much like the city of Toronto, to treat an opioid overdose. Surrey Police are responsible for a very large geographical area. Ambulance and fire services can take up to 10-13 minutes to attend in urgent situations. Surrey officers are often first on scene of overdose calls and must administer the Naloxone themselves while waiting for ambulance and fire to arrive.

Independent Investigations Office (I.I.O.) British Columbia

The RCMP in Surrey British Columbia invested a great deal of time and effort in educating the Independent Investigations Office (I.I.O.) on Naloxone. They provided statistical data on opioid deaths to demonstrate to the I.I.O. that they would be unnecessarily overwhelmed and overworked if they invoked their mandate in cases where an officer administered Naloxone and the person still passed away from an overdose. Ultimately after their first investigation, the I.I.O. changed their policy. The I.I.O. made the determination that if a service member administers Naloxone and the person dies, as long as that person is not in police custody, they will not exert jurisdiction. The only circumstance where the I.I.O. will invoke their mandate is when Naloxone is administered to a person in police custody and death occurs.

Conclusion:

This report provides the Board with the requested information on the issuance of Naloxone to police service members, including comparable information about the issuance of Naloxone to officers by other large police services in Canada and the position of the S.I.U.

Deputy Chief Peter Yuen will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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



Toronto Police Services Board Report

February 15, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Zero Deaths - Expanded Deployment of Conducted Energy Weapons

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) approve:

- (1) the expanded deployment of Conducted Energy Weapons (C.E.W.) to frontline police constables; and
- (2) the purchase of the C.E.W.s from M.D. Charlton Co. Ltd., who is the sole distributor of Axon Taser products in Canada.

Financial Implications:

The cost of the expanded issuance of up to 400 additional C.E.W.s to on-duty uniform constables of the Priority Response Unit (P.R.U.) and to on-duty constables from designated specialized units, is approximately \$950,000. This cost will be funded from the Toronto Police Service's (Service) approved 2017-2026 Capital Program and / or the Policing Effectiveness Modernization (P.E.M.) Grant.

Background / Purpose:

The Board has asked the Toronto Police Service (Service) how it can achieve zero deaths in its interactions with members of the public. This Report is in response to that question, and outlines how the Service can better strive to achieve zero deaths in its encounters with members of the public. It advocates for an expanded suite of responses for frontline constables who are typically the first responders to emergency (9.1.1.) calls for service that often involve higher risk, where officers need to seek a balance between using minimal force required for the circumstances and using sufficient force to prevent unjustified harm by subjects. This balance requires the exercise of judgement often

under great stress. This request is framed within the Toronto context and the Service's experience with its evolution of response tools and strategies for its officers.

Use of force situations are often dynamic and sometimes require a variety of responses in order to address them safely. The Service's request is based on the following principles:

- that officers should have more appropriate options based on comprehensive research that lead to zero deaths;
- that the public, by way of their representatives in police governance, as well as police leaders have a duty to provide officers with an evidence based suite of responses to safely address situations involving the application of force in their communities;
- that responses must be governed by a continued emphasis on governance, training, supervision, innovation, and accountability through public reporting; and
- that the C.E.W. will successfully minimize the gap within the correct suite of response options that will contribute to the aspirational goal of zero deaths in encounters with members of the public.

The Service is committed to improving its responses to potential use of force incidents. Those responses commence with de-escalation tactics, when possible, and can evolve to other less lethal force options when necessary so that lethal outcomes can be avoided.

The Service's experience with approving deployment of the C.E.W.

Since 2002, governed by the restrictions of the Ministry of Community Safety and Correctional Services (the Ministry), the Service deployed C.E.W.s, first to the Emergency Task Force (E.T.F.) and thereafter to its frontline supervisors (sergeants and some detectives).

In 2013, the Ministry lifted its restrictions and on September 12, 2013, the Service submitted its 2014-2023 Capital Program Request to the Board which included funding for the expanded deployment of C.E.W.s. The Board received the report and passed the following motion:

That the Board request the Chief to provide a report for its November 7, 2013 meeting containing all the steps, including training, that the T.P.S. is undertaking with respect to the potential expansion of the deployment of C.E.W.s (Min. No. P224/13 refers).

At its November 7, 2013, meeting the Board considered that report and several community deputations and submissions. At the time, the Board noted that the Ministry had not yet released the amended C.E.W. Use of Force Guidelines and training standards. The Board then passed the following motion:

1. That the Board receive the deputations and the written submissions
2. That the Board receive the report from the Chief, and
3. That the Board direct the Chief not to proceed with the expanded deployment of C.E.W.s as outlined in his report at this time (Min. No. P259/13 refers).

Two weeks later, on November 25, 2013, the Ministry released its amended C.E.W. Use of Force Guidelines and training standards. To date, except for authorizing the deployment of C.E.W.s to other classes of officers, the Guidelines are largely unchanged from 2010. Although the Ministry did not amend the threshold when the C.E.W. could be used, training standards specified increased judgement training for new users and, as a result, the length of training was increased from 8 to 12 hours.

On October 18, 2017, the Board hosted a public consultation at an external venue. At that consultation the Service made a presentation that outlined:

- The experience of other Ontario police services with the C.E.W.,
- Mental health and other conditions that can diminish officers' ability to de-escalate a situation,
- The personal impact of the decision to use lethal force,
- The Service's experience with the C.E.W. and the rationale for expanded deployment of the C.E.W.

The attending Board members also heard deputations from 14 of the 23 registered members of the community.

Discussion:

The Toronto Police Service aspires to achieve zero deaths as an outcome of our interactions with members of the public. In 2016,¹ officers were dispatched to 550,918 calls for service and approximately 2.2 million documented contacts with members of the public. These calls for service were generated by the actions of Service members, as well as by citizens who work, visit or live in the City of Toronto and who felt that their safety was, or may have been, compromised.

Of those contacts, officers used reportable force 1,177 times, or in approximately 0.05% of encounters². This is about average for the Service and demonstrates that, in the overwhelming percentage of cases, officers are successful in resolving incidents safely and without resorting to a level of force which meets reporting criteria. This fact can be attributed, in part, to community cooperation; Board policies; Service procedures; supervision; and officers' judgement, skills, training, and equipment. However, this enviable record does not, for a moment, mean that the Service should become

¹ 2017 Use of Force statistics have not been compiled as of this Report date.

² In about half of the use of force incidents involving the C.E.W., only the display of the weapon was needed to successfully resolve the situation.

complacent. The Service wants to reduce even these low numbers where it is safe to do so; the Service's goal is zero deaths.

De-escalation Training

In addressing calls for service, there are a number of options available to P.R.U. officers within the current suite of responses, the first of which is usually and preferably de-escalation. De-escalation is defined by the Ontario Police College as

“Verbal and non-verbal strategies intended to reduce the intensity of a conflict or crises encountered by the police, with the intent of gaining compliance without the application of force, or if force is necessary, reducing the amount of force required.”

The Service recognizes and is committed to the role that de-escalation plays in every encounter, where it is practical and safe to do so. The Service has increased the emphasis on de-escalation and negotiation as a primary means of resolving potentially confrontational situations. A key conduit to train officers in de-escalation skills is the In-Service Training Program (I.S.T.P.).

The I.S.T.P. is designed to exceed the basic requirements of an annual qualification. The *Police Services Act*, more specifically the Policing Standards Manual, sets out the framework for annual police training. As per the Policing Standards Manual, annual training in use of force must include training on legal requirements, judgment, safety, theories relating to the use of force and practical proficiencies.

The focus of training was determined by curriculum designers in consultation with the Service's Use of Force Analyst at the Toronto Police College. The content of the program was based on audit and inquiry reports, suggested best practices, and discussion papers from judicial, auditing (ombudsmen), and mental health communities; particularly the latter. The consensus was that training would be incomplete if it did not provide use of force concepts and theories that apply to de-escalation.

The best practices material was found in the following documents and programs:

- *Training and Education about Mental Health for Police Organizations* (Mental Health Commission of Canada (M.H.C.C.), June 2014)
- *Police Encounters with People in Crisis* (Honourable Frank Iacobucci, July 2014)
- *A Matter of Life and Death* (Paul Dube, Ombudsman of Ontario, June 2016)
- *Crisis Resolution* (Canadian Police College)
- *Prevention and Management of Aggressive Behaviour Training* (Centre for Addiction and Mental Health (C.A.M.H.))
- *Mobile Crisis Intervention Training* (Toronto Police Service)
- *Applied Suicide Intervention Skills Training* (LivingWorks)
- *Mental Health First Aid* (M.H.C.C.)

The I.S.T.P. was created in collaboration with the following external contributors:

- Dr. Mark Pearse, Psychiatrist, C.A.M.H.
- Dr. Peter Collins, Psychiatrist, C.A.M.H.
- Dr. Graham Vardy, Ph.D., C.A.M.H.
- Dr. Terry Coleman, Ph.D., M.H.C.C.
- Dr. Nancy McNaughton, M.Ed., Ph.D., University of Toronto
- Dr. Mimi Mamak, Ph.D, St. Joseph's Hospital, Hamilton
- Jennifer Laffier, University of Ontario Institute of Technology (M.H.F.A.)
- Suzanne Wannamaker, Canadian Police College (Negotiation Course)
- Mike Girard, Ontario Police College
- Sgt. Gord Klingspon, Ontario Provincial Police Academy
- Pat Capponi, Voices from the Street
- Jennifer Chambers, Empowerment Council
- Dr. Carol Vipari, Toronto Police Psychological Services
- Dr. Cathy Martin-Doto, Toronto Police Psychological Services
- D/Sgt. Mike Leone, Toronto Police Professional Standards

The Service added three weeks of judgement and decision-making training to its recruit training and a third day to its annual I.S.T.P., with a significant portion of that focused on de-escalation. Within the Defensive Tactics portion of the I.S.T.P., officers are taught to think about the reasonableness of their application of force, especially if the person is in crisis. The Mental Health and Communication portion emphasizes de-escalation guidelines of:

- Imminence
- Distance (isolate/contain)
- Project calmness (model behaviour)
- Empathy
- Empowerment

Officers are taught to maintain a safe distance; use a firm, gentle voice; offer help; and work together. They are also taught the concepts of authority or influence, empathy and rapport, the role of hooks and triggers, the importance of explaining actions, and active listening skills.

Central to officer learning is the use of simulations in which they learn from each other by taking turns observing others participating in simulations, and then participating directly in different simulations themselves while others observe. The learning points brought out by debriefing the first simulation are incorporated into the next one, and so on. For example, dynamic simulation and simulator training incorporates debriefing where the instructor leads a class discussion on the viability of incorporating less lethal options, and using resources such as the E.T.F. and Mobile Crisis Intervention Teams (M.C.I.T.).

Furthermore, starting in 2012, the I.S.T.P. began highlighting the importance of three broad skill sets: thinking, acting, and explaining, each as reasonably as possible given all of the circumstances. This change was done to make officers more conscious of all

three elements within policing and public safety, and of the need to explicitly engage each of those elements. These three words have become well known throughout various courses and levels of training at the Toronto Police College - from recruit to supervisor courses. These concepts were also integrated into provincial training for Ontario Regulation 58/16 Collection of Identifying Information in Certain Circumstances (C.I.I.C.C.) and national Canadian Police Knowledge Network (C.P.K.N.) training for Courtroom Testimony Skills.

Work and research in that area of training have evolved to where those three words were integrated into a research based framework now called the Unified Model of Public Safety. That model, enables officers to unify their approaches to several seemingly-unrelated tasks and situations, which is often referred to as a "transfer of learning" in educational contexts. For example, teaching officers to be more reasonable in their thinking, through specified sets of skills being explicitly taught, enables them to mitigate several common downsides of intuition such as confirmation bias. That bias is more commonly known as "tunnel vision" both in investigative and dynamic contexts.

A substantial portion of that literature groups human thought processes into two differing and sometimes overlapping types, often referred to as "dual processing", and the manner in which they commonly operate as "bounded rationality." Just as "dual processing" and "bounded rationality" have been studied in economics and have added considerable value there, they are more recently being studied in police contexts. They are also being studied within other groups and contexts, such as the judiciary, public governance, and political science.

Recruit and supervisory training have included discussion of "dual processing" since 2015, the I.S.T.P. and training for Ontario Regulation 58/16 (C.I.I.C.C.) introduced it more widely in 2016, and "bounded rationality" is being preliminarily addressed in the use of force portion of the I.S.T.P. in 2018. Further integration of this training is currently in the design phase.

Summarizing thinking, acting and explaining as integrated topics, the Service is well ahead of peer agencies, many of which provide little or no explicit instruction on reasoning despite "reasonable" being the predominant standard in criminal law, the *Canadian Charter of Rights and Freedoms*, and many police procedures. With respect to wider C.E.W. deployment, Toronto officers are increasingly schooled and considerably ahead of other services who currently deploy C.E.W.s to P.R.U. constables, in this relevant and applicable training.

In addition still, the Service further invested in de-escalation training through participation in the Ministry of Community Safety and Correctional Services working group tasked with responding to the Ontario Ombudsman's Report: *A Matter of Life and Death*. The Service continues to contribute to the results and recommendations of this working group, and will incorporate any of its findings into training and procedures.

In 2018, the I.S.T.P. will again strive to improve de-escalation training by unveiling a new, innovative framework for teaching de-escalation. The concepts within this framework were introduced during the 2016 defensive tactics program, and will be

further taught in the 2018 use of force curriculum. This framework is in direct response to the Andrew Loku inquest recommendation that spoke to proper planning, as well as recommendations from the Use of Force Advisory Committee - Canadian Association of Chiefs of Police (C.A.C.P.) 2016 Annual Report and the Ombudsman's report which address police use of force. See Appendix A.

As well, the Service is enhancing how it evaluates its training and whether members apply their training. In educational research and curriculum design, this is sometimes referred to as "confirmative evaluation", a concern which the Toronto Police College began researching in 2013. It has since partnered with Dr. Nancy McNaughton of the University of Toronto's Faculty of Medicine to further develop an academically and scientifically sound methodology. Preliminary assessments are currently underway.

Also, in January, the Service announced its academic partnership with The G. Raymond Chang School of Continuing Education at Ryerson University. This partnership was made possible by a grant from the Ministry of Community Safety and Correctional Services. This partnership is anticipated to be a multi-year arrangement that will help with the following training initiatives:

- enhance the Service's ability to evaluate the impact of its training for Service members, and ensure that its course training standards meet the standards of the broader community;
- provide a suite of courses for Service members on topics ranging from diversity and bias avoidance through project management and programs to support the Service's new [competency model](#);
- provide access for Service members to the substantial information resources of Ryerson University, and result in research opportunities for the University and the Service; and
- provide credit toward university certificates, diplomas and/or degrees for courses offered by either organization.

Given the effort that has gone into developing curricula for officers, the Service has received accolades for its training from the C.A.M.H. and the M.H.C.C. for being leaders in police mental health and de-escalation training. Dr. Terry Coleman of the M.H.C.C. visited the Toronto Police College in 2015 and concluded that given the constraints of providing the necessary learning to a large number of students in a timely manner, the Toronto Police College seems to have a good product in a well thought out, delivered and debriefed learning program.

He also stated that

Overall, the Toronto Police College has created a comprehensive, well thought out learning program that has adopted a continuous improvement process and meaningfully engages all stakeholders, including persons with lived experience

(P.W.L.E.). As the program evolves, a rigorous outcome-based evaluation framework is necessary that will contribute to the program becoming more robust. The goals of the learning program should focus on improved outcomes for all parties; that is, most importantly the person in crisis, but also for police personnel and the general public.

When initial de-escalation is not successful, officers have several other options available to them. The following sections highlight these options, and the opportunities and gaps that each option presents.

M.C.I.T.

When a call for service involves a person in distress or a person experiencing a mental health crisis, M.C.I.T. are a part of the suite of responses that officers may have available to successfully respond to the situation. Each M.C.I.T. team consists of a specially trained police officer and a mental-health nurse. Both the nurses and the officers are selected during a joint interview process that involves the partner hospital and the division where they will be assigned.

The members of the M.C.I.T. teams are a seven-day-a-week service that provides support in the community to people experiencing a mental-health crisis. When an M.C.I.T. team attends a call, they assess the person in crisis to ensure their safety, determine the need for medical treatment and when necessary, connect the person to appropriate follow-up services in order to keep them in the community.

The mandate of the M.C.I.T. is:

- To enhance the quality of service delivered to people experiencing a mental health crisis;
- To provide a secondary response to incoming calls for service, follow-up, and referrals involving persons in distress in their own environment;
- To remove the individual from serious harm to themselves or others;
- To make an immediate on-site clinical assessment of the person in crisis; and
- To arrange appropriate mental health treatment through referral to an appropriate agency or apprehension under the *Mental Health Act*.

M.C.I.T. teams attend in concert with and in response to a call from a P.R.U. officer involving a mental-health crisis, including thoughts of suicide or self-harm, distorted or psychotic thinking, anxiety, overwhelming depression, and those who may be suffering from a temporary breakdown of coping skills.

There are limitations to this program, though. While M.C.I.T. teams now operate in all of the seventeen divisions across Toronto, the teams are only available ten hours a day - normally between 1:00pm and 11:00pm. On some days, several divisions must share the M.C.I.T. team on duty.

To date, the Service is currently partnered with the following hospitals:

- 11/14/22 Divisions are partnered with St. Joseph's Health Centre
- 12/13/23/31 Divisions are partnered with Humber River Hospital
- 32/33 Divisions are partnered with North York General Hospital
- 41/42/43 Divisions are partnered with The Scarborough Hospital
- 51/52 Divisions are partnered with St. Michael's Hospital
- 53/54/55 Divisions are partnered with Michael Garron Hospital (formerly Toronto East General Hospital)

While the M.C.I.T. program is referred to as a supporting response, teams are actually co-responders, meaning that an M.C.I.T. team will go to a call along with P.R.U. officers, whose job it is to make sure that the person in crisis, and those around them, are safe, and to ensure the safety of the M.C.I.T. nurse. The M.C.I.T. team does not normally attend calls involving individuals who are intoxicated by drugs or alcohol (as this makes a mental health assessment difficult), violent individuals, persons with weapons, or overdoses.

While most teams operate seven days a week, some teams only work four days a week and as a result, the neighbouring teams must cover over. Teams are scheduled during the hours when the Service tends to receive the highest number of calls for people experiencing a mental health or emotional crisis, as well as when partner hospitals can assign a nurse.

While this program has proven successful as a response to persons in distress, it is not always available to P.R.U. officers. The team may be geographically too far away or responding to another call, or the call may be occurring outside of the scheduled working hours of the team.

E.T.F.

The E.T.F., with its specially trained members, provides another option available to every frontline officer. The E.T.F. is a support unit that provides a co-ordinated tactical response to situations requiring a greater level of resources, or to incidents that may be beyond the capabilities of P.R.U. officers. The E.T.F. teams are trained, equipped and experienced in these situations and provide a team approach to resolving the situation.

The E.T.F. train specifically to de-escalate and negotiate as a primary means to resolve a situation peacefully. For over 30 years, E.T.F. members have used "time, talk and tactics" as a baseline to successfully resolve incidents. The E.T.F. provides trained and accredited negotiators to each situation with the goal of successfully resolving the incident without any use of force.

A less lethal response by the E.T.F. begins with containing the subject. Once the subject is contained, negotiations commence with the person. Unless actions or the emergent conditions of the situation dictate an immediate response, negotiations will continue as long as required. The E.T.F. also utilizes the services of an on-call forensic

psychiatrist, when required, to provide medical opinions and assessment when determining any course of action.

Only when the situation changes and an immediate response is required, is a co-ordinated response that considers a number of less lethal options utilized. The deployment of any option(s) is dictated by the actions of the subject. The greater the distance from the subject, and any offensive weapon possessed by the person, determine how best to effectively resolve the situation.

While a majority of incidents involving the E.T.F. are resolved without the use of force, there are situations where the actions of the subject or the emergent nature of the situation require a greater tactical response. In these situations and when the subject is not armed with a firearm, the E.T.F. have a number of less lethal response options available to them. These options are only considered when a subject or a situation dictates their use. These options also form part of a co-ordinated team response achieved through hundreds of hours of mandated training. Based on the experience of E.T.F. officers, each of the following options have proven to have limitations to their effectiveness.

Open-Handed Techniques (E.T.F.)

All E.T.F. officers are trained and qualified in the physical control techniques similar to frontline officers. In addition, all E.T.F. officers are trained in physical control and defensive techniques from the Gracie Survival Techniques (G.S.T.) program. The G.S.T. program is a combative/defensive tactics program specifically designed for military and law enforcement personnel. All E.T.F. officers are routinely trained and evaluated on this system by level one instructors.

Conducted Energy Weapon (E.T.F.)

All E.T.F. officers are issued with the X2 C.E.W., and as part of the training program, they are subjected to its effects through a deployment of the device. This experience provides the E.T.F. officer with a greater understanding of its effects on a subject, as well as the limitations of this weapon.

While the C.E.W. is an effective less lethal option for situations in which the E.T.F. may be called upon to respond, the C.E.W.s effectiveness can be limited by barriers presented by the subject, such as blankets, or in situations where close proximity only allows for a smaller probe spread. In these circumstances, the E.T.F. always supports the C.E.W. with another less lethal option.

Intermediate Weapons (E.T.F.)

E.T.F. officers are issued with both an expandable baton and a 4-foot long wooden baton. The longer baton provides the E.T.F. officer with greater distance from a subject; however, a confined area may limit the effectiveness of a baton strike to resolve the situation.

All E.T.F. officers are issued with Oleoresium Capsicum (O.C.) or 'pepper spray'; however, E.T.F. officers have the capacity to deploy a larger amount through dedicated canisters. While effective as an irritant and something which will distract a subject, O.C. spray will not immediately incapacitate a subject.

C.S. gas or 'tear gas' (E.T.F.)

All E.T.F. officers are trained and qualified in the use of C.S. gas. Exposure to C.S. gas causes a burning sensation and tearing of the eyes to the extent that the subject may have trouble keeping their eyes open. There is also a burning irritation of the nose, mouth and throat mucous membranes, which causes profuse coughing, nasal discharge and difficulty breathing. It can be deployed on a subject using powdered or aerosol forms, but can be limited by the environment in which the subject is located. The subject, the officers, and the environment where the C.S. gas is deployed will require decontamination. All E.T.F. officers are exposed to C.S. gas during training.

Shields (E.T.F.)

The E.T.F. uses both ballistic and polycarbonate shields as part of its less lethal response. Ballistic shields are designed to provide the officer with protection against ammunition. These shields come in two variations: (1) a smaller, lighter style that is designed to stop handgun ammunition, and (2) a larger, heavier style which is designed to protect against rifle ammunition. A lighter, polycarbonate shield, designed for use in cell extractions, is also available.

Shields and the tactics used by E.T.F. officers have proven to be successful, but only after another less lethal option has been deployed. Using a shield requires the officer to be in close proximity to a subject, and increases the danger to the officer as well as the potential for injuries to the subject. E.T.F. officers have been stabbed, cut, and struck in the head and extremities even when protected by a shield.

Impact Delivery Systems (E.T.F.)

The E.T.F. currently uses two different impact delivery systems. The 37 millimeter (m.m.) Arwen, which is a non-lethal launcher that fires 37 mm plastic non-lethal projectiles. This system is limited by proximity and requires a longer stand-off distance from the subject to reduce the potential for injury due to the composition of the projectile.

The E.T.F. has recently introduced the 40 m.m. Blunt Impact Projectile (B.I.P.) to its less lethal tactics. This system reduces the amount of stand-off distance from a subject and uses a projectile made of styrofoam and soft gel, which reduces the potential for injuries to a subject.

Although E.T.F. officers are equipped with these less than lethal options and a coordinated response, including a C.E.W., their effectiveness can be limited as well. When called upon by P.R.U. officers, E.T.F. members may be unavailable because they are geographically too far away or already responding in support of another call for service.

P.R.U. Constables

While E.T.F. and M.C.I.T. specialists provide a level of expertise to Priority Response officers, they may not be immediately available. In these cases, P.R.U. officers must assess the situation against the options and tools they possess, and work within the guidance provided by the use of force continuum, their proficiency with these options, and the dynamics of the event unfolding before them.

De-escalation is always the preferred choice for a police officer and it happens every single day. Whether it's during a traffic stop, a fight between people or responding to a person in crisis, our training teaches us to use words, rather than actions. That said, our medical partners remind us that it takes two willing participants to negotiate and to respond to a police officer's efforts to de-escalate the situation. Some public interactions involve persons under a mental or self-induced (drug or alcohol) psychosis that prohibit any dialogue. Some people present an imminent threat of harm to themselves or others, and a small number are active attackers, those unconcerned with escape and focused on harming or killing others until stopped, making de-escalation impractical or unsafe. In these situations, an immediate response is necessary.

Open-Handed Techniques (P.R.U.)

The first level of force option available to the P.R.U. when de-escalation ceases and immediate action is necessary is open-handed techniques to enable physical control when force is required. Based on the Ontario Use Of Force model, the officer resorts to this level when the subject is unarmed and actively resisting, and the officer deems it necessary to effect a safe arrest and/or apprehension.

Intermediate Weapons (P.R.U.)

Should the subject be armed with a weapon, P.R.U. officers have the ability to escalate to intermediate weapon(s). These use of force options include O.C. Spray and / or the ASP or expandable baton. The advantage of these intermediate options is that they are immediately available to officers as they carry them on their duty belts. These tools are immediately available should they have to defend themselves from being overpowered or from being assaulted with a weapon.

Conducted Energy Weapon (P.R.U.)

Sometimes officers are alerted of the presence of a weapon and/or assaultive behaviour on the part of a subject in advance of attending a call. This provides the officer with the option of requesting a frontline supervisor, currently equipped with a C.E.W. to also attend their location. However, the on-duty supervisors who are trained and equipped with a C.E.W. may not be immediately available because of other operational needs.

That said, open-handed techniques, O.C. spray, and the expandable baton also present limitations to responding officers. Between 2007 and 2017, officers have been involved in 323 incidents where the application of force resulted in a serious injury to a member of the public, and four incidents involving the death of a member of the public.

Less Lethal Soft-Nosed Impact Round Option (P.R.U.)

In 2016, the Service introduced the less lethal soft-nosed impact round option, or SOCK rifle, to frontline officers. This round, fired from a specially designated, easily distinguishable shotgun, consists of a small beanbag and is designed to impact the subject without breaking the skin. The SOCK rifle is meant to enable distance between the officer and the subject, which facilitates de-escalation and negotiation. Another benefit noted is the fact that it has allowed members to gain physical control of subjects when they have been temporarily surprised by the impact.

While this less lethal option has proven successful, it too has its limitations. Between January 1 and November 11, 2017, the SOCK rifle was reported to have been used by trained officers 50 times. Of this, the SOCK rifle was discharged 11 times, 9 of which were reported to have been effective. The SOCK rifle was pointed 39 times, 34 of which were deemed to have been effective. Furthermore, the SOCK rifle may only be deployed by members who are specially trained and in the company of at least one other armed officer, as a more lethal option may become necessary to enhance public and/or officer safety.

Another limitation is the storage of the SOCK rifle. The SOCK rifle is stored and secured in the trunk of a police vehicle and is only accessed when it is determined to be needed. Sometimes officers are alerted in advance about the severity of the call, which allows them to carry the weapon with them upon arrival. As well, subjects may react differently to this weapon, as it is a shotgun with a high visibility orange stock and fore-end. The possibility exists that this weapon can either escalate or de-escalate a situation.

Shields (P.R.U.)

The Service continuously assesses other use of force options and best practices used by other police agencies and is studying the feasibility of equipping P.R.U. officers with shields, as part of their protective equipment when responding to calls for service. For example, introducing shields to an event that does not require immediate intervention might give officers the means to contain the person, while other officers without shields wait to apprehend the person when it's safe to do so. By providing some measure of protection, shields might allow officers to move closer to secure a threat without increasing the likelihood of using lethal force.

The Service has canvassed other agencies for their experience with shields, in particular Scotland. It has been learned that there are limitations to the use of the shields. For example, at some point officers have to take physical control and disarm the person. Without adequate police presence, using a shield presents risk because carrying it makes it difficult for officers to access their handcuffs or other force options, or even defend themselves if the shield is grabbed or the officer's arm gets trapped by the shield. Dropping the shield, of course, defeats its purpose.

Like the SOCK rifle, the shield's objective is to create and maintain distance, enabling containment of the individual and attempts at negotiation. The shield can be used as a

physical barrier, but not if the subject is armed. Other limitations are presented by the need for more than one officer to be present, as a more lethal option may become necessary to ensure public and/or officer safety. Also like the SOCK rifle, the shield will have to be stored in the trunk of a police vehicle and accessed when it is determined to be needed.

Moreover, as officers are trained to de-escalate situations by attempting to build rapport, all officers using the shields are required to wear helmets and protective gloves, which may not present well to a person in crisis. Presenting a shield from the outset could be perceived as a barrier and prevent officers from accomplishing this goal.

Furthermore, to be effective officers must continually maintain their proficiency when using the shield to ensure its effectiveness when it counts the most. Although E.T.F. officers have been using heavy ballistic shields prior to this report, they are afforded the opportunity to continually train with this tool in a team setting. Shield tactics require a co-ordinated effort that has been trained and/or rehearsed to be effective. As the tactics themselves place the officer in close proximity to a subject, in the case of a subject armed with an edged weapon or impact weapon such as a baseball bat, any shield tactic increases the level of danger for the involved officers. The potential for injury also increases for the subject due to the composition of the shield and potentially the level of force required by the officer to utilize the shield as an impact weapon.

Despite these obvious limitations, the Service is exploring the feasibility of shields for frontline P.R.U. officers. The Service has acquired shields and the Toronto Police College is assessing applicable tactics and training. A trial of this response option will be evaluated based on the Service's experience and any information or assessments from other jurisdictions.

However, at this time, the Service is not aware of any police service in Canada that has issued shields to its P.R.U. other than Halton Regional Police Service, which recently issued ballistic shields to its officers. These shields are designed for officer protection if there is a requirement to respond to an active attacker situation where a person may be armed with a weapon and is actively causing harm to the public.

So far, the Service has not found any published evaluations of the effectiveness of shields for P.R.U. officers. The Service is aware that the New York City Police Department was exploring the use of shields for their P.R.U., but is not aware of any decision having been made to date. Reportedly, Scotland police have shields that are kept in most patrol vehicles for use against unarmed assaultive persons. According to the Police Executive Research Foundation, Critical Issues in Policing Series: Guiding Principles on Use of Force 2016:

Police Scotland officials explained that the personal protection shields would not be used to proactively confront a subject with a knife. (The shields offer limited knife protection and have no ballistic capability.) Rather, the shields are considered an extra measure of protection for surrounding and containing a subject who is unarmed (p. 101).

Furthermore, the Service has learned that Police Scotland plans to deploy 500 C.E.W.s to its frontline in May of this year, with plans for a full roll-out by the end of the year. This decision was made in response to terrorist threats, as well as an increased number of incidents in which officers were confronted by assailants with edged weapons, and an increased number of incidents in which officers were assaulted.

Should the Service's initial assessment conclude that a pilot is needed for further assessment, one will be initiated to study the shield's applicability to frontline response.

Service Pistol (P.R.U.)

After attempts to de-escalate, and M.C.I.T. personnel are unavailable or impractical because of the threat presented by the subject; and when open-handed techniques, O.C. spray, expandable batons, and the SOCK rifle prove ineffective or impractical; and when E.T.F. members and supervisors with issued C.E.W.s are unavailable, the only other use of force option available to the P.R.U. constable is the service firearm – a lethal weapon.

It is the only option the officer can consider when faced with a situation, whether immediate or after all other options have been exhausted, to protect police and/or the public from serious harm or death. Officers are trained to shoot at the centre of mass of the impending threat. This is necessary for a safe and effective application of this lethal force option therefore any notion that an officer could be trained or expected to wound or otherwise incapacitate an individual with a service pistol is unattainable.

It is, however, deemed to be our last option.

Request to add the C.E.W. to Frontline Officer Suite of Responses

While the C.E.W. is not without risk, the Service is confident that based on the evidence, the C.E.W. is a less injurious, effective force option that presents reduced risk. As outlined, it believes that through proper policy, procedures, training, and accountability, the C.E.W. is an important use of force option that can help maintain public and officer safety, and help the Service achieve its goal of zero death.

Service history with limited C.E.W. deployment

As outlined in this Report, the Service has been using the C.E.W. since 2002, when the Ministry approved the C.E.W. for use by police tactical teams and hostage rescue units in the Province of Ontario. This followed a successful four-month pilot project conducted by the Service's E.T.F. Because of the volume of potentially high risk encounters that police experience, the Ministry recognized the limitations of restricting C.E.W. to tactical teams and in 2004, authorized its deployment to members of preliminary perimeter control and containment teams and frontline supervisors. The Ministry believed that this ensured greater public safety because it increased access to a less lethal force option by more police officers.

In 2006, the Service conducted a pilot project in 31, 42 and 52 Divisions to examine C.E.W. use by frontline sergeants. The pilot successfully demonstrated that the Service had clear policy and procedures, comprehensive training, and an appropriate reporting structure in place. At the conclusion of the pilot project, approval was granted for expansion to more frontline supervisors (Min. No. P281/06 refers).

Since 2007, the Service has issued C.E.W.s to members of the E.T.F., frontline sergeants, and sergeants/detectives in specialized units such as Public Order, Intelligence, Organized Crime, Hold-Up, Drugs, and the Provincial Repeat Offender and Parole Enforcement and Fugitive Squad. Currently, 545 members are issued C.E.W.s; however, on any given shift, only about 58 are available because of scheduled and unscheduled absences (days-off, annual leave, court, special assignments, training, sickness/injury, separations).

Ministry of Community Safety and Correctional Services

Four years ago, the Ministry announced the expanded deployment of C.E.W.s to non-supervisory police officers in Ontario. This expansion took effect in November 2013. Understanding the Ministry's decision is important to the recommendation contained within this report. In making its announcement, the Ministry explained that:

Conducted Energy Weapons (C.E.W.s) have been in use by police in Ontario since 2002. Until now, only frontline supervisors, and officers who are members of tactical units, hostage rescue teams and containment teams have been permitted to carry C.E.W.s.

The Ministry of Community Safety and Correctional Services initiated a review to explore the advisability of expanding deployment of C.E.W.s. The review included an examination of current medical literature, a jurisdictional scan and consultation with stakeholders, including police and civil liberties advocates.

Following the conclusion of this review, the Minister has decided to lift the existing restriction and to allow police services to determine which officers should be permitted to carry C.E.W.s, based on their local needs and circumstances.

The government is committed to openness and accountability in policing. After consulting with police and community groups, the government is introducing changes that:

- *Provide direction and guidance as to when a C.E.W. would be deemed to be appropriate*
- *Increase reporting provisions (i.e., C.E.W. use will be reported in an open and transparent manner, including when a C.E.W. is displayed with the intention to achieve behaviour compliance)*

- *Enhance training, including scenario-based training and training for interactions with people with mental health issues, to assist in ensuring the safe, appropriate and effective use of C.E.W.s and*
- *Expect that police services should engage local communities prior to deciding to expand C.E.W. deployment in their jurisdiction.*

The Ministry's decision to authorize the expanded deployment also took into account public reviews, including coroner's inquests that recommended the wider availability of C.E.W.s.

More directly, on August 27, 2013, Dr. Dirk Huyer, the Chief Coroner for Ontario, spoke at the Ministry's announcement authorizing the wider deployment. He said,

As you have already heard, today's decision was in part informed by several recommendations that arose during Coroner's inquests ... I am pleased to see that following careful consideration and research the Ministry is implementing recommendations to allow expansion of C.E.W. use by police officers.

During the same event, Dr. Michael Pollanen, the Chief Forensic Pathologist for Ontario, added,

I'd like to mention two things that emerge from the comment that was made there. First of all, as a physician and a scientist I can tell you that this [the Ministry's authorization] does represent evidence-based public policy at its best. A lot of input has gone into this that has been multi-disciplinary, recommendations from many coroner's inquests, review of the literature, and other modalities that are important to make decisions of a medical type or that encroach on medical issues.

The second thing is the direct medical issues related to the use of C.E.W.s. And what we know is that sometimes people die in police custody after altercations with police in a struggle. This is a very rare outcome. We also know that based upon all the published literature that sudden and unexpected death after the deployment of a Taser is unusual and quite rare. In those circumstances where there has been a link between the deployment of the C.E.W. and a fatal outcome, there is no clear evidence through, for example, verdicts from a coroner's jury, that the deployment of the device has been the primary cause of death. At best it's been contributory, and the contributory nature of the cause of death has to do with pre-existing medical conditions that may not be outwardly apparent. On this basis, when you look at the small number of anecdotal cases relative to the larger scope of medical evidence, the results are fairly clear, in other words, it suggests that an evidence-based public policy approach such as the one that the government is endorsing is the way to go.

Inquest Recommendations

In terms of inquest recommendations, when the Ministry examined its decision to expand the CEW, it looked at 12 inquest recommendations. Since the Ministry's announcement, there are now 18 inquests that either recommended introducing the C.E.W. to policing, or recommended expanding its deployment to front line officers. There are now eleven (11) that recommend C.E.W. deployment to the frontline, with the latest one being the inquest into the death of Mr. Andrew Loku.

This means that since 2013, when the Service first asked the Board to expand C.E.W. deployment, six (6) more juries of citizens have looked at the circumstances surrounding the deaths of members of the public, and concluded that the C.E.W. is a tool that may help prevent similar tragedies.

Academic Research

The C.E.W. is one of the most studied tools available to police officers – and the Service agrees with this level of scrutiny. The following paragraphs highlight some of the conclusions of some of the existing work on this topic. They are by no means exhaustive of the information available on the C.E.W.

Commissioner Thomas Braidwood, in his report *Restoring Public Confidence* (2009), remarked that

I am satisfied that, on balance, our society is better off with these weapons in use, than without them (p.294).

Indeed, he went on to say that

I would find it hard to justify recommending a restriction on the assignment of conducted energy weapons if no such restriction applies to the assignment of a service pistol (p.313).

Similarly, Justice Frank Iacobucci, in his independent report to the Service, *Police Encounters with People in Crisis* (2014), recommended, with some conditions (C.E.W. and body cameras), expanding deployment in the Toronto Police Service to more frontline police officers (recommendation # 59).

The Ministry also considered medical research in its Review (2009, pp.10-11). It reviewed 10 studies and found that:

... a significant body of research has developed over time examining medical issues relating to C.E.W.s such as cardiac, respiratory and metabolic effects, and the benefits and risks associated with use of this weapon.

A portion of the medical/scientific research on C.E.W.s seeks to compare the risk of C.E.W. use to other force options available to police. According to a Calgary study, entitled Police/Public Interaction: Arrests, Use of Force

by Police, and Resulting Injuries to Subjects and Officers – A Description of Risk in One Major Canadian City (2008), C.E.W.s scored high in safety for both suspects and officers in 562 use-of-force incidents over a two year period. The study found that “the use of C.E.W.s resulted in fewer citizen and officer injuries than either physical control or the baton. Thirteen percent of C.E.W. use was associated with subject injury requiring some treatment in hospital, and 87% of all C.E.W. uses resulted in no or minor subject injuries (pp. 151-152).”

Furthermore, in 96.7% of all C.E.W. uses, “officers received either no or only minor injuries. There were 9.6% fewer officer injuries requiring medical treatment when a C.E.W. was used when compared to when a baton was used (ibid, p 152).”

The report goes on to state that: “The commonly held belief that the conducted energy weapon carries a significant risk of injury or death for the population of interest is not supported by the data. Within the force modality framework most commonly available to police officers, the C.E.W. was less injurious than either the baton or open-handed physical control (ibid, p 153).”

A study published in the Annals of Emergency Medicine in 2008 examined C.E.W. uses in 1,201 subjects in six U.S. law enforcement agencies during a 36-month period. The study found that 99.75% of subjects “experienced no injuries or mild injuries only” (Bozeman, et.al. Safety and Injury Profile of Conducted Electrical Weapons Used by Law Enforcement Officers Against Criminal Suspects, Annals of Emergency Medicine, (2008, p. 5) and of the 492 mild injuries identified, “the majority (83%) were superficial puncture wounds from conducted electrical weapon probes (ibid, p 5).” Other mild injuries occurred in 5.2% of subjects and were primarily related to blunt trauma from falls (ibid, p 5).

The study concludes that: The primary finding that 99.75% of subjects experienced mild or no injuries represents the first assessment of the safety of this class of weapons when used by law enforcement officers in field conditions. This injury profile compares favorably with other intermediate force options available. These findings support the continued use of conducted electrical weapons in settings in which they can be safely substituted for more injurious intermediate force or lethal force options (ibid p 6).”

In 2010, Defence Research and Development Canada requested that the Council of Canadian Academies and the Canadian Academy of Health Sciences conduct an independent, evidence-based assessment of current scientific knowledge regarding the medical effects of C.E.W.s. The assessment was conducted by a panel of 14 experts, chaired by the Honourable Stephen T. Goudge of the Court of Appeal for Ontario.

The report, *The Health Effects of Conducted Energy Weapons* was published in 2013. It is considered an in-depth analysis of the state of knowledge regarding the medical and physiological impacts of C.E.W.s and is described as one of the most comprehensive assessments of national and international evidence to date (Council of Canadian Academies, 2013).

Overall the report observed that while C.E.W.s are intended to be safe and to reduce injury compared with other force options, they are not necessarily risk free and that further research is needed. On the other hand, the expert panel found that the most common injuries from C.E.W.s, such as puncture wounds from the projectile probes, are unlikely to pose serious medical risks, and that

...available studies suggest that while fatal complications are biologically plausible, they would be extremely rare (viii).

In Toronto, in accordance with Ministry standards, the C.E.W. is only directly applied (used in full deployment or drive stun mode) when the subject is assaultive as defined by the *Criminal Code*, which includes threatening behaviour, or if the officer believes that there is an imminent need to control the person (e.g. the person is attempting or threatening suicide). Therefore, the direct application of the weapon is only used to gain control of a person who is at risk of causing harm, not to secure compliance of a person who is merely resistant.

Expanded C.E.W. Deployment

The C.E.W. is a battery powered, hand held, less lethal weapon, that when used in full deployment mode is designed to immobilize. The current model used by the Toronto Police Service can be considered the weapon's third generation. The technology of this weapon has evolved so that less energy is exerted at the point of contact, resulting in less than total immobility. This contrasts to the first generation C.E.W., which completely immobilized the subject who then sometimes sustained injury as their immobility caused them to fall to the ground before officers could take physical control.

The current model C.E.W. has two cartridges and a red laser site, which provides the officer with a level of competence to be effective in its application. It has enhanced shape pulse technology with charge metering and an advanced calibration system that measures and adjusts the electrical output of each pulse. This significantly improves the safety of the device. Furthermore, the built-in data storage of this model allows for increased information about the activation and use of the weapon providing more data for accountability and training.

The Service is also proposing that if approved, the additional C.E.W.s will be assigned to police divisions for use by qualified, on-duty constables. The Service is not proposing personal issue, rather that the C.E.W. form part of the inventory at each division for use by multiple, qualified officers.

Based upon operational needs and community safety, the Service proposes to issue C.E.W.s to on-duty P.R.U. constables and to on-duty constables from designated

specialized units. This issuance will be done in a gradual manner starting with P.R.U. constables who have the status of coach officer. Coach Officers are qualified officers selected by the unit commander. They oversee the development of new recruits, enabling them to perform their duties at the high standards expected by the Service and the community. Coach Officers must successfully complete required training delivered by the Toronto Police College before being assigned to this important role. The use of the Service's new competencies will provide a further lens by which to assess and select those constables who will be issued a C.E.W.

This recommended, controlled issuance provides the Service with the opportunity to foster a culture of coaching and mentoring in the use of the weapon. It also provides for the opportunity to monitor and measure the use and success of gradual expansion, and include these results in annual reports to the Board.

Training

Participating officers will only be permitted to use a C.E.W. after they have completed the Ministry approved user training. This training consists of 16 hours of study and scenario based exercises - four (4) hours longer than was previously the case. The training will include practical and written examinations. The officers will need to demonstrate knowledge of and proficiency in the legislation and regulatory framework, the community context surrounding the weapon's development and introduction, and the structure and function of the weapon and its effects. The four additional hours are dedicated to judgement training and the C.E.W.

The training team at the Toronto Police College has re-designed the practical scenario training to continue to emphasize that officers must use sound judgement along with effective de-escalation techniques when deciding whether to use force and what force options to use. As well, the Service's new core competencies will be incorporated into the training curriculum.

The training is based on a set of principles that foster the responsible and accountable use of C.E.W.s, while recognizing that they are an appropriate tool for officers who must resort to force. These guiding principles are that:

- The decision to use force is the fundamental decision to be made before deciding what force option to use
- C.E.W.s should be used as a weapon of need, not a tool of convenience
- Officers should not over-rely on C.E.W.s in situations where more effective and less risky alternatives are available, and
- C.E.W.s are but one of a number of tools that police have available to do their jobs, and are considered one part of the Service's overall use of force response

Officers who do not demonstrate proficiency with the weapon or sound judgement in its use are not issued with a C.E.W. Rather, they are provided with additional training until

they can successfully show that they are able to meet the high standards expected of them. Officers who continue to fail to meet these standards are not issued with a C.E.W.

In accordance with Ministry training standards, recertification takes place every 12 months, and all C.E.W. training is conducted by Ministry certified use of force instructors.

Accountability

To ensure that the C.E.W. is used lawfully and effectively, the Service has several accountability systems in place. These are as follows:

- A specific operating procedure (15-09) that governs the use of the weapon, including when its use is permitted and not permitted;
- A specific report that must be submitted by the officer each time the officer uses it against a person, justifying its use;
- A review of that report by a supervisor to identify any breaches of law, policy, or procedures, or any training concerns;
- A review of that report by the member's Unit Commander to identify any breaches of law, policy, or procedures, or any training concerns;
- A further review of that report by the Use-of-Force Analyst to identify trends and issues for training, policy and procedural purposes;
- daily testing of the weapon before each tour of duty to ensure proper functioning;
- A regular inspection of the weapons to make sure they are functioning properly,
- A regular download and audit of each weapon's internal data system to confirm usage and its condition;
- Use of the Early Intervention tool administered by the T.P.S. Professional Standards Support section monitoring the usage of C.E.W.s by members and triggering an alert when a threshold of usage has been met in a prescribed period. The Early Intervention tool is a risk management strategy designed to support members and improve their performance; and
- TPS Use of Force Committee whose membership has been expanded to include the Staff Superintendent who oversees Corporate Risk Management.

Lastly, each year, the Service submits a comprehensive report to the Board that describes the circumstances and use of the weapon, including a description of the person against whom the weapon was used.³

Officer Safety

While this Report has focused on the safety of members of the public when interacting with police officers, the well being of police officers is also an important consideration. As outlined in the annual Occupational Health and Safety Report, there were 254 injured on duty reports (I.O.D.) submitted as a result of assaults on officers in 2017 (compared to 177 in 2014, 128 in 2015, and 197 in 2016). The 254 reports are those

³ This report was acknowledged as an example of full public disclosure by Commissioner Braidwood (p.327).

that resulted in a W.S.I.B. claim. The costs associated to these I.O.D.s are currently calculated at \$1.1 million and are expected to increase as some members are still undergoing treatment. As well, Service members are experiencing an increase in exertion injuries resulting from arrests.

While it is not possible to pinpoint which injuries would have been prevented had officers been issued a C.E.W., it is important to highlight what the Service has experienced.

Transformational Task Force; Organizational Restructuring

Since the summer, the Service has been working toward a new organizational structure that will be formally presented to the Board in 2018. This new structure includes a Human Resources Command comprised of two important pillars: (1) People and Culture (formerly Human Resources) and (2) Corporate Risk Management, both of which are under the oversight of an operational deputy who is responsible for the Service's people management practices.

This new command includes traditional human resources functions such as recruitment, selection, deployment, promotion, labour relations, wellness, and performance management and strategy. As was recommended by *The Way Forward*, these functions are being modernized to support the community-centric service delivery envisioned by the Transformation Task Force. This modernization plan, entitled the *2017–2019 People Plan*, was presented to the Board at its October meeting (Min. No. P228/17 refers).

In addition to these capabilities, the new Human Resources Command also includes units responsible for conduct oversight and the Service's liaison with the Office of the Independent Police Review Director and the Special Investigations Unit. These units include Professional Standards, Professional Standards Support, Legal Services, Governance, and the Toronto Police College. Therefore, the centralization and coordination of these units' mandates will support more effective people management in general, and specifically, a coordinated oversight of the expanded deployment of the C.E.W.

Conclusion:

The Board has asked the Toronto Police Service how it can achieve zero deaths in its interactions with members of the public. The Service believes that after examining this question within the Toronto context and the limitations within the current suite of responses, a gap exists in its ability to more fully achieve this goal.

The Service is therefore requesting the expanded the deployment of the C.E.W. to on-duty uniform constables of the Priority Response Unit (P.R.U.) and to on-duty constables from designated specialized units to close that gap, and further enable the achievement of this goal.

This Report describes the suite of responses available to Priority Response Unit officers tasked with responding to everyday calls for service. It highlights some of the current suite of responses including de-escalation, open-handed techniques, O.C. spray, the expandable baton, the SOCK rifle, as well as some of the expertise that is sometimes available to officers: the Emergency Task Force and the Mobile Crisis Intervention Team. This Report also describes the limitations these options present in achieving the Service's goal of zero deaths, and it recommends that the C.E.W. be expanded to Priority Response Unit constables to address these gaps.

The Service's record has consistently demonstrated that the C.E.W., where it is currently in use, has proven to be an effective tool that has helped avoid injuries, perhaps even death, to the public and to police officers. Indeed, empirical evidence shows that the C.E.W. is a less injurious force option when compared to other options, even open-handed techniques, which are generally considered to be one of the minimal force options available to an officer. Recommendations by Coroners' juries and Justice Iacobucci; and an analysis by Chief Forensic Pathologist Dr. Michael Pollanen; each mirror that evidence.

As indicated in this Report, the Service's training program is evergreen. Its trainers incorporate a variety of perspectives and best practices into the development of its incident response curriculum as it pertains to de-escalation, and the Service's program surpasses the provincial standard for C.E.W. training. Furthermore, current and emerging training provided to Service members in the area of decision making is substantially ahead of most other police services.

Since 2007, when the Service started submitting annual reports to the Board it has used the C.E.W. 3,247 times. During that period, 2 people have received an injury serious enough to invoke the Special Investigations Unit's (S.I.U.) mandate, and 1 person has died (the cause of death, however, has yet to be reported [Nabico, 2017]).

As already stated in this report, those same years saw 323 people receive an injury serious enough to invoke the S.I.U.'s mandate, those injuries coming as a result of an officer struggling or fighting while using only open-handed techniques. Additionally, four people died. While the manufacturer has credited the C.E.W. with saving lives, it is the Service's experience that it has been an alternative to lethal force, an alternative which has prevented people from seriously injuring or killing themselves.

While the C.E.W. is not without risk, the Service believes that through proper governance, training, supervision, innovation, and accountability through public reporting, the C.E.W. is an important supplement to the current suite of responses available to frontline police constables and constables from specialized units who aspire to achieve zero deaths in their encounters with members of the public. Based on all of the foregoing in this Report, the Service has a duty to the public and to its police officers to provide them with an evidence based suite of responses to safely address situations involving any application of force. Indeed, the evidence indicates that by not deploying C.E.W.s more widely than are currently distributed, the Service maintains a level and

type of risk with which various stakeholders have taken issue and challenge our relationships with our communities when officers must use lethal force.

Going forward, the Service will continue to study international best practices for incident response and de-escalation training, and continue to research and implement stronger measuring tools to ensure compliance with the Service's C.E.W. governance, moving quickly to address any issues that are identified.

Funds are available in the Service's 2017-2023 Capital Program to purchase the C.E.W.s as well as to cover the costs of training and other requirements.

Deputy Chief Barbara McLean will be in attendance to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

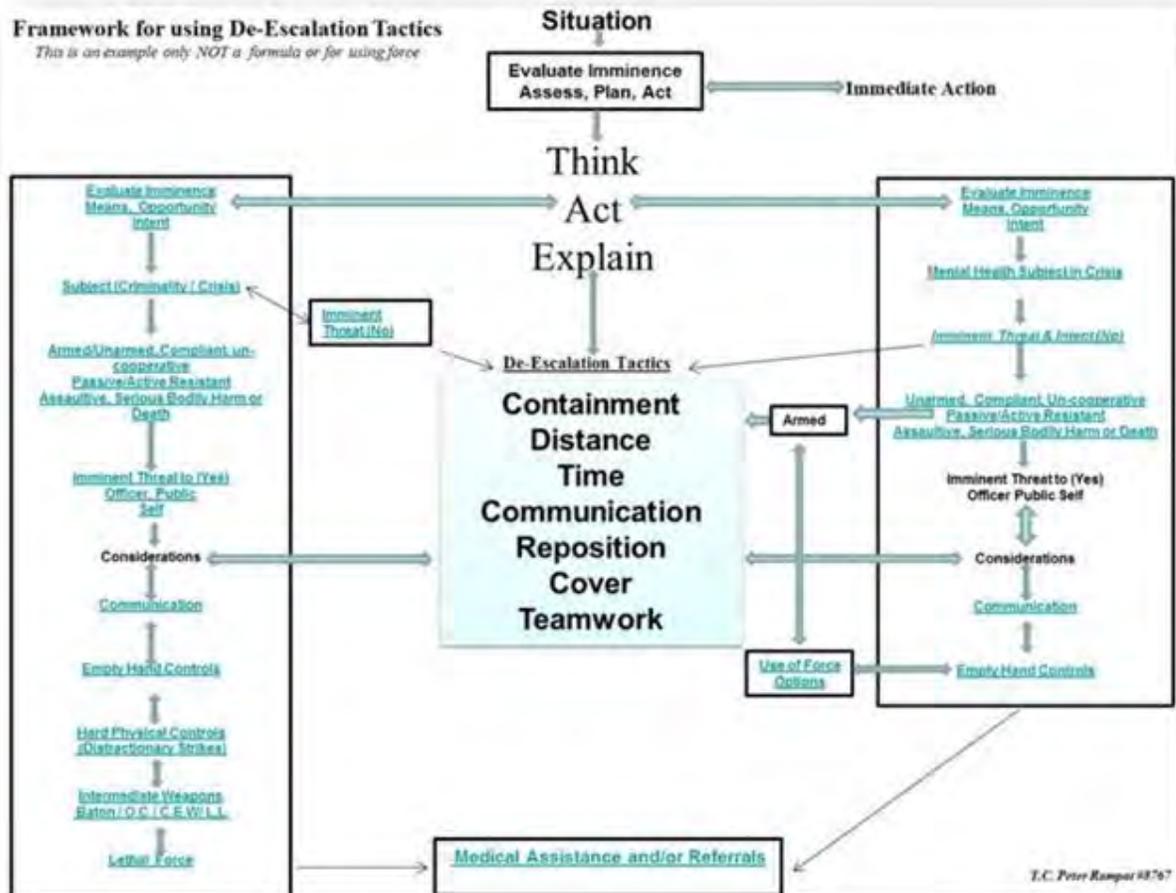
Mark Saunders, O.O.M.
Chief of Police

MS:rmc:jt:dg

Filename: CEW Expanded Deployment Request_final

Appendix A

Framework for Using De-escalation Tactics 2018 In-Service Training Program





INTERNAL CORRESPONDENCE

MTP 649/91

TO: Andy Pringle FROM: Marie Moliner
Chair Toronto Police Services Board Member
Toronto Police Services Board DATE: 18-02-15
YY/MM/DD
RE: February 22, 2018 TPSB Meeting Item No. 07: Zero Deaths - Expanded Deployment of Conducted Energy Weapons

You have asked, since I cannot be present at the February 2018 TPSB meeting, that I articulate my views on the request by the TPS to expand the use of CEWS.

My position, based on my research and consultations, is that the case has not been made to expand the allocation of CEWs beyond what is permitted at present. The essence of my position is that I am not convinced that de-escalation training has advanced to the point where it would be wise policy to expand the availability of CEWs.

Core to my position is the understanding that CEWS are not a means of de-escalation. They are a weapon. Hence the "W" in 'CEW'. They are a weapon that inflicts severe pain, can cause serious injuries and has contributed to deaths, particularly when used on people who are vulnerable, racialized and/or experiencing a mental health crisis. CEWs must be addressed as a weapon. TPSB policies governing their use should position them as an alternative when the use of a firearm would have been justified, not as a "less lethal" alternative form of intervention.

I write this aware that many view CEWs as less lethal than guns. Indeed, the jury in the Andrew Loku inquest described them as such. I am told that by the Chief of Police, that in those situations where use of force is necessary, police officers -- given a choice -- would prefer to deploy a CEW instead of a gun. Board Members who were able to observe de-escalation training will be able to comment on whether or not officers are sufficiently trained to make the choice to use a CEW instead of a gun. I am also aware that, from a civilian perspective, it seems logical to many that CEWS are less harmful than guns.

Despite these viewpoints, in my view, the Board should not expand the availability of these weapons until:

- it is fully satisfied that every TPS Member being authorized to use them has been certified as competent in de-escalation techniques;
- and then, only on the basis that the use of CEWs, in policy terms, is treated the same as the use of a firearm.

We are not there yet.

I remain most concerned about the use of CEWs on members of our community who are vulnerable and with whom TPS officers interact increasingly as primary responders in the absence of adequate social service and health care infrastructure. I quote from the deputation articulated by the CMHA (Canadian Mental Health Association) ten years ago, and reiterated recently.

“Conducted Energy Weapons (commonly known as Tasers) are one of several use-of-force weapons that police may use to subdue or restrain an individual. CMHA Ontario is concerned about the use and safety of Tasers, as well as the propensity of law enforcement officials to deploy them on people experiencing a mental health crisis.”

These sources, and the individuals I have consulted, have satisfied me that:

- De-escalation practice and training provides the skill set that will most likely prevent injury and death.
- De-escalation is especially important when officers are in conflict situations involving people who are vulnerable and in distress, or in relation to whom there is a significant evidence of negative racial-stereotyping leading to over-reactions by some officers.
- De-escalation is a skill set that a modern police service should be proud to excel at and that will, when demonstrated over time, serve to strengthen the community’s trust, confidence and respect for the men and women of the TPS.

I am unaware of recent use of force situations where a CEW might have been used instead of a gun. To the extent that this is so, I suggest that officers’ heightened awareness of de-escalation may be working. Given this, the Board should encourage the TPS to continue with enhanced training rather than expanding the availability of weapons, potentially with lethal consequences, that may decrease an officer’s decision to de-escalate.

So, I reiterate:

- I do not believe that expanding the use of CEWS is an alternative way to de-escalate.
- Instead, a CEW is something to be used when de-escalation fails and when the use of a firearm would be justified.
- Put another way, a CEW is an alternative to the gun, not a step on the way to using a gun.
- To the extent that most officers would prefer to never pull their gun, let’s use their reticence as a way to drive de-escalation, rather than provide wide access to CEWS. In so doing, the Board is sending a message that it seeks to reinforce de-escalation.

If this position does not enjoy majority support at the Board (and I very much hope that Board members will support my position to not expand the use of CEWs) then I ask that the Board move cautiously and incrementally in responding to the TPS request for expanded availability of CEWS.

Specifically, I recommend that the Board ask the Chief to operationalize the CEW as accessible by exception, not at large.

Retired Supreme Court of Canada Justice Frank Iacobucci reviewed Toronto police use of force on people in crisis, at the request of the former Toronto Chief of Police. That report (found here: <https://www.torontopolice.on.ca/community/peopleincrisis.php>) recommended Toronto police launch a pilot project allowing frontline officers greater access to Tasers — with some caveats. I understand that the TPS trial use of CEWs may be raised as an example of a successful pilot project. I disagree. The Board has not been presented with sufficient information to engage in a rigorous discussion about the TPS use of CEWs since 2016. We owe it to the public to do so before we expand CEWs further.

Among Justice Iacobucci’s concerns was the unknown health risks posed by the weapon, particularly to people with mental illness. He expressed concerns that the population may be particularly

vulnerable to the potentially serious effects of Tasers due to a higher likelihood of pre-existing medical conditions, prescription medications, substance abuse issues and high levels of agitation.

Iacobucci wrote in his [2014 report](#): “The absence of definitive research into the risks of CEWs for populations who are likely to encounter the police in non-criminal contexts is a problem”. Justice Iacobucci recommended Toronto police “advocate for an interprovincial study of the medical effects of CEW use on various groups of people (including vulnerable groups such as people in crisis).” As far as I know, the province has not undertaken this study.

The core elements of the pilot project approach that I propose are that the Board ask the Chief of Police to implement a pilot project with the following elements:

1. That the Chief select two roughly similar police divisions and provide expanded use in one, while holding the other as a control, for the life of an 18-month to two-year pilot project. I note that this would not alter the status quo: all divisions (including the control) would continue to have CEWS available as at present.
2. In the district selected for expansion, the weapons would be provided to no more than 20% of the officers on duty in any given shift.
3. The criteria for using a CEW would be the same as for using a gun: an objectively serious and immediate risk of death or serious bodily harm for the person, the officer or the public.
4. Each officer to whom a CEW was provided would have to have completed sufficient training to be certified as competent in de-escalation by a more senior officer. That more senior officer would be accountable if the certified officer used a Taser in circumstances where de-escalation would have been a realistic option. The certification would have to be re-obtained after 12 months.
5. A certified officer would also have to have completed training in the use of CEWS that makes it clear that use of a CEW is a substitute for a gun, not for lesser interventions when other responses are available.
6. The allocation of the CEWS would be a shift-specific and officer-specific decision by the shift commander. The authorization would not inure to an officer on an ongoing basis, but would be determined for each shift based on the safest and most effective deployment of CEWS having regard to the number of certified officers available and the work assignments for the shift.

If I were able to be present at the February Board meeting, I would seek to move a motion to wait 18 months prior to expanding CEWS and pending the outcome of a carefully conducted pilot, as described above. I would also ask the Chief to provide the Board with further opportunities to review enhanced de-escalation training, both in general and in the context of situations involving vulnerable people in particular.

I wish you thoughtful deliberations.

Marie Moliner
Toronto Police Services Board Member



Toronto Police Services Board Report

February 1st, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: The Way Forward (T.W.F.) Fourth Quarterly Implementation Update

Recommendation(s):

It is recommended that the Toronto Police Service's Board (Board) receive the T.W.F. Fourth Quarterly Implementation Update for the period November 1st 2017 through January 31st 2018.

Financial Implications:

The final Transformational Task Force (T.T.F.) report, which was approved by the Board at its February 2017 meeting (Min. No.P19/17 refers), includes recommendations that will change how policing services are organized and delivered. Savings to offset ongoing budget pressures are anticipated from the new service delivery model. However, investments will also need to be made to enable the transition to and implementation of the modernized Toronto Police Service (Service) envisioned by the T.T.F.

Savings Estimates:

The T.T.F. identified total estimated savings of \$100M over three years. As a result of the hiring moratorium, we have achieved \$5.0M of savings/cost avoidance in 2016 and a further \$28.3M of savings in 2017. The Service anticipates a further savings of \$24.5M in 2018, bringing total projected savings to \$57.8M by the end of 2018.

The Service will continue to monitor savings as it moves forward and does a more detailed analysis of the various recommendations in the T.T.F. final report.

Cost Estimates:

The Service continues to develop detailed plans for each of the recommendations, including financial impacts. Once these financial impacts are determined, the

information will be reported to the Board. In the meantime, the below information focuses on the costs incurred to-date.

The implementation of the various T.T.F. recommendations is a large and complex endeavour which will require a significant amount of work and effort. Members from across the Service have been redeployed to the T.T.F. team to assist in the implementation of the T.T.F. recommendations. The Service is tracking the value of these resources as part of its overall project management framework.

In addition to internal budgeted resources, external resources were engaged to support project management, strategic communications and procurement. The total 2017 cost of these resources was \$0.7M.

Other external costs include \$7.3M of software, equipment and specialized services that are being funded through the 2017-2018 Policing Effectiveness and Modernization grant, provided by the Ministry of Community Safety and Correctional Services. Further information on the grant-funded initiatives will be provided in the Annual Board report on Grant Applications & Contracts at the Board's meeting in May 2018.

Background / Purpose:

This is the fourth quarterly progress report to the Board on the status of the implementation of the Service's three year Business Plan, Action Plan: The Way Forward. The Strategy Management Unit (S.T.M.) is responsible for the successful delivery of the modernization initiatives outlined in the Business Plan. The purpose of this report is to provide stakeholders with status updates on the implementation of the recommendations. This includes details regarding achievements, progress as well as risks or issues that require mitigation or further escalation.

Discussion:

S.T.M. assumed responsibility for implementing the T.W.F. Action Plan in January of 2017. Over the past year, we have made significant progress on a number of initiatives and can see strong evidence that we are well on our way to achieving the outcomes articulated in the Business Plan. However, as can be expected with any large, complex transformation, we have also experienced some unanticipated challenges, learned important lessons, and have had to revisit our approach with certain initiatives.

The following Board report focuses on developments over this last quarter and we plan to present these updates along with a Year in Review update to the Board in March 2018.

New Policing Model

Command recently signed off on proposed boundaries for a new 10 District model. This model is based on input from Senior Officers and a number of key partners. Next steps involve engaging internal and external stakeholders on the proposal, and developing detailed implementation, change management and communication plans. As we move forward, these new boundaries may be further modified and all stakeholders will be informed throughout the process.

Planning for the new Neighbourhood Policing Program (N.P.P.) is now well underway. The Divisional Policing Support Unit (D.P.S.U.) along with S.T.M. and key stakeholder groups, have been collaborating closely on various components of the N.P.P., including the selection of neighbourhoods, evaluation of the current programs and redesign of the neighbourhood officer functions. We are also continuing to leverage the Policing Effectiveness and Modernization (P.E.M.) Grant funding to support ongoing needs for this program, including equipment procurement (e.g. bicycles and associated emergency equipment), a uniform redesign initiative, establishing a City of Toronto partnership to help with the development of the program, developing new crime prevention materials, and developing a new external website.

Implementation of the Community Investigative Support Unit (C.I.S.U.s) has progressed within fourteen Divisions. Next steps involve evaluating its effectiveness and ensuring ongoing adoption across the Service.

We have continued to work towards completion of a Vulnerable Person's Registry (V.P.R.). The V.P.R. will allow members of the public to bring information to officers that will inform them on de-escalation tactics relating to safer outcomes. An internal Working Group was formed to address any current issues prior to implementation.

The new Command team has determined that the consolidation of C.I.B.s in 32 and 33 Divisions will be the best starting point for the Service-wide implementation strategy. Consequently, the consolidation of C.I.B.s in Divisions 12, 23 and 31 has been put on hold and will be implemented at a later date.

As per recommendation #7, we have continued to research and develop options for future shift schedules. Formal discussions will resume with the Toronto Police Association (T.P.A.) to advance this important work.

Partnerships and Service Reallocation

Currently, both the Service and the City receive and respond to non-emergency calls from the public. The Service and the City are working together to develop a shared model for response to non-emergency calls to determine which incidents require police attendance, and which are best handled by other service providers. Once complete, the model will be adopted by the appropriate Toronto Police Service Units and City Divisions. The City and Service's call and response statistics will continue to be examined to estimate and assess the impact of anticipated changes.

The City has established a Steering Committee and Working Groups which include Service representation to manage the transition of the School Crossing Guard program. The program will be transitioned to the City for the 2019-2020 school year and the City will select a vendor to provide school crossing guard backfill for the 2018-2019 school year. Next steps involve issuing communications regarding the transition to the Service's Crossing Guards, members and the public.

We are actively working with the City to establish a Service-level agreement regarding the management of Lifeguard equipment for the 2018 season. The Service will continue to prepare the required equipment and provide assistance throughout the 2018 season.

Ernst & Young is conducting the cost benefit analysis for Court Services and Parking Enforcement. It is anticipated that the Board will receive their report in May 2018. In the interim, stakeholder meetings are ongoing and communication plans for internal members are being implemented.

Technological Improvements

For the Connected Officer initiative, officers at 51 Division started to receive devices on January 31, 2018. We have finalized internal governance for the Connected Officer (e.g. training, procedures, information technology (I.T.) support). A comprehensive member engagement strategy which involves engaging members across all 17 Divisions, live on-site demonstrations and collecting member feedback is underway.

In regard to Business Intelligence enhancements, a Request for Proposal (R.F.P.) for Global Search is currently being developed and is expected to be issued next quarter. We have continued planning, designing and building requirements for Master Data Management (M.D.M.), PushPin, Enterprise Business Intelligence (E.B.I.) and Enterprise Geographic Information System (G.I.S.) initiatives. Some of the core benefits of these initiatives include improved consistency and accuracy of our data as well as streamlined processes for officers to search through internal databases.

Our Information Technology Services Unit (I.T.S.) has completed an assessment to inform the I.T. strategic initiatives, a strategic roadmap and recommendations to further enhance the capabilities of this unit. A new I.T. strategic plan will be presented internally this quarter.

Culture Change, Human Resources

The Organizational Culture Assessment is underway. The assessment will take a close look at the values, beliefs and behaviours that shape how Service members do their work and interact with stakeholders. The vendor, M.N.P., has drafted the desired future state vision based on various sources of information including leadership workshops, interviews and the Service's Business Plan. A survey has been made available to all

members to provide feedback on current state culture and desired future state. Community members have also been engaged through an online survey, 8 roundtable discussions (scheduled across the city) and virtual town halls. Once this feedback is collected, the interim and final reports will be drafted in March. The timelines for this work are aggressive but overall, the project is progressing well.

Utilizing P.E.M. Grant funds, the Implementation team coordinated and completed a series of training sessions in project management, change management and process improvement. These courses will assist the team in developing robust implementation plans as well as understanding how to better communicate change and promote a culture of change within the Service.

There is significant activity around the Service's new People Plan. Initiatives underway include the:

- Organizational Structure Implementation;
- Service Delivery Transformation;
- Competency Framework;
- Performance Management;
- Mentorship / 360 Program;
- Development of Uniform Job Descriptions;
- Development and launch of Core Values;
- Talent Acquisition Strategy;
- Service Deployment Strategy; and,
- Accommodation Strategy.

Recruitment of the H.R. Leadership team continues for the managerial roles in Wellness, Talent Acquisition and Labour Relations. An external posting for H.R. Business Partnerships is also in progress.

Accountability and Engagement

S.T.M. continues to collaborate with, and leverage the expertise of, the Board's Change Management Advisor. This partnership has proven to be successful and has provided the Implementation team with helpful insights on change management.

We have recently implemented a series of stakeholder engagement tracking tools which the team is currently getting familiar with and will be used to assist with implementation, communication, and change management plans, as well as mitigate issues / risks. These tools will also provide the leadership team and Command with a common understanding of who has been engaged and how receptive they are to the modernization initiatives.

Given the need for high levels of engagement and limitations on resources, we have been using a variety of communication / engagement tactics that will allow us to reach a large number of stakeholders in a more efficient manner, for example:

- Successfully utilized webinar technology to engage Senior Officers across the organization in the process to establish new boundaries;
- In the process of acquiring virtual town hall technology to engage the public on key initiatives such as the Organizational Culture Assessment; and,
- Communicating with internal and external stakeholders using videos, emails and the Service's website.

Opportunities and Challenges

The establishment of a new Command team provided an opportunity to revisit our approach to the initiatives in the Business Plan, including the identification of Executive Sponsors. In some cases, establishing a revised approach impacted interim timelines; however, we are confident the long-term effects of these changes will achieve the desired outcomes of the Business Plan.

Extensive engagement of internal members (e.g. Staff Sergeants) has been difficult due to these recent changes in approach and limited resources to support engagement efforts; however, a comprehensive internal engagement effort is now being planned.

Resource issues continue to play a role in the lack of progress across certain recommendations. Interviews to staff the Police Hub for Innovation eXchange (P.H.I.X.) are now complete and this gap is expected to soon be filled. S.T.M. is working with Public Safety Operations to address similar resourcing challenges surrounding the recommendations relating to Paid Duties and Special Events.

S.T.M. continues to work with the T.P.A. across all initiatives ensuring that members' voices are imbedded into implementation plans.

Next Steps

Stakeholder engagement continues to be a focus. At the end of January, Command embarked upon a Service-wide engagement strategy to provide members with timely updates and discussions around modernization. All Staff Sergeants will be provided

updates on the modernization initiatives in a series of in-person meetings taking place from late February through early March.

As we progress further into the implementation phases, we will also be focusing on strong project governance (e.g. establishing a Steering Committee for large, complex initiatives such as the implementation of the new District boundaries) to make sure there is strong alignment across the various units and pillars of the Service. This also means that decisions will be made in a timely fashion and all business units will be held accountable for independent actions required to achieve success.

Additional areas of focus include:

- Upon sign-off from Command, establishing and validating the future state vision of the Neighbourhood Officer program with broader stakeholder groups;
- A better understanding of next steps to further progress investment in 911;
- Completion of the Organizational Culture Assessment; and,
- Ongoing development and launch of People Plan initiatives.

Conclusion:

We have gained momentum in our first year of modernization. The first year of any major change effort is often the hardest, yet we have managed to maintain consistency with outcomes and alignment with our Business Plan. We continue to evaluate all recommendations with current best practice in the policing and public sector, in order to ensure that all of our initiatives make a positive difference to our members and communities.

The support S.T.M. has received from Command should encourage our members and our communities that all steps are being taken to achieve our goals and make change happen.

Staff Superintendent Frank Bergen, S.T.M. and Acting Inspector Gregory Watts, S.T.M. will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

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

Modernization Process Updates



LEGEND

TIMELINES

Overall status of the project's planned activities (timelines) based on the anticipated end date

BUDGET

Overall status of the project's available funding and expenditures (actual and planned)

SCOPE

Overall status of the project's ability to meet its goals/deliverables

STAKEHOLDERS

Overall satisfaction and engagement of the internal and external individuals affected by the project

PROJECT STAFFING

Overall status of the number of human resources/people required to deliver the project on time, within budget and to scope



On Track

The status is on track and progressing as planned/expected.



At Risk

The status is either currently or will soon be off track; however, planned mitigation strategies are expected to resolve the issue(s).



Off Track

The status is off track, escalation is required and mitigation strategies are limited or unknown.

Recommendation #1: Connected Officer

Investment in transitioning from Mobile Workstations in vehicles to smart devices carried by all officers. This will include a full application suite and eNotebook, as well as updating existing applications to a mobile environment and allowing officers to be connected at all times to the most current operational information.

Project Lead(s)	SGT J. Apostolidis, PC W. Darwish, CIV M. Vincent, PC A. Goodine	Sponsors	D/C P. Yuen, D/C S. Coxon, CAO T. Veneziano
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PROJECT HEALTH										On Track At Risk Off Track		Anticipated End Date: 2019+ (multiple phases)			
										EXPLANATION OF INDICATORS				First year funding has been identified through grant funding. Capital funding beyond the first year still to be identified. Public Safety Broadband Network is a complex undertaking which will involve the collaboration of several law enforcement partners nationally and lies outside the current scope of this project.	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING							
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period						

Progress in Last 90 Days

- Finalized internal governance (training, procedures, IT support).
- Ambassador members' feedback has been collected, collated and developed into future production planning.
- Developed detailed deployment plan to support phased deployment of devices.
- Commencing on Jan 31st 2018, officers at 51 Division will receive mobile devices.
- Members at all 17 Divisions are aware of what to expect with the mobile devices
- A unified communication strategy is being developed.
- Training was developed by TPS Forensic Identifications Unit to utilize the camera functionality of the mobile device as a digital evidence gathering tool.

Progress in Next 90 Days

- Deployment will continue through February equipping all officers at 51 Division with mobile devices.
- The process evaluation phase begins January 31st. Feedback from members will be incorporated into efficient process development.
- Training will continue with members receiving mobile devices, to assist them with the operational needs. (Deployment training)
- Measurements and submission to Province of findings to support PEM grant.
- Continued development with Communications Unit to optimize Computer Aided Dispatch (CAD) functionality in the mobile environment (photos/video).

Beyond 90 Days

- Research will commence on mobile work stations, working towards a modernized solution for 2020.
- Determine next divisional deployment location
- Align organizational goals with Connected Officer initiatives to ensure efficiency is realized
- Metrics will be gathered internally and externally to assist in the evaluation of effectiveness of the Connected Officer Program.
- Configuration of business applications leading to implementation in the mobile environment.
- Establish partnerships with stakeholder agencies to support development of a robust Mobile vision and shared best practices.

Recommendation #2: Improved Capabilities Related to Data, Info and Analysis 'Big Data'

Investment in transitioning from Mobile Workstations in vehicles to smart devices carried by all officers. This will include a full application suite and eNotebook, as well as updating existing applications to a mobile environment and allowing officers to be connected at all times to the most current operational information.

Project Lead(s) CIV I. Williams

Command Sponsors D/C J. Ramer, D/C S. Coxon, CAO T. Veneziano

PROJECT HEALTH

 On Track  At Risk  Off Track

Anticipated End Date: 2018

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period							
										Definition of scope of the Crime data warehouse to be clarified by TPS & IBM. A Project Change Request was created to reallocate additional IBM resources from existing milestones.

Progress in Last 90 Days

- Global Search – Preparing RFP
- Master Data Management – Completing requirements and project outline. Developer and Business Analyst hired gathering requirements
- PushPin / ILP – Requirements gathered for Pushpin. Design to commence
- eBI – realization of the remedy plan agreed between the Service and I.B.M. A project change request has been initiated to capture the scope adjustment and milestone schedule impacts.
- Enterprise GIS – requirements for geocoding completed and sent to IT for review. Discussions with City regarding data collaboration underway.

Progress in Next 90 Days

- Post Global Search RFP.
- GeoEvent server deployment on production environment.
- Pushpin Design underway.
- Finalize centralized geodatabase requirements.
- Governance for EAP underway.
- Situational awareness project deployment.
- GIS Steering Committee to be established.

Beyond 90 Days

- Evaluate Global Search RFP submissions.
- GeoEvent server deployment on production environment.
- Pushpin Design Testing
- Finalize centralized geodatabase testing.
- Governance for EAP completed.

Recommendation #3: Disband TAVIS

TAVIS will be disbanded and existing members will be redeployed to other Service Priorities.

Project Lead(s)	SGT J. McCall	Sponsors	A/S/SUPT F. Bergen, A/INSP G. Watts
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: Jan 2017

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	

Progress in Last 90 Days

- Completed as of January 2017

Progress in Next 90 Days

N/A

Beyond 90 Days

N/A

COMPLETED

Recommendation #4: Risk Assessment for Priority Response

Toronto Police Service develop a risk assessment tool to identify non-emergencies that can be addressed through alternative approaches, including redirection to the mandated city department or other agency.

Project Lead(s)

SGT P. Jones, PC K. Bassett, CIV M. Everest

Command Sponsors

D/C P. Yuen, D/C S. Coxon

PROJECT HEALTH



On Track



At Risk



Off Track

Anticipated End Date: 2019

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
◆	◆	●	●	●	●	●	●	●	●	Awaiting direction on the location and scope of the Priority Response pilot, either 32/33 or 12/23/31. Discussions with the city regarding the diversion of non-emergency calls are ongoing. The City must have the proper resources in place to manage the expected increase of calls and service requests.

Progress in Last 90 Days

- Decision was made by Command to move Consolidated CIB model to 32/33 Division instead of 12, 23, 31 Division.
- Continued collaboration between TPS and the City to develop a shared model of response to non-emergency calls .
- The response model to non-emergency calls is intended to be adopted by both the City (311 Toronto, MLS and Transportation Services) and TPS (Communications Services, Public Safety Command).
- The joint working group is assessing City and TPS call data in order to estimate the impact of future changes.

Progress in Next 90 Days

- Confirmation to be obtained about which Division(s) will host the pilot for the Priority Response Model. Direction will also be obtained regarding the scope and length of time that the model will be piloted.
- Communication Services will be engaged on next steps as this will have an impact on their operations.
- Collaboration with TPS, City of Toronto and 311 Services will continue. The Working Group and Steering Committee will continue to work towards finalizing and adopting the shared response model that has been developed by the group.

Beyond 90 Days

- Pilot of priority response model in chosen Division(s), monitoring and support followed by evaluation and review, adoption of shared City/TPS approach to non-emergency calls.

Recommendation #5: Alternate Reporting and Follow-up for Non-emergencies

The use of alternative ways for people to report non-emergency situations, i.e. where an immediate officer response is not necessary for personal safety, or to meet an immediate investigative need.

Project Lead(s)	SGT P. Jones, PC K. Bassett, CIV M. Everest	Command Sponsors	D/C P. Yuen, D/C S. Coxon
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2019

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
◆	◆	●	●	●	●	◆	●	●	●	City wide CISU roll out was completed in every division except 14, 22, 51 and 52. 22 Division scheduled to launch their CISU on January 22nd 2018. Unit commanders have expressed concerns at 14, 51 and 52 Division that the existing CISU model is not compatible with the high number of priority calls in those divisions.

Progress in Last 90 Days

- New CISU's Implemented in 13, 53 and 33 Divisions. Provided ongoing assistance and guidance to all CISU's to ensure standardized processes. Worked with Business Intelligence, Human Resources and Communications Services on development of CISU Dashboard statistical tool.
- Continued to work towards completion of the Vulnerable Person's Registry (VPR). VPR Working Group was formed consisting of RMS, ITS, BCM, Governance and Information Security to identify any issues to be resolved prior to implementation. Records Release and Legal Services were also added to the group and provided necessary input.

Progress in Next 90 Days

- BIA identified the need for standardized HRMS Org Group codes for CISU personnel to capture accurate stats in the CISU Dashboard Tool. Human Resources identified the need for the CISU to be recognized as established sub-units for them to create new HRMS Org Group codes. A 649 has been drafted to obtain confirmation from Command that the CISU will be an established divisional sub-unit to close this loop.
- Governance has begun drafting a new Service policy in relation to the Vulnerable Persons Registry (VPR). Legal Services is reviewing the VPR process and a Versadex VPR report that will be required for testing and launch. End to end testing of software related to the VPR process will then take place. Once completed, Corporate Communications to develop the external messaging and awareness campaign for VPR release.

Beyond 90 Days

- Launch of the CISU Dashboard tool, marketing, awareness and launch of the Vulnerable Persons Registry.

Recommendation #6: Improved Public Safety Response

A specialized Public Safety Response Team be formed with a comprehensive mandate that includes extreme event response, public order, search management, and critical infrastructure protection.

Project Lead(s) INSP F. Barredo

Command Sponsors D/C J. Ramer

PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: May 2017

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	

Progress in Last 90 Days

- The unit was being organized and developed.
- Personnel, equipment and fixtures were sourced, allocated and assigned.

Progress in Next 90 Days

- The Unit will have been created and operational as of May 1st, 2017.
- This recommendation can be closed.

Beyond 90 Days

N/A

COMPLETED

Recommendation #7: More Efficient Scheduling

We are recommending that the shift schedule known as the Compressed Work Week be reviewed. The current approach requires a consistent deployment, regardless of the time of day or demand patterns, which we believe may limit the Service's ability to deploy resources more flexibly. Changes in this area will require a negotiated change to the collective agreement with the Toronto Police Association.

Project Lead(s) S/SGT Dave Ecklund

Command Sponsors TPSB, D/C B. McLean, D/C S. Coxon

PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2019+ (multiple phases)

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
◆	■	●	●	◆	■	◆	◆	●	●	

Progress in Last 90 Days

- There has been no progress in that last 90 days.

Progress in Next 90 Days

- Sub-Committee meetings will be scheduled with the TPA to further discuss scheduling options.

Beyond 90 Days

- Continued discussions with the TPA to come to an agreement on scheduling options and implementation.

Recommendation #8: More Effective Deployment in Vehicles

Using risk and demand analysis, we believe there may be an opportunity to identify situations where unaccompanied officers or response alternatives are more appropriate and will allow for more effective deployment while continuing to ensure officer safety. Changes within the period from 1900 to 0300 will require a negotiated change to the collective agreement with the Toronto Police Association.

Project Lead(s)	S/SGT Dave Ecklund	Command Sponsors	TPSB, D/C B. McLean, D/C S. Coxon
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2019+ (multiple phases)

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
◆	■	●	●	◆	◆	◆	◆	●	●	

Progress in Last 90 Days

- There has been no progress in that last 90 days.

Progress in Next 90 Days

- Monitor progress of the implementation of other TTF recommendations in order to identify a suitable timeframe to re-engage this recommendation.

Beyond 90 Days

- Monitor progress of the implementation of other TTF recommendations in order to identify a suitable timeframe to re-engage this recommendation.

Recommendation #9: A Risk-based Response to Special Events

The use of alternative ways for people to report non-emergency situations, i.e. where an immediate officer response is not necessary for personal safety, or to meet an immediate investigative need.

Project Lead(s) S/SGT M. Perreault

Command Sponsors D/C J. Ramer

PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2018

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
■	■	◆	◆	●	●	◆	◆	■	■	An appropriate staffing model is required to fully assess the risks to the city's special events. Requests for resources have been made. At present, full adoption of the risk-based approach remains critically dependent on changes to Provincial statutes and legislation.

Progress in Last 90 Days

- There has been no progress on this recommendation in the last 90 days.
- Work on this recommendation was suspended pending the injection of suitable resources.
- The matter had been escalated to the Deputy Chief in an effort to find a long term solution.

Progress in Next 90 Days

- Currently under review by Special Events to determine how to move forward given its current staffing environment.

Beyond 90 Days

- Work on this recommendation is suspended pending the review by Special Events.

Recommendation #10: A More Efficient Retail Response

Recommendation from Interim Report: Toronto Police Services Board seek the Government of Ontario's approval to appoint and train selected security guards at major shopping malls as Special Constables. These individuals will be authorized to process and release arrested individuals in designated non-emergency situations.

Project Lead(s) S/SGT M. Perreault

Command Sponsors D/C J. Ramer

PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: N/A

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	

Progress in Last 90 Days

- RECOMMENDATION REMOVED

Progress in Next 90 Days

Beyond 90 Days

DISCONTINUED

Recommendation #11: Disband the Transit Patrol Unit

Disbanding the Transit Patrol Unit. The Unit was originally established to supplement the day-to-day role of Divisions to respond to calls for service related to Toronto Transit Commission vehicles, subways and properties. However, this role is no longer required since the Toronto Transit Commission now has Special Constable Program in place. Transit Patrol Unit members will be redeployed to other priorities.

Project Lead(s)	SGT J. McCall	Sponsors	A/S/SUPT F. Bergen, A/INSP G. Watts
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PROJECT HEALTH										Anticipated End Date: Jan 2017	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period		
●	●	●	●	●	●	●	●	●	●		

Progress in Last 90 Days

- Unit disbanded as of Jan 2017

Progress in Next 90 Days

Beyond 90 Days

COMPLETED

Recommendation #12: Alternate Delivery of the Lifeguard Program

Toronto Police Service Lifeguard Program and its \$1.1 million budget become the responsibility of the appropriate department of the City of Toronto. This program provides lifeguard services on Toronto beaches while the City of Toronto provides lifeguard services for the rest of the city. Civilian staff currently supporting this program will be redeployed to other priorities.

Project Lead(s)	CO S. Cairns	Sponsors	A/S/SUPT F. Bergen, A/INSP G. Watts
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PROJECT HEALTH										Anticipated End Date: 2019	
● On Track ◆ At Risk ■ Off Track											
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	City Council approved the transfer of the Lifeguard Program to the City. The City is actively working, with the support of the TPS, to transition the program in preparation for the 2018 season.	
●	●	●	●	●	●	●	●	●	●		

Progress in Last 90 Days

- Actively working with the City to establish a Service-level agreement regarding the management of equipment for the 2018 season.
- The supplies, equipment and fleet requirements have been identified.
- TPS will continue to prepare equipment required and will provided assistance throughout the 2018 season.
- Expenses and hours spent on the Lifeguard program by the TPS are being tracked for cost recovery.

Progress in Next 90 Days

- TPS will continue to prepare equipment required and will provide assistance throughout the 2018 season.
- Expenses and hours spent on the Lifeguard program by the TPS are being tracked for cost recovery.

Beyond 90 Days

- TPS will work with the City to transfer the remaining portions of the program to the City for the 2019 season.

Recommendation #13: Alternate Delivery of the School Crossing Guard Program

The School Crossing Guard Program, with its \$6.8 million budget, become the responsibility of the City of Toronto, or an alternative. Currently, the Toronto Police Service administers the program and sends officers to fill in when crossing guards are unexpectedly absent. This recommendation will allow members that support the program to be redeployed to other priorities.

Project Lead(s)	CO S. Cairns	Sponsors	D/C P. Yuen, CAO T. Veneziano
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PROJECT HEALTH										On Track At Risk Off Track		Anticipated End Date: 2019	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS			
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	City Council approved the transfer of the school crossing program to the City starting August 1, 2019. Alternate measures are being considered to discontinue the use of police officers as back-fill for crossing guard vacancies.			

Progress in Last 90 Days

- The City has established a Steering Committee and working groups that includes TPS representation to manage the transition of the school crossing guard program.
- Communications to current guards being drafted.
- Alternate measures have been considered for filling in vacant school crossings for the 2018-2019 school year.
- Project Charter drafted.

Progress in Next 90 Days

- Communication will be issued to members and the public about the transition of the program and the Request for proposal.
- City will issue a Request for Proposal for a vendor to take over the program beginning the 2019 school year.
- The City to procure a vendor for the 2018-2019 school year to provide school crossing guard back-fill in an effort to discontinue the use of frontline officers to cover school crossing vacancies.

Beyond 90 Days

- City to select a vendor to provide school crossing guard back-fill for the 2018-2019 school year.
- City to select a vendor(s) to takeover the program including the warrant process for the 2019 school year and beyond.

Recommendation #14: Using Traffic Technology Enforcement to Improve Public Safety

The City of Toronto implement traffic enforcement cameras that are owned and operated by the City of Toronto, in school zones and areas identified as having higher collision rates, as a way of modifying driver behaviour and reducing risks. This recommendation means that our city will use all of the tools it can to provide the right mix of prevention, enforcement, and response.

Project Lead(s)	SGT J. Apostolidis, PC W. Darwish, CIV M. Vincent, PC A. Goodine	Command Sponsors	D/C P. Yuen, CAO T. Veneziano
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PROJECT HEALTH										 On Track  At Risk  Off Track		Anticipated End Date: 2019	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS			
Last Period	Current Period	Last Period	Current Period										
													

Progress in Last 90 Days

- Collaboration with City of Toronto staff through Transportation Services ongoing with TSV liaison and STM members in regards to recommendation.

Progress in Next 90 Days

- Ongoing collaboration with other Police Services to develop best practices.
- Research to continue regarding technology available to support automated and efficient enforcement.
- Meet with existing users of ALPR technology. TSV to coordinate.
- Continue enhancement of traffic data sharing. Liaise with Toronto Transportation and TSV for update on Bill 65 (Safer School Zone Act - automated speed enforcement) .

Beyond 90 Days

- Continue alignment with City of Toronto initiatives.

Recommendation #15: Overhauling Paid Duties

An overhaul of the Paid Duty process. The current process is not well understood and often puts the reputation of the Toronto Police Service at risk. A recommendations for a risk assessment model to ensure that off-duty police officers are only utilized in a paid duty capacity where the skills, authorities, and training of a police officer are necessary. We will also be clear about those situations where private security is the appropriate alternative.

Project Lead(s)	S/SGT M. Perreault, SGT J. McCall	Command Sponsors	D/C J. Ramer
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PROJECT HEALTH										Anticipated End Date: 2019	
● On Track ◆ At Risk ■ Off Track										EXPLANATION OF INDICATORS	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		Changes to section 134 of the Highway Traffic and a variety of associated Ontario Regulations are required, affecting timelines. At present, under-staffed on-duty resources continue to be required in support of commercial paid duty requirements. Additional staffing is required to operationalize new processes.	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period		
■	■	◆	◆	●	●	◆	◆	■	■		

Progress in Last 90 Days

- There has been no progress on this recommendation in the last 90 days.

Progress in Next 90 Days

- Currently under review to determine how to move forward given current staffing environment.

Beyond 90 Days

- Work on this recommendation is suspended pending the review.

Recommendation #16: City-wide Divisional Boundary and Facility Realignment

The Toronto Police Service will begin a phased redesign of its Divisional structure and alignment of facilities. The redesign will follow the principle of lifting all boundaries from the city map, and then using demand and workload modelling to draw new boundaries and facility locations that take into account the boundaries of Toronto's 140 neighbourhoods, and coordinate better with the planning of other city and provincial services.

Project Lead(s)	SGT T. McCord, PC M. Bulford, PC J. Makhlouf	Command Sponsors	D/C J. Ramer, D/C S. Coxon, D/C P. Yuen, CAO T. Veneziano
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PROJECT HEALTH										Anticipated End Date: 2019+ (multiple phases)	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Still only at a very high level for Senior Management engagement. Minimal engagement with key stakeholders that will be effected by boundary changes. No engagement to front line Officers. Only 1 person working on redesigning the divisional boundaries for the entire Service. (2 others are assigned to the consolidation of the CIB)	
At Risk	At Risk	On Track	On Track	On Track	On Track	At Risk	At Risk	At Risk	Off Track		

Progress in Last 90 Days

- No movement on this recommendation in the last 90 days.

Progress in Next 90 Days

- Continued engagement with the Senior officer level to finalized mapping.
- A further detailed timeline and budget and an expanded WBS (work breakdown structure) detailing how the District model and related boundary changes will affect almost every unit and process within the service.
- Continue to work closely with affected stakeholders including Facilities Management.
- Plan and begin expanded service engagement through all units and ranks.
- Begin to plan extensive external public and partner engagement.
- Assisting in the planning and implementation for a consolidated CIB in 32/33 Divisions.

Beyond 90 Days

- Continued engagement (internal service and external).
- Continued stakeholder engagement.

Recommendation #17: More Accessible and Transparent Information and Services

As the Divisional map is redesigned, we are recommending an investment in modern technology to offer the public open access to information and tools that communities can use to improve neighbourhood safety.

Project Lead(s)	CIV I. Williams	Command Sponsors	D/C J. Ramer, D/C S. Coxon, D/C P. Yuen
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PROJECT HEALTH										Anticipated End Date: 2017+ (multiple phases)	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	N/A	

Progress in Last 90 Days

- Continuing to work with City of Toronto for traffic related data.
- Continuing partnerships for ongoing updates

Progress in Next 90 Days

- Continuing to work with City of Toronto for traffic related data.
- Continuing partnerships for ongoing updates.

Beyond 90 Days

- Continuing to work with City of Toronto for traffic related data.
- Continuing partnerships for ongoing updates.

Recommendation #18: Moratorium on Hiring and Promotions

A carefully managed moratorium on hiring and promotions between ranks for officers and civilians over the next three years while the Service designs and deploys the new service delivery model. This moratorium will allow the Service to ensure that it has the right type and number of members for the new service delivery model, and the leanest possible management structure.

Project Lead(s)	CO S. Cairns	Command Sponsors	D/C B. McLean, CAO T. Veneziano
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PROJECT HEALTH										Anticipated End Date: 2019	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Initial analysis indicates that the rate of attrition continues at a higher rate than previous years. Members are concerned about the impact of the hiring and promotions moratorium on various operations. Strategic Hiring Strategy along with Communication Strategy currently underway to alleviate concerns.	
At Risk	At Risk	At Risk	At Risk	On Track	On Track	Off Track	At Risk	On Track	On Track		

Progress in Last 90 Days

- The Service has moved away from this recommendation and has established a Strategic Hiring Strategy.
- 20 Cadets have been hired and are currently being trained, with recruitment ongoing.
- 20 new positions were hired in Communications Services.
- Several critical civilian vacancies have been filled, such as Manager, Enterprise Architecture, Director Finance & Business Management, and others are in the process of being filled.
- 28 Constables were promoted to Sergeant.
- Civilian promotions included EFAP & Peer Support Team Lead, Fingerprint examiners, and an Information Security Officer.

Progress in Next 90 Days

- Continued execution of the Strategic Hiring Strategy, for example, additional Cadets will be hired for the April 2018 class.

Beyond 90 Days

- Continued execution of the Strategic Hiring Strategy, for example, additional Cadets will be hired for the August 2018 class. As well, recruitment for civilians to fill Special Constable roles will begin.
- Continued progress will be made to fill critical civilian vacancies.

Recommendation #19: Assessing Information Technology Requirements

The Toronto Police Service will retain an external expert advisor to review potential efficiencies, alternative service delivery models, and future trends for information technology in policing. The advice will include immediate efficiencies that may be possible through benchmarking, as well as an Information Technology Unit organizational assessment and identification of opportunities for alternative service delivery mechanisms.

Project Lead(s)	CIV C. Giannotta	Command Sponsors	CAO T. Veneziano, A/S/SUPT F. Bergen
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PROJECT HEALTH										Anticipated End Date: 2017 – 2019	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Scheduling delays occurred with change in Command which pushed out delivery and commitment dates.	

Progress in Last 90 Days

- Completed needs & opportunities, Alternative Assessment to form the Strategic Initiatives (Charters, High level plans) Strategic Roadmap & Recommendations based on alignment with TPS business priorities and requirements, agreed upon E&Y recommendations and Shared Services directions.
- Finalize BRM mandate, function, roles, job descriptions. Present finalized Strategic plan on January 29th to the Steering Committee.

Progress in Next 90 Days

- Communicate the plan, develop business cases and detailed plans based on the ability to fund the IT Strategic Plan and roadmap for initiatives, projects, changes and improvements to the organization and service delivery.
- Create a case to execute a Benchmark Study as part of initiative #4 of the Strategic Plan – Balancing Supply with Demand.

Beyond 90 Days

- Continue to develop the business cases, the detailed plans and associated funding sources as needed based on the IT Strategic Plan and roadmap for initiatives, projects, changes and improvements to the organization and service delivery.

Recommendation #20: Alternate or Shared Delivery of Court Services

The Toronto Police Service will fully assess whether alternatives exist that can reduce costs while ensuring that the Toronto Police Service fulfills its court security obligations under the Police Services Act.

Project Lead(s)	CO S. Cairns	Command Sponsors	D/C S. Coxon, CAO T. Veneziano
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2019

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	

Progress in Last 90 Days

- The cost benefit analysis for Court Services and Parking Enforcement is underway by external vendor Ernst & Young. In the interim, stakeholder meetings are ongoing and communication plans for internal members are being executed.

Progress in Next 90 Days

- Communications and next steps will be delivered when required based on the project phases. Ernst & Young (EY) to continue work on the cost benefit analysis.

Beyond 90 Days

- EY findings will be presented to the TPSB at May meeting.

Recommendation #21: Alternate or Shared Delivery of Parking Enforcement

The Service fully assess whether there are better alternatives to the current Parking Enforcement Unit that will lower operating costs – as has also been recommended by previous reviews. The Parking Enforcement Unit budget is wholly separate from the Toronto Police Service’s annual operating budget.

Project Lead(s)	CO S. Cairns	Command Sponsors	D/C P. Yuen, CAO T. Veneziano
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2019

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	

Progress in Last 90 Days

- The cost benefit analysis for Court Services and Parking Enforcement is underway by external vendor Ernst & Young.
- In the interim, stakeholder meetings are ongoing and communication plans for internal members are being executed..

Progress in Next 90 Days

- Communications and next steps will be delivered when required based on project phases. Ernst & Young (EY) to continue work on the cost benefit analysis.

Beyond 90 Days

- EY findings will be presented to the TPSB at May meeting.

Recommendation #22: Alternate or Shared Delivery of Background Screenings

The expanded use of contract agents to conduct background screening as part of the Toronto Police Service's hiring process. The current approach involves a combination of officers and contract agents. Officers who are currently part of this function would be redeployed to other priorities.

Project Lead(s)	CO S. Cairns	Command Sponsors	D/C B. McLean
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2017

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	N/A

Progress in Last 90 Days

- In June, the CSMC approved the continued use of retired police officers (contract agents) to conduct background screenings. Human Resources continues to monitor the efficiency and the expansion of using the contract agents.
- A Request for Proposal will not be issued.
- **Recommendation can now be marked as completed.**

Progress in Next 90 Days

Beyond 90 Days

COMPLETED

Recommendation #23: Investment in 9-1-1

Consultation with the City of Toronto on implementing a 9-1-1 cost recovery fee that would recoup the cost of providing these services to all land and wireless telephone users. The recovery fee would also provide the foundation for future investments in new 9-1-1. The costs to staff, operate and maintain these operations are covered through the Service's budget. At present 9-1-1 cost recovery fees are in place in eight other provinces.

Project Lead(s)

SGT P. Jones, PC K. Bassett, CIV M. Everest

Command Sponsors

D/C S. Coxon, CAO T. Veneziano

PROJECT HEALTH



On Track



At Risk



Off Track

Anticipated End Date: 2019+ (multiple phases)

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
◆	◆	●	●	●	●	◆	●	◆	◆	Conducted discussions with the City to provide information for next steps.

Progress in Last 90 Days

- Engaged the City to discuss the recommendation and required TPS steps to advance the recommendation.

Progress in Next 90 Days

- Awaiting information from the federal government regarding NG 9-1-1 technology, developing a more informed costing assessment for NG 9-1-1 to inform the discussion regarding potential 9-1-1 cost recovery fees.

Beyond 90 Days

- Information is required from the federal government regarding next generation 9-1-1 software and practices.
- A Board Letter will be drafted requesting that a formal position is obtained from the City in the following two areas:

- 1) Direction from the Provincial Government outlining their position in relation to 911 Cost Recovery fees.
- 2) The City's ability to implement a 911 Cost Recovery fee under the authority of the City of Toronto Act in lieu of provincial legislation

Recommendation #24: Comprehensive Culture Change and Human Resource Strategy

A comprehensive approach to culture change that considers all the ways in which culture is embedded in the organization. The culture change starts from within, how the TPS operates and manages as a public service organization. It also involves an external focus in terms of how the TPS services and engages with the public, stakeholders and partners.

Project Lead(s)	SGT. R. Baker, PEO E. Ratnakumar	Command Sponsors	D/C B. McLean, D/C S. Coxon
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PROJECT HEALTH										Anticipated End Date: ONGOING	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	One time funding has been identified; currently working to identify long-term funds to support the extended 7 year plan. Project staffing for the PHIX remains at 1 Full-time Equivalent; additional staffing would help to improve productivity. The Culture Assessment has commenced with NMP consultants selected on October 27th.	
At Risk	At Risk	On Track	At Risk	On Track	On Track	On Track	At Risk	At Risk	On Track		

Progress in Last 90 Days

- A survey tool was selected and delivered to Service Members. Survey tool is an instrument (Denison) designed to measure organizational culture.
- For community engagement, a survey was designed and 08 roundtable discussion sessions are scheduled at various locations across the city.
- Virtual Town Hall Meetings Services will supplement these tactics to best capture input for 140 neighbourhoods. Interviews were conducted regarding future desired state culture with TPS leaders, TPSB members, and TTF subject matter experts.
- The timelines for this project are aggressive as it is grant funded and must be completed by March 31st, 2018, and there is a significant scope of work to be completed during this timeframe to meet deliverables.

Progress in Next 90 Days

- Surveys will be distributed, collected and reviewed internally and externally. Feedback from surveys, roundtable discussions and virtual town halls will be reviewed and summarized.
- A final report will be produced which will include current and desired future state organizational culture with identified gaps.
- Action plans and recommendations to remediate the gaps will be included in the final report. The findings in the report will be socialized with multiple stakeholder groups. This report will be provided to Command on March 31, 2018 and a board presentation will be provided at the April board meeting. The timelines for this project are aggressive as it is grant funded and must be completed by March 31st, 2018.

Beyond 90 Days

- A further PEM grant application has been submitted to enable implementation of recommendations provided in the report in 2018 and moving forward.

Recommendation #25: Public Engagement Strategy

We are recommending that the Service come forward with a broad, inclusive and ongoing public engagement strategy for modernization. This strategy should incorporate opportunities for individual residents, make effective use of the existing Community Police Liaison Committees and Chief's Consultative Committees, and involve community groups and agencies, youth workers, and youth from different neighbourhoods.

Project Lead(s)	SGT K. Lee, PC D. Cox	Sponsors	A/S/SUPT F. Bergen, A/INSP G. Watts
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PROJECT HEALTH										Anticipated End Date: ONGOING	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Virtual Town Halls are scheduled to begin in early 2018 regarding various modernization efforts.	
At Risk	At Risk	On Track	At Risk	On Track	At Risk	On Track	At Risk	On Track	At Risk		

Progress in Last 90 Days

- Virtual town halls will be utilized to communicate with the public on the Organizational Cultural Assessment.
- In addition, several sessions have been set up at Community Centres across the City where members of the community can attend to provide feedback and participate in the discussion on Organizational Culture and Change.

Progress in Next 90 Days

- External stakeholder engagement will continue for the Organizational Cultural Assessment through meetings and virtual town halls.
- Virtual Town Halls will also be utilized for a public awareness campaign on the vulnerable persons registry, 911 vs 311 calls and other alternative service delivery measures.

Beyond 90 Days

- Continued external stakeholder engagement through various media platforms.

Recommendation #26: Service Engagement Strategy

We are recommending intensive and meaningful engagement with Service members on implementation as an essential part of modernization, and as an opportunity for the leaders of the Service to demonstrate culture change in action. Members should have the chance to speak candidly, feel their input matters and have opportunities for collaboration on questions of design and implementation.

Project Lead(s)	SGT K. Lee, PC D. Cox	Sponsors	A/S/SUPT F. Bergen, A/INSP G. Watts
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PROJECT HEALTH										Anticipated End Date: ONGOING	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Additional focus on internal/membership engagement is required before external engagement strategies can be fully launched (through we will continue to ensure the Public is engaged as required in the interim).	
●	◆	●	◆	●	◆	◆	◆	●	◆		

Progress in Last 90 Days

- Hosted webinar for Senior Officers on boundary and facilities realignment.
- Follow-up sessions were conducted with Senior officers to collect feedback on proposed changes over a 3 week period.
- This information and suggestions were reviewed by various workstreams and taken into account.
- Received training in project management and change management at the Toronto Police College through the City of Toronto.
- Change management plans have been discussed including managing change resistance and change fatigue

Progress in Next 90 Days

- Service wide engagement strategy through information sessions at Staff Sergeant level. These meeting will provide updates on modernization efforts and collect feedback.
- Virtual Town Halls will be utilized for engaging the Service on the Organizational Cultural Assessment and Alternative Service Delivery.

Beyond 90 Days

- A Comprehensive Service Wide engagement strategy including the establishment of a change network of people with reliable information within the Service to act as "ambassadors of communication".
- More focus on the feedback process at all levels.

Recommendation #27: Association (TPA and SOO) Engagement Strategy

We are recommending substantive engagement on implementation with the **Toronto Police Association** and the **Senior Officers' Organization** in the months ahead. These discussions should respect the important role that these two organizations play in representing their respective memberships and the role of the Board and the Service's senior leadership in representing the public interest.

Project Lead(s)	SGT K. Lee, PC D. Cox	Command Sponsors	D/C J. Ramer, D/C B. McLean
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PROJECT HEALTH										Anticipated End Date: ONGOING	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Communication has been stagnant between the TPA, the SOO and the Service.	
●	●	●	●	●	●	●	●	●	●		

Progress in Last 90 Days

- There has been limited interaction between the Unions and the Service.
- Association members have attended working group meetings on the Organizational Culture Assessment and there will be continued efforts to establish more effective and recurrent communication moving forward.

Progress in Next 90 Days

- There will be continued attempts to reach out to the Toronto Police Association and Senior Officers Organization in an effort to establish more effective communication lines.

Beyond 90 Days

- There will be continued attempts to reach out to the Toronto Police Association and Senior Officers Organization in an effort to establish more effective communication lines.

Recommendation #28: Establishing New Pathways of Accountability

We are recommending four mutually reinforcing actions to establish new pathways of accountability that are peer-to-peer within the Service, between officers and their leaders, and between the Service and the public. These pathways are components of the culture change plan described in Chapter 6 and will result in a significant shift in the accountability culture of the organization.

Project Lead(s)	A/S/SUPT F. Bergen	Sponsors	A/S/SUPT F. Bergen, A/INSP G. Watts
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

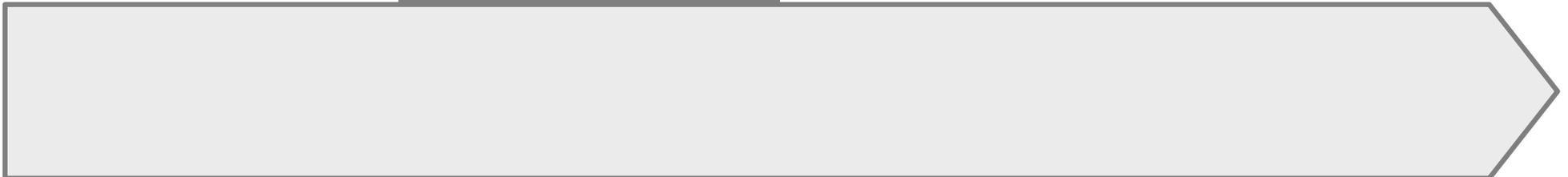
Anticipated End Date: 2020

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	Project staffing issues are affecting progress with this recommendation. Next steps currently being evaluated. No major issues/risks are foreseen at this time.

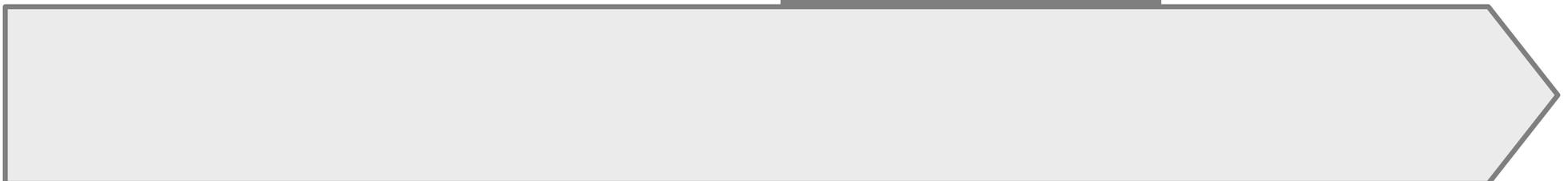
Progress in Last 90 Days



Progress in Next 90 Days



Beyond 90 Days



Recommendation #29: Board-Appointed Change Management Advisor

We are recommending four mutually reinforcing actions to establish new pathways of accountability that are peer-to-peer within the Service, between officers and their leaders, and between the Service and the public. These pathways are components of the culture change plan described in Chapter 6 and will result in a significant shift in the accountability culture of the organization.

Project Lead(s)	TPSB	Sponsors	TPSB
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PROJECT HEALTH

● On Track
 ◆ At Risk
 ■ Off Track

Anticipated End Date: 2018

TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	
●	●	●	●	●	●	●	●	●	●	The Board approved the retention of Mr. Jim Rankin of Randstad Technologies, as the Organizational Change Management consultant to support the Board's role in overseeing the implementation of the final report of the Transformational Task Force entitled <i>Action Plan: The Way Forward</i> .

Progress in Last 90 Days

- Jim Rankin, an independent Change Management Advisor, has been hired by the TPSB and is currently working with STM.

Progress in Next 90 Days

- Mr. Rankin will continue to assess change management practices within the TPS and offer guidance based on his expertise and experience.

Beyond 90 Days

Recommendation #30: People Management Strategy

We are recommending a comprehensive people management and HR strategy for the Service that includes significant changes to:

- The roles, functions and structure of the Service's Human Resources unit to enable it to play a more modern and strategic role.
- HR policies, processes, analytics and tools that will enable modernization of service-delivery and deployment changes.

Project Lead(s)	HR Consultant Silvia Stancovic	Command Sponsors	D/C B. McLean
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PROJECT HEALTH										Anticipated End Date: 2019	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period		

Progress in Last 90 Days

- People Plan initiatives underway include the Organizational Structure Implementation, the Service Delivery Transformation implementation, the Competency Framework development and launch, Performance Management, the Mentorship / 360 Program launch, the development of Uniform Job Descriptions, the development and launch of Core Values, the Talent Acquisition Strategy development, the Service Deployment Strategy development, and the Accommodation Strategy development.
- Recruitment of the HR leadership team continues - internal postings / interviews for the managerial roles in Wellness and Talent Acquisition are in progress; selection for Labour Relations is in progress; and external posting for HR Business Partnerships is in progress.

Progress in Next 90 Days

- Ongoing development and launch of People Plan initiatives.
- Selection, background, and onboarding to HR Leadership team.

Beyond 90 Days

- Begin next phase of HR staff recruitment (up to 29 positions).
- Initiation of additional initiatives including the Wellness Strategy, Professional Development Program and Promotional Process.

Recommendation #32: Modernization Scorecard

We are recommending an initial Modernization Scorecard. When fully realized, it will be comprehensive, transparent, accessible to all and an example of culture change in action.

Project Lead(s)	SGT K. Lee, PC D. Cox	Sponsors	A/S/SUPT F. Bergen
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PROJECT HEALTH										 On Track  At Risk  Off Track	Anticipated End Date: ONGOING
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	N/A							
											

Progress in Last 90 Days

- N/A

Progress in Next 90 Days

- N/A

Beyond 90 Days

- N/A

Recommendation #33: Neighbourhood Officer

The centrepiece of the new service delivery model will be a renewed, more integrated and intensified investment in building safe communities and neighbourhoods, with officers focused on local problem solving. A key part of this new model is the proposal that every one of the City of Toronto's 140 identified neighbourhoods will have named, uniformed officers assigned to them on a long-term basis.

Project Lead(s)	PC D. Gracey	Command Sponsors	D/C P. Yuen, D/C S. Coxon
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PROJECT HEALTH										Anticipated End Date: 2019	
TIMELINES		BUDGET		PROJECT SCOPE		STAKEHOLDERS		PROJECT STAFFING		EXPLANATION OF INDICATORS	
Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	Last Period	Current Period	<p>Timelines: PEM grant funding will dictate strict timelines to achieve many of the deliverables with regard to this recommendation</p> <p>Project Staffing: Additional resources are required to build the processes and structure of the neighbourhood officer program.</p>	
At Risk	At Risk	On Track	On Track	On Track	On Track	At Risk	At Risk	At Risk	At Risk		

Progress in Last 90 Days

- Strategy Management continued to collaborate with internal units on all matters relating to the Neighbourhood Officer (NO) program.
- A total of 115 bicycles will be purchased using 2017 PEM funding. Options are being explored to replace the rest of the current patrol bicycle fleet in 2018.
- Ryerson completed the initial research phase of new NO uniforms and presented their recommendations to command members of the Joint Uniform and Equipment committee. The TPA did not attend this meeting. Prototype uniforms ordered to conduct field testing.
- Members of purchasing, DPSU and STM are in the process of awarding the RFS to a respondent for the *Neighbourhood Partnership Framework Design*
- *Lansdowne Technologies* selected for Crime Prevention Materials and *Forum Research Project* to conduct Policing Focus Groups.

Progress in Next 90 Days

- Awarding of contracts to vendors based on remaining PEM grant initiatives will continue.
- Projects at risk specifically Phase 2 of the uniform redesign process have been reviewed and funds have been reallocated on approval of TPS Command and PEM authorities.
- STM will continue to work closely with DPSU to further develop the Neighbourhood Officer Program.

Beyond 90 Days

- Once a sustainable Neighbourhood Officer Program is designed and approved by Command, the process of filling these roles and deploying the required officers will commence.



Toronto Police Services Board Report

January 15, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Quarterly Report: Occupational Health and Safety Update for October 1, 2017 to December 31, 2017 and Year-End Summary

Recommendation(s):

It is recommended that the Toronto Police Services Board (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 January 24, 2005, the Board received an update on occupational health and safety matters relating to the Toronto Police Service (Service) (Min. No. C9/05 refers). Following consideration of the report, the Board requested the Chief of Police to provide quarterly confidential updates on matters relating to occupational health and safety. The Board, at its meeting on August 21, 2008, further requested public quarterly reports for occupational health and safety matters (Min. No. C224/08 refers).

The purpose of this report is to update the Board on matters relating to occupational health and safety issues for the fourth quarter of 2017 and includes a year-end summary.

Discussion:

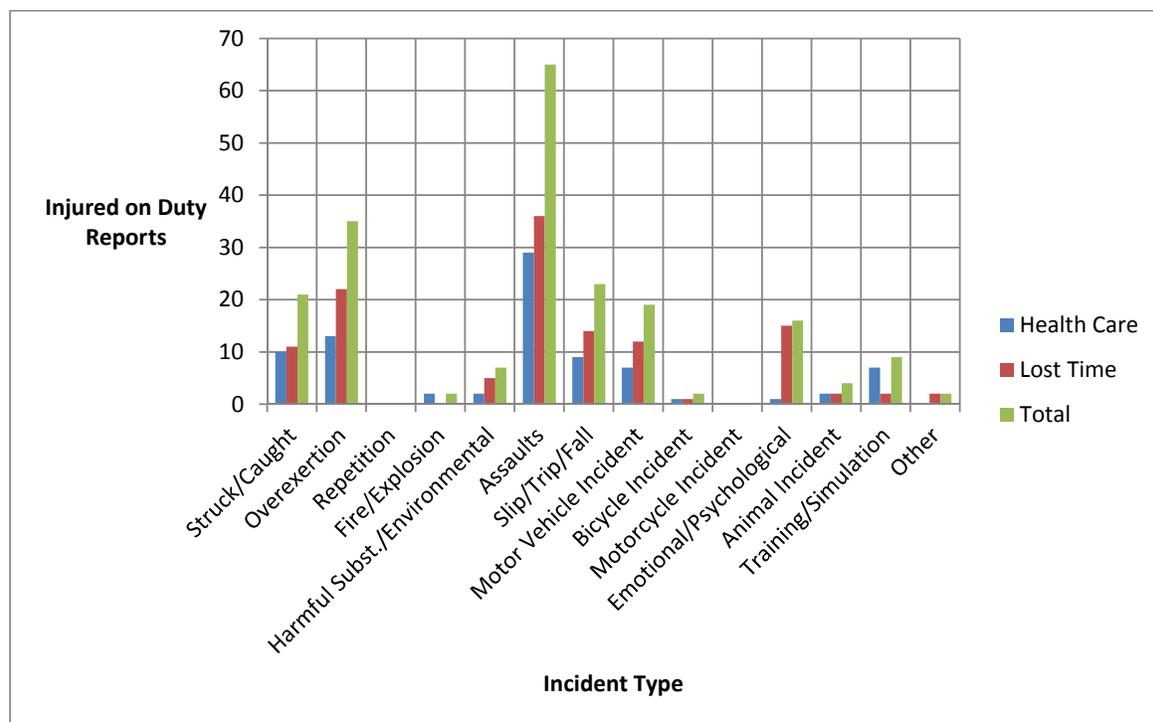
Fourth Quarter Accident and Injury Statistics

From October 1, 2017 to December 31, 2017, there were 205 reported workplace accidents/incidents involving Service members, resulting in lost time from work and/or

health care which was provided by a medical professional. These incidents were reported as claims to the Workplace Safety and Insurance Board (W.S.I.B.). During this same period, 47 recurrences of previously approved W.S.I.B. claims were reported. Recurrences can include, but are not limited to: ongoing treatment, re-injury, and medical follow-ups, ranging from specialist appointments to surgery.

Injured on Duty reports are classified according to the incident type. The following graph and chart summarize the Injured on Duty reports received by the Occupational Health and Safety Unit during the fourth quarter of 2017.

*Injured on Duty Reports
October to December 2017*



Incident Type	Health Care	Lost Time	Q4 2017	Q4 2016
Struck/Caught	10	11	21	19
Overexertion	13	22	35	29
Repetition	0	0	0	4
Fire/Explosion	2	0	2	0
Harmful Substances/Environmental	2	5	7	13
Assaults	29	36	65	50
Slip/Trip/Fall	9	14	23	37
Motor Vehicle Incident	7	12	19	14
Bicycle Incident	1	1	2	5
Motorcycle Incident	0	0	0	0
Emotional/Psychological	1	15	16	7
Animal Incident	2	2	4	3
Training/Simulation	7	2	9	4
Other	0	2	2	5
Totals	83	122	205	190

The top five incident categories are:

1. Assaults: 65 reported incidents
2. Overexertion: 35 reported incidents
3. Slip/Trip/Fall: 23 reported incidents
4. Struck/Caught: 21 reported incidents
5. Motor Vehicle Incident: 19 reported incidents

The highest category of incidents during this reporting period is the “Assaults” category. Assaults by arrested parties, suspects, or members of the public typically form one of the largest categories of Injured on Duty reports due to the nature of police work. A significant portion of training received by police officers is designed to mitigate the risk of these types of injuries.

During the fourth quarter of 2017, an increase was noted in the number of approved claims in the “Emotional/Psychological” category. This increase can be attributed to the passing of new legislation, Bill 163, *Supporting Ontario’s First Responders Act (Post Traumatic Stress Disorder)*, 2016, which came into force on April 5, 2016. The legislation creates a presumption that post-traumatic stress disorder (P.T.S.D.) diagnosed in first responders is work-related.

Critical Injuries

Under Ontario’s occupational health and safety regulatory framework, employers have the duty to report all critical injuries and fatalities which occur in the workplace to the Ministry of Labour (M.O.L.), pursuant to *Section 51* of the *Occupational Health and Safety Act* and *Ontario Regulation 834*.

A critical injury is defined as an injury of a serious nature that:

- (a) places life in jeopardy,
- (b) produces unconsciousness,
- (c) results in substantial loss of blood,
- (d) involves the fracture of a leg or arm but not a finger or toe,
- (e) involves the amputation of a leg, arm, hand or foot but not a finger or toe,
- (f) consists of burns to a major portion of the body, or
- (g) causes the loss of sight in an eye.

In the fourth quarter of 2017, there was one critical injury incident reported to the M.O.L., as follows:

1. On October 26, 2017, at approximately 2:20 p.m., a Police Sergeant was exiting the supervisor's office at 41 Division station, at which time she slipped on the recently washed hallway floor. The member experienced immediate pain and was transported to hospital, where she was diagnosed with a fracture to her left tibia and fibula. Wet floor warning signs were posted at the time of the incident.

For each critical injury incident, an investigation is conducted by the Service independent of the M.O.L. investigation, involving both the injured member's local Joint Health and Safety Committee and the Service's Occupational Health and Safety Unit. In each case, root causes are sought and recommendations are made, where applicable, to reduce the risk of similar incidents in the future.

Communicable Diseases

As part of the Communicable Disease Exposure Surveillance Program, members of the Occupational Health and Safety Unit reviewed reported exposures during the months indicated in the table below. The majority of these exposures did not result in claim submissions to the W.S.I.B. However, there is an obligation to ensure that a communication is dispatched to members of the Service from a qualified designated officer from the Medical Advisory Services team.

In the event that a member requires information or support regarding a communicable disease exposure, they will be contacted by a medical professional from Medical Advisory Services in order to discuss potential risk, consider treatment options as required, and to ensure that the member is supported properly with respect to stress and psychological well-being. The following chart summarizes member exposures to communicable diseases, as well as other potential exposure types including blood and bodily fluids.

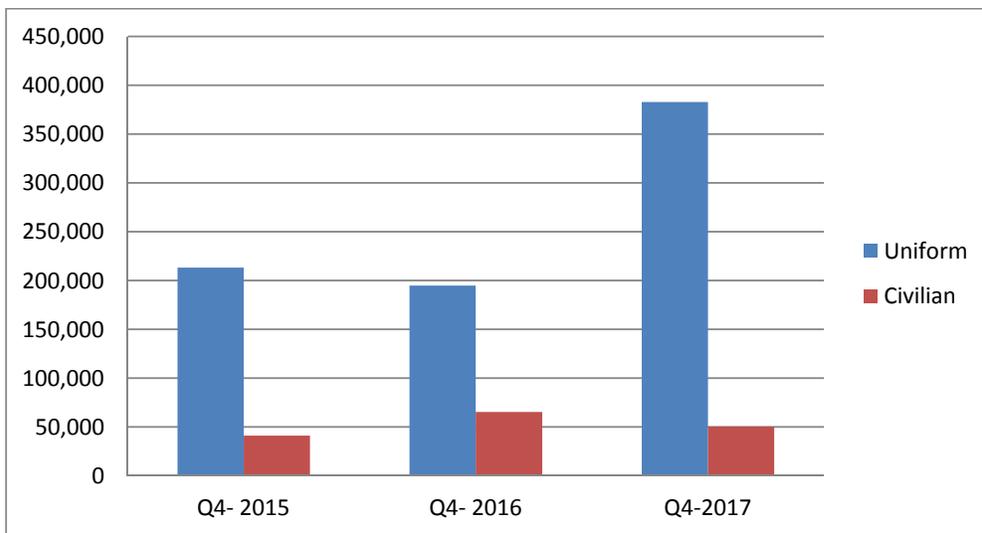
*Member Exposure to Communicable Diseases
October to December 2017*

Reported Exposures	October	November	December	Q4 - 2017	Q4 - 2016
Bodily Fluids, Misc.	11	18	14	43	60
Hepatitis A, B, & C	7	0	2	9	2
HIV	6	0	2	8	9
Influenza	0	0	0	0	0
Measles, Mumps, Rubella	0	0	0	0	0
Meningitis	0	0	0	0	9
Staphylococcus Aureus	0	2	0	2	14
Tuberculosis	0	6	0	6	4
Varicella (Chickenpox)	0	0	0	0	0
Bed Bugs	5	7	4	16	18
Other, Miscellaneous	8	0	8	16	21
Total	32	26	26	84	119

Examples of the types of exposures which fall into the category “Other, Miscellaneous” can include, but are not limited to: ringworm, scabies, lice, pertussis (whooping cough), diphtheria, etc.

Injury and Accident Costs

As a Schedule 2 employer, the Service paid \$50,316 in W.S.I.B. costs for civilian members and \$342,847 in W.S.I.B. costs for uniform members for the fourth quarter of 2017.



	Q4 - 2015	Q4 - 2016	Q4 - 2017
Uniform	\$213,120	\$194,601	\$384,847
Civilian	\$41,110	\$65,277	\$50,316

The increase in overall costs over the past three fourth quarter periods has been attributed to the passing into law of the *Supporting Ontario's First Responders Act* in April 2016, which created the presumption of work-relatedness when first responders are diagnosed with P.T.S.D.

Medical Advisory Services

The disability statistics provided below summarize all non-occupational cases. By definition, "short-term" refers to members who are off work for greater than fourteen days, but less than six months. "Long-term" refers to members who have been off work for six months or greater.

Disability distribution of Service members as of the end of the fourth quarter of 2017 is summarized in the following chart.

*Member Disabilities: Non-Occupational
October to December 2017*

Disability Category	End of Q4 – 2017	End of Q4 – 2016
Short Term	69	57
Long Term – LTD	4	4
Long Term – CSLB	76	70
Total Disability	149	131

Workplace Violence and Harassment Statistics

Bill 168, the *Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009*, came into force on June 15, 2010. As a result of this amendment, the *Occupational Health and Safety Act* now includes definitions of workplace violence and workplace harassment, and Part III.0.1 describes employer obligations with respect to violence and harassment in the workplace.

In the fourth quarter of 2017, there were three new documented complaints which were categorized by Professional Standards as having the potential to meet the criteria of workplace harassment as defined in the *Occupational Health and Safety Act*.

Other Occupational Health and Safety Matters

Currently, the Service has 397 certified members, comprised of 277 worker representatives and 120 management representatives. For administrative purposes, uniform management representatives consist of members holding the rank of Staff/Detective Sergeant and above.

Seasonal Influenza Vaccination Clinics

The Service, in partnership with Toronto Paramedic Services, hosted five seasonal influenza vaccination clinics at various police facilities across the Service. A total of 191 members of the Service were immunized during these clinics.

Year-End Summary

Annual Workplace Safety and Insurance Board Claims and Costs

For the year 2017, the Service processed 955 Injured on Duty (I.O.D.) reports, which were reported to W.S.I.B. as workplace injury or illness claims or recurrences. For 2015 and 2016, there were 914 and 904 claims and recurrences reported respectively. In 2017, there was an increase of 5% in reportable claims when compared to 2016.

W.S.I.B. claims must be reported when workers receive medical attention, lose time or are absent from work, or when any recurrences of work-related injury or illness occur. First Aid incidents do not meet the threshold for reporting to the W.S.I.B.

The following chart lists W.S.I.B. claims for the Service for the past three years for comparison purposes:

Claim Description	2015	2016	2017*
Health Care	372	363	365
Lost Time	413	399	450
Recurrences	129	142	140
Total	914	904	955
Percent change from previous year	-11%	-1%	+5%

*Claims can be reported at any time. This is accurate as of the date of this report.

The cost to the Service for workplace injuries and illnesses, as a Schedule 2 employer, including income replacement, healthcare costs, administration fees and all other pensions and awards for the last three years is as follows:

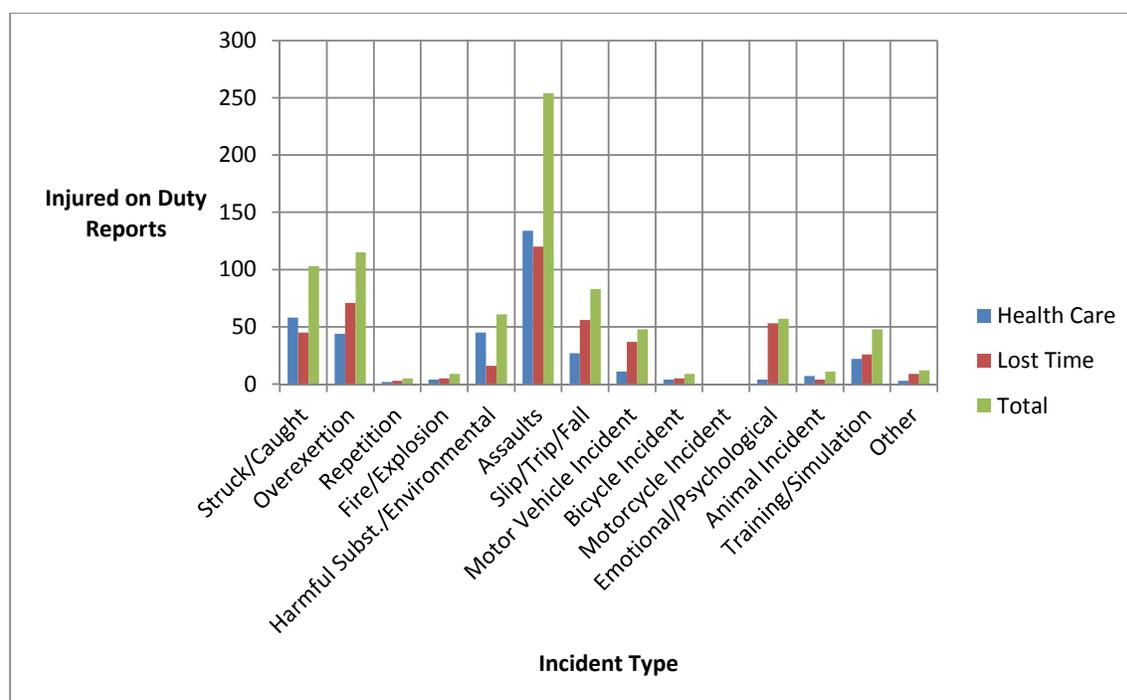
W.S.I.B. Costs	2015	2016	2017*
Total	\$8.42M	\$8.96M	\$11.75M
Percent change from previous year	+2.6%	+6.4%	+31.1%

*The cost is accurate as of the date of this report.

The increase in overall costs over the past three years has been attributed to the passing into law of the *Supporting Ontario's First Responders Act* in April 2016, which created the presumption of work-relatedness when first responders are diagnosed with P.T.S.D.

Annual Year-End Accident and Injury Statistics

The following chart and graph summarize the I.O.D. reports received by the Occupational Health and Safety Unit during the year 2017:



Incident Type	Health Care	Lost Time	Total 2017	Total 2016	Total 2015	Total 2014
Struck/Caught	58	45	103	168	152	111
Overexertion	44	71	115	84	69	74
Repetition	2	3	5	17	14	17
Fire/Explosion	4	5	9	2	3	0
Harmful Substances /Environmental	45	16	61	32	65	81
Assaults	134	120	254	197	128	177
Slip/Trip/Fall	27	56	83	90	105	150
Motor Vehicle Incident	11	37	48	53	68	54
Bicycle Incident	4	5	9	17	20	33
Motorcycle Incident	0	0	0	5	9	3

Incident Type	Health Care	Lost Time	Total 2017	Total 2016	Total 2015	Total 2014
Emotional/ Psychological	4	53	57	52	40	27
Animal Incident	7	4	11	8	25	11
Training/Simulation	22	26	48	10	59	87
Other	3	9	12	27	22	17
Totals	365	450	815*	762	779	832

* In addition there were 140 recurrences of previously submitted claims resulting in a total of 955 workplace injury or illness reports submitted to the W.S.I.B.

The top five incident types for the year of 2017 are:

1. Assaults, 254 reported incidents
2. Overexertion, 115 reported incidents
3. Struck/Caught, 103 reported incidents
4. Slip/Trip and Fall, 83 reported incidents
5. Emotional/Psychological, 57 reported incidents

The highest category of incidents for the year 2017 is the “Assaults” category. Assaults by arrested parties, suspects, or members of the public typically form one of the largest categories of Injured on Duty reports due to the nature of police work. A significant portion of training received by police officers is designed to mitigate the risk of these types of injuries.

For the year 2017, an increase was noted in the Overexertion category. A review of the incidents revealed that a large number of incidents occurred as a result of suspects resisting arrest and/or a foot pursuit. A significant portion of training received by police officers is designed to mitigate the risk of these types of injuries.

In addition, there were 2 separate incidents in the Harmful Substances/Environmental category which each resulted in multiple exposures, resulting in a higher than usual number of incidents in this category.

An increase was also noted in the Training/Simulation category. The Training/Simulation category refers to incidents in which a member comes into contact with another member or an object during the course of a physical training exercise or a dynamic simulation. Due to the increase in this category, the Occupational Health and Safety Unit is currently conducting a review to identify any specific trends or areas of concern.

Annual Year-End Communicable Disease Statistics

Reported Exposures	Total 2017	Total 2016
Bodily Fluids, Misc.	217	199
Hepatitis A, B, & C	23	9
HIV	29	16
Influenza	0	0
Measles, Mumps, Rubella	0	0
Meningitis	8	12
Staphylococcus Aureus	31	46
Tuberculosis	21	29
Varicella (Chickenpox)	0	0
Bed Bugs	79	54
Other, Miscellaneous	57	68
Total	386	379

For the year 2017, there were a total of 386 reported incidents involving exposures or possible exposures. This represents an increase of 2% when compared to 2016 in which a total of 379 incidents were reported.

Annual Year-End Critical Injury Statistics

Year	Critical Injury Incidents reported to the M.O.L.	Critical Injury Incidents Confirmed
2016	10	10
2017	11	11

Annual Year-End Workplace Violence and Harassment Statistics

In 2017, there were nine documented complaints which were categorized by Professional Standards as having the potential to meet the criteria of workplace harassment as defined in the *Occupational Health and Safety Act*. As a result of the investigations, two complaints were deemed to be unsubstantiated and misconduct was identified in two cases. The remaining complaints are still under investigation.

Conclusion:

This report provides an update to the Board on matters relating to occupational health and safety issues for the fourth quarter of 2017 and provides year-end summary information.

The next quarterly report for the period of January 1, 2018 to March 31, 2018 will be submitted to the Board for its meeting in May 2018.

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

Respectfully submitted,

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

MS:RD:cp

Board Report – Public – OHS update – Q4 – October to December 2017



Toronto Police Services Board Report

January 2, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2017 Protected Disclosure

Recommendation:

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

Financial Implications:

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

Background / Purpose:

At its meeting held on October 9, 2014 (Min. No. P227 refers) the Board considered a report from Dr. Alok Mukherjee, then Chair of the Toronto Police Services Board, regarding a Board policy entitled *Protected Disclosure*.

That policy was approved and contained direction that the Chief of Police will:

In order to ensure that steps are taken to address the underlying causes and to mitigate the risk of future occurrences, report to the Board, on an annual basis, the results of any and all investigations undertaken in respect to allegations reported anonymously or in a protected manner by members and any steps taken as part of a review to address the underlying causes and actions undertaken to mitigate the risk of future occurrence. Such reporting shall include details on the substance of the allegation of wrongdoing and any actions taken in response to it.

Discussion:

The January 2003 report by the Honourable Justice George Ferguson entitled *Review and Recommendations Concerning Various Aspects of Police Misconduct* recommended that Internal Affairs (as Professional Standards was known at the time of the report) establish an independent telephone line, available to members of the public or members of the Service, to report serious police misconduct or corruption on an anonymous basis. The report also recommended that Internal Affairs design and implement a process whereby 'whistle blowers' are provided adequate protections.

As a result, a dedicated anonymous disclosure telephone line was created and the details announced to Service members on Routine Orders on February 28, 2005 (Routine Order 2005.02.28-0239 refers).

The anonymous reporting process was finalized with the creation of Service Procedure 13-18, which was released on August 23, 2006 (Routine Order 2006.08.23-08332 refers). This procedure, currently entitled *Anonymous Reporting of Discreditable Conduct*, details how a member may anonymously report discreditable conduct on the part of another member. The procedure also details how the Service manages and investigates this anonymous disclosure.

Section 1.3 of the Service's Standards of Conduct directs a member to report acts of misconduct to a supervisor, a unit commander, or the Unit Commander of Professional Standards as soon as practicable.

To ensure that any member who reports misconduct is protected, the Service also created section 1.4 of the Standards of Conduct entitled *Reprisal*, which states:

Members shall not harass, intimidate, or retaliate against any person who makes a report or complaint about their conduct or the conduct of another Service member.

Any member who, in good faith, reports a breach of Service or Legislative Governance or an act of misconduct shall not be subject to reprisal for making such report.

The rationale in Procedure 13-18 includes sections 1.3 and 1.4 of the Standards of Conduct and also states:

The Service also recognizes that there may be circumstances where members may be reluctant to identify themselves when reporting discreditable conduct. Therefore, P.R.S. can receive information anonymously on a dedicated telephone line. The telephone number 416-343-7090 is available between the hours of 0800 and 1600 each business day.

Professional Standards (P.R.S.) manages the anonymous telephone line and the investigative responsibility for such calls remains within this unit. An investigator receiving a call informs the caller, as required by Procedure 13-18, that the Service cannot guarantee total anonymity as the courts may supersede any privilege extended by the Service.

The investigator receiving disclosure from the caller records the details on an Anonymous Disclosure Intake Report (TPS909). To protect the identity of the caller, he/she is never asked to self-identify and is referred to throughout the report as an *anonymous police informant*. This form is not duplicated and remains at P.R.S. unless directed by a court order.

Professional Standards has also received anonymous reports of misconduct through other sources such as letters and internal correspondence forms and those complaints are also detailed in this report.

The table below shows the number of calls received at P.R.S. via the anonymous disclosure line and other sources in 2017:

Source	Number
Anonymous Disclosure Line	4
Other Sources	5

Regardless of the anonymous source, an investigation will be commenced and the investigative steps will be the same regardless of the subject member's rank.

The details and outcomes of the four matters received through the anonymous disclosure line are as follows:

- An allegation that an officer was playing hockey while on duty. The matter was unsubstantiated.
- An allegation that an officer pointed an unloaded firearm at another member. The allegation was substantiated and the member has been charged with two offences under the *Police Services Act*. Those charges are still active in the discipline tribunal.
- An allegation that a civilian member was engaged in bullying in the workplace. The matter was unsubstantiated.
- An allegation that a civilian member is engaged in tyrannical behaviour towards subordinates. That matter is still under investigation.

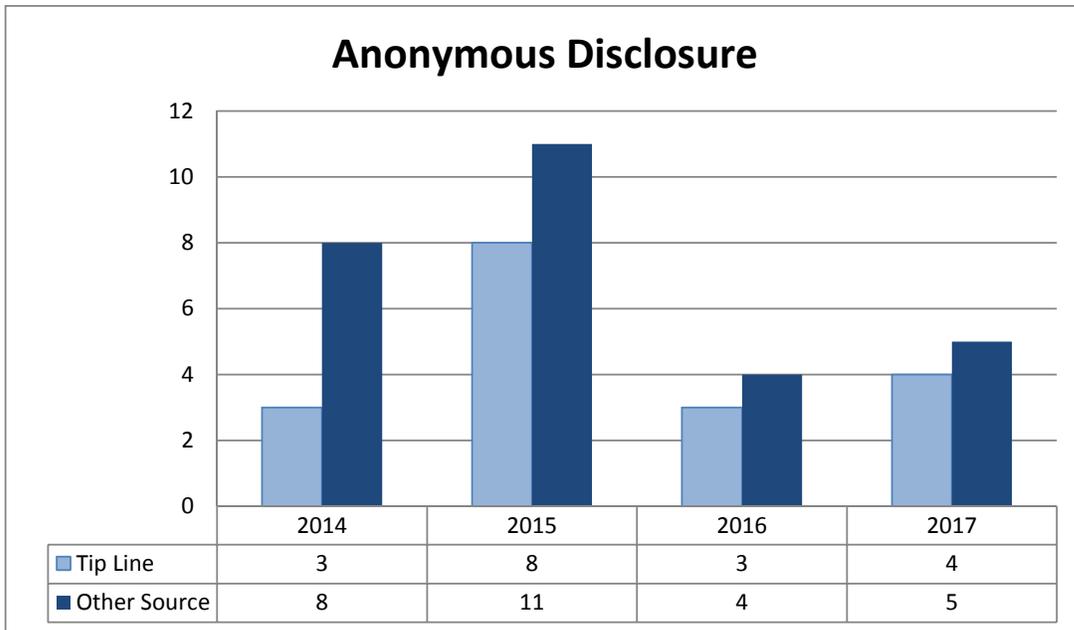
There were five anonymous complaints received by means other than the anonymous disclosure line. The allegations and outcomes are detailed below:

- An allegation that an officer failed to follow Service procedure when signing on and off duty. The allegation was substantiated and the officer was disciplined at the unit level. There was an additional allegation that the officer did not holster

his firearm once he retrieved it from its storage locker. That allegation was unsubstantiated.

- An allegation that another officer also failed to follow Service procedure when signing on and off duty. The allegation was also substantiated and the officer was disciplined at the unit level. There was an additional allegation that this officer was consuming alcohol while on duty. That allegation was unsubstantiated.
- An allegation that an officer had been operating his personal vehicle after consuming alcohol. That allegation was unsubstantiated however it was substantiated that his conduct at a hockey rink was inappropriate and the officer was disciplined at the unit level.
- An allegation that three officers were consuming alcohol while on duty and operating a motor vehicle after doing so. The allegations were unsubstantiated.
- An allegation that an officer is not following Service procedure when signing on and off duty. This investigation is still ongoing.

This report has been prepared annually since 2014 and a four year comparison is detailed in the chart below:



Conclusion:

This report details the allegations and outcomes of the nine anonymous complaints received by the Service in 2017.

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

Respectfully submitted,

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

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Toronto Police Services Board Report

January 15, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: 2017 Secondment Listing

Recommendation:

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

Financial Implications:

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

Background / Purpose:

At its meeting of January 25, 2001, the Board directed that the Chief of Police report annually on secondments of Service members (Board Min. No. P5/01 refers). This report is submitted in compliance with the Board's direction.

Discussion:

In 2017, a total of 65 Toronto Police Service (Service) members (58 uniform and 7 civilian) were seconded to various provincial, federal and American partner organizations. Of this total, 42 members were seconded at full cost recovery to the Service for salaries and benefits, and 23 uniform members were seconded with no cost recovery.

The unfunded secondment positions include partnerships with federal and provincial government agencies as well as the New York Police Department, with both the Service and the partner agencies benefitting from the working relationship. These partnerships are necessary and enable more effective and efficient strategies and action to help address various crime and security issues, which cross national boundaries, as well as create key liaisons with various provincial entities.

Conclusion:

A list of funded and unfunded secondment positions filled by Service members during 2017 is appended to this report.

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

Respectfully submitted,

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

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Appendix A

No. of Members	RANK	LOCATION	TERM			COST
				to		
2	Detective	Royal Canadian Mounted Police Asian Organized Crime	2011.04.15	to	Ongoing	UFD
2	D/Constable	Royal Canadian Mounted Police Asian Organized Crime	2011.04.15	to	Ongoing	UFD
1	D/Sergeant	Royal Canadian Mounted Police Combined Forces Special Enforcement Unit (CFSEU)	2014.03.26	to	Ongoing	UFD
2	Detective	Royal Canadian Mounted Police Combined Forces Special Enforcement Unit (CFSEU)	2014.03.28	to	Ongoing	UFD
3	D/Constable	Royal Canadian Mounted Police Combined Forces Special Enforcement Unit (CFSEU)	2014.03.28	to	Ongoing	UFD
1	Inspector	Royal Canadian Mounted Police Integrated National Security Team (INSET)	2017.04.01	to	2020.03.31	FCR
1	Detective	Royal Canadian Mounted Police Integrated National Security Team (INSET)	2017.04.01	to	2020.03.31	UFD
3	D/Constable	Royal Canadian Mounted Police Integrated National Security Team (INSET)	2017.04.10	to	2018.01.11	FCR
1	PC	Royal Canadian Mounted Police Integrated National Security Team (INSET)	2017.04.01	to	2020.03.31	FCR
1	Inspector	Royal Canadian Mounted Police International Police Operations (IPOB)	2017.08.08	to	2018.08.08	FCR
2	PC	Royal Canadian Mounted Police International Police Operations (IPOB)	2016.08.23	to	2017.08.22	FCR
1	PC	Royal Canadian Mounted Police International Police Operations (IPOB)	2017.07.15	to	2018.07.15	FCR
1	PC	Royal Canadian Mounted Police International Police Operations (IPOB)	2016.09.28	to	2017.10.26	FCR
1	PC	Royal Canadian Mounted Police International Police Operations (IPOB)	2017.09.10	to	2018.09.10	FCR
2	PC	Royal Canadian Mounted Police (MSERT)	2016.01.01	to	2018.01.01	FCR
1	A11	Royal Canadian Mounted Police National Weapons Enforcement Support Team (NWEST)	2012.11.02	to	2018.11.01	FCR
1	A08	Royal Canadian Mounted Police National Weapons Enforcement Support	2016.01.04	to	2019.02.22	FCR

Team (NWEST)						
No. of Members	RANK	LOCATION	TERM			COST
2	PC	Royal Canadian Mounted Police Pearson International Airport	2016.07.01	to	2018.07.01	UFD
1	Detective	Royal Canadian Mounted Police Toronto Airport Drug Enforcement Unit (TADEU)	2011.11.08	to	Ongoing	UFD
1	Sergeant	Royal Canadian Mounted Police CPIC Newmarket	2016.10.27	to	2018.10.27	FCR
1	PC	Corrections Canada Community Corrections Liaison Officer (CCLO Liaison Officer)	2017.04.01	to	2019.03.31	UFD
1	D/Sergeant	Ministry of Community Safety & Correctional Services Provincial Anti-Terrorism	2015.03.10	to	2018.03.18	UFD
1	D/Constable	Ministry of Community Safety & Correctional Services Provincial Anti-Terrorism	2016.02.16	to	2019.02.15	UFD
2	Detective	Ministry of Community Safety & Correctional Services Biker Enforcement	2014.09.03	to	Ongoing	UFD
1	PC	Ministry of Community Safety & Correctional Services Biker Enforcement	2014.09.03	to	Ongoing	UFD
2	D/Constable	Ministry of Community Safety & Correctional Services Chief Firearms Office	2016.03.31	to	2018.03.31	FCR
1	Detective	Ministry of Community Safety & Correctional Services Major Case Management	2017.06.23	to	2019.06.30	FCR
1	D/Sergeant	Ministry of Solicitor General CISO	2017.02.28	to	2019.02.28	FCR
1	A/D/Sergeant	Ministry of Solicitor General CISO	2017.04.25	to	2020.04.25	FCR
1	A/D/Sergeant	Ministry of Solicitor General CISO	2015.04.01	to	2018.03.31	FCR
1	PC	Ministry of Solicitor General (ViCLAS)	2016.09.12	to	2019.09.12	FCR
1	PC	Ministry of Solicitor General (ViCLAS)	2017.05.08	to	2020.05.08	FCR
1	Sergeant	Ontario Police College Basic Constable Training	2015.04.29	to	2018.03.31	FCR
1	A/Sergeant	Ontario Police College Basic Constable Training	2017.05.01	to	2019.04.12	FCR
1	PC	Ontario Chief Coroner Coroner's Inquest	2016.06.27	to	2019.06.30	UFD

No. of Members	RANK	LOCATION	TERM			COST
				to		
1	Inspector	Ontario Provincial Police Provincial Repeat Offender Parole Enforcement (ROPE)	2012.08.31	to	Ongoing	FCR
2	Detective	Ontario Provincial Police Provincial Repeat Offender Parole Enforcement (ROPE)	2012.08.31	to	Ongoing	FCR
7	D/Constable	Ontario Provincial Police Provincial Repeat Offender Parole Enforcement (ROPE)	2013.11.04	to	Ongoing	FCR
2	C04	Ontario Provincial Police Provincial Repeat Offender Parole Enforcement (ROPE)	2012.08.31	to	Ongoing	FCR
1	Detective	United States Immigration and Customs Enforcement Unit (ICE)	2017.01.01	to	2017.12.31	UFD
1	Detective	New York Police Department NYPD Liaison	2017.05.16	to	2018.05.16	UFD
1	D/Constable	United States Postal Service Telemarketing	2015.02.01	to	2018.02.01	FCR
1	T/08	United States Postal Service Telemarketing	2017.01.30	to	2018.02.01	FCR
2	T/A04	Miziwe Biik Aboriginal Peacekeeping Unit	2017.05.02	to	2018.05.02	FCR

Legend:

FCR - Full Cost Recovery
UFD - Unfunded



Toronto Police Services Board Report

January 23, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2017 Uniform Promotions

Recommendation:

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

Financial Implications:

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

Background / Purpose:

At its meeting on May 29, 2003, the Board approved giving standing authority to the Chair, Vice Chair, or their designates, to sign, authorize and approve all uniform promotions to the ranks of Sergeant and Staff /Detective Sergeant. The Board further approved receiving a summary report at its February meeting each year on the promotions made to these ranks in the previous year (Min. No. P136/03 refers). Also at its meeting on March 22, 2007, the Board requested that future employment equity statistics provide an analysis of the success rate of female and racial minority officers in the promotional process by comparing the number of such officers at all stages of the process with the number of those who were promoted (Min. No. P124/07 refers).

Discussion:

In 2017, the Chief of Police announced that the Service was moving ahead with the promotion of members who were on an eligibility list and had been acting in the rank. Fourteen Police Constables were promoted from the Sergeant eligibility list as well as

eighteen Sergeants from the Staff/Detective Sergeant eligibility list. The 14 Police Constable promotions were from the 2015 Sergeant eligibility list thereby leaving 89 members remaining to be promoted. Furthermore, the 18 Sergeants promoted to the rank of Staff/Detective Sergeant exhausted the 2015 eligibility list.

Appendix 'A' lists the number of members promoted to the rank of Sergeant during 2017. Appendix 'B' lists the number of members promoted to the rank of Staff/Detective Sergeant during 2017.

At the Board meeting on February 24, 2016, an employment equity analysis was submitted for the 2015 Sergeant and 2015 Staff/Detective Sergeant promotional processes indicating the breakdown of gender and of visible minorities (Min. No. P27/16 refers).

An employment equity analysis for the members promoted in 2017 to the rank of Sergeant (see Appendix C) and rank of Staff/Detective Sergeant (see Appendix D) which concluded in 2015 is attached:

- One hundred and fifty-one members were placed on an eligibility list for promotion to the rank of Sergeant in 2015. Fourteen of those members were promoted in 2017, 43% of whom were visible minorities and aboriginals, and female members made up 21%.
- Forty-one members were placed on an eligibility list for promotion to the rank of Staff/Detective Sergeant in 2015. Eighteen were promoted in 2017, 17% of whom were visible minorities and aboriginals, and female members made up 28%.

All members have been promoted in accordance with Service Procedure 14-10 entitled "Uniform Promotional Process – Up To and Including the Rank of Inspector" which was approved by the Board (Min. No. P49/01 refers). In addition, the members have been the subject of an extensive vetting process that included background checks conducted through Professional Standards, Diversity & Inclusion, Legal Services and Labour Relations.

Conclusion:

This report lists the number of members of the Toronto Police Service who were promoted to the ranks of Sergeant and Staff/Detective Sergeant during the year 2017, along with an employment equity analysis of the promotion.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to respond to any questions that the Board may have in regards to this report.

Respectfully submitted,

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

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Appendix A

Promotions to the Rank of Sergeant in 2017

Number Promoted	Effective Date
14	2017.09.22
Total: 14	

3 members promoted to the rank of Sergeant have a one year probationary period.

11 members had been acting in the rank of Sergeant for over one year and therefore had satisfied the probationary period at the time of promotion.

Appendix B

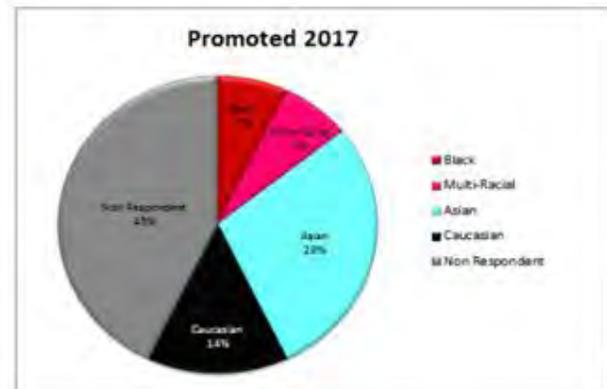
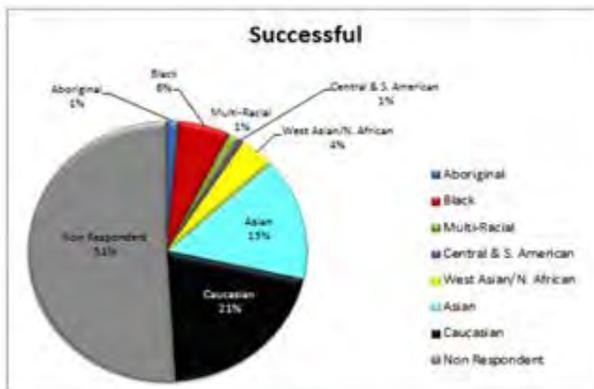
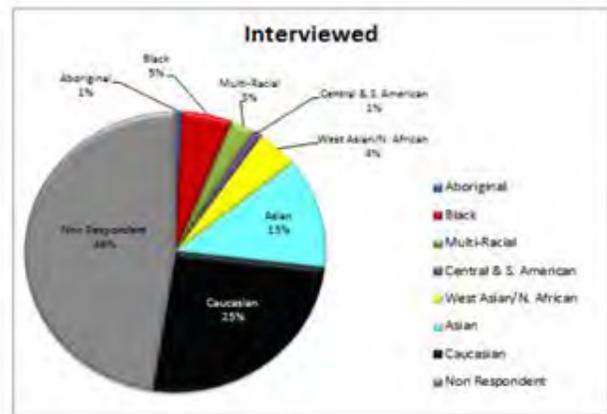
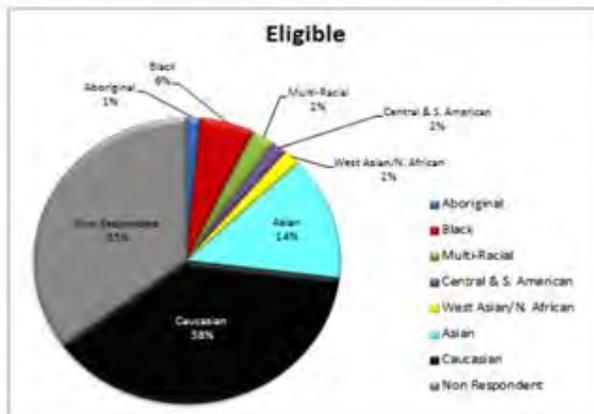
Promotions to the Rank of Staff/Detective Sergeant in 2017

Number Promoted	Promoted to Rank	Effective Date
13	Staff Sergeant	2017.09.22
5	Detective Sergeant	2017.09.22
Total: 18		

Appendix C

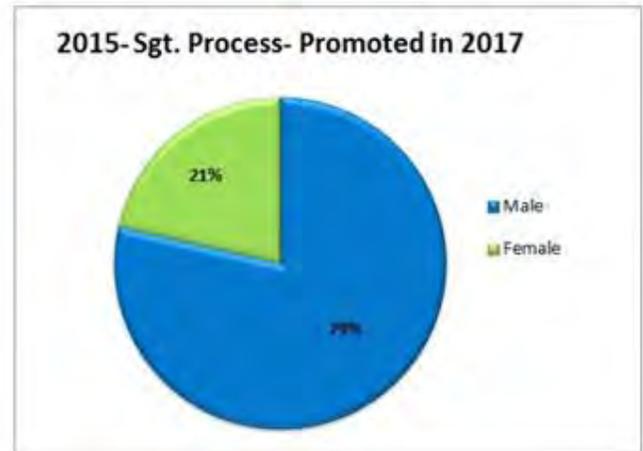
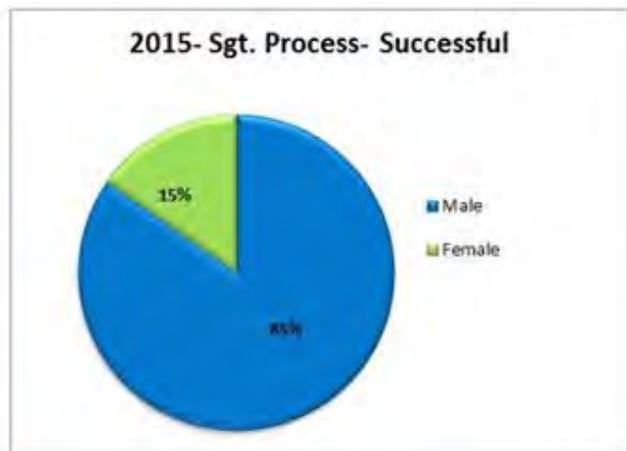
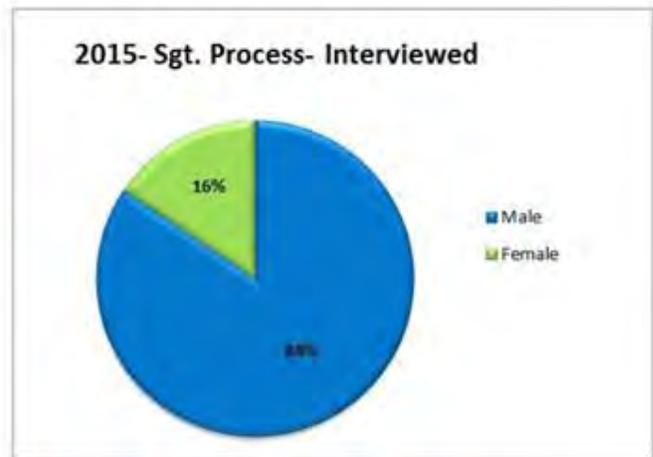
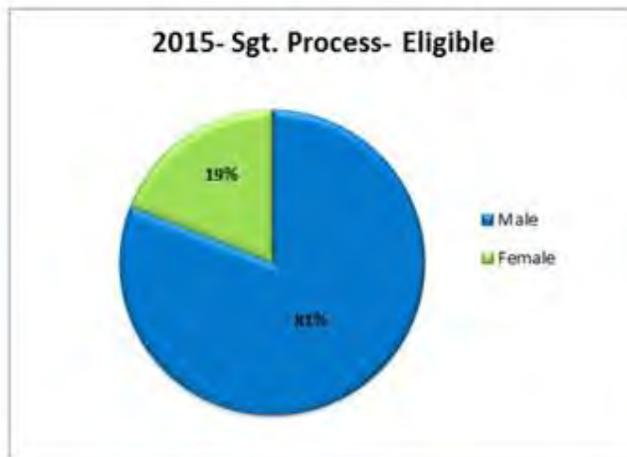
Employment Equity Results – 2017 Promotion to the Rank of Sergeant

2015 Sgt. Promotional Process- Diversity							
	Eligible	Applied	Wrote Exam	Interviewed	Successful	Promoted 2016	Promoted 2017
Aboriginal	54	6	3	2	2	1	0
Black	213	49	43	17	9	2	1
Multi-Racial	92	14	13	8	2	0	1
Central & S. American	55	6	6	3	1	0	0
West Asian/N. African	67	22	18	14	6	3	0
Asian	517	89	80	39	23	4	4
Caucasian	1408	151	128	79	31	5	2
Non Respondent	1299	280	254	147	77	10	6
Total Members	3705	617	545	309	151	25	14



Gender Results – 2017 Promotion to the Rank of Sergeant

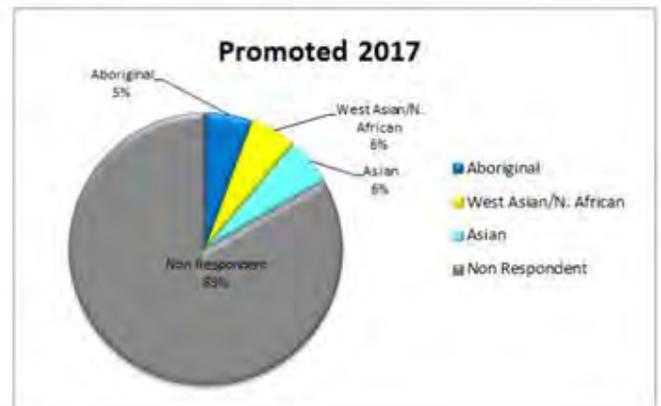
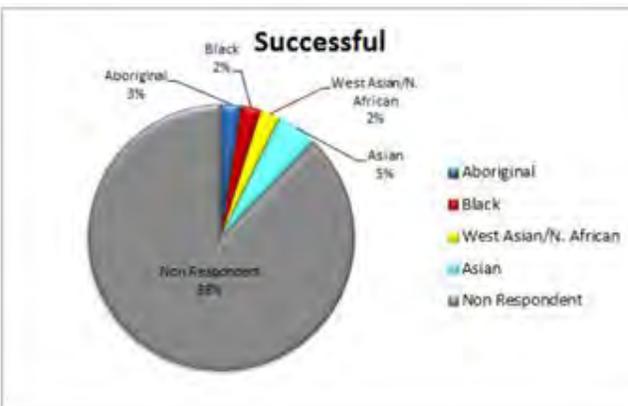
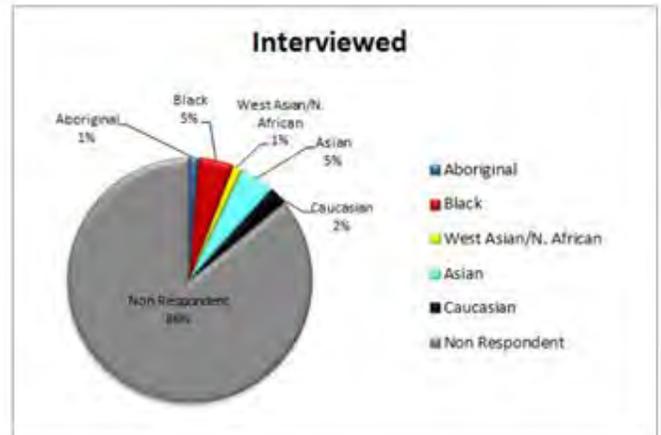
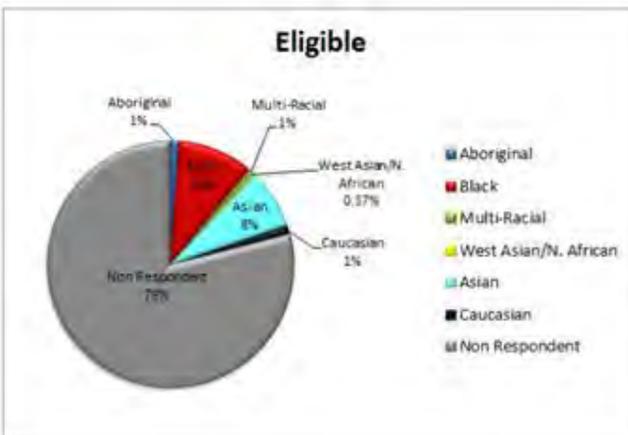
2015 Sgt. Promotional Process- Gender						
	Eligible	Wrote Exam	Interviewed	Successful	Promoted 2016	Promoted 2017
Male	3002	466	261	128	23	11
Female	703	79	48	23	2	3



Appendix D

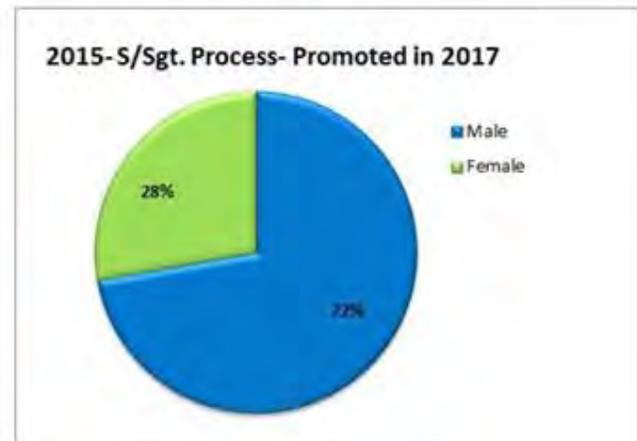
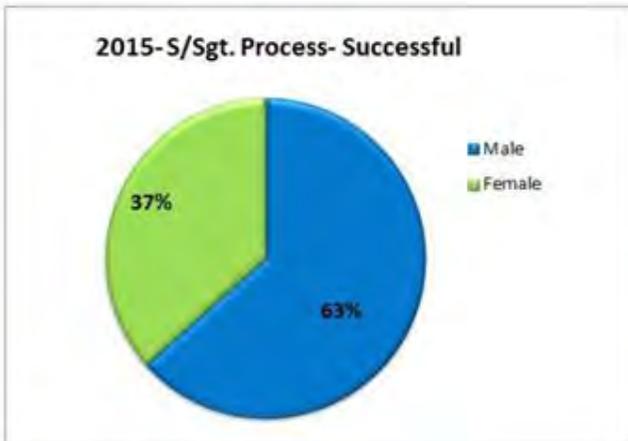
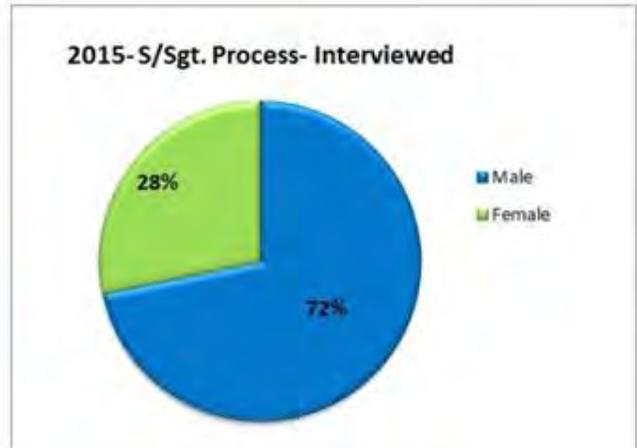
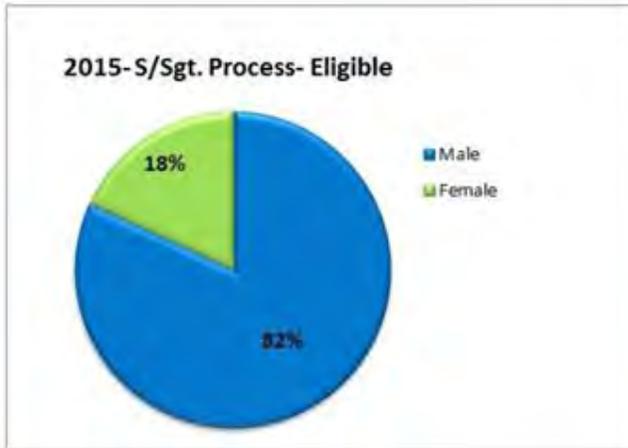
Employment Equity Results - 2017 Promotion to the Rank of Staff Sergeant

2015 S/Sgt. Promotional Process- Diversity							
	Eligible	Applied	Wrote Exam	Interviewed	Successful	Promoted 2016	Promoted in 2017
Aboriginal	3	3	2	1	1	0	1
Black	27	25	23	4	1	1	0
Multi-Racial	2	2	1	0	0	0	0
West Asian/N. African	1	1	1	1	1	0	1
Asian	21	17	14	4	2	1	1
Caucasian	3	2	2	2	0	0	0
Non Respondent	214	199	176	73	36	9	15
Total Members	271	249	219	85	41	11	18



Gender Results – 2017 Promotion to the Rank of Staff Sergeant

2015 S/Sgt. Promotional Process- Gender						
	Eligible	Wrote Exam	Interviewed	Successful	Promoted 2016	Promoted 2017
Male	222	181	61	26	7	13
Female	49	38	24	15	4	5





Toronto Police Services Board Report

January 18, 2018

To: Chair and Members
Toronto Police Services Board

From: Peter Mowat
A/Manager of Labour Relations

Subject: Annual Report: 2017 Summary of Grievances

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

All fees with respect to the legal representation and arbitration of grievances are funded through the Legal Reserve.

Background / Purpose:

At its confidential meeting on February 20, 2003, the Board requested that an annual summary report on grievances be provided for the public meeting in February of each year (Min. No. C30/03 refers). The Board further requested that the public report include the cost of the grievances, the total costs for the year and the number of arbitrations where the Board, Association or both were successful. Grievances are managed by the Labour Relations Unit on behalf of the Board. Grievance activity and resolutions are reported semi-annually to the Board (Min. No. C159/2015).

Discussion:

During 2017, there were 35 new grievances filed. Of this number, 10 grievances were either withdrawn or settled by the parties, and 25 are outstanding.

As of January 1, 2017, there were 18 outstanding grievances from previous years. Of this number, 13 were either settled or withdrawn in 2017. There were no arbitration awards issued in 2017.

Number of grievances as of January 1, 2017	18
Number of new grievances filed in 2017	35
Number of grievances settled, withdrawn or dismissed in 2017	(23)
Total number of outstanding grievances as of December 31, 2017	30

As the above chart indicates, the total number of outstanding grievances at the end of 2017 has increased by twelve since the start of the year.

The total legal expenditures in 2017 for all grievance activity, including matters which commenced prior to 2017, amounted to \$61,352.26. The following is an itemization of costs by type of grievance:

No.	Type of Grievance	Legal Costs in 2017
1	Benefits	\$255.00
3	Discipline	\$23,408.50
1	Medical Accommodation	\$18,472.00
1	Non-Medical Accommodation	\$3,366.00
3	Policy Issues	\$15,850.76
9	Total Costs in 2017 *	\$61,352.26

* These costs include interim or final billings for cases filed prior to 2017, as well as new cases filed in 2017. They include fees for legal counsel, disbursements and arbitrator fees related to the arbitration hearings. The breakdown is as follows:

- Legal Counsel and Disbursement Fees: \$58,784.76
- Arbitrator Fees: \$2,567.50

Conclusion:

In summary, this report provides the Board with the total number of grievances and total costs for the year 2017.

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

Respectfully submitted,

Peter Mowat
A/Manager of Labour Relations

PW:jqa

Filename: Board Report - 2017 Summary of Grievances – February 2018.doc



Toronto Police Services Board Report

February 1, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: New Job Description – Special Constable, Priority Response Command

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) approve the attached new civilian job description, classification, and hiring of the position for Special Constable, Priority Response Command (P.R.C.), (Job Code – C06005).

Financial Implications:

The final Transformational Task Force (T.T.F.) report was approved by the Board at its February 2017 meeting (Min. No. P19/17 refers), includes recommendations that will change how policing services are organized and delivered.

One of the changes is the introduction of a new Special Constable position to perform duties currently done by a uniform officer.

The Special Constable position has been determined to be Class C62 (40 hour week) with an annual salary of \$71,102.66 to \$81,419.47 (effective January 1, 2018). A 1st Class Police Constable has an annual salary of \$98,453.38 to \$107,319.02 (effective January 1, 2018). The top annual salary of a Special Constable, in comparison to a Police Constable, realizes a savings of \$25,899.55 per officer.

It is anticipated that the Service will hire 40 Special Constables in 2018 (20 in April and 20 in October) with the intention of expanding the role in all districts in co-ordination with modernization and “The Way Forward” recommendations. The incremental operating budget impact in 2018 is \$1.9M, when fully annualized the addition of 40 Special Constables will have a total annual operating budget impact of \$4.2M.

The 2018 impact will be funded within the current operating budget, from realized and anticipated savings from greater than budgeted separations in 2017 and 2018 respectively.

The annualized budget pressure of approximately \$4.2M will be included into the 2019 and future operating budget requests.

An alternative would be to request an additional 40 1st Class Police Constables, which at their top salary, would cost \$5.5M. Therefore, the use of Special Constables will result in a cost avoidance of 1.3M on an annual basis.

In addition to the salary cost, the cost of uniforms for the special constables has been included in the estimated cost. Four vehicles are also required for the Special Constables to carry out their duties. The Service will attempt to address this additional requirement through vehicle deployment efficiencies.

Background / Purpose:

As was reported at the February 2017 meeting, the Board and the Service agreed that the current business model of policing in Toronto is outdated and no longer sustainable. In response to the challenges and pressures facing the organization, the Board and the Service established the T.T.F. to explore opportunities to find sustainable efficiencies in the delivery of policing to the City of Toronto.

The T.T.F. was mandated to look beyond the way policing is currently done in Toronto and to propose a modernized policing model for the City of Toronto, one that is innovative, sustainable and affordable – a model that will place communities at its core, will be intelligence led, and will optimize the use of resources and technology, while embracing partnerships as a means of enhancing capability and capacity.

P.R.C. is recommending hiring and approving the job description for a new Special Constable, Job Code – C06005, position. As this is a new position, the Board's approval is required.

Discussion:

The new Special Constable Class C62 (40 hour week) position will be assigned to the Compressed Work Week (C.W.W.) platoons at divisions (two per shift) reporting to the platoon supervisors. They will complement the ongoing optimization. The expansion of the program is proposed to take place as divisions consolidate their resources and move towards the district model.

The Toronto Police College (the College) will be responsible for training the Special Constables, while platoon supervisors will monitor their progress and evaluate their performance. Business Intelligence and Analytics (B.I.A.) will be responsible for collecting data and analyzing the program.

The new job description for the Special Constable, P.R.C. is attached. The position has been evaluated using the Service's job evaluation plan and has been determined to be

a Class C62 (40 hour week) position within the Unit C Collective Agreement. The current salary range for this position is \$71,102.66 to \$81,419.47 per annum, effective January 1, 2018. The development of this position is an opportunity for the Service to achieve a more efficient and effective delivery model for managing time consuming situations that have been brought under control and are no longer considered an emergency. Currently, those situations are handled by frontline officers. The implementation of this Special Constable role will allow the Service to focus the efforts of its frontline officers on priority calls for service and be where the community needs them the most.

To move forward, the Service must look to new roles that provide maximum utility and economy while maintaining high quality customer service. The creation of a new Special Constable role has been envisioned to provide relief to frontline policing where emergency situations have been brought under control and no longer require armed officers. Time consuming duties such as crime scene protection and guarding persons in crisis awaiting medical care at hospitals have been identified as areas where we can evolve and improve. Special Constables will be deployed within the proposed district model to supplement existing resources and allow frontline officers to refocus and provide optimal customer service. Having frontline resources available to be where the public needs them the most is the emphasis of the new Special Constable role.

Conclusion:

It is therefore recommended that the Board approve the job description, classification, and the hiring of the position for Special Constable, P.R.C., Job Code – C06005.

Subject to Board approval, the Toronto Police Association will be notified accordingly, as required by the Collective Agreement, and this position will be staffed in accordance with the established procedure.

Deputy Chief Shawna Coxon, P.R.C., and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

MW: ky: sc

Filename: Special Constable P.R.C.
Attachment: Special Constable New Job Description



TORONTO POLICE SERVICE
JOB DESCRIPTION

Date Approved:
Board Minute No.:
Total Points: 453
Pay Class: C62

JOB TITLE: Special Constable	JOB NO.: C06005
BRANCH: Priority Response Command	SUPERSEDES: New
UNIT: Division	HOURS OF WORK: 40 SHIFTS: 3
SECTION:	NO. OF INCUMBENTS IN THIS JOB: Multiple
REPORTS TO: Staff Sergeant	DATE PREPARED: 2018.02.01

SUMMARY OF FUNCTION:

Responsible for the custody and transportation of prisoners including persons in custody awaiting treatment at a medical facility. Responsible for report taking, traffic direction, enforcing parking by-laws, the effective management of property and evidence, and crime scene protection when operationally required or directed by the Unit Commander or designate.

DIRECTION EXERCISED:

None.

MACHINES AND EQUIPMENT USED:

Handcuffs, leg irons, extendable baton, OC Spray, metal detecting wand and other security-related devices. High visibility traffic safety vest and forage cap cover. TPS workstation with associated software and other office equipment as required. Audio/Visual equipment in relation to the booking hall, cell area and police vehicles.

DUTIES AND RESPONSIBILITIES:

1. Transports prisoners to and from detention centres, immigration facilities, medical facilities, hospitals, doctor's offices, police divisions, court houses, arrest locations or other detention locations. Maintains the security of prisoners in the cell area of the police division and escorts prisoners to and from cells.
2. Responsible for prisoner management which includes booking, lodging, feeding, security, safety and movement of persons brought into police custody in accordance with Service procedures.
3. Maintains the security of prisoners who are currently in custody and are awaiting treatment at a medical facility, or persons in our care who have been apprehended under the Mental Health Act and are awaiting assessment.
4. Prioritizes, sorts and files court documents. Serves court documents and notices and swears to Affidavits of Service before a Commissioner for Taking Affidavits. Contacts citizens to facilitate the service of documents. Performs various computer searches as required. Answers inquiries from members of the Service or Court staff regarding the serving of documents.
5. Directs vehicular and pedestrian traffic at specific intersections or other specified locations.

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: 453
Pay Class: C62

JOB TITLE: Special Constable	JOB NO.: C06005
BRANCH: Priority Response Command	SUPERSEDES: New
UNIT: Division	HOURS OF WORK: 40 SHIFTS: 3
SECTION:	NO. OF INCUMBENTS IN THIS JOB: Multiple
REPORTS TO: Staff Sergeant	DATE PREPARED: 2018.02.01

DUTIES AND RESPONSIBILITIES: (cont'd)

6. Enforces parking by-laws by issuing parking tags and arranging to have cars towed. Attends to parking complaints received from the public and takes the appropriate action. Assists in the recovery of stolen vehicles. May be required to assist with the preparations for special events by erecting signs and covering parking meters. Takes control in emergency situations or at crime scenes until emergency staff or police officers arrive.
7. Attends and assists in protecting secured crime scenes, under the direction of on scene police constables or supervisors.
8. Responds to enquiries at the front desk, takes information on divisional activity from the public and prepares reports.
9. Assists in canvassing for information and searching with respect to evidence or missing persons. Provides information to the community via lectures, pamphlets, displays, etc.
10. Conducts Crime Prevention through Environmental Design (CPTED) audits and meets with community members to provide advice in relation to personal safety when required.
11. Collects property identified as evidence and ensures it is properly protected, documented, and stored.
12. Maintains notebook containing an accurate and thorough account of up-to-date- activities.
13. Attends court and testifies as required.
14. Performs all duties, functions, and assignments inherent to the position.

.../2

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 Services Board Report

February 1, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2017 Parking Enforcement Unit – Parking Ticket Issuance

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- (1) receive the following report; and
- (2) forward a copy of this report to the City of Toronto (City) Government Management Committee, for its meeting on April 30, 2018, to be considered in conjunction with the City of Toronto 2017 Parking Ticket Activity Report.

Financial Implications:

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

Background / Purpose:

This report provides information on the Parking Enforcement Unit (P.E.U.) achievements, activities and annual parking ticket issuance during the year 2017 (Appendix A refers).

Discussion:

The P.E.U. reports annually on parking ticket issuance by Parking Enforcement Officers (P.E.O.s), Municipal Law Enforcement Officers (M.L.E.O.s) and Police Officers. The City of Toronto requests this information for use during the annual budget process.

Since 2014, the City has continued to make a number of administrative and operational changes that impact service delivery of parking enforcement services in the City of

Toronto. P.E.U. has worked diligently, in partnership with City staff, to align its operations in support of these significant program changes which in many cases has expanded the activities of P.E.U. These initiatives included:

- Implementation of a 10 minute bylaw exemption for pay and display parking;
- Implementation of an enhanced rush hour parking enforcement initiative with increased hours of operation;
- Increases in various parking fines, including rush hour route unique parking offences;
- Implementation of a habitual offender towing program;
- Implementation of dedicated zones for courier parking with an interim solution still pending recommendations from the City's curb-side management study;
- Continuation of bicycle lane and cycle track expansion;
- Implementation of on street Mobile payments for pay and display parking by the Toronto Parking Authority; and
- Implementation of the King Street pilot program in which traffic and parking regulations were redefined.

The launch of Mobile Payments for on-street paid parking has been in continuous operation since October 2016. The initiative offers the public a convenient option to pay for parking using a mobile device, and as such, is achieving motorist compliance in on-street parking areas. The T.P.S. worked together with the Toronto Parking Authority to successfully launch this project.

Rush hour enforcement initiatives, bylaw changes and fine increases had an impact on public behaviour and appear to be achieving increased motorist compliance with some of the municipal parking bylaws. These issues, in combination with deployment strategies aimed at supporting City anti-congestion initiatives, also have a related impact to enforcement numbers and the types of tickets issued. It is important to note that many of these initiatives are more time consuming which detracts from general routine patrol time. Continuing this achievement of increased compliance to the parking regulations, in support of safety, traffic flow and congestion related initiatives, is dependent on maintaining a high visibility of uniformed P.E.O.s in the field.

In spite of the program expansion, the P.E.U. delivered on key accomplishments through the provision of operational support to the Toronto Police Service(T.P.S.) (Appendix A refers) and interoperability with some very successful City initiatives which will be further discussed at the April 30, 2018, Government Management Committee Meeting in the City's Annual Parking Ticket Activity Report.

Annual Parking Ticket Issuance:

Preliminary information indicates total parking ticket issuance is estimated to be 2,146,868 in 2017, which is a decrease of 121,242 over 2016 issuance numbers. Total parking ticket issuance includes tags issued by P.E.O.s, M.L.E.O.s, and police officers. The final parking ticket issuance numbers will be presented by the City, Parking Ticket

Operations in its 2017 Annual Parking Ticket Activity Report, once all data is captured and reconciled.

The following is a breakdown of the parking ticket issuance estimates by group:

Table 1: Parking Tag Issuance Summary 2017

Group	Tags Issued
Parking Enforcement Unit	1,926,330
Municipal Law Enforcement Officers	209,815
Police Officers	10,723
Total Parking Tag Issuance	2,146,868*

*Preliminary numbers – final numbers to be reported by the after complete data capture and reconciliation.

Calls for Service:

The P.E.U. responded to 159,175 calls for parking related service from members of the public which is up by 0.7% over the previous year. This continues a long-term trend of increasing demand for parking related services. The attendance to these calls by civilian P.E.O.s alleviates pressure on the T.P.S. as a whole and allows police officers to focus on core policing duties. The Unit's M.L.E.O. program has successfully serviced a large amount of customized enforcement on private property, which would otherwise detract P.E.O.s from focusing upon on-street enforcement activities.

Rush Hour Offences and Bicycle Lanes:

In 2017, the P.E.U. issued 73,245 rush hour offence tickets for the rush hour peak period bylaw in support of the congestion and traffic flow initiatives and a total of 16,582 vehicles were towed from rush hour routes. The P.E.U. issued 7,200 bike lane offence tags in support of safe cycling in the City in an effort to increase public compliance and improve road safety.

Habitual Offender Towing:

The City defines a habitual offender as a vehicle that has three or more parking tickets that have been outstanding, with no action taken, in excess of 120 days. P.E.O.s towed a total of 6,162 vehicles under this initiative, including 5,736 Ontario plates and 426 out-of-province plates. The City reports that this enforcement initiative has continued to positively affect their collection rates for parking tickets.

Towing, Vehicle Relocations and Stolen Vehicle Recovery:

Members of the P.E.U. were responsible for towing a total of 32,387 vehicles, including 720 that were without properly registered plates. A total of 2,301 vehicles were relocated to assist with T.T.C. subway closures, snow removal, forestry operations, the clearing of parade routes and special events management. P.E.O.s also recovered 871 stolen vehicles, in support of T.P.S. crime management initiatives.

Accessible Parking:

The P.E.U. retained 927 Accessible Parking Permits for investigation of possible misuse. The P.E.U. laid 767 Highway Traffic Act charges in this regard. These efforts are in support of maintaining the integrity of the Accessible Parking Program and ensuring parking spaces are available for use by members of the public who have valid Accessible Parking Permits.

Training of M.L.E.O.s:

The P.E.U. trained and certified 570 new M.L.E.O.s, pursuant to the Toronto Municipal Code. M.L.E.O.s work for agencies providing parking enforcement on private property. All ticket revenue derived from the issuance of these parking tickets goes directly to the City. The training and oversight of these M.L.E.O.s has allowed P.E.O.s to focus their efforts on public streets as opposed to responding to additional private property calls for service.

Staffing Levels:

Throughout the 2016 and 2017 year there was no hiring of new P.E.O.s due to a moratorium on hiring. This has resulted in lower staffing levels as a result of continued staff attrition and separations. In turn, this has had a significant impact on P.E.U. deployment, service delivery and related enforcement/ticket issuance.

Administrative Penalty System (A.P.S.):

The City implemented the Administrative Penalty System (A.P.S.) which amended the dispute resolution process of a ticket. The P.E.U. worked in partnership with the City to ensure that its operations and systems were aligned with the new process. A successful launch was achieved through close professional working relationships with various City Departments under the parking umbrella. A new ticket was designed and implemented in the form of a Parking Violation Notice (P.V.N.) for manual and electronic tags. This new system is expected to alleviate the pressures on the Courts by moving the dispute resolution process to an Administrative City system. Disputed Violation Notices issued from August 28, 2017, onward will no longer be processed through the Courts as a result of this new process.

Conclusion:

The P.E.U. continues to contribute positively to the achievement of the goals and priorities of the T.P.S. by:

- ensuring the safe and orderly flow of traffic;
- ensuring enforcement is fair and equitable to all;
- providing a visible uniform presence on the streets;
- ensuring positive outreach to the community through public awareness campaigns and education programs; and
- ensuring interoperability with other T.P.S. Units and City departments.

The parking ticket issuance for 2017 is estimated to be 2,146,868 which is a decrease of 121,242 over 2016 issuance numbers. The City will report the final parking ticket issuance numbers in its 2017 Annual Parking Ticket Activity Report once all data is captured and reconciled.

Rush hour enforcement initiatives, by-law changes and fine increases have an impact on public behaviour and appear to be achieving increased motorist compliance with some of the Municipal parking bylaws. This, in combination with deployment strategies aimed at supporting City anti-congestion initiatives, also has a related impact to enforcement numbers and the types of parking tickets issued. The steady decrease in staffing levels also impact ticket issuance since deploying fewer officers in the field results in less enforcement opportunity.

The P.E.U. continues to work with City staff and all T.P.S. units in order to ensure a successful overall parking program, including effective service delivery to the many communities throughout the City. The P.E.U. is focused on the continued compliance to the parking regulations, in support of safety, traffic flow and congestion related initiatives. Continued compliance, however, is dependent on the deployment of highly visible P.E.O.s in the field and in our neighbourhoods.

Deputy Chief Peter Yuen, Communities and Neighbourhoods Command, will be in attendance to answer any questions the Board may have concerning this report.

Respectfully submitted,

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

Appendix “A”

Parking Enforcement Unit	<u>2015</u>	<u>2016</u>	<u>2017</u>
Parking Ticket Issuance – P.E.O.s	1,970,137	2,028,334	1,926,330
Parking Ticket Issuance – P.E.O.s, M.L.E.O.s, P.C.s	2,183,523*	2,268,110*	2,146,868*
Processable Ticket Rate P.E.O.s	99.8%	99.8%	99.9%
Absenteeism (Short-term sick)	3.5%	3.8%	4.3%
Calls for service received	148,357	158,021	159,175
Stolen Vehicles Recovered	721	874	871
Stolen Autos Recovered - Street Sweeper	552	669	623
Stolen Autos Recovered – P.E.O.s	169	205	248
Hours Spent on Stolen Vehicles Recovered	852	994	1304
Stolen Plates Recovered	33	67	115
Hours Spent on Stolen Plates Recovered	40	77	133
Vehicles Scanned by Street Sweeper	4,565,143	5,277,656	3,411,019
Vehicles Towed	42,763	37,096	32,387
Habitual Offenders Towed	15,681	10,162	6,162
Assistance to T.P.S. Units			
Unplated Vehicles Towed	793	1,155	720
Directed Patrol Requests from Other Police Units	52	85	75
Arrest Assists	24	15	26
Assaults	29	37	45
Language Interpretations	46	35	29
Hours Spent on Language Interpretations	105	67	55
Disabled Permits Retained	1,057	1,350	927
Disabled Permits Cautioned	34	94	13
H.T.A Charges (Disabled Permits)	913	1,122	767
Special Events	106	200	256
Hours Spent On Special Events	1,500	8,633	9,340
Vehicle Relocations	2,793	2,569	2,301

*Preliminary numbers – final numbers to be reported by City of Toronto after complete data capture and reconciliation.



Toronto Police Services Board Report

February 5, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2017 Statistical Report Municipal Freedom of Information and Protection of Privacy Act and Request for Additional Disclosure Analyst Positions

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- 1) receive the 2017 Municipal Year-End Statistical Report, Information and Privacy Commissioner of Ontario, Canada;
- 2) forward a copy of this report to the Ontario Information Privacy Commission; and
- 3) approve the addition of three Disclosure Analyst positions, and the conversion of two temporary clerical positions to permanent clerical positions.

Financial Implications:

The cost to add three additional Disclosure Analyst positions is approximately \$135,000 in 2018, annualizing to an estimated amount of \$306,000.

These additional costs are not included in the Records Management Services' (R.M.S.) 2018 unit budget. However, due to 2018 savings from higher than budgeted separations in 2017, the required costs can be funded from 2018 Service salary savings. The annualized incremental impact will be built into future operating budget requests.

No additional costs will be incurred for the conversion of the two temporary positions to permanent positions, as the temporary positions are already budgeted for.

Background / Purpose:

The purposes of the *Municipal Freedom of Information and Protection of Privacy Act (Act)* are to:

1. provide a right of access to information under the control of institutions; and
2. protect the privacy of individuals with respect to personal information about themselves held by institutions and to provide individuals with a right of access to that information.

Access to information requests which are received by the Toronto Police Service (Service) are processed by the Access and Privacy Section (A.P.S.) of R.M.S. The Service is legislated to provide the Information and Privacy Commissioner of Ontario (I.P.C.) a statistical report annually. At its meeting held on September 23, 2004, the Board approved the motion that the Chief of Police adopt the practice of submitting the Year-End Statistical Report for the Information and Privacy Commission to the Board each year and that the Board forward the report to the I.P.C. (Min. No. P284/04 refers).

The purpose of this report is to provide the Board with the Service's 2017 statistical report for the I.P.C., and to request approval for additional staffing resources to increase the Service's compliance rate.

Discussion:

Number of Requests for Access to Information:

In 2017, A.P.S. received 5,500 requests for access to information held by the Service in accordance with the *Act*. This represented a decrease of 473 requests (-7.9%) when compared to the 5,973 received in 2016. The major portion of this decrease was a consequence of changes in internal processes to enhance customer service, streamline processes and gain efficiency. Specifically, requests for information relating to Motor Vehicle Accidents (M.V.A.) that did not require access to 911 audio and/or witness contact information, were transferred to the Records Release section of R.M.S. for routine disclosure.

Due to the volume of requests received throughout 2017, there remain 1,977 requests that will be carried over into 2018 for processing.

Over the past 10 years, the A.P.S. has been receiving an ever increasing number of requests for information under the provisions of the *Act*. Table 1 below illustrates the increases, and highlights that from 2007 to 2017, the number of requests being received by the Service has increased from 3,205 to 5,500, respectively, an increase of 71.6%.

Table 1: Requests Received

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Requests	3,205	3,445	3,797	4,433	4,867	5,172	5,253	5,671	5,698	5,973	5,500
Percent Change		7.5%	10.2%	16.8%	9.8%	6.3%	1.6%	8.0%	0.5%	4.8%	-7.9%

Other Requests and Appeals:

In addition to new requests, the Service received nine correction requests, processed four Statements of Disagreements in accordance with Section 36(2) of the *Act*, and received 30 appeals submitted to the I.P.C.

As stipulated by the *Act*, a requester has the right to appeal the Service’s decision to the I.P.C. This commences a mediation process between the Service’s assigned Disclosure Analyst and a Mediator from the I.P.C. which can occur over the period of several months or years. This process may involve further searches being conducted, additional consultation with subject matter experts and rendering a new access decision to resolve mediation issues. If the appellant is not satisfied with the outcome of the mediation, the appeal may proceed to the adjudication stage.

In 2017, 14 of the 30 appeals proceeded to the adjudication stage, of which six cases had the decision upheld in full. In preparation for adjudication, it is necessary for the Disclosure Analyst to conduct research regarding the remaining issues to find relevant and recent Orders by the I.P.C. which support the A.P.S. access decision. Working within a defined timeline set by the I.P.C., the Disclosure Analyst must compose a formal response report, for the I.P.C.’s consideration before the I.P.C. issues a final order.

Compliance Rate:

The *Act* requires that requests for information received by an organization be responded to within 30 days.

At its September 23, 2004 meeting, (Min. No. P284/04 refers), the Board approved the following motion:

“The Chief of Police work in collaboration with the staff of the Information and Privacy Commission to develop a work plan to improve compliance with the objective of achieving a much higher rate of compliance for the balance of 2004 and a minimum 80% compliance rate in 2005”.

The 2017 average compliance rate for requests completed within the mandated 30-day period was 65.1%. However, this rate fluctuates throughout the calendar year as shown in Table 2 below.

Table 2: 2017 Monthly Compliance Rate Percentage

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2017	59.62	72.36	66.28	67.72	73.72	70.36	76.07	75.2	66.6	51.95	58.16	42.56

Table 3 below illustrates the annual compliance rates between 2007 and 2017.

Table 3: Compliance Rate Comparison Percentage

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
79.1	74.1	77.1	77.0	75.94	58.3	64.74	51.69	59.8	55.9	65.1

Throughout 2017, 5,468 requests were completed by staff. Of this volume, 1,206 were requests that had been pending from previous years.

Consultations / Privacy Complaints:

The Service’s Access and Privacy Coordinator (Coordinator) is responsible for responding to consultations from external agencies. Such agencies include, but are not limited to, other police services, the Canada Border Services Agency, Correctional Service Canada, Department of Justice, and the Ministry of Community Safety and Correctional Services (M.C.S.C.S.). While the process is very similar to completing an access to information request, these requests are not captured in the statistical report. The Service received 52 consultations throughout 2017, a decrease from 80 in 2016.

The Coordinator is also responsible for investigating privacy complaints that have been reported to the I.P.C. The Coordinator gathers all background information, engages with involved business units or other necessary stakeholders, analyzes the findings and composes a formal response to the I.P.C. for their review and ultimate decision. In 2017, the Service received four privacy complaints, which is an increase from two in 2016.

Key Highlights/Issues/Challenges:

As previously reported to the Board, insufficient staffing levels within A.P.S. and the large increase in the volume of requests continue to be an issue in the Service’s ability to meet the 30-day notice as stipulated in Section 19 of the *Act*. (Min. No. P39/17 refers, Min. No. P40/16 refers, Min. No. P170/15 refers, Min. No. P32/15 refers, Min. No. P24/14 refers, Min. No. P36/13 refers, Min. No. P23/12 refers and Min. No. P23/11 refers)

This is further compounded by the complexity of the requests that are now being made. Such requests include unique record types which require more in-depth processing such as in-car camera, media, and statistical requests, many of which also require the involvement of other business units such as Finance and Business Management, Strategy Management, and other units within Operations Support.

In late 2016, assistance was requested from the Strategy Management to review the A.P.S. processes to identify potential action that would improve compliance.

Information was gathered for a 6-week period beginning February 15, 2017. The review concluded that the key factors contributing to the A.P.S.'s inability to achieve the mandated compliance levels were:

- the significant increase in the volume of requests received over a 10 year period;
- a static staffing establishment since 2008, and
- the need for a more robust tracking tool and analytics software.

At its February 23, 2017 meeting, the Board approved a motion (Min. No. P39/17 refers),

“THAT the Chief provide a report for its April meeting which would include an analysis of the:

- reasons for the increase in the number of access requests;
- access decisions, including an explanation for the significant number of requests that are denied;
- number of access decisions that are appealed and analysis of the results of such appeals.”

In response to its request, the Board was provided with and received a report from the Service at the Board's June 15, 2017 meeting (Min. No. P131/17 refers).

Since that time, the A.P.S. has worked with Information Technology Services (I.T.S.) to replace the in-house tracking system. At the time of writing, I.T.S. is determining a deployment date. The new tracking system will improve data input integrity. However, it does not allow for the level of detail that will eliminate significant manual effort when responding to queries for trend analysis, etc. Therefore, the search for appropriate software has begun.

I.P.C. Reporting Requirements:

In the I.P.C. Annual Report, requests received are divided into two categories, based on the type of requests; Personal Information and General Records. These two categories are further separated by source of requests (e.g. Individual/Public, Business and Media etc.). In 2017, personal requests decreased by 574 (-11.4%) from 5,030 to 4,456 and general requests (e.g. Procedure, Statistics, etc.) increased by 101 (10.7%) from 943 to 1044.

As required by the I.P.C.'s office, disclosure of requests are divided into three sections; information released in full, information released in part, or information not released.

Due to the nature of police records, the A.P.S. routinely discloses records in part, in order to protect the privacy interests of third parties (removing personal identifiers from the records). Additionally, access to Service records, directly relating to officer safety matters currently under investigation and/or before the courts are typically denied in full.

As the disclosure of records through the Freedom of Information process is strictly governed by the *Act*, the application of Section 8 (Law Enforcement) and Section 14 (Personal Privacy) continue to be the most commonly used exemptions prohibiting access to police records. These sections are referenced in Appendix A.

The Need for Additional Staff Resources:

A.P.S. has an authorized strength of 11 positions, comprised of one Coordinator position, nine Disclosure Analysts and one Clerk. In addition, it has been operating with two temporary clerical positions since 2005.

Table 4: A.P.S. Established Strength Since 2003

Positions	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Coordinator	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Disclosure Analysts	7	7	7	7	7	9	9	9	9	9	9	9	9	9	9
Clerks	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Temp(s)	0	0	2	2	2	2	2	2	2	2	2	2	2	2	2
TOTAL Strength	9	9	11	11	11	13									

The number of requests has increased by 2724 or 98.1% since 2003, when 2,776 requests were received as compared to the 5,500 requests in 2017. The authorized strength of the unit has not kept pace with this increase. R.M.S. has been utilizing career development opportunities for staff in other units of R.M.S. to fill maternity leave vacancies in the A.P.S. over the past two years. However, the significant number of civilian vacancies (53 or 20%) in the R.M.S. unit as a whole, and the inability to fill those positions, makes it difficult to augment the staffing within A.P.S. without creating a backlog of work in the other sections.

As reported in past Annual Reports to the I.P.C., the increase in requests has become a trend since 2003. The Service continues to have the highest volume of requests of any municipal police service in Ontario. Table 5 below compares the volume of requests, as highlighted in the 2016 I.P.C. Annual Report, handled by other police services in Ontario, the City of Toronto, and the M.C.S.C.S. The number of staff assigned by these agencies to complete requests under the *Act* is information that has been received directly from the agencies and included in the table.

Table 5: Police Services and Comparison

Organization	2016	Within 30 days		Staffing		
	Requests Received	No.	Percent	Coordinator	Analysts	Clerks
Toronto Police Service	5,973	3,336	61.9%	1	9	1*
Niagara Regional Police Service	1,321	393	40.4%	1	2	1
York Regional Police Service	1,444	630	42.8%	1	3	0
Hamilton Police Service	1,289	1,274	97.3%	1	1	1
Peel Regional Police Service	1,400	1,400	100.0%	1	2	0
Halton Regional Police Service	1,200	701	62.7%	1	2	0
Ministry of Community Safety and Correctional Services	5,731	5,003	89.2%	1**	15	3

Sources: 2016 I.P.C. Annual Report Staffing numbers as reported by individual police services and the Ministry to A.P.S. members,

* does not include the two temporary clerks

** does not include 2 Managers.

The average number of requests that each analyst carries is provided in Table 6 below. The average “request load” calculation was based on the 2016 I.P.C. Annual Report and the information collected from the police services, City of Toronto and the M.C.S.C.S.

Table 6: Average Requests in 2016 Per Analyst and Compliance to 30 days

Organization	Requests Received	Number of Analysts	Average per Analyst*
Toronto Police Service	5,973	9	664
Niagara Regional Police Service	1,321	2	661
York Regional Police Service	1,444	3	481
Hamilton Police Service	1,289	1	1,289
Peel Regional Police Service	1,400	2	700
Halton Regional Police Service	1,200	2	600
Ministry of Correctional Services and Community Safety	5,731	15	382

* Note: Average per analyst calculated by R.M.S. (T.P.S.); Source: 2016 I.P.C. Annual Report & number of analysts provided by individual police services and the Ministry.

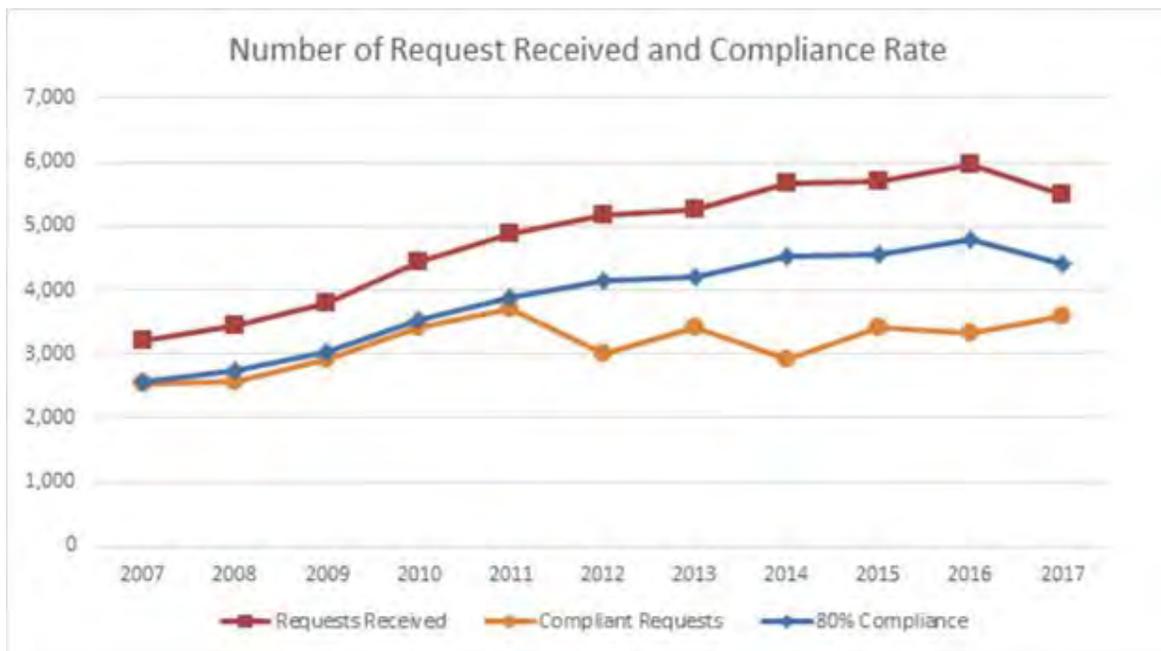
It is important to note that the M.C.S.C.S. also handles the requests for the Ontario Provincial Police and is the only agency that receives a comparable number of requests as the Service. In 2016, the M.C.S.C.S. was able to achieve an 89.2% compliance rate with 15 disclosure analysts. In determining the recommended number of additional analysts and clerks that would be necessary to improve the Service’s compliance rate, the “request load” or the number of new requests assigned to the A.P.S. Disclosure Analysts was reviewed.

Table 7 juxtaposes the number of requests received, the number of disclosure analysts and the compliance rate achieved for the years 2007 – 2017.

Table 7

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Requests Received	3,205	3,445	3,797	4,433	4,867	5,172	5,253	5,671	5,698	5,973	5,500
Compliance Rate	79.1	74.1	77.1	77	75.94	58.3	64.74	51.69	59.8	55.9	65.1
Number of Disclosure Analysts	7	9	9	9	9	9	9	9	9	9	9
Average Number of Requests assigned per Analyst	458	383	422	493	541	575	584	630	633	664	611
Compliant Requests	2535	2553	2927	3413	3696	3015	3401	2931	3407	3339	3581
80 per cent compliance	2564	2756	3038	3546	3894	4138	4202	4537	4558	4778	4400

The graph below compares the number of requests received to the compliance rate achieved versus the 80% compliance rate required.



In 2017, on average, a Disclosure Analyst carried 611 new requests. This does not include the number of carried over files which would further increase the case load number.

Projecting future rates of compliance by volume alone is not sufficient but very often it is the only reliable data from year to year. As reported previously, over time, the nature of requests received by the Service have been increasingly complex.

An analysis of the 65.1% compliance rate achieved in 2017 indicates that, of the 611 requests assigned on average to a Disclosure Analyst, 398 requests were completed within 30 days. Based on the current volume, which will very likely increase, and the continued complexity of requests, it is estimated an additional three Disclosure Analysts are required to achieve a compliance rate of 80%. This would increase the number of Disclosure Analyst positions from 9 to 12. To achieve the *Act* compliance rate of 100%, the Service would require a total of 14 analysts.

It should also be noted that a recommendation from internal Audit Recommendation in 2005 addressed the need to “*establish a dedicated group of clerical staff to handle the administrative duties related to FOI requests in order to attain efficiencies with respect to specialized responsibilities.*” Implementation of this recommendation resulted in the hiring of two temporary clerical staff to augment the role of the permanent clerk. The hiring of temporary clerical staff members has provided some short-term relief for the Disclosure Analysts. However, it has not adequately addressed the long term needs of this section. Temporary staff within A.P.S., continue to actively seek permanent positions elsewhere within the Service, making it difficult to retain the temporary members within the A.P.S. Currently, one permanent clerk and two temporary clerks are responsible for the administrative functions to support the processing of 5,500 requests. It is recommended that the Board approve the conversion of the two temporary clerical positions, which have been in place since 2005, into permanent clerical positions in an effort to reduce turnover, and allow the Disclosure Analysts to focus on their core responsibilities and not administrative tasks.

Strategy to Reduce Carry-Over Requests (Backlog):

As referred to on page 2 of this report, the volume of work received on a yearly basis has resulted in requests being carried from the current year into the following year(s). Attempts to address the carry-over requests include the use of overtime and the movement of staff from other sections within R.M.S. to the A.P.S. These strategies have not been effective in reducing the carry-forward numbers and are not sustainable.

If the carry-over requests are not dealt with outside of the normal annual requests, the ability to maintain the 80% compliance rate will be difficult even if extra Disclosure Analysts are hired.

These carry-over requests have not been included in the calculations for the permanent staffing recommendations nor should they be. If the counts were included, it would artificially inflate the number of permanent Disclosure Analysts required for the section.

Table 8 below demonstrates the growth of carry-over requests since 2014 when they were first tracked. If the 1,977 carry-over requests are added into the workload of each existing analyst, there would be an increase of approximately 220 requests per Disclosure Analyst.

Table 8: 4-Year Comparison of Carry-Over requests

	2014	2015	2016	2017
Carry-Over	705	771	1,429	1,977

Therefore, to address the large number of carry-over requests, a special team of temporary Disclosure Analysts will be assembled for an estimated period of six months; to concentrate on eliminating this backlog. This will allow the ongoing receipt of requests to be addressed expeditiously and not become part of a backlog. These temporary analysts would carry a request load of approximately 330 requests.

The cost of this temporary team will be funded from the existing temporary pool in the 2018 operating budget.

Conclusion:

This report provides the Board with the 2017 Municipal Year-End Statistical Report, which has been prepared in accordance with the guidelines stipulated by the I.P.C., and is to be submitted to the I.P.C. by February 28, 2018.

The report also provides information with respect to the Service's inability to achieve the Board's 80% compliance rate with respect to responding within 30 days to requests received. The Service achieved a compliance rate of 65.1% in 2017, and with the exception of 2013 (64.7%) has been below 60% since 2012. A continual and significant increase in the number of requests received by the Service is the main reason for the lack of compliance with the rate set by the Board.

Consequently, if staffing numbers are not increased to match the increasing number of requests received yearly, the Service will simply not be able to achieve the compliance rate expected.

Further, if the significant carry-over request backlog is not dealt with, the ability of A.P.S. Disclosure Analysts to complete new requests received will continue to be impacted, again affecting the Service's ability to meet the Board's directive of 80% compliance.

The ramifications of not taking the required action will also decrease public confidence in the Service's ability to provide access and transparency to their records in a timely manner.

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

Respectfully submitted,

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

APPENDIX A

For the Board's reference, Section 8 of the Act states:

Law enforcement

8.(1) A head may refuse to disclose a record if the disclosure could reasonably be expected to,

- (a) interfere with a law enforcement matter;
- (b) interfere with an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;
- (c) reveal investigative techniques and procedures currently in use or likely to be used in law enforcement;
- (d) disclose the identity of a confidential source of information in respect of a law enforcement matter, or disclose information furnished only by the confidential source;
- (e) endanger the life or physical safety of a law enforcement officer or any other person;
- (f) deprive a person of the right to a fair trial or impartial adjudication;
- (g) interfere with the gathering of or reveal law enforcement intelligence information respecting organizations or persons;
- (h) reveal a record which has been confiscated from a person by a peace officer in accordance with an Act or regulation;
- (i) endanger the security of a building or the security of a vehicle carrying items, or of a system or procedure established for the protection of items, for which protection is reasonably required;
- (j) facilitate the escape from custody of a person who is under lawful detention;
- (k) jeopardize the security of a centre for lawful detention; or
- (l) facilitate the commission of an unlawful act or hamper the control of crime. R.S.O. 1990, c. M.56, s 8 (1); 2002, c. 18, Sched. K, s. 14 (1).

Idem

(2) A head may refuse to disclose a record,

- (a) that is a report prepared in the course of law enforcement, inspections or investigations by an agency which has the function of enforcing and regulating compliance with a law;
- (b) that is a law enforcement record if the disclosure would constitute an offence under an Act of Parliament;
- (c) that is a law enforcement record if the disclosure could reasonably be expected to expose the author of the record or any person who has been quoted or paraphrased in the record to civil liability; or
- (d) that contains information about the history, supervision or release of a person under the control or supervision of a correctional authority. R.S.O. 1990, c. M.56, s. 8 (2); 2002, c. 18, Sched. K, s. 14 (2).

Refusal to confirm or deny existence of record

(3) A head may refuse to confirm or deny the existence of a record to which subsection (1) or (2) applies. R.S.O. 1990, c. M.56, s. 8 (3).

Exception

(4) Despite clause (2) (a), a head shall disclose a record that is a report prepared in the course of routine inspections by an agency that is authorized to enforce and regulate compliance with a particular statute of Ontario. R.S.O. 1990, c.M.56, s.8 (4).

Idem

(5) Subsections (1) and (2) do not apply to a record on the degree of success achieved in a law enforcement program including statistical analyses unless disclosure of such a record may prejudice, interfere with or adversely affect any of the matters referred to in those subsections. R.S.O. 1990, c. M.56, s. 8 (5).”

Further, Section 14 of the Act states:

“Personal privacy

14.(1) A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,

- (a) upon the prior written request or consent of the individual, if the record is one to which the individual is entitled to have access;*
- (b) in compelling circumstances affecting the health or safety of an individual, if upon disclosure notification thereof is mailed to the last known address of the individual to whom the information relates;*
- (c) personal information collected and maintained specifically for the purpose of creating a record available to the general public;*
- (d) under an Act of Ontario or Canada that expressly authorizes the disclosure;*
- (e) for a research purpose if,*
 - (i) the disclosure is consistent with the conditions or reasonable expectations of disclosure under which the personal information was provided, collected or obtained,*
 - (ii) the research purpose for which the disclosure is to be made cannot be reasonably accomplished unless the information is provided in individually identifiable form, and*
 - (iii) the person who is to receive the record has agreed to comply with the conditions relating to security and confidentiality prescribed by the regulations; or*
- (f) if the disclosure does not constitute an unjustified invasion of personal privacy.*
R.S.O. 1990, c. M.56, s. 14 (1).

Criteria re invasion of privacy

(2) A head, in determining whether a disclosure of personal information constitutes an unjustified invasion of personal privacy, shall consider all the relevant circumstances, including whether,

- (a) the disclosure is desirable for the purpose of subjecting the activities of the institution to public scrutiny;*
- (b) access to the personal information may promote public health and safety;*
- (c) access to the personal information will promote informed choice in the purchase of goods and services;*
- (d) the personal information is relevant to a fair determination of rights affecting the person who made the request;*
- (e) the individual to whom the information relates will be exposed unfairly to pecuniary or other harm;*
- (f) the personal information is highly sensitive;*
- (g) the personal information is unlikely to be accurate or reliable;*
- (h) the personal information has been supplied by the individual to whom the information relates in confidence; and*
- (i) the disclosure may unfairly damage the reputation of any person referred to in the record. R.S.O. 1990, c. M.56, s. 14 (2).*

Presumed invasion of privacy

(3) A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy if the personal information,

- (a) relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;*
- (b) was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation;*
- (c) relates to eligibility for social service or welfare benefits or to the determination of benefit levels;*
- (d) relates to employment or educational history;*
- (e) was obtained on a tax return or gathered for the purpose of collecting a tax;*
- (f) describes an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;*
- (g) consists of personal recommendations or evaluations, character references or personnel evaluations; or*

(h) indicates the individual's racial or ethnic origin, sexual orientation or religious or political beliefs or associations. R.S.O. 1990, c. M.56, s. 14 (3).

Limitation

(4) Despite subsection (3), a disclosure does not constitute an unjustified invasion of personal privacy if it,

(a) discloses the classification, salary range and benefits, or employment responsibilities of an individual who is or was an officer or employee of an institution;

(b) discloses financial or other details of a contract for personal services between an individual and an institution; or

(c) discloses personal information about a deceased individual to the spouse or a close relative of the deceased individual, and the head is satisfied that, in the circumstances, the disclosure is desirable for compassionate reasons. R.S.O. 1990, c. M.56, s. 14 (4); 2006, c. 19, Sched. N, s. 3 (2).

Refusal to confirm or deny existence of record

(5) A head may refuse to confirm or deny the existence of a record if disclosure of the record would constitute an unjustified invasion of personal privacy. R.S.O. 1990, c. M.56, s. 14 (5).”



Municipal Year-End Statistical Report

Information and Privacy Commissioner of Ontario, Canada

Reporting Year: 2017 Date Report Completed: 01 / 03 / 2018
MM DD YY

All institutions must return a report to the Office of the Information and Privacy Commissioner (IPC). If no formal written requests for access to records or requests for correction of records of personal information were received, your institution must still complete and return Sections 1 and 2. Institutions that do not file a report will be noted in the IPC Annual Report.

Reporting online is quick and easy. Please email statistics@ipc.on.ca to obtain your username and password. 2013 is the final year that the IPC will accept statistical reports by mail or fax.

SECTION 1: IDENTIFICATION

1.1 Name of Institution Toronto Police Service

Head of Institution

Contact Person/Title Andrew Pringle

Email Address Andrew.Pringle@tpsb.ca

Management Contact

Contact Person/Title Don Bevers

Email Address Donald.Bevers@torontopolice.on.ca

Primary Contact

Contact Person/Title Paul McGee

Email Address Paul.McGee@torontopolice.on.ca

Phone No. (416) 808-7848 Fax No. (416) 808-7857

Mailing Address 40 College Street, 4th Floor, Toronto, Ontario

Postal Code M5G 2J3

1.2 Your institution is: (check one)		Separate reports must be filed for each municipality, board, etc.					
Municipal Corporation	<input type="checkbox"/>	Board:	School	<input type="checkbox"/>	Local Roads	<input type="checkbox"/>	
Conservation Authority	<input type="checkbox"/>		Public Library	<input type="checkbox"/>	Planning	<input type="checkbox"/>	
Electricity Corporation	<input type="checkbox"/>		Health	<input type="checkbox"/>	Police Services	<input checked="" type="checkbox"/>	
Transit Commission	<input type="checkbox"/>		Local Services	<input type="checkbox"/>			
Other Agency, Board, Commission, Corporation or other body designated in the regulations (specify institution type):							

Access And Privacy Section
2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO
Section 3: NUMBER OF REQUESTS COMPLETED

	Personal Information	General Records
3.1 New requests received during the reporting year	4456	1044
3.2 Total number of requests completed for the reporting year	4493	975

Access And Privacy Section
**2017 ANNUAL STATISTICAL REPORT FOR THE
 INFORMATION AND PRIVACY COMMISSIONER/ONTARIO**
 Section 4: SOURCE OF REQUESTS

2017 Source of Requests:	Personal Information	General Records
4.1 Individual/Public	3624	108
4.2 Individual by Agent	863	270
4.3 Business	5	155
4.4 Academic/Researcher	0	4
4.5 Association/Group	1	150
4.6 Media	0	65
4.7 Government (All Levels)	0	223
4.8 Other	0	0
4.9 Total requests	4493	975

Access And Privacy Section
2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO
Section 5: TIME TO COMPLETION

	Personal Information	General Records
5.1 30 days or less	3026	598
5.2 31 - 60 days	487	122
5.3 61 - 90 days	172	43
5.4 91 days or more	808	212
5.5 Total requests	4493	975

**Access And Privacy Section
2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO**

Section 6: COMPLIANCE WITH THE ACT

A. No Notices Issued	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>3023</td> <td>598</td> </tr> <tr> <td>1408</td> <td>355</td> </tr> </tbody> </table>	Personal Information	General Records	3023	598	1408	355	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>4431</td> <td>953</td> </tr> </tbody> </table>	Personal Information	General Records	4431	953
Personal Information	General Records											
3023	598											
1408	355											
Personal Information	General Records											
4431	953											
6.1 Within 30 days												
6.2 In excess of 30 days												
6.3 Total (6.1 + 6.2 = 6.3)	→											
B. Both a Notice of Extension (s.20(1)) and Notice to Affected Person (s.21(1)) Issued	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> <tr> <td>0</td> <td>0</td> </tr> </tbody> </table>	Personal Information	General Records	0	0	0	0	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> </tbody> </table>	Personal Information	General Records	0	0
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Personal Information	General Records											
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6.4 Within the time limits permitted												
6.5 In excess of the time limits permitted												
6.6 Total (6.4 + 6.5 = 6.6)	→											
C. Only a Notice of Extension (s.20(1)) Issued	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>11</td> <td>7</td> </tr> <tr> <td>7</td> <td>6</td> </tr> </tbody> </table>	Personal Information	General Records	11	7	7	6	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>18</td> <td>13</td> </tr> </tbody> </table>	Personal Information	General Records	18	13
Personal Information	General Records											
11	7											
7	6											
Personal Information	General Records											
18	13											
6.7 Within the time limits permitted												
6.8 In excess of the time limits permitted												
6.9 Total (6.7 + 6.8 = 6.9)	→											
D. Only a Notice to Affected Person (s.21(1)) Issued	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>24</td> <td>6</td> </tr> <tr> <td>20</td> <td>3</td> </tr> </tbody> </table>	Personal Information	General Records	24	6	20	3	<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>44</td> <td>9</td> </tr> </tbody> </table>	Personal Information	General Records	44	9
Personal Information	General Records											
24	6											
20	3											
Personal Information	General Records											
44	9											
6.10 Within the time limits permitted												
6.11 In excess of the time limits permitted												
6.12 Total (6.10 + 6.11 = 6.12)	→											
E. Total Completed Requests (sections A to D)		<table border="0" style="width: 100%; text-align: center;"> <thead> <tr> <th style="width: 50%;">Personal Information</th> <th style="width: 50%;">General Records</th> </tr> </thead> <tbody> <tr> <td>4493</td> <td>975</td> </tr> </tbody> </table>	Personal Information	General Records	4493	975						
Personal Information	General Records											
4493	975											
6.13 Overall Total (6.3 + 6.6 + 6.9 + 6.12 = 6.13)												

SECTION 6a: CONTRIBUTING FACTORS

Please outline any factors which may have contributed to your institution not meeting the statutory time limit

If you anticipate circumstances that will improve your ability to comply with the *Act* in the future, please provide details in the space below.

Insufficient permanent staffing continues to be a contributing factor in our ability to meet the statutory time limit.

Currently APS has an established strength of 9 Analysts and 1 Clerk with two temporary clerks to provide support, however these clerks are actively seeking permanent positions within the Service. Additionally, unexpected prolonged staff absences further impacted resources and a significant physical disruption to the office environment directly contributed to compliance, specifically two senior analysts leaving the Unit during the latter part of 2017.

Access And Privacy Section
2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO

Section 7: DISPOSITION OF REQUESTS

	Personal Information	General Records
7.1 All information disclosed	169	80
7.2 Disclosed in part	2948	486
7.3 Nothing disclosed	958	258
7.4 Request withdrawn or abandoned	418	151
7.5 TOTAL REQUESTS	4493	975

Access And Privacy Section
**2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO**

Section 8: EXEMPTIONS AND EXCLUSIONS APPLIED

	Personal Information	General Records
8.1 Sect 6: Draft By-laws, etc.	0	0
8.2 Sect 7: Advice or Recommendations	0	0
8.3 Sect 8: Law Enforcement	507	59
8.4 Sect 8 (3): Refusal to Confirm or Deny	0	0
8.5 Sect 9: Relations with Governments	15	2
8.6 Sect 10: Third Party Information	0	1
8.7 Sect 11: Economic/Other interests	0	1
8.8 Sect 12: Solicitor-Client privilege	6	1
8.9 Sect 13: Danger to Safety or Health	0	0
8.10 Sect 14: Personal Privacy (Third Party)	2699	324
8.11 Sect 14(5): Refusal to Confirm or Deny	11	11
8.12 Sect 15: Information Soon to be Published	1	4
8.13 Sect 20.1: Frivolous or Vexatious	2	1
8.14 Sect 38: Personal Information (Requester)	2598	79
8.15 Sect 52(2): Act does not apply	498	80
8.16 Sect 52(3): Labour Relations & Employment Related Records	10	2
8.17 Sect 53: Other Acts	5	1
8.18 TOTAL EXEMPTIONS	6352	558

Access And Privacy Section
**2017 ANNUAL STATISTICAL REPORT FOR THE
 INFORMATION AND PRIVACY COMMISSIONER/ONTARIO**

Section 9: FEES

	Personal Information	General Records	TOTAL
9.1 Number of requests where fees other than application fees were collected (Box 9.1 Must be Less Than or Equal to Box 10.7)	303	45	348
9.2.1 Application Fees collected	\$22,280.00	\$5,215.00	\$27,495.00
9.2.2 Additional Fees collected	\$2,855.30	\$1,797.80	\$4,653.10
9.2.3 TOTAL FEES COLLECTED	\$25,135.30	\$7,012.80	\$32,148.10
9.3 TOTAL DOLLAR AMOUNT OF FEES WAIVED	\$6,802.30	\$1,833.65	\$8,635.95

Access And Privacy Section
2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO
Section 10: REASONS FOR ADDITIONAL FEE COLLECTION

	Personal Information	General Records	TOTAL
10.1 Search Time	N/A		
10.2 Reproduction	N/A		
10.3 Preparation	N/A		
10.4 Shipping			
10.5 Computer Costs			
10.6 Invoice costs (and others as permitted by regulation)	N/A		

Access And Privacy Section
**2017 ANNUAL STATISTICAL REPORT FOR THE
 INFORMATION AND PRIVACY COMMISSIONER/ONTARIO**
 Section 11: CORRECTIONS AND STATEMENTS OF DISAGREEMENT

	Personal Information
11.1 Number of correction requests received	9
11.2 Corrections carried forward from the previous year	1
11.3 Corrections carried over to next year	2
11.4 TOTAL CORRECTIONS COMPLETED	10
	Personal Information
11.5 Correction(s) made in whole	1
11.6 Correction(s) made in part	7
11.7 Correction(s) refused	2
11.8 Correction(s) withdrawn by requester	0
11.9 TOTAL	10
11.10 Number of statements of disagreement attached	4
11.11 Number of notifications sent	0

Access And Privacy Section
2017 ANNUAL STATISTICAL REPORT FOR THE
INFORMATION AND PRIVACY COMMISSIONER/ONTARIO
YEARLY COMPLIANCE

30 Day Compliance - Including Carried Over Files

Personal Information

5.1 = 3026 / 3.2 = 0.67

General Records

5.1 = 598 / 3.2 = 0.61

With Time Extensions & 3rd Party Notices

Personal Information

6.1 + 6.4 + 6.7 + 6.10 = 3058 / 3.2 = 0.68

General Records

6.1 + 6.4 + 6.7 + 6.10 = 611 / 3.2 = 0.63



Toronto Police Services Board Report

February 5, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Special Constable Appointments – February 2018

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 (T.C.H.C) and the University of Toronto (U of T), 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 Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services. Pursuant to this authority, the Board now has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P154/14 refer).

The Service has received a request from the T.C.H.C. and the U of T to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

Agency	Name
University of Toronto Scarborough Campus	Mustafa Onur AKGUL (New Appointment)
University of Toronto Scarborough Campus	Stuart FRASER (New Appointment)
University of Toronto Scarborough Campus	Christopher IBELL (Re- Appointment)
Toronto Community Housing Corporation	Kyle CHERRY (New Appointment)
Toronto Community Housing Corporation	Jeffrey DOWNMAN (New Appointment)
Toronto Community Housing Corporation	Andrew IRMYA (New Appointment)
Toronto Community Housing Corporation	George KORAKAS (New Appointment)
Toronto Community Housing Corporation	Michael VIBERT (New Appointment)

Discussion:

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

The agreements between the Board and each agency require that background investigations be conducted on all of the individuals who are being recommended for appointment or re-appointment as special constables. 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 T.C.H.C and the U of T has advised the Service that the above individuals satisfies all of the appointment criteria as set out in their agreement with the Board. The agency approved strength and current complement is indicated below:

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

Agency	Approved Strength	Current Complement
Toronto Community Housing Corporation	160	109

Agency	Approved Strength	Current Complement
University of Toronto, Scarborough Campus	19	13

Conclusion:

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

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

Respectfully submitted,

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

MS:ao

BoardReportTCHCUofTFebruary2018.docx



Toronto Police Services Board Report

February 5, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Environics Analytics - Vendor of Record

Recommendation(s):

It is recommended that the Board:

- 1) approve Environics Analytics as the vendor of record for the provision of territorial optimization tools, required licenses, technical development services on neighbourhood demographics, and maintenance services for the period April 1, 2018 to March 31, 2023; and
- 2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

Funding (\$7M) for the Facility Realignment/ 54 Division capital project was approved as part of the Toronto Police Service's (Service) 2015-2024 capital program (Min. No. P262, 14 refers). Funds from this project were used in 2016 to acquire services and data sets from Environics Analytics (E.A.) to inform the development of workload modelling, neighbourhood and divisional demographic profiles and territorial optimization tools to support the work and recommendations of the Transformational Task Force (TTF). Following this initial work, E.A. was engaged to develop further data modelling tools. These services were funded from the 2017-2018 Policing Effectiveness and Modernization (P.E.M.) Grant - \$81,000 was spent in 2017, and an additional \$75,000 will be spent by March 31, 2018.

The estimated annual cost for E.A. licencing, maintenance, and services is \$112,000 commencing on April 1, 2018 to March 31, 2023. This annual cost includes data and software licencing of approximately \$70,000 and \$42,000 for services. Subject to approval of the 2018-2019 P.E.M. grant for this modernization initiative, the cost could be funded from this grant in the first year.

From April 1, 2019 and on, the cost of these services will be included as part of Service's operating budget request, if and as required.

Background / Purpose:

In 2016, the Service's Strategy Management – Business Intelligence & Analytics section (STM-BIA) section for the requirements of the TTF, obtained the services of E.A. to comprehensively support the development and implementation of the modelling on which the Service is relying for strategic resource alignment and sustainable cost savings. E.A was selected on a single source basis as they are a vendor of data and products for which they are the only provider.

The STM-BIA section continues to provide integral support for the implementation of the recommendations found in the Toronto Police Service's (Service) business plan, Action Plan: The Way Forward report. As the scope and timelines for the implementation have developed, the demand for analytical support from the STM-BIA team has increased significantly. While the STM-BIA section has the capability to perform the required analysis, the team does not currently have the capacity to deliver on the requests put forward by the implementation team.

Through the Service's collaboration with E.A., demographic and psychographic data sets were used for workload modelling, neighbourhood and divisional demographic profiles and territorial optimization tools to support the recommendations of the Transformational Task Force (TTF). As the Service works towards the implementation of the recommendations, the E.A. data sets must be maintained and updated with the most current information to facilitate data driven analysis. This will allow the Service to make the most informed, and evidence-based decisions through the modernization process.

There is also a significant requirement to incorporate demographic and psychographic analysis into staff and boundary modelling. E.A. has developed both the analytical tools and capabilities to meet the requirements of the Service to incorporate demographic and psychographic analysis. The specialized services and data provided by E.A. supported the STM-BIA section in the evaluation and modelling of small area demographic profiles, workload, location analysis, visualization and customer insights. E.A. has a proprietary analytical toolset, which includes specialized demographic, psychographic and segmentation functionality and data within the City of Toronto. The proprietary PRIZM5 tool uses an assignment model that optimizes geographic granularity in urban areas, by incorporating Canada Post's six-digit postal code and Census Dissemination Areas found in the City of Toronto. E.A. is unique in its position as a proprietary data provider, and has the specialized skillsets to apply these tools and maintain customized models for use by the Service. E.A.'s tools also leverage technology standards required by the Service, including ESRI GIS mapping.

Conclusion:

The Service is engaged in the task of transforming current policing practises by exploring innovative approaches to service delivery, strategic reallocation and distribution of personnel and facilities. All efforts will be focused on ensuring that the Toronto Police Service remains a world leader in policing. The data and research must be prepared to the highest standards, using the best available technology and practices. The analysis, modelling and data must be reliable in order to make informed decisions. Environics Analytics is the only vendor currently able to effectively meet these requirements and demands.

It is therefore recommended that required licenses, maintenance and professional services, data tools and collective capabilities be acquired from Environics Analytics for a 5-year period to support this fundamental work to enable the Service in enhanced evidence-led decisions. The need for these services, and the extent to which they are required, will be assessed by the Service on an annual basis and will consider other technologies and vendors throughout this time.

Ian Williams, Manager, Business Intelligence & Analytics and Tony Veneziano, Chief Administrative Officer, will be in attendance to respond to any questions from the Board.

Respectfully submitted,

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



Toronto Police Services Board Report

February 6, 2018

To: Members
Toronto Police Services Board

From: Andy Pringle
Chair

**Subject: Nomination of Toronto Police Services Board
Representation to the Future of Policing Advisory Committee (FPAC)**

Recommendation(s):

It is recommended:

1. THAT the Board nominate its Chair to represent the Toronto Police Services Board on the Future of Policing Advisory Committee and that the Board's Executive Director serve as the Chair's alternate; and,
2. THAT the Board notify FPAC of this nomination.

Financial Implications:

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

Background / Purpose:

Mr. Ken Jeffers has served as the Board's representative to the FPAC Committee since May 19, 2016. Prior to Mr. Jeffers' participation, the Chair of the Board served on FPAC.

The Future of Policing Advisory Committee was established by the Ministry of Community Safety and Correctional Services in 2013. FPAC works in collaboration with Ontario's policing and municipal partners to plan for effective, efficient and sustainable delivery of policing services to enhance community safety in Ontario.

FPAC is one of the main ministry stakeholder bodies and is a dedicated venue for participants to hear what the Ministry is proposing, to provide feedback and to address concerns. Most recently, FPAC has been instrumental in gathering stakeholder feedback during the drafting of Bill 175, Safer Ontario Act, 2017.

Discussion:

The Board's participation on FPAC is valuable and necessary as it provides an opportunity for police leaders and other partners to discuss the current challenges facing policing in Ontario. FPAC will also be consulted with respect to the implementation of Bill 175 including the content of Regulations associated with the new Act.

In terms of time commitment and workload, the relevant information is as follows:

- FPAC meetings occur on a quarterly basis, or more frequently as set by the Chair in circumstances where there are numerous items for discussion. Meetings are normally four hours in length.
- Materials for FPAC meetings are provided to members 1 – 2 weeks prior to the meeting date, although this can vary as issues emerge. Members are expected to read the materials in advance of the meeting and be prepared for discussion

Conclusion:

I thank Mr Jeffers for participating on FPAC over the past two years and recommend that, moving forward, the Chair represent the Board on FPAC with the Executive Director serving as an alternate.

Respectfully submitted,

Andy Pringle
Chair

**Ministry of Community Safety
and Correctional Services**

**Ministère de la Sécurité communautaire
et des Services correctionnels**



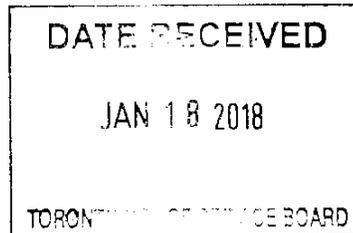
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JAN 15 2018



MC-2017-2447

Mr. Andy Pringle
Chair
Toronto Police Services Board
40 College Street
Toronto ON M5G 2J3

Dear Mr. Pringle:

Thank you for your letter informing me of your Board's intention to appoint Special Constables able to direct traffic under the *Highway Traffic Act* (HTA).

For a special constable to use powers under the HTA, the sponsoring board must submit a formal request to the ministry, asking for amendments to the appointments of those special constables. This request needs to take the form of a signed letter outlining the name(s) and employer(s) of the special constable(s) on whom those additional police powers will be given, as well as an explicit indication of the specific HTA provisions that are being requested.

For these powers to be given to individuals applying to become or to be reappointed as a special constable, the provisions must be stated in the corresponding areas of Section B on page two of the 'Application for Appointment as Special Constable' form. In either case, a police power request must be accompanied by a "justification", which should communicate the requested provision(s) in full, and provide an explanation as to the context of the request (i.e., why the special constable requires this police power).

Special Constable requests are generally approved with no issues.

Additionally, there are already communities who have special constables with certain HTA-related police powers granted to them. They include: Cobourg Police Service; Dryden Police Service; St. Thomas Police Service; Ottawa Police Service (RCMP); University of Guelph Special Constables; Western University (London) Special Constables; Brock University (Niagara) Special Constables and Niagara Parks Police; and the Ontario Provincial Police (GO Transit).

Therefore, although Ministry of Community Safety and Correctional Services staff must of course undertake a review of the request once received, based on your letter and my understanding of your request, I do not anticipate any issues with the proposal you have described.

Mr. Andy Pringle
Page 2

If you have any questions on this matter, please call Mr. Stephen Waldie, Director of the ministry's External Relations Branch, Public Safety Division, at 416-325-3132.

Thank you again for your letter.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Lalonde". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

Marie-France Lalonde
Minister

c: Mr. Stephen Waldie, Director, External Relations Branch
Public Safety Division

Toronto Police Accountability Coalition
info@tpac.ca , www.tpac.ca

February 20, 2018

To Toronto Police Services Board

Subject: Purchase of more Conducted Energy Weapons

Please schedule this item as a deputation item at the Board meeting on February 22, 2018.

The question of expanding CEW use within the police service was considered at a meeting called by the police service on October 18, 2017. At that time we drew your attention to the recommendations of Justice Iacobucci in his July 2014 report. The police service retained Mr. Iacobucci in 2013 to report on how police might best manage encounters with people in crisis.

Recommendation 59 of that report states "The TPS consider conducting a pilot project to assess the potential for expanding CEW access within the service", and then lays out detailed parameters about how that project might proceed. We are not aware of any pilot project carried out by the Toronto Police Service which satisfies Recommendation 59.

In all, Mr. Iacobucci made 16 recommendations relating to CEWs - # 55 through #71. They are attached. The recommendations seek good evidence about the use of CEWs, deal with police monitoring and training, as well as discipline. They are a comprehensive set of proposals, and as far as we know, the Toronto police service has acted on very few of them.

What's needed is a report from the police service about each recommendation and how it has been dealt with, as well as a timeframe for addressing those recommendations which have not yet been implemented.

Until that is done, no further consideration should be given to purchasing more CEWs. The police service should heed the advice it sought more than three years ago before proceeding further.

TPAC believes that CEW use should be curtailed, not expanded, for several reasons. There is no doubt that CEW's lead to injury and death, and are used on vulnerable people in crisis who are most likely to experience adverse consequences from the application of electric current to their bodies. We know that there are viable de-escalation alternatives that the police can use and that are used by all other professionals who work with people in crisis, such as talking and using mental health teams as first responders, which we believe should be expanded. Evidence from police departments across North America is that more CEW's lead to more shootings and undermine efforts to increase the use of de-escalation techniques.

Further, the Board intends to spend almost \$1 million on these weapons. That money would be much better spent embedding de-escalation in the police culture. The Board has engaged in a process about the 'transformation' of the police service into something more attuned to the twenty-first century. Spending lavishly on weapons is not transformative – it moves in the wrong direction.

Further, we endorse the report of Ms Moliner on why more CEWs should not be purchased.

Yours very truly,

John Sewell for
Toronto Police Accountability Coalition.

Conducted Energy Weapons

RECOMMENDATION 55: The TPS advocate an interprovincial study of the medical effects of conducted energy weapon (CEW) use on various groups of people (including vulnerable groups such as people in crisis), as suggested by the Goudge Report.

RECOMMENDATION 56: The TPS collaborate with other municipal, provincial, and federal police services to establish a central database of standardized information concerning matters related to the use of force, and CEW use specifically, such as:

- a. the location of contact by CEW probes on a subject's body;
- b. the length of deployment and the number of CEW uses;
- c. any medical problems observed by the officers;
- d. any medical problems assessed by Emergency Medical Services (EMS) or hospital staff;
- e. the time period between the use of a CEW and the manifestation of medical effects;
- f. the subject's prior mental and physical health condition;
- g. the use of CEWs per ratio of population;
- h. the use of CEWs per ratio of officers equipped with the devices; and
- i. the use of CEWs in comparison to other force options.

RECOMMENDATION 57: The TPS review, and if necessary amend, the Use of Force and CEW Report forms to ensure that officers are prompted to include all standardized information required for the database proposed in Recommendation 56.

RECOMMENDATION 58: The TPS collaborate with Local Health Integration Networks, hospitals, EMS, and other appropriate medical professionals to standardize reporting of data concerning the medical effects of CEWs.

RECOMMENDATION 59: The TPS consider conducting a pilot project to assess the potential for expanding CEW access within the Service, with parameters such as:

- a. Supervision: at an appropriate time to be determined by the TPS, CEWs should be issued to a selection of front line officers in a limited number of divisions for a limited period of time with the use and results to be closely monitored;

- b. Cameras: all front line officers who are issued CEWs should be equipped either with body-worn cameras or audio/visual attachments for the devices;
- c. Reporting: the pilot project require standardized reporting on issues such as:
 - i. frequency and circumstances associated with use of a CEW, including whether it was used in place of lethal force;
 - ii. frequency and nature of misuse of CEWs by officers;
 - iii. medical effects of CEW use; and
 - iv. the physical and mental state of the subject;
- d. Analysis: data from the pilot project be analyzed in consideration of such factors as:
 - i. whether CEWs are used more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors;
 - ii. whether CEWs are misused more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors;
 - iii. the disciplinary and training responses to misuses of CEWs by officers and supervisors;
 - iv. whether use of force overall increased with expanded availability of CEWs in the pilot project;
 - v. whether use of lethal force decreased with expanded availability of CEWs in the pilot project; and
 - vi. whether TPS procedures, training or disciplinary processes need to be adjusted to emphasize the objective of reducing deaths without increasing the overall use of force or infringing on civil liberties; and
- e. Transparency: the TPS report the results of the pilot project to the Toronto Police Services Board (TPSB), and make the results publicly available.

RECOMMENDATION 60: The TPS ensure that all CEWs issued to members (including those CEWs already in service) are accompanied by body-worn cameras, CEW audio/visual recording devices, or other effective monitoring technology.

RECOMMENDATION 61: The TPS ensure that CEW Reports are reviewed regularly, and that inappropriate or excessive uses are investigated.

RECOMMENDATION 62: The TPS discipline, as appropriate, officers who over-rely on or misuse CEWs, especially in situations involving non-violent people in crisis.

RECOMMENDATION 63: The TPS provide additional training, as appropriate, to officers who misuse CEWs in the course of good faith efforts to contain situations without using lethal force.

RECOMMENDATION 64: The TPS require officers to indicate on CEW Reports whether, and what, de-escalation measures were attempted prior to deploying the CEW.

RECOMMENDATION 65: The TPS carefully monitor the data downloaded from CEWs on a periodic basis, investigate uses that are not reported by Service members and discipline officers who fail to report all uses appropriately.

RECOMMENDATION 66: The TPS periodically conduct a comprehensive review of data downloaded from CEWs and audio/visual attachments or body cameras, to identify trends in training and supervision needs relating to CEWs as well as the adequacy of disciplinary measures following misuse.

RECOMMENDATION 67: The TPS revise its CEW procedure to emphasize that the purpose of equipping certain officers with CEWs is to provide opportunities to reduce fatalities and serious injuries, not to increase the overall use of force by police.

RECOMMENDATION 68: The TPS review best practices on safety of CEWs in different modes, both from TPS personnel that are already using CEWs and from other jurisdictions that have implemented policies on permitted methods of discharging CEWs.

RECOMMENDATION 69: The TPS consider the appropriate threshold for permissible use of CEWs, and in particular whether use should be limited to circumstances in which the subject is causing bodily harm or poses an immediate risk of bodily harm to the officer or another person, and no lesser force option, de-escalation or other crisis intervention technique is available or is effective.

RECOMMENDATION 70: The TPS require that all officers equipped with CEWs have completed Mental Health First Aid or equivalent training in mental health issues and de-escalation techniques.

RECOMMENDATION 71: The TPS ensure that training on potential health effects of CEWs, including any heightened risks for people in crisis or individuals with mental illnesses, is updated regularly as the state of knowledge on the topic advances.



Presentation to the Toronto Police Services Board
5 min to present

Intro

- My name is Antonella Scali, policy analyst with the Schizophrenia Society of Ontario.
- Thank you for the opportunity to present to the Toronto Police Services Board on the proposal, *Achieving Zero Harm/Zero Death – An Examination of Less-Lethal Force Options, including the Possible Expansion of Conducted Energy Weapons (CEWs)*.
- SSO is Ontario's only not-for-profit charitable health organization dedicated to supporting individuals, families, caregivers and communities impacted by schizophrenia and psychosis province-wide for the past 38 years.
- SSO has long supported families of people with schizophrenia and psychosis, and other mental health issues, who have come into contact with the law. We often hear about the challenges that individuals and their families encounter when dealing with both the mental health and criminal justice systems.
- Through our justice and mental health program, we also advocate for programs and services to divert people with mental health issues away from the criminal justice system, improved training and supports for police officers who have contact with people with mental health issues, and enhanced services for people who have intersecting justice and mental health needs. Part of this work includes providing training to police officers and sitting on the TPS Mental Health Sub-Committee.
- Our key considerations on this topic have been informed by our work in the area of justice and mental health and most important, persons with lived experience.
- SSO commends TPS for its progress on responding to recent inquests and recommendations, and for its ongoing work toward improving police interactions with people with mental health issues and those experiencing crises, by for instance, increasing the emphasis on de-escalation as a primary means of resolving potentially confrontational situations.
- It is clear that the police and the community prefer zero-harm and zero-deaths in any police interactions – especially those involving already vulnerable groups such as individuals with mental health issues.
- This is why we continue to have reservations about the proposal to expand the deployment of Conducted Energy Weapons (CEW) to on-duty Primary Response Unit constables and to on-duty constables from designated specialized units.



- **SSO has long supported a “zero harm” approach to all interactions with police and people with mental health issues, or experiencing crisis.**
 - While availability of CEWs may increase officers’ ability for self-defence and allows for greater options in responding to potentially dangerous situations, availability of any weapons may consequently decrease utilization of non-violent techniques such as de-escalation.
 - The purpose of using de-escalation techniques is to defuse a situation *without* the use of force, and in particular, lethal force. As such training and protocols that continue to allow for the possibility of lethal use of force are incongruent with the de-escalation approach and may preclude effective utilization of this approach in real-life scenarios.
 - As an alternative, we support expansion of non-violent tools, such as de-escalation and MCITs for responding to people in crisis.

- **There is also a lack of robust evidence around the potential harms of CEW use – specifically a lack of real-world evidence about potential risks of harm for vulnerable groups (for example, people with mental health or substance use problems, pre-existing medical conditions).**
 - In his review of police encounters of people in crisis, Justice Iacobucci recommended that Toronto Police Service advocate for an interprovincial study of the medical effects of CEW use on various groups of people (including those in MH crisis). This has not happened yet.
 - His recommendations also include that TPS consider conducting a pilot project to assess the potential for expanding CEW access within the Service, parameters including analysis of factors such as whether CEWs are misused more frequently.
 - We have concerns that the use of CEWs may pose an increased risk for people with medical conditions (e.g., heart disease), people using prescription medications, people under the influence of drugs/alcohol, pregnant women, and people using medical devices (e.g., pacemakers) – many of which may not be visible or apparent to the responding officers during the initial interaction.
 - For example, an Amnesty International report on the use of CEWs included a study which examined autopsy reports of 97 deaths in the United States in which CEWs were used, 37 reports listed use of a CEW as a cause or contributory factor in the death, while 18 listed CEW shocks as a cause of death, usually along with other factors such as heart disease, or physiological stress.¹
 - We also have concerns about how the expansion can be scaled back, if it does result in overuse for certain groups.

- **It is further extremely concerning that available evidence shows that police use of force occurs predominantly in individuals who are intoxicated and/or are emotionally distressed.²**

¹ Amnesty International. (2008). *Less than lethal: The use of stun weapons in US law enforcement*. Retrieved from the Omega Research Foundation website <http://www.omegaresearchfoundation.org/publications>

² Hall, C., & Votova, K. (2013). Prospective Analysis of Police Use of Force in Four Canadian Cities: Nature of events and their outcomes. Defence R&D Canada – Centre for Security Science. Retrieved from <http://www.publicsafety.gc.ca/lbrr/archives/cnmcs-plcng/cn26576-eng.pdf>



- Recent studies raise the concern that Tasers will be used disproportionately on people with mental health and addictions issues.
 - A 2016 study from the US found that Tasers were used more on people with mental illness and with those under the influence of a stimulant. These people also received more CEW shocks than those without these characteristics.
 - This research also cites multiple studies which list illegal drug use, in conjunction with the effects of CEWs as the most common risk factors that influence chances of death after being shocked (other factors include mental illness and pre-existing medical conditions, such as heart disease).
 - This is particularly concerning because our client population has increased risks of concurrent addictions and comorbid cardiovascular health issues than the general population. Using a weapon to respond to a person with a mental health issue is also completely at odds with a therapeutic approach to assisting someone experiencing a mental health crisis.
- For these reasons, SSO proposes the following recommendations:
 - Designate “zero harm” as the goal for all police interactions within TPS policies, procedures and protocols;
 - Do not expand CEWs to front-line officers in Toronto, considering lack of independent scientific and medical reviews of safety of these weapons and proven lethal consequences of deployment of CEWs;
 - Continue to expand and draw on de-escalation training;
 - Expand the use and availability of the Mobile Crisis Intervention Teams (MCIT) including:
 - Designate and allow Toronto MCIT to serve as first-responders;
 - Expand MCIT program to every TPS division across the city;
 - Expand MCIT program to operate 24 hours a day, 7 days a week;
 - Develop and implement common protocols for MCIT, including common assessment and “hand-off” protocols between MCIT and local hospital ERs and/or community organizations.
 - Expand the current system of rewards and incentives to acknowledge officers who effectively resolve crisis situations without the use of force and set this conduct as the standard for all police practice.

Closing

- In closing, CEWs are not non-lethal weapons and their use has caused significant injury and death in the past. As such, SSO strongly urges TPS not to expand the use of these weapons and to focus on expanded utilization of de-escalation techniques instead.
- Thank you, Mr. Chair.



THE EMPOWERMENT COUNCIL

A Voice for the Clients of the Centre for Addiction and Mental Health

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Addressing the Motion to Expand CEW Distribution **Submission to TPSB**

Feb 22, 2018

The Empowerment Council remains concerned that the widespread use of CEWs will encourage even more of their use on people in crisis.

I have reviewed the 2016 report on CEW use by the TPS.

Although 74 incidents in 2016 were classified as serious bodily harm/death, there would not, previous to CEW use, have been 74 cases of serious bodily harm or death. One has to wonder, then, if the environment in which CEWs are being requested is one in which the perception of threat is higher than the history of actual violent incidents supports.

The report states that CEWs are the best intermediate force option on people who are considered EDP or under the influence of drugs, which may explain the high use on our community. The 2016 TPS statistics show use on people who are EDP: 142/292 incidents were with people in crisis, which is 49% of CEW use. Previous to CEWs being available, there would not have been 142 people in crisis (or police) killed or seriously injured. So it is not clear what problem is being solved other than, primarily, time. It does take more time to de-escalate a person. I hear (meaning with no external validation involved) that while the message at the College is to take all the time you need, officers on the street can feel the pressure of time. I imagine patience can also be an issue, police being human.

The community has been assured that CEW use is still secondary to de-escalation attempts. There is good reason to believe that this is often the case. The great majority of police calls for people in crisis are resolved without CEWs, and we are appreciative of all the good work police do at de-escalating, especially as they have been increasingly called to hospitals to deal with people in crises. But the fact that CEWs were used approximately half the time on people in crisis, when CEWs have been restricted so far, causes us grave concern about their expansion. If this percentage is maintained when 400 more CEWs are distributed you can surely understand that there is a legitimate reason for us to be afraid.

Most people with mental health issues and most people with addictions are survivors of trauma. Some of us survived because we were able to escape from the situation – we had only ourselves to save us. So the threat of being incapacitated in a situation that is already frightening can be devastating.

I have been a party to reviewing, through inquests, the deaths of eight people in crisis who died in encounters with the Toronto Police Service, (Yu, Williams, Vass, Jardine-Douglas, Klibingaitis, Eligon, McGillivray, and Loku.) The EC has also had standing at two such inquests outside of Toronto and I've testified at a third. What I have learned of the use of lethal and intermediate force from these inquests suggests that CEWs would not have saved these lives, with one possible exception. People often had thick clothing on, or were moving quickly, which are considered conditions in which CEW use is not advised. When police were engaged up close, in both cases the finding of death was that it was just coincidence that the men died when in conflict with police, so according to police analyses of what happened it would not have prevented those deaths. In the one case a CEW might have been used, a better case can be made for de-escalation. So we have no reason to believe that CEW will save the lives of our community members.

We do have reason to fear more will be traumatized. This may not make things any worse for police on the call in which it happens – perhaps it will even be easier for them. But the person is not likely to trust police the next time, or reach out to the police for help. As the police are already the last resort, this can cost our community lives.

For these reasons we ask that you do not expand CEW use.

One additional ask while we are looking at perceptions of threat. Can the term "gone beserk" be abandoned? It implies extreme violence and that the person will be unreachable in any attempt to engage. In fact, the person may be venting some feelings on inanimate objects but be of no threat to other people - and generally can't keep that degree of energy up for long. Better would be a simple factual description – like the person is breaking some property.

Thank you for your time, and consideration.

Jennifer Chambers
Executive Director
Empowerment Council



Canadian Mental
Health Association
Ontario

Association canadienne
pour la santé mentale
Ontario

Andy Pringle
Chair, Toronto Police Services Board
40 College Street
Toronto, ON

February 21, 2018

Dear Mr. Pringle:

Re: Toronto Police Services Board Report: Zero Deaths – Expanded Deployment of Conducted Energy Weapons

We thank you for the opportunity to comment on the Toronto Police Services Board Report: *Zero Deaths – Expanded Deployment of Conducted Energy Weapons (CEWs)*. The issues relating to the use of CEWs by police officers has been significant to the Canadian Mental Health Association (CMHA) as it affects our client population who may come into contact with police.

For many years, CMHA has stressed the importance of providing training to police officers to respond appropriately to individuals experiencing a mental health or addictions-related crisis. There are many ways in which police services and health care providers can work together to manage crisis situations where police are called to assist as first responders. CMHA has always advocated for the use of de-escalation techniques prior to the use of CEWs or the use of force. We encourage the exploration of alternative methods, such as expanding the use of shields, before the expansion of CEWs is considered.

In 2008, we developed a position paper on the use of CEWs which is available publicly at: <https://ontario.cmha.ca/documents/conducted-energy-weapons-tasers/>. In our paper, we explore research on the safety of CEWs, which has primarily been conducted on animals, rather than humans. When research has been conducted on humans, those individuals had been deemed medically healthy. While CEWs may be used without injury on some individuals, there are vulnerable populations on whom CEWs should be used with caution. A 2004 review of CEW technology by British Columbia's police complaint commissioner indicated that risk factors for death by CEWs include drug-induced toxic states (cocaine, alcohol, etc.) and "acute psychiatric decompensation." As such, we want to caution against the broad expansion of CEWs across the police service. **Police services should limit their use of CEWs to situations where the only alternative would be the use of deadly force. CEWs should only be used as a last resort and after all other de-escalation techniques have proven unsuccessful.**

With respect to the use of CEWs by police officers, we offer the following recommendations:

- 1) A group of specially selected officers in every police service in Ontario be trained in mental health crisis intervention and other appropriate de-escalation techniques.
- 2) Police services in Ontario co-develop and participate in mental health crisis intervention teams to serve the needs of their community.
- 3) **Police services in Ontario limit their use of CEWs to situations where the only alternative would be the use of deadly force. CEWs should only be used as a last resort and after all other de-escalation techniques have proven unsuccessful.**
- 4) Police services monitor and publicly report the incidence and outcomes of CEW use.

- 5) Independent research is conducted into the safety of CEW use, including the effects on persons experiencing a mental health crisis.

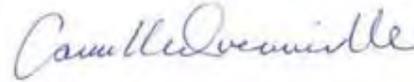
In addition, as per the Andrew Loku Inquest Recommendation #2, we recommend that all police officers be required to demonstrate proficiency in de-escalation and non-lethal use of force annually, and measure the effectiveness of the training “by requiring both a written and oral exam of the participants. Failure in such exams should result in requiring re-attendance at such training.”

We would be happy to offer any further assistance to the Toronto Police Services Board on this matter. We welcome the opportunity for further discussion.

Sincerely,



Steve Lurie
Executive Director
Canadian Mental Health Association,
Toronto Branch



Camille Quenneville
Chief Executive Officer
Canadian Mental Health Association,
Ontario Division

About Canadian Mental Health Association, Ontario

The Canadian Mental Health Association (CMHA) operates at the local, provincial and national levels across Canada. The mission of CMHA Ontario – a not-for-profit, charitable organization funded by the provincial Ministry of Health and Long-Term Care – is to improve the lives of all Ontarians through leadership, collaboration and the continual pursuit of excellence in community-based mental health and addictions services. Our vision is a society that embraces and invests in the mental health of all people. As a leader in community mental health and addictions, we are a trusted advisor to government and actively contribute to health systems development through policy formulation and recommendations that promote mental health for all Ontarians. We support our 30 community CMHA branches which, together with other community-based mental health and addictions service providers, serve approximately 500,000 Ontarians each year.



Submission to
The Toronto Police Services Board on
Zero Deaths – Expanded Deployment of Conducted Energy Weapons
February 22, 2018

The Centre for Addiction and Mental Health (CAMH) submits the following deputation to the Toronto Police Services Board on *Zero Deaths – Expanded Deployment of Conducted Energy Weapons*. CAMH is Canada's largest mental health and addictions health science centre. We combine clinical care, research, education and system building to transform the lives of people affected by mental illness. Mental health and criminal justice is a public policy priority for CAMH and we have participated in numerous consultations on policing, including: Justice Iacobucci's Independent Review of the Use of Lethal Force by the Toronto Police Service; MCSCS's Strategy for a Safer Ontario; and Justice Tulloch's Independent Police Oversight Review.

Toronto Police Service's (TPS) proposal to expand the deployment of Conducted Energy Weapons (CEWs) to frontline police constables raises concerns for CAMH. While CEWs theoretically give police a less lethal option when they are in an aggressive situation, their use is not without risk. We are particularly concerned about the potential for overuse of CEWs against people experiencing a mental health or emotional crisis and the negative health impacts of this use. We are also concerned that expanding CEWs will take the focus off of de-escalation and crisis intervention. And we believe that the threshold for CEW use is too low. Therefore, prior to making a decision to expand CEWs to TPS constables, CAMH makes the following recommendations:

Recommendation #1: TPS make de-escalation their default response

There is the potential that increasing access to CEWs will enable police to by-pass non-violent techniques to calm or subdue a person who is experiencing a mental health or emotional crisis. For example, research indicates that police are two times more likely to use CEWs at mental health emergencies than at criminal arrests (O'Brien et al, 2011) and that CEWs are used 28% more frequently on people with mental illness than those without (Bailey et al, 2016). While the details of these situations are not available, the disproportionate use of CEWS against people in crisis demonstrates that use of force is likely being used in situations that would actually warrant de-escalation.

TPS has a robust curriculum for training officers on de-escalation techniques. However, these communication and negotiation techniques are taught as the *preferred* response when police interact with people experiencing a mental health or emotional crisis. In a joint submission to the *Strategy for a Safer Ontario*, CAMH and the Empowerment Council recommended that de-escalation be taught as the *primary* or *default* response in all conflict situations between police and community. We also

recommended that in situations where it is clear that a person is experiencing a mental health or emotional crisis, de-escalation be used *instead of* use of force options (where safety considerations permit). Expanding the deployment of CEWs before recognizing the primacy of de-escalation could lead to police overreliance on CEWs in situations with people in crisis. Therefore, CAMH recommends that TPS change their policies and procedures to make de-escalation their default response in all interactions with the public.

Recommendation #2: TPS expand access to crisis intervention

In *Zero Deaths* Chief Mark Saunders highlights the success of Mobile Crisis Intervention Teams (MCITs) in providing back-up to officers who are having difficulty de-escalating people in crisis. These specially trained teams of police officers and mental health professionals now operate across all TPS divisions, providing people in crisis with connections to mental health services and support. Unfortunately, as the Chief points out, MCITs are only available during limited hours and may have to cover more than one division at once. Limited access to MCITs is one reason that TPS is calling for the expanded use of CEWs for front-line officers.

Given the success of MCITs in meeting the needs of people in crisis, CAMH would like to see investments used to expand this service prior to any decision to expand CEWs. TPS may also want to consider investing in different crisis intervention models. Hamilton's COAST program is a successful model where MCITs are the first responders to people in crisis due to their skill at diffusing potentially volatile situations. In addition, Justice Iacobucci recommended that TPS pilot the Crisis Intervention Team (CIT) model to support MCITs. The CIT model would ensure that specialized, trained officers would be available to respond to people in crisis 24/7.

Recommendation #3: TPS advocate for research on the health effects of CEW use on vulnerable populations

Research on the health effects of CEWs on vulnerable populations is limited (CCA, 2013). Some research indicates that people with mental illness and/or those using illegal substances may be at greater risk of death after exposure to a shock by CEW (as cited in Bailey et al, 2016). It has also been proposed that medications used by people with mental illness may increase their risk of death by CEW (White & Ready, 2010). CEWs can also contribute to the psychological trauma experienced by people with mental illness. Therefore, the physical and mental health effects of CEWs on people experiencing a mental health or emotional crisis need to be better understood before their use is expanded. CAMH recommends that TPS follow the advice of Justice Iacobucci and advocate for an interprovincial study of the medical effects of CEWs on vulnerable groups, including people in crisis.

Recommendation #4: TPS increase their threshold for CEW use

In Ontario, the threshold for CEW use is low compared to elsewhere in Canada and the 'imminent need for control of a subject' may lead to overuse when police encounter someone who is experiencing a mental health or emotional crisis. CAMH and the Empowerment Council have recommended that MCSCS increase the threshold for CEW use province-wide, but to no avail.

While the provincial threshold for CEW use remains unchanged, it does not prevent TPS from making amendments to their threshold. Justice Iacobucci recommended that TPS consider limiting the use of CEWs to situations where a "...subject is causing bodily harm or poses an immediate risk of bodily harm to the officer or another person, and no lesser force option, de-escalation or other crisis intervention technique is available or is effective." CAMH recommends that TPS increase their threshold for CEW use to meet the bodily harm/risk of bodily harm criteria.

Recommendation 5: TPS conduct a pilot project on CEW expansion

Given the many variables involved in expanding CEWs to front-line officers, and particularly the potential for negative impact on vulnerable members of the community, CAMH recommends that TPS begin with a pilot project. As recommended by Justice Iacobucci, a pilot project would involve deploying CEWs to a limited number of front-line officers in a limited number of divisions for a limited amount of time. Close monitoring and analysis of CEW use by these officers would allow TPS to better understand the circumstances under which CEWs are deployed and the impact of CEW availability on de-escalation and use of force. Such information could help determine if CEW expansion is warranted.

For more information on this deputation, please contact:

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References

- Bailey, C.A., Smock, W.S., Melendez, A.M. & El-Mallakh, R.S. (2016). Conducted-Energy Device (Taser) usage in subjects with mental illness. *Journal of the American Academy of Psychiatry and Law*, 44(2), 213-217.
- Canadian Council of Academies (CCA). (2013). *The Health Effects of Conducted Energy Weapons: The Expert Panel on the Medical and Physiological Impacts of Conducted Energy Weapons*. Retrieved from: http://www.scienceadvice.ca/uploads/eng/assessments%20and%20publications%20and%20news%20releases/cew/cew_fullreporten.pdf
- O'Brien, A.J., McKenna, B.G., Thom, K., Diesfeld, K. & Simpson, A.I.F. (2011). Use of Tasers on people with mental illness: A New Zealand database study. *International Journal of Law and Psychiatry*, 34(1), 39-43.
- White, M.D. & Ready, J. (2010). The impact of Tasers on suspect resistance: Identifying predictors of Effectiveness. *Crime and Delinquency*, 56(1), 70-103.

Dear Andy

I am writing to clarify my comments on the use of force by police that I made during the Loku Inquest.

I was asked to appear and give evidence at the inquest because of my clinical and research experience.

I am a psychiatrist with special expertise in the care of people of African and Caribbean origin. I have also had direct experience working in emergency psychiatry in hospitals and the community in the UK where police officers do not routinely carry firearms.

I have had a number of relevant leadership positions in Canada which have given me an opportunity to think through the implementation of system change. At CAMH I am currently the Medical Director of Health Equity and I was previously the Deputy Director of Schizophrenia services and the medical director in charge of Emergency Services and Assessment Services.

Outside CAMH, I was a past President of Canadian Mental Health Association Toronto, a Member of the Mental Health and Addictions Leadership Advisory Council which advised the Minister of Health, and a member of the Service Systems Advisory Group of the Mental Health Commission of Canada.

Much of my research work focusses on improving mental health services for marginalized groups. I am the author of The Case for Diversity and Issues and Options, which are considered foundational documents for the Mental Health Commission of Canada's work on developing equitable care for culturally diverse populations. In the UK I developed Delivering Race Equality... which was the Department of Health's strategy for offering appropriate services for Black and Ethnic Minority groups in England.

The position that I took at the Loku Inquest was that I believe that the police should be trained in de-escalation. However, I also believe that the police need to be given a variety of ways of intervening when they encounter behaviorally disturbed or potentially violent people with weapons. I stated that this could include tasers, body armor, helmets, vests, shields and batons.

Part of the reason for this was to take a harm minimization approach. Though de-escalation should be the first and foremost approach, there must be alternatives if this does not work or if it cannot be deployed.

The efficacy of de-escalation is without doubt. It can work. But the effectiveness in Toronto requires an assessment of whether it can be implemented and properly deployed by officers. Clarity on this is needed. Even if perfectly implemented as an approach by the police force, no interventions are 100% successful and so alternatives will be needed. Moreover, even if it is properly implemented by the police force, there is likely to be heterogenous quality at an

individual level. It could be argued that, in reality, it is likely that any officer will only very rarely be asked to deploy de-escalation tactics in a scenario when they encounter someone they think has a mental health problem and who has a weapon. Given this, it is not unlikely that the quality of deployment of those skills will be patchy. This is because skills need to be regularly used for them to be deployed appropriately in an emergency situation. At CAMH, where de-escalation skills are often deployed, clinicians require regular training and updates. Even so we are always battling with the quality of deployment.

If the aim is to decrease fatalities, there needs to be a viable alternative if de-escalation fails. In my mind there needs to be alternatives to relying on firearms.

I stated in the Loku Inquest that in my experience in the UK the approach of police officers was different. The first police officers to respond aimed to assess a situation. Their first duty was seen as ensuring the safety of the public and that would include the person who was behaviorally disturbed. Once they were clear everyone was safe, they would take time to reflect and call for back up if needed. They would have access to protective clothing and extra officers. At the time I was in the UK they would also have access to tasers via a specially trained taser squad. At that time the police rarely killed anyone with a mental health problem. This was in part because when I was in the UK there were armed police units, but they were rarely available.

Since I left the UK, with the perceived terrorist threat, armed police units have increased in availability. 25% of the people they kill have mental illnesses. Rank and file officers have asked to carry tasers. One of the arguments for this is that it may decrease the use of firearms.

The evidence I gave to the Loku Inquest was that I believed alternatives to firearms may have led to a non-lethal outcome. Notwithstanding the potential impact that there could be from a change in protocols and procedures for the first police responders through moving more towards the UK approach, a simple like for like alternative such as a taser may be more acceptable to officers in certain situations. If de-escalation has not worked, if the assessment is that there is a need for immediate action because of safety concerns, or even if there has been no assessment and the police officers are caught unawares there must be a viable group of alternatives to firearms if we want to save lives and I think tasers could be part of that spectrum.

Some may have concerns that the availability of tasers will increase the use of tasers without decreasing the use of firearms. This is a very real concern and there would need to be clear processes and procedures and transparent monitoring to ensure that tasers are not overused. If they are overused, they should be reconsidered.

But there is currently a gulf between the perceived needs of officers in certain situations and the perceived likely implementation and effectiveness of de-escalation or other interventions such as batons, helmets and body armor. A quality deployment of de-escalation is unlikely in such circumstances. Decreasing fatalities may rely in part of bridging the gap. A motivational

interviewing approach to this problem would include trying to move the discussion and practice along incrementally. The first stage would be understanding and hearing the views of officers and setting up a process through which, overtime, police officers decrease their reliance on firearms. If officers want a less lethal alternatives to firearms such as tasers, I would agree to that as part of a process and I would use this to ensure that de-escalation and other non-lethal alternatives are properly implemented.

Best wishes

Dr Kwame McKenzie

Kwame

SPEAKING NOTES FOR DEPUTATION TO TORONTO POLICE SERVICES BOARD
RE 2017 STATISTICAL REPORT ON MFIPPA
FEBRUARY 22, 2018

- Introduction:
- Introduce myself
 - Experience with APS
 - List topics
 - Refer to appendix of legal authorities

- Topic 1, The law:
- Refer to Section 19 of MFIPPA
 - Quote from Commissioner's May 22, 2015 letter to Chief Saunders
 - TPS is failing to comply with its legal obligations/breaking the law

- Topic 2, Things TPS is not telling Board re consequences of failing to comply with legal obligations that are causing damage to Torontonians – forcing requesters to initiate procedure to preserve rights:
- 30 day period to initiate procedure to force compliance
 - Time squeeze when don't know when TPS received request
 - Time and cost to requester to initiate procedure
 - Time and cost to Provincial taxpayers when Commissioners office becomes involved
 - Time and cost to TPS – refer to quote from TPS report
 - Self-inflicted injury
 - In 2016, 17 such procedures.

- Topic 3, Things TPS is not telling Board re consequences of failing to comply with legal obligations that are causing damage to Torontonians – requesters lose all legal rights to force compliance if don't initiate procedure:
- Lose rights to force compliance
 - Refer to example – Request received by APS May 5/15 and write May 9/17 asking if requester still would like to pursue request
 - Refer to number of requesters that lost rights - 1235
 - No statistics on when actually completed or how
 - Class action law suit?

- Topic 4, Red herrings:
- What other Police Services are doing – stop sign analogy
 - Number and complexity – after 10 years of experience isn't this predictable?

- Topic 5, the question the Board has to ask itself:
- TPS has the sacred trust of keeping the law in Toronto
 - By approving TPS report as is Board is sending message to Torontonians that it is OK for TPS itself to continue breaking the law
 - Is that the message the Board should be sending Torontonians?

- Topic 6, Recommendations:
- TPS be required to report back in 2 months with credible plan to comply

- with law
- Until TPS complies with law it be required to report # of Topic 2 type procedures
- Until TPS complies with law it be required to report on how long it took to complete all requests from a given year and average time for requests
- TPS be required to advise Board how it calculates the 30 day Section 19 time period – reference to law

Thank you – Questions?

LEGAL AUTHORITIES

Topic 1 - Section 19 of MFIPPA
- May 22, 2015 letter from Information and Privacy Commissioner/Ontario to Chief Saunders

Topics 2 and 3 - Sections 19, 22(4) and 39 of MFIPPA
- Commission website re procedure for filing appeals
- Page 3 of TPS Annual Report
- July 7, 2017 letter to me from APS

Topic 6 - how 30 day Section 19 time period is calculated. Per Commissioner’s Order PO-1734 (Re Ministry of Health and Long Term Care) “In the case of a mailed request, the 30-day time period ... runs from receipt by the institution of the request ...”