



Virtual Public Meeting

**Tuesday,
November 24, 2020**



PUBLIC MEETING MINUTES

Tuesday, November 24, 2020 at 9:00AM
Livestreamed at: https://youtu.be/_516vQAsdug

The following *draft* Minutes of the meeting of the Toronto Police Services Board that was held virtually on November 24, 2020 are subject to approval at its next regularly scheduled meeting.

Attendance:

The following Members were present:

Jim Hart, Chair
Marie Moliner, Vice-Chair
John Tory, Mayor & Member
Frances Nunziata, Councillor & Member – absent
Michael Ford, Councillor & Member
Lisa Kostakis, Member
Ainsworth Morgan, Member

The following individuals were also present:

James Ramer, Interim Chief of Police, Toronto Police Service
Ryan Teschner, Executive Director & Chief of Staff, Toronto Police Services Board
Diana Achim, Board Administrator, Toronto Police Services Board
Scott Nowoselski, Solicitor, City of Toronto – Legal Services Division

Declarations:

There were no declarations of interest under the *Municipal Conflict of Interest Act*.

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P177. The Board approved the Minutes of the virtual meeting that was held on [October 22, 2020](#).

The Board approved the Minutes.

Moved by: M. Ford
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P178. Moment of Silence

The Board observed a moment of silence honouring Ontario Provincial Police (OPP) Constable Marc Hovingh, of Manitowaning, who was tragically killed in the line of duty on November 19, 2020 on Manitoulin Island.

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P179. Introduction of new Inspectors

Chair Hart introduced this item and made remarks on behalf of the Board, thanking the new Inspectors for being dedicated, hard-working, progressive, bright, insightful and collaborative Service Members.

A. Presentation on the new Inspectors

A video was played introducing all of the new Inspectors.

Vice-Chair Moliner welcomed all the new Inspectors and asked for the full complement of Inspectors the Service has.

Chief Ramer thanked the new Inspectors and advised that Board that, in total, with the new additions, there are now approximately 45 Inspectors (approximately 11 new female Inspectors and 8 male Inspectors).

Board Member Ainsworth Morgan asked the Service for a breakdown of the diversity in the senior team and Deputy Chief Barbara McLean advised that the requested information regarding the diversity statistics will be provided shortly to the Board.

B. Senior Officer Uniform Promotions

The Board was in receipt of a report dated November 12, 2020 from James Ramer, Chief of Police.

Recommendations:

It is recommended that the Board approve the uniform promotions of:

- 1) The twenty Inspectors as set out in this report under Appendix “A”, effective November 24, 2020;
- 2) The eligibility of two Inspectors as set out in Appendix “B”.

The Board received the presentations and approved the foregoing report.

Moved by: M. Moliner
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P180. Service’s Reform with Respect to Search of Persons

A. Presentation on reforms to the Service’s approach to Search of Persons

Chair Hart made remarks regarding the issue of Level 3, or strip searches, by the Toronto Police Service.

Deputy Chief Peter Yuen and Inspector Kim O’Toole introduced this item and made a presentation to the Board.

B. Search of Persons

The Board was in receipt of a report dated November 9, 2020 from James Ramer, Chief of Police.

Recommendation:

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

This report should be received by the Board at the same meeting that the Toronto Police Service’s (the Service) response to the Office of the Independent Police Review Director (O.I.P.R.D.) “Breaking the Golden Rule” report is received.

C. Toronto Police Service Updated Response to Recommendations from O.I.P.R.D. Report “Breaking the Golden Rule: A Review of Police Strip Searches in Ontario” Quarter Four – November 2020

The Board was in receipt of a report dated November 4, 2020 from James Ramer, Chief of Police.

Recommendation:

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

D. Correspondence from the Special Investigations Unit Director and from the Independent Police Review Director

Deputations: John Sewell ([written submission included](#))
 Derek Moran ([written submission included](#))
 Monika Lemke ([written submission only](#))

Mayor Tory thanked Mr. Sewell for his deputation and said that the Motion he had previously made in November 2019 was related to this same matter. He said that the new Policy appears to be working, “based on the numbers” and it proves that reform can be made. He thanked Chief Ramer and his team for their work and for implementing the necessary changes.

Deputy Chief Yuen answered questions from Board Members and advised that all Service Members will be trained on this new procedure by the end of the year, noting that the Service provides a one-hour online training course through Canadian Police Knowledge Network. He also advised that, if necessary, he can share the training information with Board Members. Deputy Chief Ramer also advised that he will continue to look into recommendation 45 from the Office of the Independent Police Review Director, and will make any necessary changes.

Chief Ramer advised that he has a good team of people that were focused on the same goal and outcomes when it comes to this matter, and noted that the review that was completed was outstanding. He further advised that this work benefits every Member of the organization and that the Service will continue its work on this by looking at the Service’s procedures and data, along with relevant case and will continue to collaborate and listen to the community. He further advised that, based on the results of the pilot project as well as the new procedure that has been put in place, he has no intention of re-introducing the scanner technology at this time.

The Board received the presentation, the deputations and the foregoing reports.

Moved by: L. Kostakis
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P181. Proposed Body-Worn Cameras Policy

A. Presentation on Proposed Policy and Stakeholder/Public Consultations

Mr. Teschner made a presentation to the Board on this matter and answered questions from Board Members. A copy of the presentation is attached to this Minute.

B. Body-Worn Cameras Policy

The Board was in receipt of a report dated November 11, 2020 from Ryan Teschner, Executive Director & Chief of Staff, Board Office.

Recommendations:

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

- 1) Approve the new Body-Worn Cameras (BWC) Policy (Appendix A), as attached;
- 2) Direct the Chief of Police to explore options to waive the Freedom of Information (FOI) fee for requests for access to BWC recordings by members of the public where these members of the public were captured in the recordings;
- 3) Direct the Chief to explore options to provide an on-line request form for FOI requests of BWC recordings, and report to the Board by February 2021 on the possible financial impacts of such a decision;
- 4) Direct the Chief to develop and implement a comprehensive communication strategy, with particular emphasis on outreach to racialized and disadvantaged communities, to inform the public of the deployment of BWCs, and the rights of members of the public with respect to BWC recordings;
- 5) Direct the Chief to engage with the City of Toronto to review By-Law No. 689-2000 and ensure it is aligned with the recommendations by the Information and Privacy Commissioner of Ontario made in her letter of November 5, 2020 to the Board, under the heading "Additional Recommendations" to Recommendation #8;
- 6) Direct the Executive Director and the Chief to continue, on an ongoing basis, to engage with the Information and Privacy Commissioner of Ontario to consider future revisions to the Policy and Procedure, and review new evidence from the deployment of BWCs as it becomes available; and

- 7) Direct the Executive Director to explore partnership with experts to evaluate the impacts of the use of BWCs on communities in Toronto.

Deputation: Patricia Kosseim
Information and Privacy Commissioner of Ontario

Chair Hart and Vice-Chair Moliner thanked the Board Office and the Service for their work and collaboration. Mayor Tory thanked the Privacy Commissioner for her comments and recommendations.

The Board received the presentation, and the deputation and approved the foregoing report.

Moved by: M. Moliner
Seconded by: L. Kostakis

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P182. Police Reform in Toronto: Toronto Police Service Ongoing Initiatives

A. Police Reform in Toronto: Toronto Police Service Initial Response

The Board was in receipt of a report dated November 10, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (the Board) receive the following report as an initial update on the Toronto Police Service's (the Service) response on implementation of the 81 recommendations from 'Police Reform in Toronto' report from Jim Hart, Chair of the Board.

B. Recommendation 30 – Preliminary Report Diversity in Human Resources

The Board was in receipt of a report dated October 19, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following preliminary report on how diversity in human resources is being prioritized and achieved in the Toronto Police Service (Service).

C. Recommendation 45 - Early Intervention Program

The Board was in receipt of a report dated November 4, 2020 from James Ramer, Chief of Police.

Recommendation:

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

D. Mobile Crisis Intervention Team Expansion Plan

The Board was in receipt of a report dated October 28, 2020 from James Ramer, Chief of Police.

Recommendation:

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

Deputations: John Sewell ([written submission included](#))
Derek Moran ([written submission included](#))
Jennifer Chambers ([written submission included](#))
Hamlin Grange ([written submission only](#))
Nicole Corrado ([written submission only](#))

Chief Ramer advised that a new “PACER 2.0 group” has been created and is currently providing input on the 81 recommendations. Acting Deputy Chief Myron Demkiew introduced Acting Superintendent Stacy Clarke and Ms. Audrey Campbell, the Co-Chairs of PACER 2.0.

Board Members discussed Mr. Hamlin Grange’s written submission and asked that the Service provide more information regarding Mr. Grange’s 2015 report. Deputy Chief McLean advised that a fulsome report be provided to the Board in December.

Chief Ramer advised that the Service is working with the City to expand the MCIT program utilizing existing funds within the organization, in order to provide coverage for 20 hours a day. Mr. Greg Watts, Executive Advisor to the Chief of Police, advised that the Strategy Management Unit has been working with the City to develop the alternative service model which will come forward in January.

Chair Hart asked questions regarding the financial implications of this initiative and Deputy Chief Yuen advised that, in order to expand the MCIT program, the Service is looking at diverting officers and resources from other areas of the Service (approximately 20 officers) and said that, once he receives the cost formula from the Province, he will provide it to the Board.

Deputy Chief Yuen advised that the current structure of the MCIT team has to include a police officers and a nurse and that the Service is looking at commencing a pilot project to have crisis workers work in the Communications Services to triage calls, to see if calls can be diverted to community organizations when it is appropriate to do so. He advised that Superintendent Robert Johnson is currently working with the City looking at an alternative model.

Chair Hart moved the following Motion:

THAT the Board direct the Chief to:

- I. Meet with representatives of DiversiPro Inc. regarding the Intercultural Developmental Inventory (IDI), to discuss the concerns identified in the Service's summary;**
- II. Review the DiversiPro Inc. authored 2015 IDI Assessment and Report and the recommendations contained therein;**
- III. Meet with a cross-section of Service members who originally completed the IDI assessment and the recently trained and licensed Qualified Administrators to better understand their feedback and experience with the IDI; and**
- IV. Report back to the Board on:**
 - a. the outcomes of the meeting with DiversiPro Inc.;**
 - b. the status of the recommendations that were made as part of the 2015 IDI Assessment and Report;**
 - c. the outcomes of the meetings with a cross-section of Service members who originally completed the IDI assessment and the recently licensed Qualified Administrators; and**
 - d. a comprehensive rationale of next steps, taking into account I, II, and III.**

Deputy Chief McLean asked the Board to provide the Service the time to respond to this Motion at the January 2021 Board meeting and the Board agreed.

The Board approved the Motion, received the deputations and the foregoing reports.

Moved by: J. Hart
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P183. [Auditor General's Proposed Risk-Based Audit Plan of the Toronto Police Service](#)

The Board was in receipt of a report dated November 10, 2020 from Beverly Romeo-Beehler, Auditor General.

Recommendation:

It is recommended that the Toronto Police Services Board request the Auditor General, City of Toronto, to perform the audit work identified in the proposed risk-based Audit Plan of the Toronto Police Service.

Ms. Beverly Romeo-Beehler, Auditor General, introduced this report and the plan for 2021, and answered questions from Board Members. She also advised that as she and her team continue their work, the plan will be modified if necessary. She further advised that the Chief and the Service have been supporting this work and thanked them for their transparency and support.

Chair Hart thanked the Auditor General for her work and said that the Board is looking forward to continue the work further.

The Board approved the foregoing report.

Moved by: L. Kostakis
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P184. [Chief of Police Selection Process – Contract Award to Besc Toronto Inc. \(Boyden\) to Deliver Executive Search Services](#)

The Board was in receipt of a report dated November 9, 2020 from Ryan Teschner, Executive Director & Chief of Staff.

Recommendations:

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

- 1) Approve a contract award to BESC Toronto Inc. (Boyden) to deliver executive search services as part of the Chief of Police selection process, for a six month contract term with the option to extend on a month to month basis, and at an estimated cost of \$75,000, excluding taxes;
- 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; and,
- 3) Authorize the Chair to exercise the option to extend the contract term on a month to month basis, subject to budget availability and satisfactory vendor performance.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P185. [Board's Independent Review into Missing Persons Investigations – Request to Extend Timeline and Increase Budget](#)

The Board was in receipt of a report dated November 11, 2020 from Ryan Teschner, Executive Director & Chief of Staff, Board Office.

Recommendations:

It is recommended that, with respect to the Board's Independent Review into Missing Persons Investigations (the Review), the Toronto Police Services Board (the Board):

- 1) Approve a request to extend the timeline for the completion of the Review by not more than two months, with the Review being completed on or before March 31, 2020;
- 2) Approve a request to increase the budget of the Review in an amount not to exceed \$700,000; and
- 3) Forward a request the City of Toronto's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000, and request that such funds be made available to the Board as of the date of the request, and until the conclusion of the Review.

Deputation: Nicole Corrado ([written submission only](#))

The Board received the deputation and approved the foregoing report.

Moved by: M. Moliner
Seconded by: L. Kostakis

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P186. [Request for Special Funds –Community Partnerships for Alternative Community Safety Response Model Consultations](#)

The Board was in receipt of a report dated October 26, 2020 from Jim Hart, Chair.

Recommendation:

It is recommended that the Board approve an expenditure in the amount of \$22,500.00 to help fund the consultations being led by the City of Toronto regarding community partnerships for alternative community safety response models, as part of the police reform workplan.

Deputation: Nicole Corrado ([written submission only](#))

The Board received the deputation and approved the foregoing report.

Moved by: M. Ford
Seconded by: L. Kostakis

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P187. [Request for Special Funds – Centre for Young Black Professionals Hardship Fund](#)

The Board was in receipt of a report dated November 9, 2020 from Jim Hart, Chair.

Recommendation:

It is recommended that the Board approve an expenditure in the amount of \$50,000 to contribute towards the Centre for Young Black Professional's (CEE) Hardship Fund.

The Board approved the foregoing report.

Moved by: M. Ford
Seconded by: L. Kostakis

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P188. [Renewal of Licensing, Maintenance and Support for Planview Enterprise Electronic Project and Portfolio Management Solution Software](#)

The Board was in receipt of a report dated November 4, 2020 from James Ramer, Chief of Police.

Recommendations:

- 1) Approve a one year renewal for Planview Enterprise software application maintenance, licensing, software upgrades, bug fixes and support from Planview, Inc. at a cost of approximately \$42,700 for the period of January 1, 2021 to December 31, 2021;

- 2) Authorize the Chief of Police to approve future annual renewals of the Planview Software from Planview, Inc. for Information Technology (I.T.) portfolio project planning, subject to funding availability in the annual Toronto Police Service's (Service) operating budget; and
- 3) Authorize the Chief to execute all required renewal agreements and related documents on the behalf of the Board, subject to approval by the City Solicitor as to form.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: A. Morgan

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P189. [Contract Extensions with OnX Enterprise Solutions Ltd. and IBM Canada Ltd. - Server and Storage Hardware and Software Acquisition and Maintenance Services](#)

The Board was in receipt of a report dated November 13, 2020 from James Ramer, Chief of Police.

Recommendations:

- 1) Approve an extension to the current contract with OnX Enterprise Solutions Ltd. (O.n.X.) for the period of January 1, 2021 to December 31, 2021 for:
 - Computer server and storage hardware and software for lifecycle replacement at an estimated cost of \$6.7 Million (M) (excluding taxes), plus \$500,000 for provisional items for various projects and possible grant requirements;
 - Software maintenance and upgrade protection for the installed server and storage hardware, and technical services, at an estimated cost of \$3.6M (excluding taxes); and
 - VMware software maintenance, upgrade protection and technical services, at an estimated cost of \$1.1M (excluding taxes);
- 2) Approve an extension to the current contract with IBM Canada Ltd. (I.B.M.) for the provision of hardware maintenance, training and services, for the period of January 1, 2021 to December 31, 2021, at an estimated cost of \$1.3M (excluding taxes); and
- 3) Authorize the Chief to execute all required contract extensions 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: M. Ford
Seconded by: L. Kostakis

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P190. [Contract Award to Softchoice Canada as the Microsoft Licensing Solutions Provider for Microsoft Enterprise Agreement](#)

The Board was in receipt of a report dated November 3, 2020 from James Ramer, Chief of Police.

Recommendations:

- 1) Approve Softchoice Canada Incorporated (Softchoice) as the Microsoft Licensing Solutions vendor to provide Microsoft Enterprise Agreement software volume licensing and professional services at an estimated cost of \$13 Million (M) (excluding taxes) over a three-year period commencing April 1, 2021 and ending March 31, 2024; 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: L. Kostakis
Seconded by: A. Morgan

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P191. [Collision Reporting Centre Contract Extension](#)

The Board was in receipt of a report dated October 7, 2020 from James Ramer, Chief of Police.

Recommendations:

It is recommended that the Toronto Police Services Board (Board) exercise its option to renew the contract with;

- 1) North York Accident Support Services Ltd. for an additional five years commencing on January 4, 2021, until January 3, 2026, for the operation of the North Collision Reporting Centre (N.C.R.C.); and

- 2) East Accident Support Services Ltd. for an additional five years commencing on January 4, 2021, until January 3, 2026, for the operation of the East Collision Reporting Centre (E.C.R.C.).

The Board approved the foregoing report.

Moved by: M. Ford
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

- P192. [City of Toronto Traffic Agent Special Constable Appointments - November 2020](#)

The Board was in receipt of a report dated October 27, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Board approve the appointments of the individuals listed in this report as special constables for the City of Toronto (City), subject to the approval of the Ministry of the Solicitor General (Ministry).

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: L. Kostakis

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

- P193. [Special Constable Appointment and Re-Appointment – November 2020](#)

The Board was in receipt of a report dated October 20, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Board approve the appointment and re-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 Ministry of the Solicitor General (Ministry).

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P194. [Semi-Annual Report: Publication of Expenses – January to June 2020](#)

The Board was in receipt of a report dated October 1, 2020 from James Ramer, Chief of Police.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P195. [2020 Operating Budget Variance for the Toronto Police Service, Period Ending September 30, 2020](#)

The Board was in receipt of a report dated November 1, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer, for information and inclusion in the City's overall variance report to the City's Budget Committee.

The Board approved the foregoing report.

Moved by: L. Kostakis
Seconded by: A. Morgan

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P196. [Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending September 30, 2020](#)

The Board was in receipt of a report dated October 29, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer for information and inclusion in the City's overall variance report to the City's Budget Committee.

The Board approved the foregoing report.

Moved by: M. Ford
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P197. [Capital Budget Variance Report for the Toronto Police Service - Period Ending September 30, 2020](#)

The Board was in receipt of a report dated November 2, 2020 from James Ramer, Chief of Police.

Recommendations:

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

- 1) Approve a permanent transfer of \$131,500 from the Livescan project to the
 - a. Workstation, Laptop, Printer lifecycle project;
- 2) Approve a transfer of \$348,000 from the Automatic Vehicle Locator (A.V.L.) project to the Workstation, Laptop, and Printer lifecycle project, to enable an advancement of funding to the Workstation project; and
- 3) Forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for consideration of Recommendations 1 and 2, as part of the City's overall capital variance report to the City's Budget Committee.

The Board approved the foregoing report.

Moved by: L. Kostakis
Seconded by: M. Ford

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P198. [Independent Civilian Review into Missing Persons Investigations – Account for Professional Services](#)

The Board was in receipt of a report dated October 2, 2020 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following invoices for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP:

- 1) Invoice dated August 31, 2020 in the amount of \$139,836.73;
- 2) Invoice dated September 30, 2020 in the amount of \$164,434.81; and
- 3) Invoice dated October 30, 2020 in the amount of \$298,688.41.

The Board received the foregoing report.

Moved by: L. Kostakis
Seconded by: M. Moliner

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P199. [Public Minutes of Meeting No. 71 held on August 24, 2020](#)

The Board was in receipt of the minutes of the Central Joint Health and Safety Committee meeting held on August 24, 2020.

Deputation: Derek Moran ([written submission included](#))

The Board received the deputation and the foregoing Minutes.

Moved by: M. Ford
Seconded by: L. Kostakis

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P200. [Chief's Administrative Investigation into the Vehicle Injuries to Complainants 2018.76 and 2018.76A](#)

The Board was in receipt of a report dated November 1, 2019 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Ford
Seconded by: M. Moliner

This is an Extract from the Minutes of Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

P201. [Chief's Administrative Investigation into the Vehicle Injury to Complainant 2018.37](#)

The Board was in receipt of a report dated November 25, 2019 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: A. Morgan

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P202. [Chief's Administrative Investigation into the Alleged Sexual Assault of Sexual Assault Complainant 2019.03](#)

The Board was in receipt of a report dated November 27, 2019 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: L. Kostakis

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- P203. [Chief's Administrative Investigation into the Vehicle Death of Complainant 2019.19 and Vehicle Injury of Complainant 2019.19a](#)

The Board was in receipt of a report dated February 1, 2020 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: L. Kostakis

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- P204. [Chief's Administrative Investigation into the Firearm Injury to Complainant 2018.65](#)

The Board was in receipt of a report dated March 13, 2020 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Ford
Seconded by: L. Kostakis

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on November 24, 2020

- P205. [Chief's Administrative Investigation into the Vehicle Injuries to Complainant 2019.34](#)

The Board was in receipt of a report dated May 7, 2020 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: L. Kostakis
Seconded by: M. Ford

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P206. [Chief's Administrative Investigation into the Custody Injury to 2018.50](#)

The Board was in receipt of a report dated October 29, 2019 from James Ramer, Chief of Police with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: A. Morgan

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P207. 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 section 35(4) of the *Police Services Act*.

The following Members attended the confidential meeting:

Mr. Jim Hart, Chair
Ms. Marie Moliner, Vice-Chair
Mr. John Tory, Mayor & Member
Ms. Frances Nunziata, Councillor & Member
Mr. Michael Ford, Councillor & Member
Ms. Lisa Kostakis, Member
Mr. Ainsworth Morgan, Member

A Motion to adjourn the meeting was moved by Lisa Kostakis and seconded by Mayor Tory.

Next Board Meeting

Date: Tuesday, December 15, 2020

Time and location to be determined and announced publicly prior to that date.

Minutes Approved by:

-original signed-

Jim Hart
Chair

Members of the Toronto Police Services Board

Jim Hart, Chair
Lisa Kostakis, Member
Michael Ford, Councillor & Member
Ainsworth Morgan, Member

Marie Moliner, Vice-Chair
Frances Nunziata, Councillor & Member
John Tory, Mayor & Member



Toronto Police Services Board Report

November 12, 2020

To: Chair and Members
Toronto Police Services Board

From: Jim Ramer, M.O.M.
Chief of Police

Subject: Senior Officer Uniform Promotions

Recommendation(s):

It is recommended that the Board approve the uniform promotions of:

- 1) The twenty Inspectors as set out in this report under Appendix A, effective November 24, 2020;
- 2) The eligibility of two Inspectors as set out in Appendix "B".

Financial Implications:

The Inspector positions cited in this report are approved positions within the Toronto Police Service's (Service) uniform establishment. Funds for filling these vacant positions are included in the Service's approved 2020 operating budget and will continue to be included in the Service's 2021 operating budget submission.

Background / Purpose:

The purpose of this report is to recommend the promotion of twenty officers to the rank of Inspector as listed in Appendix 'A'. The officers were selected in accordance with the promotional process adopted by the Board for the rank of Inspector (Min. No. 49/01 refers).

Discussion:

As part of the promotional process for the rank of Inspector, 45 eligible candidates submitted a resume outlining their qualifications. The qualifications included career history, education, awards and significant contributions to the Service and the community.

All 45 candidates met the qualifications and were interviewed in October 2020, by a three-person panel chaired by a Staff Superintendent.

In November 2020, 30 of the 45 candidates were invited to participate in a second level interview by a panel comprised of Chief Jim Ramer, Deputy Chief Peter Yuen, Deputy Chief Barbara McLean, Deputy Chief Shawna Coxon, A/Deputy Chief Myron Demkiw, Chief Administrative Officer Tony Veneziano and Chief Information Officer Colin Stairs. Following the completion of this interview process, 22 candidates were identified and placed on an Inspector eligibility list.

A check of internal sources, including Professional Standards, Diversity & Inclusion, Legal Services and Labour Relations, reveals no historic or current information on file indicating that the officers should not be recommended for promotion.

Conclusion:

The Board is therefore being requested to approve the promotion of 20 officers to the rank of Inspector as listed in Appendix 'A', effective November 24, 2020. Following these promotions, there will be two members remaining on the Inspector eligibility list as listed in Appendix "B".

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,

Jim Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

Appendix 'A'

Recommended for Promotion

Effective November 24, 2020

Board Meeting November 24, 2020

To the Rank of Inspector

A/Insp	BABIAR, John	(1437)
S/Sgt	BAUS, Jacqueline	(7526)
A/Insp	DAWSON, Shannon	(5061)
S/Sgt	ECKLUND, Andrew	(5343)
S/Sgt	ECKLUND, David	(5053)
A/Insp	HILTON, Tyrone	(5344)
S/Sgt	HUNG, James	(4446)
D/Sgt	LEAHY, Kevin	(99418)
A/Insp	LOCKE, Donovan	(7949)
S/Sgt	MUSAH, Ishmail	(7606)
S/Sgt	NICHOLS, Heather	(5244)
D/Sgt	PAPIZEWSKI, LeeAnn	(2962)
S/Sgt	PATTERSON, Michael	(7576)
A/Insp	PERREAULT, Michael	(974)
A/Insp	SCHERTZER, Joyce	(3952)
D/Sgt	SINGH, Andy	(8091)
D/Sgt	SKINNER, Kelly	(5268)
D/Sgt	STEPHENSON, Katherine	(7947)
D/Sgt	THERIAULT, Don	(5699)
D/Sgt	WILLIAMS, Michael	(7624)

Appendix 'B'

Eligibility List for Promotion

Board Meeting November 24, 2020

To the Eligibility List for the Rank of Inspector

D/Sgt	GIBSON, Graham	(4304)
S/Sgt	JACKSON, Catherine	(229)



Toronto Police Service

Update on Full Body Scanner Pilot Project and Strip Search Review

November 2020

**Executive Sponsor Deputy Chief Peter
Yuen**

Background Information

This presentation will provide an overview of the Service's response to motions raised from the November 21st, 2019 Board meeting in relation to the Full Body Scanner Pilot Project update.

This presentation will also provide an overview of the changes implemented by the Service in relation to the search of person process since that time.

Background Information

As a result of the motions raised on November 21st, 2019 and issues identified in the O.I.P.R.D.'s report "Breaking the Golden Rule" on strip searches, the Service undertook a review. This presentation will speak to changes resulting from that review.

Strip Search Review - What has Changed?

- A new Booking and Search template was created. This will provide the ability to capture and report on more data.
- A staged approach to searching has been adopted.
- The names and type of search have been changed.

Strip Search Review - What has Changed?

- The definitions of search have changed.
- Persons shall be afforded the right to speak to counsel prior to a strip search.
- Service Governance has been updated to reflect all changes.

Strip Search Review Current State

Internal Oversight – October 2nd, 2020

- Unit Commanders are required to review all strip searches daily.
- Mandated to be entered on the Unit Commander Morning Report.
- Staff Superintendents are required to review all weekly strip searches.

Strip Search Review Current State

Training

- Search of Persons E-Learning module released October 13th, 2020.
- Deadline for all police officers, District Special Constables and Bookers to complete by December 31st, 2020.
- On October 20th, 2020 updated direction was provided that all members involved in the booking process complete the training by November 20th, 2020.

Strip Search Review Current State

As of November 5th, 2020 there have been 2306 members that have completed the training.

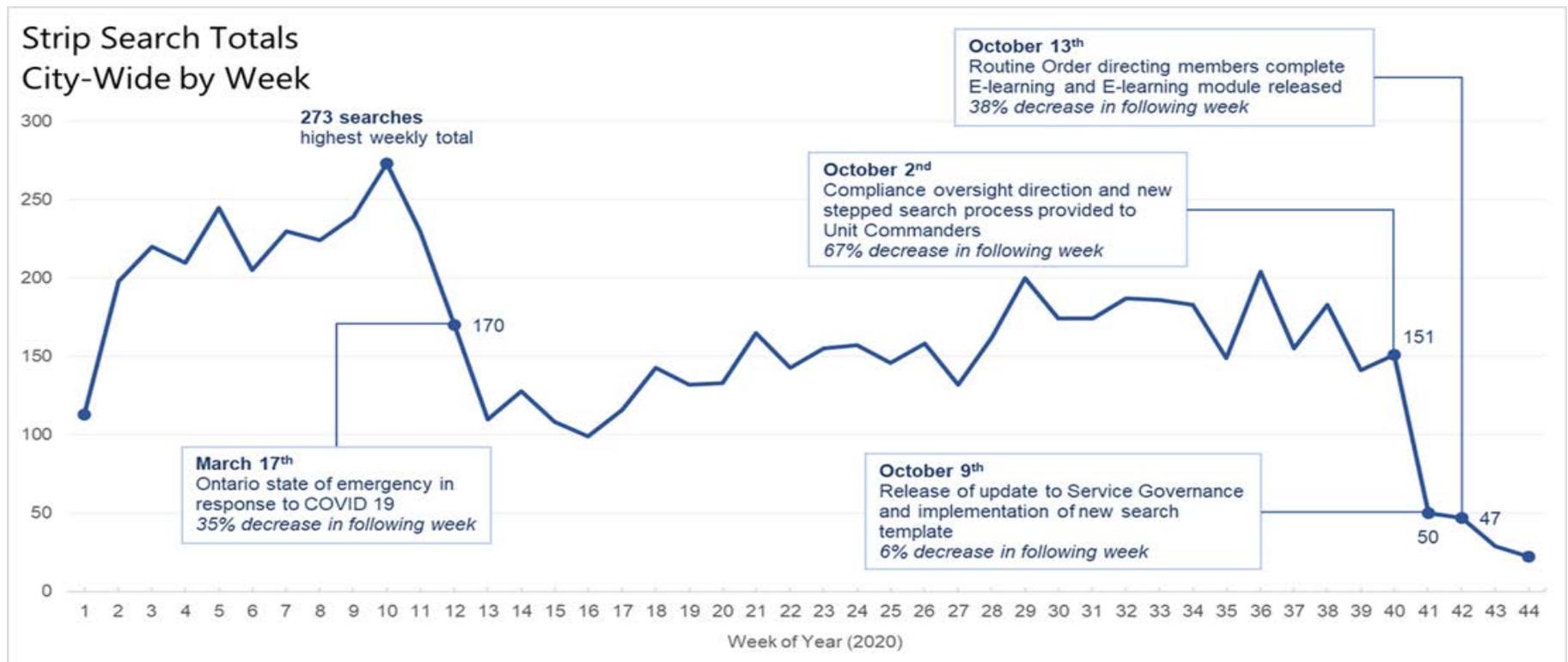
Important Dates

October 2nd, 2020 – Compliance oversight direction and new stepped search approach introduced and provided to Unit Commanders.

October 9th, 2020 – Release of update to Service Governance and implementation of new search template.

October 13th, 2020 – E-Learning module released with routine order directing members to complete E-Learning module.

Strip Search Totals City Wide by Week



External Consultations

The Search Review Team has engaged both the Office of the Independent Police Review Director (OIPRD) and the Special Investigations Unit (SIU).

Both oversight agencies were provided with the updated Service Governance and changes to search process.

External Consultations - Office of the Ontario Independent Police Review Director

Excerpt from letter of support

The OIPRD found the changes developed by TPA to be consistent with new case law and best practices research. The updated Search of Persons Procedure should provide the needed clarity in the definition pertaining to searches, the timing of a strip search, and manner of how to conduct a strip search. Other changes, including the updated training, the new templates for searches, and audits, are also welcomed improvements.

We hope your improvements will be shared with the Ministry of the Solicitor General and other police services, as Ontario works towards consistent application and use of strip searches.

External Consultations – Special Investigations Unit

Excerpt from letter of support

First, we very much appreciate the opportunity extended by your service to review and offer feedback on the draft policy. As you know, a significant percentage of the sexual assault allegations investigated by the SIU arise in the search context.

Second, while I must refrain from offering general commentary on the policy as it is likely to form part of SIU investigations, I would observe that its requirement that all protective and frisk searches be captured on audio and video, wherever practicable, is an innovation that will greatly facilitate the resolution of SIU cases arising from these searches. The requirement that strip searches be captured on audio will also assist in SIU investigations.



Toronto Police Services Board Report

November 9, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Search of Persons

Recommendation:

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

This report should be received by the Board at the same meeting that the Toronto Police Service's (the Service) response to the Office of the Independent Police Review Director (O.I.P.R.D.) "Breaking the Golden Rule" report is received.

Financial Implications:

There are no financial implications identified at this time.

Background/Purpose:

The purpose of this report is to provide an update concerning reforms the Service is undertaking with respect to the use of strip searches, and in that context, to respond to motions approved by the Board its meeting on November 21, 2019. At its meeting on November 21, 2019, the Board received a report titled "Full Body Scanner Pilot Project". Upon receipt and after discussion, the Board approved a motion that stated:

THAT the Board request the Chief to provide a report to the Board by its March 2020 meeting, that addresses:

- a. the level of compliance with the legal and TPS requirements that a "frisk" or "pat down" search be conducted first, before a Level 3 Search can be conducted;*

- b. *the records that are created and maintained to support the conduct of Level 3 Searches, specifically as regards to meeting of the requirements or tests outlined in the applicable Board Policies, Service Procedures and jurisprudence;*
- c. *for 2017 and 2018, the number of instances during which a “frisk” or “pat down” search has been conducted without any items of significance or relevance found, which was nonetheless followed by a Level 3 Search, and whether items of significance or relevance were found in that Level 3 Search;*
- d. *to the extent this is accurate in relation to other jurisdictions that keep statistics, the reasons why there is an elevated instance of Level 3 Searches relevant to the experience of other jurisdictions; and,*
- e. *any lessons learned through the Full Body Scanner Pilot Project, and the applicability of these lessons to the use of Level 3 Searches across the Service more broadly, to ensure they are carried out in the most appropriate and respectful manner possible.*

(Min. No. P217/2019 - refers)

As a result of these motions and issues raised in the OIPRD’s Report on strip searches, the TPS undertook a review of level 3 searches.

Discussion:

The Service is committed to upholding the principles outlined in *Regina v. Golden*, while at the same time ensuring the safety of Service members, individuals who are arrested, and all persons who participate in the criminal justice system.

Service undertook a comprehensive review of its approach to strip searches

The lessons learned from the Full Body Scanner (F.B.S.) project, the motions from the Board dated November 21, 2019, and the OIPRD Report *Breaking the Golden Rule: A Review of Police Strip Searches in Ontario* (dated March 2019), prompted the Service to undertake a comprehensive review of strip searches. Directed by Deputy Yuen and supported by Chief Saunders, the team that had been working on the Full Body Scanner Project (F.B.S. Project) was tasked with reviewing the matters raised in the OIPRD report and the motions approved by the Board.

The review team identified lessons learned from the F.B.S. Project, identified opportunities for improvement and immediately began implementing sustainable change. These changes started with the development of a new procedure and detainee booking template, all with a view to addressing the findings and gaps detailed in the

OIPRD report and to build in additional accountability measures to ensure compliance with applicable law, policy and procedure governing such searches.

Findings from the Service's strip search review

The search review team identified a number of opportunities for the Service, based on its findings:

1. Governance Updates
 - a. The Service's 'search' definitions and terminology were confusing and not aligned with language used by the Courts or other police services
 - b. The Service needed to better leverage technology and use In-Car Camera, Body Worn Camera, and Booking Hall cameras to increase accountability and reduce the amount of time a prisoner is not being recorded when in contact with members
 - c. The Service needed to standardize the Booking Process across all units
2. Training
 - a. The Service needed to update training for all members in relation to search. Members receive updates to case law and procedure regularly, but the need to have a dedicated training module to update members and standardize the booking process is required
3. Data Collection
 - a. The O.I.P.R.D. Report and the review team identified that there were significant challenges with the reporting of search of persons data. The Service was not well positioned to report data because of the current processes in place to collect the data

The 'lessons learned' from the F.B.S. Project (Board Motion, item e.)

In addition to the review team's work, the F.B.S. Project was an additional, valuable perspective that utilized modern technology in an effort to determine whether an alternative approach to invasive searches could be utilized. The F.B.S. Project was a valuable undertaking, not simply because it allowed the Service to 'search' persons without the invasive approach used in strip searches, but also, because it revealed some important lessons about the technology, as well as broader lessons about the Service's overall approach to strip searches and how to better align this approach with applicable requirements. Some of the lessons Learned from the F.B.S. Project include:

- The technology was sound for the policing environment – it is used worldwide in corrections, mining, private companies with success, both in terms of the ability to identify items that are being concealed, but to do so in a way that is

less invasive and better maintains the dignity of the person that is the subject of the search.

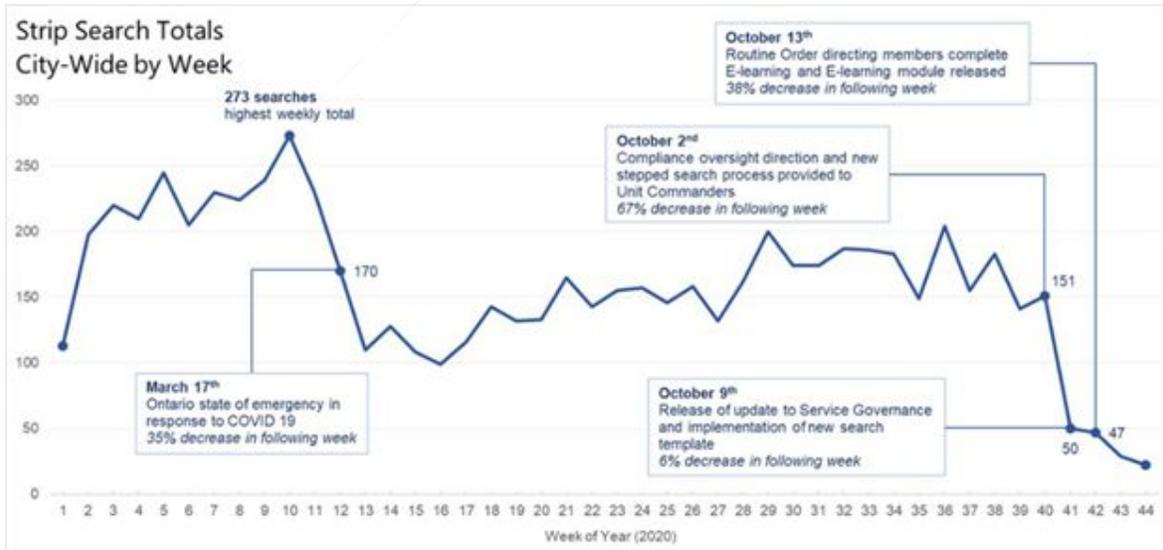
- The technology could be modified to suit the specific needs of our Service.
- The technology increased wellness of members and created a “safer” work environment (less opportunity for physical conflict).
- The technology protected the dignity of the person being searched.
- OIPRD complaints, SIU allegations, Human Rights complaints, and civil suits related to searches for the period the scanner was tested decreased.
- The technology embedded increased accountability tools by moving more processes to audio and video, including frisk searches.
- Members developed confidence in the reliability of the technology.
- Members required refresher training on the case law surrounding searches of the person, highlighting the need to communicate relevant updates arising from judicial decisions to Members quickly and effectively.

Steps that the Service has implemented to improve its approach to the use of strip searches

The Service understands that strip searches are highly invasive, have a significant impact on the dignity of the individual being searched, and that these searches should be used on an exceptional basis and only when applicable requirements to conduct one have been fully met. Based on its own work, and that of the OIPRD and Board on this issue, the Service recognizes that change is required. Therefore, , the Service, under the direction of Chief Ramer, has moved immediately to implement several measures in an effort to significantly reduce the number of strip searches being conducted by the Service.

As a result of the changes described below, the Service has already observed a 41% decrease in the use of strip searches performed, when compared to the same time frame last year. It is expected that this decreasing trend will continue as other improvements to the approach of search of persons are fully implemented.

The below graph shows weekly strip search totals year to date, highlighting key dates in the implementation of the new search of person procedure the Service has adopted.



Some of the changes to the approach to search of persons that has resulted in this decrease are outlined below:

- The Chief of Police immediately created a process to record, monitor and audit all strip searches. The responsibility to audit every strip search has been given to the Staff Superintendents of Priority Response Command and Communities and Neighbourhoods Command. This important accountability check will also ensure that the legal, policy and procedural standards are being applied consistently throughout the Service, and exceptions are centrally identified and addressed.
- The Service has amended Procedure 01-02 “*Search of Persons*” to include:
 - Amended definitions of search categories to align with other police agencies and language used by the courts (See appendix A).
 - As recommended by the OIPRD, members are now required by procedure to conduct a ‘stepped approach’ to searching individuals. Less intrusive searches *must* be undertaken in all cases, prior to the decision being made to authorize a more intrusive level of search.
 - Where practicable, all Protective and Frisk searches shall be audio and video recorded.
- A “booking and search” template has been created within the records management system to accurately capture required information. The Business Change Management Unit, as well as the Analytics and Innovation Unit, Equity and Inclusion and Human Rights Unit, and Legal Services Unit have all been

consulted and provided input on the development of this template. The template will allow the Service to:

- Capture the decision-making process and compel officers to explain their rationale for each search of person that they undertake.
- Enable data to be better and more holistically collected and extracted in relation to each type of search, items located and at what stage of search they were found.
- **Mandatory Search Training:**
 - On-line training has been developed and is currently being delivered to all members involved in the “search of persons” process. The training includes overviews of, and allows for discussions about significant case law related to search of persons, such as: R. v. Golden, R. v. McGuffie and R. v. Tonkin.
- **Facility modifications:**
 - As a result of R. v. McGuffie’s requirement that an individual be provided with access to counsel prior to a strip search being conducted, the Service has undertaken a project to ensure that each station has the ability to provide a safe and confidential environment for an arrested person to speak to counsel in advance of a strip search.

New Definitions – Explained

As stated above, the names and definitions associated to searching persons have been changed. These changes more accurately reflect the function of each type of search and are more aligned with terminology used by the courts and other police services across Ontario. Internal governance has also been updated to reflect these changes and training has been developed and is currently being delivered.

Appendix A outlines the full definitions of each search category, but for ease of reference, the name changes are as follows:

Former Title	New Title
Level 1 Search	Protective Search
Level 2 Search	Frisk Search
Level 3 Search	Strip Search
Level 4 Search	Body Cavity Search

A New Search Procedure – Explained (Board Motion, items a., b., c.)

Service Procedure 01-02 “*Search of Persons*” has been amended to explicitly require officers to conduct searches in a stepped process. Officers are required to ensure that less intrusive searches are conducted before a more intrusive can be undertaken. A new “Booking and Search” template has been created in Versadex, which has replaced other templates previously in use and requires the arresting officers to report prior searches, and the results of those searches, to the Officer-in-Charge (O.I.C.) at the outset of the booking process. The process requires the completion of a frisk search, with results reported and recorded before the O.I.C. can move to the next step if a Strip Search is requested.

The internal reviewed showed that, under the former process, the Service was not able to readily track or report data on whether or not members were conducting “frisk or pat down searches prior to a Level 3 search being conducted”. With the introduction of the new booking and search template the Service is in a better position to capture and report data relating to searches. As a result of the lack of data being captured previously, the Service is not able to provide the Board with responses to its Motion a., b. or c. However, these improvements to capturing, tracking and analyzing the data will ensure the Service can provide this data to the Board and public in the future.

This new form was tested with frontline members and was designed to support the process to book arrested individuals into a police station. It captures all legal requirements (including Board Policy and Service Procedure requirements), critical thinking about conducting a search, and the decision-making process that supports the forming of reasonable grounds to authorize strip searches specifically. Once completed, the template becomes a fulsome record of the booking process.

To allow for further accountability, the Officer in Charge (O.I.C.) is required to review the memo book records of *all* officers at the conclusion of their scheduled shift, which includes a review of how the officer articulated the grounds for all searches that they conducted. Immediate action is taken where instances of potential misconduct or a need for additional training is discovered.

T.P.S. Relative to Other Jurisdictions (Board Motion, item d.)

The TPS attempted to determine through data analysis whether there was any way to discern the cause or causes of the apparent divergence of the use of strip searches by police services across Ontario. As the OIPRD pointed out in its report, there is no uniform definition of the various types of searches currently adopted or indeed mandated. Further, the review team learned that record keeping differs from service to service. Accordingly it was not possible, based on the data available, to get a clear picture of the nature and magnitude of the divergence, let alone its specific causes. The TPS acknowledges, however, as outlined in the OIPRD’s Report and as previously raised by the Board and members of the public, that the TPS strip search rate was significantly higher than other services included in the review.

The TPS acknowledges the deficiencies outlined by the OIPRD in data collection, documentation and officer training and chose to act. The implementation of the new Booking and Search template (together with enhanced internal review and oversight) will ensure that the Service's data can be analyzed and reported on with more confidence; it will also provide confidence that the applicable requirements for strip searches are being adhered to consistently across the organization, and that if problematic trends develop, they are identified early and can be addressed rapidly.

Engagement with the OIPRD and SIU

Both the OIPRD and the SIU have been engaged by the Service to ensure that they were aware of the changes being implemented under Chief Ramer's direction, and that their input was sought. Each agency provided comments about the changes initiated by the Service, as follows: (the full correspondence from each of the OIPRD and SIU are included with this report)

Excerpt from letter from the Office of the Ontario Independent Police Review Director:

The OIPRD found the changes developed by [TPS] to be consistent with new case law and best practices research. The updated Search of Persons Procedure should provide the needed clarity in the definition pertaining to searches, the timing of a strip search, and manner of how to conduct a strip search. Other changes, including the updated training, the new templates for searches, and audits, are also welcomed improvements.

We hope your improvements will be shared with the Ministry of the Solicitor General and other police services, as Ontario works towards consistent application and use of strip searches.

Excerpt from letter from the Special Investigations Unit:

First, we very much appreciate the opportunity extended by your service to review and offer feedback on the draft policy. As you know, a significant percentage of the sexual assault allegations investigated by the SIU arise in the search context.

Second, while I must refrain from offering general commentary on the policy as it is likely to form part of SIU investigations, I would observe that its requirement that all protective and frisk searches be captured on audio and video, wherever practicable, is an innovation that will greatly facilitate the resolution of SIU cases arising from these searches. The requirement that strip searches be captured on audio will also assist in SIU investigations.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

Appendix “A”

Protective Search (Formerly Level 1) – This is used generally during Investigative Detention and involves a limited search of a person who has been detained by police when there is reasonable belief the person poses a safety risk. The scope of the search is limited to exterior patting of clothing such as pockets, waistband or areas that may reasonably conceal such items as weapons or implements that may be used as weapons, usually with open hands to maximize the ability to detect weapons through clothing. This search may also be described as a “safety search”, as that is the purpose and objective.

Frisk Search (Formerly Level 2) – This is used generally for Search Incident to Arrest and means a more-thorough search that may include emptying and searching pockets as well as removal of clothing, which does not expose a person’s undergarments, or the areas of the body normally covered by undergarments. The removal of clothing such as belts, footwear, socks, shoes, sweaters, extra layers of clothing, or the shirt of a male would all be included in a frisk search. A frisk search may be commenced in the field and concluded at the station.

A frisk search conducted incident to arrest includes the area within the immediate control of the arrested person; common law also typically supports searching the entirety of a motor vehicle when a person was arrested in or moments after exiting it.

Members shall make every effort to video and audio record all frisk searches. Members are also required to articulate the justification for the manner and circumstances under which these searches are conducted. For the purposes of this definition, “Pat Down Search” means the same as, “Frisk Search”.

Strip Search (Formerly Level 3) – *R. vs. Golden 2001 SCC 83* established that which constitutes a strip search and what types of circumstances may justify one. A strip search includes all steps in protective and frisk searches as well as a thorough search of a person’s clothing and non-physical search of the body. That will often require removal or rearrangement of some, or all, of the person’s clothing to permit a visual inspection of a person’s private areas: namely the genitals, buttocks, breasts or chest, body cavity, and/or undergarments; the mouth was excluded from this definition despite being a bodily cavity.

The Supreme Court noted that strip searches “represent a significant invasion of privacy and are often humiliating, degrading and traumatic” and therefore require “a higher degree of justification in order to support the higher degree of interference with individual freedom and dignity.”

When considering whether a strip search is justified, the Supreme Court stated, “In addition to reasonable and probable grounds justifying the arrest, the police must establish reasonable and probable grounds justifying the strip search,” and “the police must establish they have reasonable and probable grounds for concluding that a strip search is necessary in the particular circumstances of the arrest.”

NOTE: The mere fact that portions of a person's body normally covered by undergarments are exposed because of the way the person was dressed when taken into custody does not constitute a strip search, if the removal of such clothing was not caused by the police (i.e. the arrest of a naked person does not in itself constitute a strip search).

NOTE: The rearrangement of clothing that permits a visual inspection of a person's private area constitutes a strip search.

Body Cavity Search (Formerly Level 4) - means a search of the rectum or vagina.



Toronto Police Services Board Report

November 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Toronto Police Service Updated Response to Recommendations from O.I.P.R.D. Report “Breaking the Golden Rule: A Review of Police Strip Searches in Ontario” Quarter Four – November 2020

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

In March 2019, Mr. Gerry McNeilly, Director of the Office of the Independent Police Review Director (O.I.P.R.D.) released a report entitled “Breaking the Golden Rule: A Review of Police Strip Searches in Ontario”. The report can be viewed at https://www.oiprd.on.ca/wp-content/uploads/OIPRD_Breaking-the-Golden-Rule_Report.pdf

As indicated in the O.I.P.R.D. report, the systemic review examined:

- the prevalence of strip searches incidental to police arrest or detention;
- existing policies of police services across Ontario, as they relate to when and how strip searches are to be conducted;
- the extent to which front-line officers are aware of existing policies, and how, if at all, compliance with existing policies is monitored and supported;
- the extent to which strip search decisions are documented;

- the extent to which judicial findings of improper strip searches are identified by the relevant police services and addressed;
- Ontario Police College and police services training provided to supervisors and front-line officers regarding strip searches.

The systemic review was conducted in the City of Toronto during the period of July 2016 to March 2019 and resulted in the O.I.P.R.D. report containing 50 recommendations being directed as follows:

- every police service in Ontario (45 recommendations);
- the Ministry of the Solicitor General (3 recommendations);
- every police services board in Ontario (1 recommendation); and,
- the Ontario Police College (1 recommendation).

At its public meeting held on September 19, 2019, the Board received a report and presentation on the Toronto Police Service's (T.P.S.) response to the recommendations (Min. No. P180/19 refers). At that time the report indicated that out of 45 recommendations assigned to the T.P.S., 30 had been implemented, and 15 required further research and assessment for potential implementation.

The purpose of this report is to update the Board of the T.P.S. progress in its review of the O.I.P.R.D. report and consideration of the remaining recommendations for potential implementation.

Discussion:

Professional Standards Support (P.S.S.) – Governance was tasked with reviewing the O.I.P.R.D. report and preparing updated responses to the remaining recommendations directed to the T.P.S.

Deputy Chief Barbara McLean, Human Resources Command, has overseen the internal implementation team that was tasked with administering the review process for all O.I.P.R.D. report recommendations directed to the T.P.S.

The team has continued to engage in consultations with stakeholders and has completed a fulsome analysis of T.P.S. Procedure 01-02 "Search of Persons" and relevant training. As a result, amendments to the Procedure have been developed and implemented. An e-learning program has also been created and launched with a completion date by all T.P.S. members of December 2020. Updates to training are in progress.

The following chart indicates the Quarter Four – November 2020 updated status of the recommendations directed to the T.P.S.:

	Implemented	Ongoing	Implemented/Ongoing	Not Implemented
Recommendation No.	1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 49	45		

Appendix “A” attached to this report details the updated T.P.S. response and status to each assigned recommendation.

The T.P.S. continually assesses new legislation, Ministry direction, and best practices and amends applicable governance as necessary. The Toronto Police College subsequently reviews and updates its training to ensure compliance with any changes to governance.

Ongoing Recommendation (#45)

Provincial Adequacy Standards Regulation LE-012 “Search of Persons” states in part:

- requirement against conducting a strip/complete search while any person is present who is not a member of a police service, or whose attendance is not appropriate or required in the circumstances, unless safety requirements dictate otherwise;

The T.P.S. is committed to minimizing the impact of a strip search to a young person, while also ensuring we remain within the parameters of the relevant Adequacy Standards. Ongoing work and research continues on the feasibility of this recommendation at this time.

Conclusion:

The T.P.S. worked diligently with stakeholders, both internally and externally, while considering the remaining recommendations for potential implementation. To date, all 45 recommendations have been addressed by the appropriate units. The T.P.S. has implemented 44 of the recommendations. Recommendation #45 will continue to be explored to ensure the final procedure protects a young person’s privacy and dignity while still complying with the relevant Adequacy Standard.

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

Respectfully submitted,

James Ramer, M.O.M
Chief of Police

*original copy with signature on file in Board office

Quarter Four - November 2020

OIPRD Report – “Breaking the *Golden Rule*,

Appendix A

A Review of Police Strip Searches in Ontario”

O.I.P.R.D. STRIP SEARCH RECOMMENDATIONS	Unit Assigned	Status	T.P.S. RESPONSES
<p>1. Every police service in Ontario, in consultation with the Ministry of the Attorney General and local Crown counsel, should ensure that they are made aware of judicial findings of charter violations in strip search cases, and proactively take measures to address the issues raised when appropriate. Such measures may involve anything from counselling, guidance, added supervision or training to prevent future violations to disciplinary proceedings in more egregious cases.</p>	<p>Legal Services</p>	<p>Implemented (Q4)</p>	<p>T.P.S. will consult with the Ministry of the Attorney General (M.A.G.) and the Crown Attorney for Toronto to arrange a protocol to notify the Service of judicial findings of charter violations involving strip searches.</p> <p>Q1 Update – M.A.G. will notify legal services when there is an issue that arises from a Level 3 search. A process is still being developed.</p> <p>Q4 Update - M.A.G. will notify Legal Services when there is an issue that arises from a Level 3 search. Any rulings/decisions will be forwarded.</p>
<p>2. All police services in Ontario should ensure that they keep accurate statistics of the number of persons they arrest or detain,</p>	<p>Analytics & Innovation</p>	<p>Implemented (Q1)</p>	<p>T.P.S. will continue to use the numbering system, to report number of searches (i.e. Level 3 and Level 4 searches) but will add the term “strip search” to the applicable level of search to enhance understanding of the report.</p>

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<p>the number of persons strip searched (based on a uniform interpretation of what a strip search entails, as set out in this report’s procedures template, and in accordance with binding jurisprudence) and the justifications provided for such strip searches.</p>			<p>T.P.S. will also report the names of searches to Level 3 & Level 4 searches.</p> <p>They are: Level 3 is a “strip search” and level 4 is a “body cavity search”.</p> <p>Currently, name of searches are in the definition, but not in the report itself.</p> <p>However, T.P.S. will continue to report on statistics of number of persons arrested and number of ‘Level 3’ and ‘Level 4’ searches.</p> <p>Q1 Update – On January 07th, 2020, T.P.S. has added name of searches to the Cognos report containing Level 3 & Level 4 search information. Similar changes will be applied to the Annual Statistical Report in 2020.</p>
<p>3. The statistics should also identify, among other things, the race of the person subjected to such a strip search.</p>	<p>Analytics & Innovation</p>	<p>Implemented (Q4)</p>	<p>T.P.S. does capture the “Ethnicity” of a person subjected to a search, however doesn’t report searches by the “Ethnicity” as this field within Record Management System is not mandatory. This field also allow officers to enter “free text”, as such, leading to data quality issues. Another challenge is that the race-related terminology within the current and previous Records Management systems is inconsistent.</p> <p>T.P.S. is currently working on developing a race-based data collection strategy through Equity, Inclusion & Human Rights unit. To this end, the provincial government has already developed the race data standards. Subsequent to the engagement of community members; training of Service members; and implementation of new collection practices on the new T.P.S. strategy, this information will be reported publically.</p>

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			<p>Q1 Update – The provincial government developed the race data standards in 2019. T.P.S. has recently developed and implemented a race-based data collection strategy on January 01st, 2020 through Equity, Inclusion & Human Rights unit.</p> <p>Analytics and Innovation unit is currently developing a technical solution to link searches to the race of the person. Subsequent to the testing of this solution by Analytics & Innovation unit; extractions of these statistics by Equity, Inclusion & Human Rights unit; this information will be reported publically.</p> <p>Q4 Update – Analytics and Innovation unit have implemented a solution to link searches to the race of the person. The public reporting component will occur later in 2021. Currently, the T.P.S., could advise on the % of people searched by Race in 2020. We have yet to determine the reporting process for this information, however.</p>
<p>4. Statistics pertaining to the number of persons arrested and number of persons strip searched, including race-related information, should be made available to the public annually. Any public report should not contain information that might lead to the identification of the persons who were the subject of the searches.</p>	<p>Analytics & Innovation</p>	<p>Implemented (Q4)</p>	<p>T.P.S. currently provides number of persons arrested and number of persons strip searched to the public annually.</p> <p>The report does NOT contain personal identifiers which can lead to the identification of the persons who were the subject of the searches.</p> <p>T.P.S. is currently working on developing a race-based data collection strategy through Equity, Inclusion & Human Rights Unit. To this end, the provincial government has already developed the race data standards. Subsequent to the engagement of community members; training of Service members; and implementation of new collection practices on the new T.P.S. strategy, this information will be reported publically.</p>

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			<p>Q1 Update – T.P.S. has recently developed and implemented a race-based data collection strategy on January 01st, 2020 through Equity, Inclusion & Human Rights unit.</p> <p>Analytics & Innovation unit is currently developing a technical solution to link searches to the race of the person. Subsequent to the testing of this solution by Analytics & Innovation unit; extraction of these statistics by Equity, Inclusion & Human Rights unit; this information will be reported publicly.</p> <p>Q4 Update - Analytics and Innovation unit have implemented a solution to link searches to the race of the person. The public reporting component will occur later in 2021. Currently, the T.P.S., could advise on the % of people searched by Race in 2020. We have yet to determine the reporting process for this information, however.</p>
<p>5. Electronic record-keeping greatly facilitates the collection of these statistics. Police services should continue to move to implement electronic record-keeping to enable, among other things, accurate and timely access to statistics on the number of arrests and strip searches conducted and facilitate access to case-specific</p>	<p>Analytics & Innovation</p>	<p>Implemented (Q1)</p>	<p>T.P.S. currently facilitates electronic record-keeping of arrests and searches through its Record Management System, i.e. Versadex. These records facilitate access to case-specific information pertaining to individual searches.</p> <p>T.P.S. also provides accurate and timely access to statistics on the number of arrests and Level 3 & Level 4 searches through Cognos Reports (web-based reporting tool).</p> <p>Q1 Update - Implemented</p>

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<p>information pertaining to individual strips searches.</p>			
<p>6. Every police service in Ontario should ensure that statistics pertaining to strip searches include accurate and complete information on the nature and number of items found and/or removed as a result of such strip searches. These statistics should be electronically accessible.</p>	<p>Analytics & Innovation</p>	<p>Implemented</p>	<p>T.P.S. currently provides Level 3 & Level 4 statistics searches through its Record Management System (i.e. Versadex) and a Cognos Report. It is electronically accessible to Service members. The Cognos Report provides information such as type of search, date & time of search, officer(s) information who conducted search, location of search, justification for conducting a search, items found during a search, description of item(s) found etc. This is provided to members internally on an ongoing basis.</p>
<p>7. The training for police officers respecting strip searches should include, as a component, how to accurately document the items found and/or removed during a strip search, and why any such items were removed, as well as the importance of distinguishing between the types of search that resulted in the items being found and/or removed.</p>	<p>Toronto Police College</p>	<p>Implemented</p>	<p>The T.P.S. concurs with this recommendation.</p> <p>Details about “Level III searches (including a checklist of the six categories of grounds as per Appendix B – Procedure 01-02) were incorporated into a search template as part of CIPS. That same template was enhanced and incorporated into Versadex from its T.P.S. inception.</p> <p>Based on anecdotal reports and some analytical data (see Point 1 regarding Recommendation #8), lessons were created and integrated into T.P.C. training. In addition to strip searches being the primary topic of the investigative portion of the of the 2013 I.S.T.P. (noted in Recommendation #8), lessons on <i>Booking Hall Issues</i> - primarily strip search grounds, authorizations, and methods - were created in 2013 for the</p>

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			<p>Frontline Supervisors and the Advanced Leadership course. It was also incorporated into the <i>Search Law</i> lesson of the General Investigators course in 2014.</p> <p>In early 2019, discussion of strip search grounds, methods, and issues arising from Golden (2001) and MacPherson (2017 O.N.C.J.) was incorporated into the Operational Planning lesson within the Introduction to Drug Investigations course. Starting with Recruit class 19-01, strip searches were added to the Post O.P.C. curriculum.</p> <p>Since 2013, training on decision-making, particularly how to reason and its importance as explained within dual processing theory, has been increasingly integrated into T.P.C. curricula.</p> <p>The T.P.C and I.T.S will continue to work on alternative means of reaching large numbers of officers with brief bulletins, reminders, or other resources.</p>
<p>8. Police services, government and oversight agencies should draw upon the accurate, uniform and comprehensive statistics to be collected by police services across Ontario to inform existing and best practices, as well as the need for education and training, identify areas of continuing concern, and take measures to</p>	<p>Toronto Police College</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation.</p> <p>Since 2012, the T.P.C. has responded to statistical data to help determine topics and teaching points concerning strip searches. That year, A&QA did an audit on notes concerning requests for Strip Search authorization. Although their analysis was a sampling, the data were consistent with anecdotal reports from the field. Those data resulted in the 2013 ISTP (investigative portion) significantly addressing strip searches.</p> <p>Furthermore, T.P.C. consults with both P.R.S. investigators and Toronto Police Association representatives on emerging issues, including those concerning strip searches, P.R.S. This collaboration allows T.P.C. to adjust training as required. P.R.S.</p>

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<p>rectify poor practices and ensure accountability.</p>			<p>Similarly, the recent pilot for Full Body Scanners (14 Division) may also yield useful data about search assessments that were carried out in a busy Central Lock-Up unit.</p>
<p>9. The Ministry of Community Safety and Correctional Services should update the Policing Standards Manual, and most particularly the Search of Persons Guideline to reflect existing jurisprudence, including but not limited to, the decision of the Supreme Court of Canada in <i>R. v. Golden</i>.</p>	<p>Ministry of Solicitor General</p>		<p>N/A</p>
<p>10. The Search of Persons Guideline should provide much greater assistance in enabling police service boards and police services to develop compatible policies, procedures and practices respecting searches across the province. This assistance should include a clear</p>	<p>Ministry of Solicitor General</p>		<p>N/A</p>

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<p>definition of a strip search (drawn from the <i>Golden</i> decision), clear demarcation between strip searches and frisk, pat-down or field searches, on the lower end of the spectrum of searches, and body cavity searches at the higher end of the spectrum. It should also include greater specificity around whether and how strip searches are conducted, authorized or supervised. Its content should be informed by the recommendations in this report.</p>			
<p>11. All policies and procedures across the province should use the same terminology to describe a strip search, such as the definition of a strip search in our procedures template.</p>	<p>Governance</p>	<p>Implemented (Q1)</p>	<p>T.P.S. Level 3 Definition: means a search that includes the removal of some or all of a person's clothing and a visual inspection of the body. More specifically, a Level 3 search involves the removal of clothing that fully exposes the undergarments or an area of the body normally covered by undergarments (genitalia, buttocks, women's breasts).</p> <p><i>NOTE: The mere fact that portions of a person's body normally covered by undergarments are exposed because of the way the person was dressed when taken into custody does not constitute a Level 3 search, if the removal of such clothing was not caused by the police (i.e. the arrest of a naked person does not in itself constitute a Level</i></p>

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			<p>3 search).</p> <p>Due to the high degree of intrusiveness of this type of search, it shall only be conducted when it is reasonable and necessary, considering the purpose and the grounds that exist at the time, which justify the search.</p> <p>A Level 3 search is equivalent to the term "strip search" used by the courts and other government agencies.</p> <p>OIPRD Recommendation: Strip Search: The removal or rearrangement of some or all of the clothing of a person so as to permit a visual inspection of a person’s private areas, namely genitals, buttocks, breasts (in the case of a female), or undergarments. This definition is from the procedures template in the O.I.P.R.D. report.</p> <p>Q1 Update – added to our existing definition “the rearrangement of clothing” to reflect the key points of the R. v. <i>Golden</i> definition. Currently, T.P.S. had only the removal of clothing. Included the full definition of R. v. <i>Golden</i> in Procedure 01-02 Search of Persons.</p>
<p>12. All policies and procedures across the province should incorporate the term “strip search” into their policies and procedures. Terms such as “complete,” “thorough” or</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. has incorporated the exact wording “strip search” into the definition section of the procedure. An example is Level 3 (Strip Search).</p>

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<p>“detailed” are confusing and should be avoided.</p>			
<p>13. If police services wish to situate strip searches within a spectrum of searches of different levels (such as the numbering system used by Toronto Police Service), their policies and procedures should explicitly relate the applicable level of search to the term “strip search” to enhance understanding and connect those policies and procedures to existing jurisprudence.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. will continue to use the numbering system and has added the term “strip search” to the applicable level of search to enhance understanding and connect those procedures to existing jurisprudence. Also, T.P.S. has added the names of searches to all the four levels of search.</p> <p>They are:</p> <p>Level 1 “frisk” or “pat-down” search. This is considered a “field search”. Level 2 is a “general search”, Level 3 is a “strip search” and level 4 is a “body cavity search”.</p> <p>Currently, the name of searches are in the Procedure definition that form part of the procedure.</p>
<p>14. Through the Search of Persons Guideline or other regulation, the Ministry of Community Safety and Correctional Services should ensure that levels of searches are described and defined consistently throughout the province.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. has defined the levels of searches by definition. Definition links are accessible in the beginning of the procedure. The definitions are consistent with the Search of Persons Guideline and other regulations.</p>

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<p>15. All policies and procedures pertaining to strip searches should explicitly contain a definition of a strip search. That definition should conform to the full definition provided by the Supreme Court of Canada in the <i>Golden</i> decision, such as the definition of a strip search in our procedures template.</p>	<p>Governance</p>	<p>Implemented (Q1)</p>	<p>T.P.S. will amend the full strip search definition provided by the Supreme Court of Canada in the <i>Golden</i> decision and which is documented in the procedures template of the O.I.P.R.D. report.</p> <p>Q1 Update – full strip search definition provided by the Supreme Court of Canada in the <i>Golden</i> decision was adopted and implemented in T.P.S. procedure and definition.</p>
<p>16. Where a policy or procedure extends to police searches that are not covered by the <i>Golden</i> definition, the other types of searches should be clearly differentiated from strip searches. This promotes accurate statistical and comparative analyses, accountability, oversight and training for officers.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons under the Recording Searches section. The procedure states that all searches shall be recorded in the memorandum book including the grounds for the level of search conducted. Appropriate entries shall be recorded in the applicable eReport for all Level 3 and Level 4 searches.</p>

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<p>17. Every police service in Ontario should ensure that their procedures pertaining to strip searches explicitly set out the threshold preconditions to a valid strip search, with particular emphasis on the requirement that the police must believe, on reasonable and probable grounds, that a strip search is necessary in the particular circumstances of the case either for safety (that is, for the purpose of discovering weapons in the detainee’s possession) or to discover evidence related to the reason for the arrest.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons under Grounds for Searching a Person and in Appendix B - Level 3 Searches. It states in part:</p> <p><u>Grounds for Searching a Person</u></p> <p>For a search to be lawful it must be reasonable and justified given all the circumstances and it must be conducted for a valid reason.</p> <p>Search of a person without Warrant is <i>prima facie</i> unreasonable under s. 8 of the Charter. The onus is on the officers conducting and authorizing a search to demonstrate that the search is justified in law, necessary and reasonable. Searches conducted simply as a matter of routine or “standard procedure” is not justified in law. However, for safety reasons, except in extenuating circumstances, all persons under arrest must be searched prior to being placed in a police vehicle, prior to being brought into a police station, and prior to being placed in a police cell.</p> <p>Stronger grounds are required as the level of intrusiveness of a search increases. The decision as to the appropriate level of search rests with the searching officer, except in the case of Level 3 or 4 searches where the searching officer must consult with the Officer in Charge to ensure that reasonable grounds exist for conducting the search. The more intrusive the search the more justification is required, and officers must be able to articulate the need for the more intrusive search.</p>
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			<p><u>Level 3 Searches</u></p> <p>In 2001, the Supreme Court of Canada, in the matter of R. v. Golden, while upholding the common law right to search a person who had been lawfully arrested, placed restrictions on police officers contemplating Level 3 searches.</p> <p>In light of this decision, the Toronto Police Service has adopted the following official policy in regard to Level 3 searches of persons who are in custody, incident to arrest.</p> <p>When a person has been lawfully arrested and transported to a police facility, an assessment of the risk factors shall be conducted. Where reasonable grounds exist to conduct a Level 3 search, a Level 3 search shall be conducted. Where reasonable grounds do not exist for a Level 3 search, a Level 2 search shall be conducted. (A Level 3 search may be conducted if reasonable grounds are established as a result of the Level 2 search.)</p> <p><u>Risk Factors</u></p> <p>Officers contemplating a Level 3 search of a person shall consider all the circumstances, including but not limited to</p> <ul style="list-style-type: none">• the details of the current arrest• the history of the person• any items already located on the person during a Level 1 or 2 search• the demeanour or mental state of the individual
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			<ul style="list-style-type: none"> the risks to the individual, the police, or others, associated with not performing a Level 3 search the potential that the person will come into contact with other detainees, creating an opportunity for the person to hand off contraband, weapons, etc...to another prisoner (R. v. Coulter)
<p>18. These procedures should also explicitly state that a strip search, done as a matter of routine without regard to the specific circumstances of the specific case, will violate section 8 of the charter even if it is carried out in good faith without violence.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation under Grounds for Searching a Person in Procedure 01-02 Search of Persons</p> <p><u>Grounds for Searching a Person</u></p> <p>For a search to be lawful it must be reasonable and justified given all the circumstances and it must be conducted for a valid reason.</p> <p>Search of a person without Warrant is <i>prima facie</i> unreasonable under s. 8 of the Charter. The onus is on the officers conducting and authorizing a search to demonstrate that the search is justified in law, necessary and reasonable. Searches conducted simply as a matter of routine or “standard procedure” is not justified in law. However, for safety reasons, except in extenuating circumstances, all persons under arrest must be searched prior to being placed in a police vehicle, prior to being brought into a police station, and prior to being placed in a police cell.</p> <p>Stronger grounds are required as the level of intrusiveness of a search increases. The decision as to the appropriate level of search rests with the searching officer, except in the case of Level 3 or 4 searches where the searching officer must consult with the Officer in Charge to ensure that reasonable grounds exist for conducting the search. The more</p>

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			intrusive the search the more justification is required, and officers must be able to articulate the need for the more intrusive search.
19. The fact that an individual is being held for a show cause hearing does not conclusively determine whether a strip search is permissible, though it is a relevant factor for consideration, together with the anticipated circumstances surrounding the arrestee’s detention, pending the show cause hearing or release from custody.	Governance	Implemented	<p>T.P.S. already concurs with this recommendation under Grounds of Searching a Person in Procedure 01-02 Search of Persons.</p> <p>NOTE: <i>Level 3 searches shall not be conducted on persons brought into custody by Toronto Police officers based solely on the grounds that the person may come into contact with other persons in custody. Accordingly, persons in custody who have been Level 2 searched are no longer restricted from being placed with those who have been Level 3 searched.</i></p> <p>A Routine Order was also published in September 2015 directing officers that, “Level 3 searches shall not be conducted on persons brought into custody by Toronto police officers based solely on the grounds that the person may come into contact with other persons in custody.”</p>
20. Every police service in Ontario should ensure that their procedures and training reflect that the fact that a show cause hearing will be held does not mandate a strip search in every case.	Governance	Implemented	<p>T.P.S. already concurs with this recommendation under Grounds of Searching a Person in Procedure 01-02 Search of Persons.</p> <p>NOTE: <i>Level 3 searches shall not be conducted on persons brought into custody by Toronto Police officers based solely on the grounds that the person may come into contact with other persons in custody. Accordingly, persons in custody who have been Level 2 searched are</i></p>

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			<p><i>no longer restricted from being placed with those who have been Level 3 searched.</i></p> <p>A Routine Order was also published in September 2015 directing officers that, “Level 3 searches shall not be conducted on persons brought into custody by Toronto police officers based solely on the grounds that the person may come into contact with other persons in custody.”</p>
<p>21. Every police service in Ontario must communicate effectively to their officers, through illustrations informed by existing jurisprudence, what would amount to unlawful routine strip searches. Such communication should form an essential part of officer training. However, such police services would also be well advised to briefly include in their procedures several prominent examples of unlawful strip searches done routinely. These examples might include:</p> <p>(a) Strip searches inevitably done, regardless of the individual circumstances,</p>	Governance	Implemented (Q1)	<p>21 (a) (b) Relevant Case Law is documented under the Governing Authorities section of Procedure 01-02 Search of Persons and Procedure 01-02 – Appendix B Risk Assessment – Level of Search.</p> <p>Relevant Case Law Cloutier v. Langlois (Supreme Court of Canada) (1990) R. v. Flintoff (Ontario Court of Appeal) (1998) R. v. Coulter (Ontario Court of Justice) (2000) R. v. Golden (Supreme Court of Canada) (2001) R. v. Clarke, Heroux and Pilipa (Ontario Superior Court of Justice) (2003) R. v. MacDonald</p> <p>(c) Currently, T.P.S. does not specifically address the automatic removal and seizure of bras, underwire bras and string bikini tops regardless of the individual circumstances.</p> <p>According to the O.I.P.R.D. report, “The only service that consistently documented whether bras were seized during strip searches prior to the arrestee being lodged in a cell for the period 2014 to 2016 was Toronto Police Service. The data shows that bras were seized in 35.22 per cent of all female strip searches.”</p>

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<p>based on the nature of the charge(s) (e.g. drug offences) faced by the arrested individual. (b) Strip searches inevitably done because the arrested individual will be held for a show cause hearing, regardless of whether that individual will be detained or transported with others, and regardless of whether reasonable grounds exist that a strip search is necessary for the safety of that individual or others. (c) The automatic removal of bras or underwire bras, and string bikini tops, regardless of the individual circumstances.</p>			<p>According to the O.I.P.R.D. report, “Based on our review of both judicial decisions and underlying documentation from police services across the province, it is obvious to me that officers continue to routinely remove and seize underwire bras from women being lodged in detention cells. This occurs despite the absence of reasonable grounds to believe that it is necessary to do so.”</p> <p>Q1 Update – Procedure was updated to reflect the above subject area.</p>
<p>22. The procedures for every police service in Ontario should state that strip searches should</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons under the Member title.</p>

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<p>always be conducted in a private area within the police station or detachment unless exigent circumstances exist, which are fully documented by the officers involved, to conduct a strip search in the field.</p>			<p>When a Level 3 search is deemed necessary by the Officer in Charge, the searching officers shall search the person in a private area and ensure the search is not videotaped.</p>
<p>23. The procedures for every police service in Ontario should state that a strip search will always be unreasonable if it is carried out abusively or for the purpose of humiliating or punishing the arrested person.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons under the Procedure title.</p> <p>Searches of persons shall be conducted keeping in mind that the safety of Service members, the person being searched, and the public are paramount. All searches of the person should be conducted thoroughly and in a methodical manner. Searches of the person shall not be conducted in an abusive fashion or be conducted to intimidate, ridicule or induce admissions.</p>
<p>24. Every police service in Ontario should promote, in their procedures, the use of a frisk and/or wand or analogous less intrusive search methods before officers decide whether to conduct a strip search.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons</p> <p>The right to search a person is of paramount importance to the safety of prisoners, members, and all other persons employed within the criminal justice system. It is critical that officers make a proper evaluation of the potential risks, ensure that the appropriate level of search is conducted, and that they are diligent while searching persons in custody.</p>

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<p>If the results of a frisk/wand or analogous search methods are negative, officers should not conduct a strip search on safety grounds unless they are able to articulate why they have reasonable and probable grounds to believe that the arrested person is concealing a weapon.</p>			<p>When assessing the level of search, the Officer in Charge / police officer shall on a case-by-case basis, evaluate the circumstances relevant to the individual to be searched and determine the appropriate level of search required to address any risk factors, keeping in mind that the safety of the officers, the individual and to others is paramount. The Officer in Charge is responsible for ensuring that the level of search appropriately addresses the risk factors associated to the current arrest including those related to the person, and logistical issues such as the type of transportation and contact with others that this individual is expected to encounter</p> <p>As part of the Body Scan project, T.P.S. is exploring the use of technology as a less intrusive search method (see response to Recommendation #35).</p>
<p>25. Every Ontario police service’s procedures should provide that: (a) Absent exigent circumstances, strip searches should always be authorized, in advance, by a supervisor (who may include the Officer-in-Charge). (b) Such authorization should be given in writing or alternatively, by telephone. (c) Absent exigent circumstances, that</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons. Also, the text template for Search of Person Level 3 and Level 4 requires a supervisor/officer in charge to authorize the form.</p> <p><u>Officer in Charge</u></p> <ol style="list-style-type: none"> 1. When in charge of a unit where persons are detained shall ensure <ul style="list-style-type: none"> • searches are conducted appropriately and a Search of Person text template has been completed for all Level 3 and Level 4 searches, signed and enclosed in the applicable Confidential Crown Envelope (crown envelope)

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<p>authorization should be obtained from a supervisor who is senior in rank to the most senior searching officer and who was not actively involved in the investigation that led to the arrest.</p> <p>(d) Absent exigent circumstances, that authorization should be obtained in writing; in any event, the authorization should be documented by the searching officer and the supervisor in accordance with the police service’s documentation requirements, whether through notes, strip search forms or both.</p> <p>(e) Exigent circumstances, involving the failure to obtain authorization or the failure to obtain written authorization in advance</p>			
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<p>should also be documented as provided for in the service’s procedures. (f) Practices surrounding strip searches are to be reviewed by the service on at least an annual basis.</p>			
<p>26. Every police service in Ontario should ensure that its procedures address: (a) The ordinary requirement that searching officers be of the same gender as the person to be searched. (b) The practice to be adopted when there are insufficient officers of the same gender to participate in the strip search. (c) The circumstances under which the strip search should not be conducted by searching officers of the same gender</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons</p> <p>All searches of the person shall be conducted by peace officers of the same sex unless circumstances make it impractical to do so, having regard to the immediate risk of injury, escape, or the destruction of evidence. Consideration shall be given when dealing with trans persons, wherever practicable.</p>

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<p>as the person to be searched: for example, based on the person’s self-identification respecting sexual orientation.</p>			
<p>27. Every police service in Ontario should ensure that their procedures specifically address the appropriate practices for strip searches involving transgender persons.</p> <p>(a) Procedures should define terms such as: transgender, trans man, trans woman, transsexual, gender identity and intersex.</p> <p>(b) Police services are encouraged to consult with the Ontario Human Rights Commission and community organizations with specialized knowledge, in crafting appropriate practices.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons – Appendix C Trans Persons. T.P.S. will review terms such as: transgender persons, trans man, trans woman, transsexual, gender identity and intersex. Some definitions may have to be added and changed. The process and accommodation piece is already present in the current procedure.</p> <p>The term trans refers to people with diverse gender identities and expressions. It includes, but is not limited to people who identify as transgender, transsexual, and/or gender non-conforming identities and experiences. Transgender people may identify as straight, gay, etc. Transitioning may or may not include transgender surgery.</p> <p>When interacting with trans persons, officers shall be sensitive to needs and concerns without jeopardizing officer and prisoner safety, and the need to perform a legal and thorough search.</p> <p>In order to best address the specific needs or concerns of each person, each case must be assessed individually. To that end, the Officer in Charge shall determine the best possible course of action in order to respect the dignity of the person being searched.</p>

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<p>(c) Procedures should be centred on reasonable accommodation based on self-identification. For example, where the arrested person identifies as trans man or trans woman, the arrested person should specifically be given the choice of a male, female or split search.</p>			<p>For the purpose of search, when an individual has self-identified as trans, the Officer in Charge shall</p> <ul style="list-style-type: none"> – refer to the person in their preferred name and gender pronoun; – after discussion with the prisoner, lodge the prisoner according to their self-identified gender or lodging preference unless it can be proven that there are specific overriding health and safety concerns that cannot be resolved, rendering the accommodation impossible. When a prisoner cannot be accommodated in this regard, members shall clearly articulate the reasons in their memorandum book; and – ensure that information regarding a trans prisoner’s gender identity or gender history is shared on a need-to-know basis only with those persons directly involved with the case – explain to the individual the following 3 options for a Level 3 Search <ul style="list-style-type: none"> (a) male officers only or (b) female officers only or (c) a split search the Officer in Charge shall be guided by the preference of the individual to be searched, in terms of the gender of the person conducting the search – make appropriate entries in the memorandum book, including the Level 3 Search option selected by the person, and the rationale for the course of action taken – complete the Trans Persons Specific Details section of the Search of Person Level 3 text template
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			Q1 Update – T.P.S. has reviewed the terms with the Equity, Inclusion & Human Rights unit and as a part of the Gender Diversity and Trans Inclusion project, the procedure was updated and published.
28. Every police service in Ontario should ensure that their procedures provide that ordinarily, strip searches should be conducted by no more than two officers, unless security concerns compel the presence of additional officers. When that presence is required, the additional officer or additional officers should ordinarily remain outside the searching room, not facing the person to be searched, unless their active assistance is required. It represents a best practice for strip searches, where practicable, to be conducted by officers other than the arresting or investigating officer.	Governance	Implemented	T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons. When a Level 3 search is deemed necessary by the Officer in Charge, the searching officers shall ensure only 2 members of the same sex as the person being searched are present during the search, unless additional officers are required to assist.

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<p>29. Every police service in Ontario should ensure that their procedures provide that, absent exceptional circumstances, arrested persons should be given the opportunity to remove their clothing, as directed by the police, on their own.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons.</p> <p>When a Level 3 search is deemed necessary by the Officer in Charge, the searching officers shall where appropriate, ask the person to remove clothing one article at a time.</p>
<p>30. Every police service in Ontario should ensure their procedures direct officers to document whether arrested persons removed items of clothing themselves.</p>	<p>Governance</p>	<p>Implemented (Q1)</p>	<p>Procedure 01-02 Search of Person will be amended to explicitly record whether arrested persons removed items of clothing themselves. Currently, the procedure outlines that the arrested person may remove their clothing items, but the procedure does not instruct the members to document it in their memorandum book, or on the Search of Persons text template.</p> <p>Q1 Update – Procedure was amended to reflect above subject matter.</p>
<p>31. Every police service in Ontario should ensure their procedures reflect that officers are only to use force when necessary and in proportion to the resistance of the arrested person.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. already concurs with this recommendation in Procedure 01-02 Search of Persons under the Member section.</p> <p><u>Member</u></p> <p>2. When conducting a search shall</p>

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			<ul style="list-style-type: none"> not use any more force than is necessary and reasonable under the circumstances to conduct a search
<p>32. Every police service in Ontario should consider whether they can designate a fixed location or fixed locations where strip searches are to be conducted, absent exigent circumstances. Of course, these fixed locations should be designed so as to promote privacy.</p>	Governance	Implemented	<p>T.P.S. concurs with this recommendation and in Procedure 01-02 Search of Persons, the procedure identifies that the search of a person be conducted in a private area and ensure the search is not videotaped.</p> <p>When a Level 3 search is deemed necessary by the Officer in Charge, the searching officers shall search the person in a private area and ensure the search is not videotaped.</p>
<p>33. Every police service in Ontario should ensure that their procedures provide that officers note the time a strip search commenced and the time it was completed, and provide an explanation in writing for a strip search of unusual duration.</p>	Governance	Implemented	<p>T.P.S. concurs with this recommendation and in Procedure 01-02 Search of Person, the procedure indicates under the Recording Searches section that full details of all searches shall be recorded in the memorandum book including the grounds for the level of search conducted. Also, appropriate entries shall be recorded in the applicable eReports for all Level 3 and Level 4 searches. Time of the commencement and completion is documented in the memorandum book and eReport.</p>

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			<p><u>Recording Searches</u></p> <p>Full details of all searches shall be recorded in the memorandum book including the grounds for the level of search conducted. Appropriate entries shall be recorded in the applicable eReport for all Level 3 and Level 4 searches.</p>
<p>34. Every police service in Ontario should ensure that their procedures provide that:</p> <p>(a) Detainees should never be completely naked, absent exigent circumstances.</p> <p>(b) The removal of items of clothing should be done sequentially.</p> <p>(c) Officers should document the sequence of removal and replacement of items of clothing.</p>	Governance	Implemented	<p>T.P.S. concurs with this recommendation and in Procedure 01-02 Search of Person under Member section. The procedure outlines the necessary steps and sequence of removal and replacement of clothing items.</p> <p>When a Level 3 search is deemed necessary by the Officer in Charge, the searching officers shall</p> <ul style="list-style-type: none"> • where appropriate, ask the person to remove clothing one article at a time • not remove of any more articles of clothing than necessary • not perform any more visual inspection of the person’s body than is necessary to achieve the objectives of the search • inspect each article of clothing in a methodical manner

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			<ul style="list-style-type: none"> • permit the person to replace articles of clothing after inspection, where appropriate • provide replacement clothing for articles seized as evidence as soon as possible • not leave the person in a completely naked state after the search
<p>35. I support the pilot project of Toronto Police Service to evaluate whether the use of full-body scanners can be used as a way to reduce the number of strip searches conducted by the service.</p>	<p>Governance</p>	<p>Implemented (Q4)</p>	<p>According to the O.I.P.R.D. report, “in September 2018, Toronto Police Service began a full-body scanner pilot project to determine and evaluate the operational benefit of using such technology. The service is testing two different scanners over the six-month pilot project.</p> <p>These body scanners are capable of detecting metallic, plastic, biological and ceramic items on or inside a person’s body. The system manufacturers state that the technology, which uses low-dose radiation, is safe, quick and shows a clear difference between human tissues and other materials.”</p> <p>The Toronto Police Service has just completed the pilot project to test the feasibility of using Full Body Scanner technology in a policing context. The project concluded April 20th, 2019. Two different manufacturers were each tested for a period of 3 months. The evaluation of the pilot is currently in progress. The project team anticipates a final report will be completed by summer of 2019.</p>

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			<p>A Toronto Police Services Board Report on the Full Body Scanner Pilot Project was submitted at the November 2019 Board Meeting. A status update was provided to the Board.</p> <p>Q1 Update -</p> <p style="text-align: center;">Motion Public Agenda, Item 2 Full Body Scanner Pilot Project</p> <p>THAT the Board request the Chief to provide a report to the Board by its March 2020 meeting, that addresses:</p> <ul style="list-style-type: none">a. the level of compliance with the legal and TPS requirements that a ‘frisk’ or ‘pat down’ search be conducted first, before a Level 3 Search can be conducted;b. the records that are created and maintained to support the conduct of Level 3 Searches, specifically as regards to meeting of the requirements or tests outlined in the applicable Board Policies, Service Procedures and jurisprudence;c. for 2017 and 2018, the number of instances during which a ‘frisk’ or ‘pat down’ search has been conducted without any items of significance or relevance found,
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			<p>which was nonetheless followed by a Level 3 Search, and whether items of significance or relevance were found in that Level 3 Search;</p> <p>d. to the extent this is accurate in relation to other jurisdictions that keep statistics, the reasons why there is an elevated instance of Level 3 Searches relevant to the experience of other jurisdictions; and,</p> <p>e. any lessons learned through the Full Body Scanner Pilot Project, and the applicability of these lessons to the use of Level 3 Searches across the Service more broadly, to ensure they are carried out in the most appropriate and respectful manner possible.</p> <p>Recommendation 35 is still on-going due to the motion from the Toronto Police Service Board.</p> <p>Q4 Update - The Full Body Scanner project and evaluation was completed in November 2019 and reported to the Board. The Service had moved forward with procurement but this was delayed in order to conduct an evaluation of strip searches as a whole. This project is ready to move forward when approved.</p>
<p>36. Every police service in Ontario should ensure that their procedures provide that strip</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and in Procedure 01-02 Search of Person, the procedure outlines the requested information in the Member/Police Officer/ Officer in Charge section.</p>

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<p>searches should generally involve only a visual inspection, rather than physical contact and that any physical contact should be documented.</p> <p>(a) Such procedures should clearly articulate when a strip search becomes a more intrusive body cavity search.</p> <p>(b) Procedures should separately address when and how body cavity searches can and should be conducted.</p> <p>(c) Such procedures should also provide that if a visual inspection reveals the likely presence of a weapon or evidence in a body cavity, the arrested person should be given the option of removing the items themselves or having the items removed by a trained medical professional.</p>			<p>not perform any more visual inspection of the person’s body than is necessary to achieve the objectives of the search</p> <p>Where there are reasonable grounds to believe that a person under arrest has secreted weapons or evidence in a body cavity shall</p> <ul style="list-style-type: none"> • consult with the Officer in Charge • escort the person to the hospital • comply with Procedure 03-06 • request that the person remove the item in a controlled area of the hospital and with a medical professional present, if possible • if the person is unable or unwilling to remove the item and consents to a search <ul style="list-style-type: none"> – ensure that the search is conducted by a qualified medical practitioner – remain with the person while the search is taking place (same sex officers only) – advise the Officer in Charge of the results • where the person refuses a Level 4 search by a medical practitioner, and the item has not been removed
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<p>Otherwise, the police should seek the advice and assistance of a trained medical professional to ensure that the items can be safely removed. The ultimate manner of removal should be documented.</p>			<ul style="list-style-type: none"> - advise the Officer in Charge - restrain the person and hold in isolation pending a Show Cause Hearing - continuously monitor the person to ensure their safety and the safety of Service members until recovery of the item or substance is made <p>When a Level 4 search has been completed shall complete a Search of Person Level 4 text template in compliance with item 6.</p>
<p>37. Every police service in Ontario should ensure that their procedures provide that all strip searches must be fully documented, including:</p> <ul style="list-style-type: none"> (a) The grounds for such a search. (b) The officers conducting the search. (c) The manner in which the search was conducted, including what items were removed or replaced and in what sequence, whether items were removed by the detainee or the officer, and what, if any, physical 	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and in Procedure 01-02 Search of Person, the procedure outlines the documentation of strip searches in memorandum books and eReports.</p> <p>According to the O.I.P.R.D. report, “Toronto Police Service, for example, states that full details of all searches shall be recorded in the memorandum book, including the grounds for the level of search conducted. Appropriate entries shall be recorded in the applicable eReport for all Level 3 and Level 4 searches.”</p>

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<p>contact accompanied the search. (d) The supervisor authorizing the search. (e) The time frame within which the search was conducted. (f) A description of items found as a result of the search, and where they were found. (g) If it appears that a bodily cavity contains an item to be seized, what steps were taken to obtain the items, including any options given to the detainee. (h) What, if any, exigent circumstances existed that required deviation from established procedures.</p>			
<p>38. Based on the sample strip search form contained in this report, every police service in</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and already uses a text template in the applicable eReport for all Level 3 and Level 4 searches.</p>

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<p>Ontario should adopt a strip search form to enhance proper documentation of strip searches.</p>			
<p>39. Such procedures should provide direction on when the strip search form or parts thereof should be completed.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and Procedure 01-02 Search of Persons already indicates when the strip search text template should be completed.</p>
<p>40. These forms should be accessible electronically.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and already uses electronic versions of Search of Person text template and Level 3 & 4 text template in the applicable eReport.</p>
<p>41. There should be no video recording of strip searches. However, police services may establish procedures to video record the process leading up to the strip search, including the articulation of the grounds for the strip search.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. does video record the process leading up to the strip search, including the articulation of the grounds for the strip search. This information is located in the Officer in Charge section of Procedure 01-02 Search of Persons.</p> <p><u>Officer in Charge</u></p> <p>3. When in charge of a unit where persons are detained shall ensure</p> <ul style="list-style-type: none"> • all arrested parties are advised, on camera, of the level of search to be performed and the manner and location in which it will be carried out

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<p>42. Unless impracticable to do so, every police service in Ontario should establish procedures to audio record strip searches. Officers should be trained on audio taping procedures, including the need to verbalize what is transpiring and seek verbal acknowledgements from the detainee throughout the search.</p>	<p>Governance</p>	<p>Implemented (Q4)</p>	<p>Pursuant to the report, both the Waterloo Regional Police and the T.P.S. have recommended the adoption of audio recording searches.</p> <p>Currently, the following divisions already have audio capability in designated search areas: D11 D13 D23 D51 D52</p> <p>The following stations will have the audio capabilities by 2020: D14 D32 D43 D53 D31</p> <p>Remaining divisions are to have these capabilities by 2021.</p> <p>We are examining the feasibility and implications of establishing a consistent approach to this recommendation as well as the financial implications of data storage.</p> <p>Currently, divisions that have this capability have the audio stored on local divisional servers for a period of 365 days.</p>
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			<p>Q4 Update - The Strip Search Review Team conducted an analysis of all divisions. As of the date of this presentation there are 5 out of 17 units that are currently capable of audio recording a strip search from the specific search room; 5 more will be capable by 2020 and the remaining 7 units will be capable by 2021.</p> <p>The Service has directed that the booking hall audio/video remain on while for the entire booking process. This includes while the search is conducted in a separate room nearby. The search will not be captured on video but it allows for the potential of some audio to be captured.</p> <p>E-Learning Search Review training module and Day 1 2020 In Service Training - Booking Hall scenarios address the second portion of this recommendation in relation to verbalizing the search process.</p>
<p>43. Every police service in Ontario should ensure that they collect race related information pertaining to strip searches. Their procedures should address how that information should be collected and recorded. Race categories and how such information is collected should be uniform across the province, and informed by best practices identified by the Anti-Racism Directorate, in consultation with</p>	<p>Governance</p>	<p>Implemented (Q1)</p>	<p>T.P.S. has not included race-related information pertaining to strip searches in their procedures, but on the Search text template a space is provided for race and for place of birth. Limited Race-related data pertaining to strip searches is available and, the T.P.S. began work on a major modernization effort regarding Race-Based Data Collection Strategy.</p> <p>Procedure 16-07 Collection, Analysis and Reporting of Race-Based Data has been published.</p> <p>The Service has commenced a phased in implementation of this TPSB Policy. The initial phase of this implementation requires race-based data to be collected by Service members for all instances of:</p> <ul style="list-style-type: none"> • Use of Force; and

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<p>the Ministry of Community Safety and Correctional Services.</p>			<ul style="list-style-type: none"> • Level 3 or Level 4 - Search of Person. <p>Guided by the constitutional and legal principles of the <i>Canadian Charter of Rights and Freedoms</i>, the <i>Ontario Human Rights Code</i>, Ontario’s <i>Anti-Racism Act</i> and TPSB Policy, this process will enable the Service to:</p> <ul style="list-style-type: none"> • identify, monitor and eliminate potential systemic racism and racial bias; • identify equitable service delivery that can contribute to understanding and best practice; • deliver police services that advance the fair treatment of every person by supporting the development of equitable policies, procedures, services and initiatives; • preserve the dignity of individuals and communities; and • enhance trend analysis, professional development and public accountability. <p>Race-based data shall not be used by the Service, under any circumstances, to stigmatize, ascribe criminality to, make value judgments on, or otherwise stereotype any community. Moreover, race-based data shall not be used for performance management or to identify individual Service members; but, rather, as a tool to identify trends that contribute to professional development and organizational improvement.</p> <p>Q1 Update – Procedure 01-02 Search of Person has also been updated and published to reflect Collection, Analysis and Reporting of Race-Based Data.</p>
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<p>44. Every police service in Ontario should ensure that their procedures address the accommodation of observant persons of faith.</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and Procedure 01-02 Search of Persons and Appendix D Handling Items of Religious Significance addresses the accommodation of observant persons of faith.</p> <p>The Toronto Police Service recognizes that special arrangements may have to be made when handling items, articles, apparel, or clothing of religious importance (item of religious significance). Although there are a multitude of items of religious significance that differ between and amongst religions, any item of religious significance identified by a person shall be handled according to the process below.</p> <p>In addition to the process below, members should seek direction from the person regarding the handling of the item of religious significance and, if practicable, handle the item as requested by the person. In general, items of religious significance shall be treated with respect and handled appropriately. The procedure includes the following direction:</p> <p>The Toronto Police Service recognizes that special arrangements may have to be made when handling items, articles, apparel, or clothing of religious importance (item of religious significance). Although there are a multitude of items of religious significance that differ between and amongst religions, any item of religious significance identified by a person shall be handled according to the process below.</p> <p>In addition to the process below, members should seek direction from the person regarding the handling of the item of religious significance and, if practicable, handle the item as requested by the person. In general, items of religious significance shall be treated with respect and handled appropriately.</p>
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			<p>When handling the item of religious significance, members shall be cognizant of human rights and unless circumstances make it impractical to do so, comply with the process below, having regard for the</p> <ul style="list-style-type: none">– immediate risk of injury– immediate risk of escape– immediate risk of destruction of evidence– safety of the member– safety of the person– safety of the public. <p>The following process shall be followed when handling an item of religious significance.</p> <p>Ask the person if they have an item of religious significance on their person or in their possession.</p> <p>4. Members shall advise the person if an item of religious significance will be removed, the reason the item is being removed, and provide the person with the opportunity to remove the item themselves if self-removal does not pose potential risk of safety/injury to the person or member.</p> <p>5. When practicable, members shall use gloves when handling an item of religious significance.</p>
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			<p>6. When practicable, members shall facilitate the replacement of an item of religious significance as soon as possible when the item (apparel or clothing only) is removed and held for any purpose and is not being immediately returned to that person.</p> <p>7. Members shall place an item of religious significance in a separate property bag.</p> <p>NOTE: <i>In general, it is acceptable to store items of religious significance together in one property bag.</i></p> <p>8. A sealed property bag containing an item of religious significance may be sealed within the main property bag when the person is being transported or held for a show cause hearing.</p>
<p>45. Every police service in Ontario should ensure that their procedures provide for special procedures pertaining to strip searches of young persons. These should include providing young persons with the option of having an adult or guardian present, absent exigent circumstances.</p>	<p>Governance</p>	<p>Not Implemented</p>	<p>T.P.S. does not have a specific procedure pertaining to strip searches of young persons. At this time, young offenders are not given the option of having an adult or guardian present, absent exigent circumstances.</p> <p>From an operational perspective, there are a number of concerns with this recommendation. Introducing a parent or guardian into a search room who has not been searched poses not only officer safety concerns, but can lead to contamination of evidence, issues with time delays (waiting for arrival or parent/guardian), the potential for interference by the parent/guardian, and creating a further witness who will be compellable to court.</p> <p>A Level 3 search is already an intrusive process. To (potentially) have a young person strip in front of a parent/guardian could result in a traumatic outcome. Some young</p>

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			<p>persons who request a parent/guardian be present may not be fully informed as to what a Level 3 search entails. The potential of the young person requesting that the parent/guardian exit the room once the search has commenced poses another issue – leaving the young person in a state of undress, having to escort the parent/guardian to a secure area of the police facility, etc. which will prolong an already sensitive process.</p> <p>Recommendation #42 (audio recording of searches) may serve to alleviate the concerns addressed by recommendation #45.</p> <p>Q4 Update - Adequacy Standards Regulation LE-012 “Search of Persons” states in part:</p> <ul style="list-style-type: none"> <input type="checkbox"/> requirement against conducting a strip/complete search while any person is present who is not a member of a police service, or whose attendance is not appropriate or required in the circumstances, unless safety requirements dictate otherwise; <p>.....</p> <p>(http://www.ontla.on.ca/library/repository/mon/28002/233900.pdf). As such, to implement this recommendation may contravene LE-012.</p>
<p>46. Every police service in Ontario should ensure that their procedures address the</p>	<p>Governance</p>	<p>Implemented</p>	<p>T.P.S. concurs with this recommendation and Procedure 01-02 Search of Person Duty to Accommodate Persons with Disabilities section addresses the accommodation of persons with a disability.</p>

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<p>accommodation of persons with a disability.</p>			<p><u>Duty to Accommodate Persons with Disabilities</u></p> <p>The Service has a duty to accommodate persons with disabilities under the Ontario <i>Human Rights Code</i> and the <i>Accessibility for Ontarians with Disabilities Act</i>. When required, any infringement of a person’s right to be accommodated must be minimal in nature, and no more than is necessary to achieve the desired objective.</p> <p>Therefore, when it is deemed necessary to remove an assistive device from a person with a disability to conduct a search, the device should be returned to the person as soon as practicable upon completion of the search.</p>
<p>47. The Ministry of Community Safety and Correctional Services is mandated to develop and promote programs to enhance professional police practices, standards and training. The ministry should develop guidelines for training specific to strip searches that are informed, in part, by the findings and recommendations contained in this report.</p>	<p>Ministry of Solicitor General</p>		<p>N/A</p>

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<p>48. The Ontario Police College (OPC) should develop a standard training model specifically regarding strip searches that covers all aspects of <i>R. v. Golden</i>, along with other relevant jurisprudence. The format should include scenarios and a qualifying test for supervisors, officers and members who are authorized to search a person. The OPC should provide a version of this training through the Canadian Police Knowledge Network, so that more remote police services have ready access to it.</p>	<p>Ontario Police College</p>		<p>N/A</p>
<p>49. Every police service in Ontario should incorporate training on strip searches into their annual or biennial training. The training should include a review of all aspects of <i>R. v. Golden</i> and other relevant jurisprudence, as well as scenarios and experiential</p>	<p>Toronto Police College</p>	<p>Implemented (Q4)</p>	<p>T.P.S. concurs with this recommendation.</p> <p>The Toronto Police College is already planning for a 5-part training scenario on booking hall procedures for 2020 mandatory In-Service Training.</p> <p>This will be addressed via discussion scenarios with a scripted set of facts, different for each group:</p>

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<p>training so that officers practice articulating grounds and conducting a strip search in a variety of situations.</p>			<p>Each scenario will be discussed and the relevant procedures will be debriefed, including the appropriateness of a Level 3 search, as per R. v. <i>Golden</i>.</p> <p>Q1 – Update – The progress continues as the Learning Development and Standards section works to hone the development of these important materials in conjunction with the Criminal Investigative section and also in consultation with members of the community.</p> <p>The scenarios will be debriefed from a multitude of perspectives including the law, case law, best practices, critical thinking, search articulation, and T.P.S. procedures.</p> <p>Instruction covering all the recommendations will be provided to members participating in 2020 IST training.</p> <p>This will encompass all of recommendations that pertain directly to the Service and our mandate.</p> <p>Officers will review R v. <i>Golden</i> and any other relevant jurisprudence.</p> <p>Q4 Update - Response - Day 1 of 2020 In Service Training - Booking Hall scenarios and case law review address this recommendation.</p> <p>Strip Search Review What has Changed?</p> <ul style="list-style-type: none">• The names and type of search have been changed.
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			<ul style="list-style-type: none"> • The definitions of search have changed. • A staged approach to searching has been adopted. • Persons shall be afforded the right to speak to counsel prior to a strip search. • A new Booking and Search template was created. This will provide the ability to capture and report on more data. • Service Governance has been updated to reflect all changes. <p>Oversight - Unit Commanders are required to review all strip searches daily.</p>
<p>50. Every police services board in Ontario should ensure that their policies provide appropriate direction to police services on (a) the creation or modification of procedures to fully address strip searches, and (b) the training respecting strip searches. Such policies should be informed by the contents of this report.</p>	<p>Toronto Police Services Board</p>		<p>N/A</p>



Independent Investigations – Community Confidence • Enquêtes indépendantes – Collectivités rassurées

November 6, 2020

Interim Chief James Ramer
Toronto Police Service
40 College Street
Toronto ON M5G 2J3

Via e-mail to: OfficeOfTheChief@torontopolice.on.ca

Dear Interim Chief Ramer:

Re: TPS Search of Persons policy

I write with respect to your service's new search of persons policy. On October 30, 2020, the SIU's Executive Officer, Bill Curtis, and I, met virtually with Superintendent Kirkpatrick and your legal counsel, James Cornish, to discuss the policy.

First, we very much appreciate the opportunity extended by your service to review and offer feedback on the draft policy. As you know, a significant percentage of the sexual assault allegations investigated by the SIU arise in the search context.

Second, while I must refrain from offering general commentary on the policy as it is likely to form part of SIU investigations, I would observe that its requirement that all protective and frisk searches be captured on audio and video, wherever practicable, is an innovation that will greatly facilitate the resolution of SIU cases arising from these searches. The requirement that strip searches be captured on audio will also assist in SIU investigations.

In closing, I thank your service for reaching out to our office for dialogue on this important area of police practice.

Do not hesitate to contact me at 416-346-2129.

Yours truly,

Electronically signed by

Joseph Martino
Director

- PS. Belated congratulations to you on your appointment as the Interim Chief of the Toronto Police Service.
- c. Superintendent Chris Kirkpatrick, Toronto Police Service
James Cornish, Legal Counsel, Toronto Police Service
William Curtis, Executive Officer, SIU

November 6, 2020

A/ Chief James Ramer
Toronto Police Service
40 College Street
Toronto, Ontario
M5G 2J3

Dear A/Chief Ramer,

The Office of the Independent Police Review Director (OIPRD) recognizes the continued work of the Toronto Police Service (TPS) to meet the recommendations made in our systemic review “Breaking the Golden Rule: A Review of Police Strip Searches in Ontario.”

In responding to the OIPRD’s recommendations, the TPS has consulted with the OIPRD in a collaborative and responsive manner and responded to the OIPRD’s questions and suggested amendments. The OIPRD reviewed the proposed policy definitions and corresponding Appendixes as well the messaging to frontline officers and training materials.

The OIPRD found the changes developed by TPA to be consistent with new caselaw and best practices research. The updated Search of Persons Procedure should provide the needed clarity in the definition pertaining to searches, the timing of a strip search, and manner of how to conduct a strip search. Other changes, including the updated training, the new templates for searches, and audits, are also welcomed improvements.

We hope your improvements will be shared with the Ministry of the Solicitor General and other police services, as Ontario works towards consistent application and use of strip searches.

Sincerely,


Stephen Leach
Independent Police Review Director

The logo of the Toronto Police Services Board is a circular emblem. It features a central shield with a red cross and a caduceus (a staff with two snakes) at the bottom. Above the shield is a crown and a pair of wings. The shield is set against a blue background with yellow floral patterns. The words "TORONTO" and "POLICE SERVICES BOARD" are written in yellow around the perimeter of the circle.

Toronto Police Services Board Body-Worn Cameras Policy

Proposed Policy

November 24, 2020



Background

- TPS Body-Worn Camera Pilot (2015-16)
- TPSB's Policing Reforms Initiatives
- Public and Stakeholder Consultation

Public and Stakeholder Consultation

- Stakeholders:

- Information and Privacy Commissioner of Ontario
- Ontario Human Rights Commissioner
- Canadian Civil Liberties Association
- Ontario Association of Police Services Boards
- Ontario Association of Chiefs of Police
- Service's Internal Support Networks
- Ministry of the Attorney General
- Ministry of the Solicitor General
- Special Investigation Unit
- Office of the Independent Police Review Director

- Public consultation

- >5000 hits on the dedicated webpage
- >800 views of the Webinars
- >250 downloads of the draft Policy
- Targeted community organizations outreach
- 31 written submissions





Overall Approach and Guiding Principles

- Minimize officer discretion in operation of the camera
- Record all direct interactions
- Protect privacy concerns through restricted access
- Transparency
- Monitoring and Improving
- Ensure use of BWCs consistent with best practices, Ontario Human Rights Code, Charter of Rights and Freedoms, and all applicable legislation

Purpose of the Policy

- Improving the transparency and accountability, of the Service with regards to allegations of discreditable conduct, improper conduct, misconduct, biased service delivery and excessive or improper use of force by Service Members
- Enhancing public trust and increasing public and officer safety;
- Enhancing the commitment to anti-racist, bias-free service delivery by Service Members to the public;
- Protecting individuals' right to privacy, and ensuring access to personal information;
- Providing improved evidence for investigative, judicial and oversight purposes;
- Ensuring timely and fair response to misconduct allegations against Service Members, in a manner that enhances public and Member confidence in the Service's complaint process; and
- Providing information as to the effectiveness of Service procedures and training.





When and How to Use BWCs

- “Service Members will activate their body-worn camera *prior* to the beginning of all direct interactions with the public that are undertaken in whole or in part to further a valid law enforcement purpose”
- “Service Members must inform members of the public that they are being recorded at the earliest opportunity during an interaction”
- “BWCs may only be used for the purpose of recording direct interactions between Service Members and members of the public, and may not be used for surveillance of members of the public or Service Members, or to covertly record the activities of a member of the public”
- Exceptions only to protect dignity and private information:
 - Private residence or place
 - Sensitive situations
 - Spiritual/cultural ceremonies
 - Healthcare facilities
 - Where legally forbidden

Limited Access to Recordings

- Access to recordings restricted to:
 - The officer whose BWC made the recording
 - Officers with justified need to access
 - Oversight bodies
 - Lawful authority





Limited Access to Recordings (cont.)

- In anonymized form:
 - Members of the public (in accordance with MFIPPA)
 - Public interest
- Audit trail
- Facial recognition ban



Controls

- Training
- Record keeping
- Supervisory review
- Transparent discipline framework



Retention and Disposal

- Secure, tamper-proof storage
- Minimum retention period of two years
- Destruction of recordings
- Breach response and mitigation

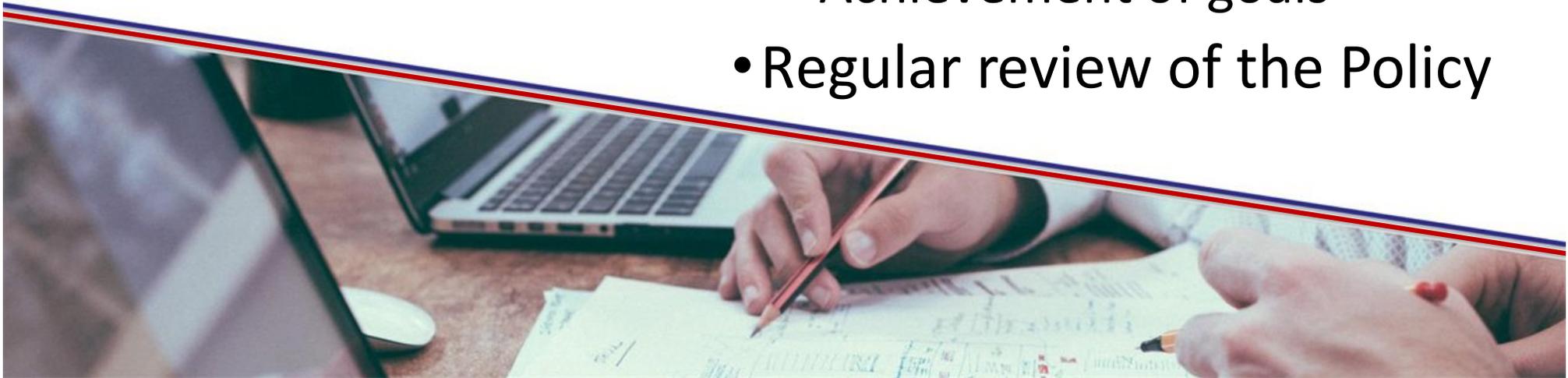
Transparency

- “Require that up-to-date information be posted on the Service’s public website concerning the collection of body-worn camera recordings, including:
 - a current copy of the Service’s Body-Worn Camera Procedure,
 - how individuals can complain about use or lack of use of body-worn cameras,
 - what information is being collected,
 - the length of applicable retention periods,
 - how individuals can make requests for viewing or releasing to the public such recordings,
 - information about how to appeal to the Information and Privacy Commissioner of Ontario where a request is denied in whole or in part, and
 - a copy of the most recent annual report to the Board”



Auditing and Public Reporting

- Annual audit for compliance and effectiveness
- Annual public report:
 - Access, use and cost statistics
 - Complaints
 - Achievement of goals
- Regular review of the Policy







Toronto Police Services Board Report

November 11, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: Body-Worn Cameras Policy

Recommendation(s):

It is recommended that the Board:

1. Approve the new Body-Worn Cameras (BWC) Policy (Appendix A), as attached;
2. Direct the Chief of Police to explore options to waive the Freedom of Information (FOI) fee for requests for access to BWC recordings by members of the public where these members of the public were captured in the recordings;
3. Direct the Chief to explore options to provide an on-line request form for FOI requests of BWC recordings, and report to the Board by February 2021 on the possible financial impacts of such a decision;
4. Direct the Chief to develop and implement a comprehensive communication strategy, with particular emphasis on outreach to racialized and disadvantaged communities, to inform the public of the deployment of BWCs, and the rights of members of the public with respect to BWC recordings;
5. Direct the Chief to engage with the City of Toronto to review By-Law No. 689-2000 and ensure it is aligned with the recommendations by the Information and Privacy Commissioner of Ontario made in her letter of November 5, 2020 to the Board, under the heading "Additional Recommendations" to Recommendation #8;
6. Direct the Executive Director and the Chief to continue, on an ongoing basis, to engage with the Information and Privacy Commissioner of Ontario to consider future revisions to the Policy and Procedure, and review new evidence from the deployment of BWCs as it becomes available; and
7. Direct the Executive Director to explore partnership with experts to evaluate the impacts of the use of BWCs on communities in Toronto.

Financial Implications:

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

Background / Purpose:

At its meeting of August 18, 2020, the Toronto Police Services Board (the Board) approved a five-year contract with Axon Canada for the provision of a BWC solution, for a total cost of \$25 million over five years, with an option for a one-year extension (Min. No. P129/20 refers).

At the meeting, the Chief of Police advised the Board that the Toronto Police Service (the Service) has begun training of Members and deployment of the BWCs for validation purposes. At this time, the Board approved a Motion directing the Chief to ensure that full deployment be delayed until the Board has approved a Policy governing the use of BWCs. The Motion also directed the Executive Director, in developing a Policy for the Board, to consult with the Information and Privacy Commission of Ontario, (IPC) as well as other stakeholders and experts, on measures that can be included in the Policy to ensure that in addition to increasing the accountability of Service Members, the deployment and use of BWCs does not result in undue breaches of privacy.

Discussion:

This Policy aims to provide guidance for an optimally balanced, evidence-based governance structure for BWCs that ensures the recording of incidents where recordings would be of value, while minimizing any unintended consequences related to privacy. The approach taken by the proposed BWC Policy was developed based on a review of both internal and external evidence, and through a broad and in-depth consultation with stakeholders and members of the public.

Purposes of the Policy

The Policy sets out a number of goals for the use of BWCs. These include: improving the accountability and transparency of the Service, while protecting the privacy rights of members of the public; enhancing public trust in the Service and confidence in the complaints process; and, improving safety for both members of the public and Service Members. Importantly, the Policy specifically establishes that BWCs are not to be used as a surveillance tool. Members of the public must always be made aware when they are being recorded as early as possible in the interaction.

The proposed Policy or use of BWCs cannot, on their own, achieve the policing reform goals the Board and Service are committed to, but that go beyond the abilities of a single technological solution to achieve. The Board is confident that BWCs will be one additional tool that assists and supports the other, wide-ranging efforts by the Board and

the Service to address and eliminate the effects of systemic racism on communities that interact with the Service. This is an important reminder to all that we must continue to develop, implement, and expand evidence-based initiatives that address systemic racism.

Prior Evidence regarding Effects of BWCs

The use of BWCs has been put forward in many jurisdictions around the world as an effective tool to improve both police accountability in response to mounting public distrust, as well as evidence collection for the justice system. The recordings by BWCs of an officer's interactions with members of the public can assist in investigating and adjudicating complaints, as well as to supplement officer notebooks and recollection in legal proceedings, adding previously unachievable levels of accuracy in criminal proceedings. Some proponents of BWC use have also suggested that this tool has a preventative effect, both in curbing excessive use of force by officers, and in deterring assaults against officers by members of the public.

The Service's own evaluation of its 2015–16 BWC pilot (Min. No. 227/16) found that many officers felt that BWCs helped to deter assaults against police and made members of the public less confrontational and aggressive. There were also indications that recordings from BWCs can help resolve complaints, possibly in a shorter time, although the small number of complaints made during the pilot period prevented any clear conclusions from being drawn. Similarly, the pilot evaluation reported that Crown representatives believed that BWC-generated evidence could have a positive impact on the potential of early resolution in some criminal cases and the litigation process as a whole, however more study would have been necessary to draw more sound conclusions.

The use of BWCs is not without its own challenges. The experiences of other law enforcement agencies have shown that the manner in which BWCs are implemented may have an effect on its success, as well as on the public's sense of trust in the police when this tool is used, or more generally. The importance of a robust governance framework as a way to ensure effective and evidence-based implementation cannot be understated: an inadequate governance framework or unclear policies have been shown to lead to negative outcomes when it comes to police use of BWCs.

Striking an Important Policy Balance

The experiences of other law enforcement agencies have shown that the degree of discretion afforded to officers in the use of BWCs has a substantial effect on the degree of deterrence that they generate.¹ Strong levels of discretion in the activation of the cameras have resulted in negligible, and even negative outcomes. However, overly restrictive conditions can also result in negative outcomes, including compromising the

¹ Ariel, Barak, Alex Sutherland, Darren Henstock, Josh Young, and Gabriela Sosinski. "The deterrence spectrum: Explaining why police body-worn cameras 'work' or 'backfire' in aggressive police–public encounters." *Policing: A Journal of Policy and Practice* 12, no. 1 (2018): 6-26.

right to privacy of officers and the public. Conversely, overly restrictive conditions on the activation of BWCs may result in police officers being required to activate cameras during innocuous interactions that are unrelated to law enforcement or investigation, thus building new barriers to trust-building in daily interactions between Service Members and members of the public.

The Service's evaluation of its BWC pilot reported that some officers felt that the cameras limited their ability to use discretion when dealing with members of the public. Workload indicators, including an increase in the number of arrests and a considerable decrease in the number of *Provincial Offences Act* warnings issued (compared to both the previous year and to a control group), may demonstrate such a negative effect. Notably, research in other law enforcement agencies adopting the use of BWCs has not found evidence for such an effect.²

Board Office's Policy Consultations

Consultation on this Policy was conducted in two phases. Throughout both phases, Board Staff worked in close collaboration with the Service to ensure that the Policy and the Procedure developed based upon it are aligned.

The first phase included consultation with stakeholder organizations. The IPC was consulted from the earliest stages of the development of both the Policy and the Procedure. Consultations with IPC staff spanned a number of meetings and yielded in-depth revisions and adjustments to both the draft Policy and Procedure. These changes were all made to align the Policy and Procedure with the relevant law and best practices as identified by the IPC. Given the importance of evolving to meet new or newly identified issues, consultations with the IPC will continue as new information is obtained on the experience of the Service with regards to the deployment of the BWCs. The Board is indebted to the IPC for its ongoing assistance in developing the proposed Policy.

In addition, the Board shared early drafts with a number of other organizations and bodies, and received both written and oral feedback. These stakeholders include: the Ontario Human Rights Commission (OHRC), the Canadian Civil Liberties Associations (CCLA), the Toronto Police Association (TPA), the Toronto Police Senior Officers' Organization (SOO), the Ontario Association of Police Service Boards (OAPSB), the Ontario Association of Chiefs of Police (OACP), the Service's Internal Support Networks (ISNs), the Special Investigations Unit (SIU), the Office of the Independent Police Review Director (OIPRD), the Ministry of the Attorney General (MAG), and the Ministry of the Solicitor General (SOLGEN). These consultations resulted in a number of recommendations, many of which were incorporated into the current proposed Policy. Written submissions received from the IPC, OHRC and CCLA are attached to this report as Appendix B. The Board would like to thank all the representatives of these bodies who participated in the consultation process for their important contributions.

² Saulnier, Alana, et al. *Evaluation of the DRPS BWC Pilot Project: A report prepared for the Durham Regional Police Service* (2020).

The second phase of the consultations saw the release of drafts of the Policy and the Procedure to the public on the Board's website, requesting members of the public to submit written comments to the Board. The Board's website also included the written feedback received from the CCLA and OHRC, as soon as it was received. The Board Office also reached out specifically to community organizations, particularly those representing Black and Indigenous communities and youth, as well as academic experts on BWC use, to encourage them to provide comments on the draft Policy. Unfortunately, due to COVID-19 restrictions, Board Staff could not facilitate in-person meetings with members of the communities as part of this consultation. However, Board Staff held two advertised, on-line events (webinars) where both the draft Policy and the Procedure were reviewed by a Senior Advisor to the Board and a representative from the Service. Members of the public were encouraged to ask questions. The Board is committed to continue exploring new ways to reach out to all communities, and incorporate their voices in future consultations.

As of the date of this report, the Board's BWC consultation webpage has seen upward of 5,000 hits, the draft Policy was downloaded approximately 250 times, and the YouTube videos of the two webinars have had upward of a combined 800 views. In total, 31 written submissions were received by the Board during this phase. All of the written comments received, including written statements from stakeholders, are available on the [Board's website](#).

In general, many of the comments received from the public reflected the same tensions identified by the prior evidence between the need to protect privacy, and the need to restrict officer discretion in the operation of BWCs and ensure public access to recordings. Thus, while some comments called on the Board to reconsider the adoption of BWCs altogether, or at least restrict severely the occasions in which the BWCs are activated, others demanded that BWCs remain active throughout officers' shifts and all recordings be automatically made accessible by the public. While we understand the perspectives taken by both these positions, at this time, we believe that the proposed Policy put forward strikes a more appropriate balance between the significant public interest in both police accountability and privacy. Other public comments suggested a number of revisions to improve the Policy and Procedure and ensure that they can better achieve the goals articulated in the draft Policy. Many of these suggestions have been incorporated into the proposed Policy.

Some of the feedback received by the Board Office focused on the concern that disadvantaged and racialized communities will tend to be more negatively impacted by the deployment of BWCs, will be more likely to be captured in BWC recordings, and may feel more subject to surveillance by the police. While it is clear in the proposed Policy that BWCs are not to be used for surveillance, and officers must inform members of the public when they are being recorded, the Board does not take these concerns lightly.

As a result, one of the recommendations in this report is for the Service to undertake an outreach effort, focused particularly on racialized and disadvantaged communities, to educate and inform these communities of the purpose of the deployment of BWCs, and

of their rights with regards to BWC recordings. I am also recommending that the Service explore the possibility of waiving the Freedom of Information (FOI) Request fee for requests for access to BWC recordings by individuals captured in these recordings, and to develop simplified methods of submitting such requests, with the goal of making such requests more accessible to the public. I believe that these additional directions, if given by the Board, are important accompanying elements that will serve to enhance the Service's accountability and build public trust in the Service with respect to the use of this new tool.

Another issue that has appeared in a number of the comments received related to the Service's use of BWC recordings in combination with the Service's AI-driven mug shot database. The proposed Policy explicitly prohibits the use of BWC recordings in conjunction with any facial-recognition or voice-analysis technology, with the exception of the mug shot database. The database is structured and used by the Service in such a way that would address most of the concerns raised by stakeholders and members of the public, including: strict limitations on access to the database; the inability to analyze recordings in real-time; and, the requirement for confirmation by a human of any matches identified by the database. Nevertheless, the proposed Policy requires the Service to monitor the effects of the implementation of BWCs on privacy impacts as it relates to the use of the Service's mug shot database, and publicly report on them to the Board. In the future, should it be determined that the introduction of BWCs in effect have made for a substantial change to the privacy impact of the mug shot database, the Board may consider directing the Chief to carry out a privacy impact assessment on this particular issue.

Finally, a number of the submissions received, including those from the CCLA, OHRC and IPC, called on the Board to restrict the use of BWCs during protests so long as Service Members are not directly engaging members of the public, to avoid a chilling effect on the public's exercise of the right to free expression. The Policy clearly states that BWCs must only be activated for the purpose of recording a direct interaction with a member of the public. As such, BWCs will not record protests, but rather, the ability to record at a protest will be triggered only on the basis of a Service Member's direct interaction with a member of the public at a protest.

The Board Office would like to thank all members of the public who participated in the consultation. The Board Office would also like to thank the Chief and Service for bringing an enhanced degree of transparency to the development of Service Procedures during the consultative process on BWCs. This was the first time that both the Board and Service jointly consulted on a draft Policy and Procedure, and we believe that members of the public and stakeholders were better informed to provide input as a result of the approach that was taken.

Policy Approach and Key Elements

Activation of the BWC: In developing the proposed Policy, the Board has taken the approach that Service Members should record, wherever possible, all direct interactions with the public, while the public's privacy would be protected primarily through clear

restrictions on access to any recordings. As a result, the proposed Policy requires Service Members to record all direct interactions with the public, with clearly defined and restricted exceptions developed in consultation with the IPC to protect the dignity and privacy of members of the public in specific and highly sensitive situations. Further, the proposed Policy establishes strict restrictions on access to BWC recordings, and a clear audit trail requirement that facilitates ongoing monitoring to guard against unauthorized and unjustified access to recordings.

Secure Storage: Trust in the security of the system is paramount for both the protection of privacy and for the achievement of accountability goals. Therefore, the proposed Policy requires that recordings are securely stored in a manner that prevents any tampering or editing of recordings. Certain redaction and anonymization tools will be available to the Service when releasing copies of recordings to members of the public and in order to protect the privacy of individuals; however these tools will not allow changes to be made to the original recording as stored.

Public Access to Recordings: Public access to BWC recordings will have a critical impact on building public trust in the Service. While the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) establishes legitimate grounds for the Service to refuse to disclose records in its possession, it is apparent that the use of BWCs will not improve public trust – indeed, it will negatively impact it – if the Service is perceived to be resisting the release of recordings that show potential officer misconduct. To avoid this, the proposed Policy creates a right of access for members of the public to access appropriately anonymized recordings of interactions with members of the Service, and emphasizes the ability of the Chief to release recordings where there is a compelling public interest to do so, even where no official request for their release was made. As a consequence of comments received during the public consultation phase, the proposed Policy clearly enables all members of the public to request access to BWC recordings, regardless of what, if any, relationship they have to the individuals captured in the recording. This will enable members of the public who believe there is public interest in the release of a recording to obtain it, subject to the Chief's considerations in accordance with MFIPPA. The proposed Policy also establishes the monitoring of MFIPPA-based refusals of requests for access, to ensure that this tool is used appropriately and in a transparent manner.

Discipline Framework: To ensure compliance, the proposed Policy uniquely requires the Chief to establish a framework for discipline for Service Members found to have failed to comply with the Procedure, and to make this framework known to the public. The Service's draft Procedure sets a minimum of eight hours penalty (16 hours for supervisors) for failure to activate the BWC in accordance with the Procedure, with increasing penalties for repeat offences. This unprecedentedly transparent and clear framework clearly indicates, to both Service Members and the public, the importance that the Board and the Service attach to full compliance with this proposed Policy.

Transparency: Finally, the proposed Policy establishes a number of important tools for transparency and accountability of the Service as a whole, as well as of the Board itself, when it comes to BWCs. Some of these are as follows:

- The Service:
 - is required to publish an up-to-date copy of its BWC Procedure on its website, along with additional information for the public regarding their rights with respect to BWC recordings (the Procedure as it currently stands is attached as Appendix C);
 - will report to the Board on any changes to the Procedure on an annual basis;
 - will undertake an annual audit of BWC recordings, and an annual review of the impact of the Procedure, with an emphasis on the impact on racialized and disadvantaged communities. The results of the audit and the review, alongside a set of indicators and statistics that will measure the effectiveness, impact and cost of the initiative, will be submitted to the Board annually.

- The Board:
 - will carry out a regular review of the Policy, to ensure that any learnings from the experiences of the Service and other law enforcement agencies can inform Policy amendments and continuously ensure the Policy is aligned with best practices as those develop in the professional literature.
 - will explore a partnership with external expert(s) (e.g., academic experts) to carry out independent evaluations of the impacts of the use of BWCs on communities in Toronto.

Conclusion:

The Board recognizes that BWCs are but one tool, and must be part of a larger suite of initiatives focused on ensuring the City of Toronto is a safe and welcoming place for all communities, with fair and equitable police services provided without bias. We recognize that, on their own, BWCs may have little or no effect on increasing accountability and public trust in the Service, and improving justice system outcomes.³ However, in combination with other Board initiatives, such as the series of police reform recommendations adopted by the Board in August 2020, and including other elements, like the Service's implementation of the Board's Race-Based Data Collection Policy, we are confident that BWCs can provide an enhanced degree of objective transparency to police-public interactions.

The Board will continue to monitor the implementation of BWCs by the Service to examine its effects and impacts, and to ensure that this Policy is achieving its intended purposes. The Board will also continue to work with the Service and the public to implement and continue to identify the other opportunities and strategies necessary to achieve police and community safety reform.

³ See, for example, Yokum, David, Anita Ravishankar, and Alexander Coppock. "A randomized control trial evaluating the effects of police body-worn cameras." *Proceedings of the National Academy of Sciences* 116, no. 21 (2019): 10329-10332.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. Teschner". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Ryan Teschner
Executive Director and Chief of Staff



TORONTO POLICE SERVICES BOARD

BODY-WORN CAMERAS

APPROVED	Mm/dd/yy (spelled out)	Minute No: Pxxx/00
REVIEWED (R) AND/OR AMENDED (A)		
REPORTING REQUIREMENT	Annual, as detailed below	
LEGISLATION	<i>Police Services Act, R.S.O. 1990, c. P.15, as amended, s. 31(1)(c); Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56; Youth Criminal Justice Act, S.C. 2002, c. 1</i>	
TAGS		

Guiding Principles

The Toronto Police Services Board (the Board) is committed to providing fair, effective, efficient, equitable and accountable policing services to the members of all of our communities, in accordance with the fundamental rights guaranteed by the *Charter of Rights and Freedoms* and the *Human Rights Code* of Ontario. The Board is also committed to ensuring that the inherent worth and dignity of all individuals who come into contact with police is respected in all interactions.

By recording interactions with members of the public, body-worn cameras have been advanced as one way to increase transparency, enhance accountability for rights protections and situations in which force is used during an interaction with police, and improve law enforcement practices by identifying where a need may exist for additional training, supervision or discipline. Body-worn cameras will also enable the timely and fair investigation of any allegations of misconduct by Service Members, and a quick resolution of complaints.

In addition, body-worn cameras are an effective tool for gathering evidence and providing a more accurate record of events, thus improving the work of the criminal justice system as a whole.

Purpose of Policy

It is the purpose of this Policy to authorize the Service to deploy and use body-worn cameras and to ensure that their use by the Service occurs in such a way as to ensure the following public interests are served:

- Improving the transparency of the Service with regards to allegations of discreditable conduct, improper conduct, misconduct, biased service delivery and excessive or improper use of force by Service Members;
- Ensuring the accountability of the Service and Service Members through internal and public oversight systems;
- Protecting individuals' right to privacy by limiting access to recordings from body-worn cameras to the greatest extent possible and to as limited a number of people as possible;
- Ensuring individuals have access to personal information pertaining to them which is collected by the body-worn cameras;
- Enhancing public trust and police legitimacy;
- Enhancing public and police officer safety;
- Enhancing the commitment to anti-racist, bias-free service delivery by Service Members to the public;
- Providing improved evidence for investigative, judicial and oversight purposes;
- Ensuring timely and fair response to misconduct allegations against Service Members, in a manner that enhances public and Member confidence in the Service's complaint process; and
- Providing information as to the effectiveness of Service procedures and training.

Risks and Mitigation

The Board acknowledges that the use of body-worn cameras is not without its own challenges. There are important concerns surrounding privacy, particularly where what could be perceived as surveillance of vulnerable people and racialized communities is concerned, or in sensitive situations such as domestic violence calls. The Board recognizes the important constitutional principle: that individuals have a justified expectation of privacy as they go about their daily business, even within public spaces, and this expectation must be respected subject to reasonable limits. In addition, the manner in which body-worn camera use is implemented and governed could have a substantial impact on their effectiveness when it comes to cases of excessive use of force or other matters that may engage the police oversight system. Similarly, access to recordings must also be strictly governed, both to prevent breach of privacy by both internal and external actors, and to ensure that all recordings are preserved in their full, unedited form on the system, throughout their retention period. Finally, the transparency of the implementation of this Policy by the Service, including public access to information on its effectiveness in achieving the Policy's goals, is a critical element of building the public trust necessary for the achievement of the Policy's purposes and goals.

The Board will monitor the Service's implementation of this Policy to mitigate these risks, including the provision of robust training to Service Members to ensure effective deployment of this tool. The Board will also continue to monitor best practices and recommendations made by relevant stakeholders to identify possible revisions to this Policy, where appropriate. The Board will also continue to work with the Service and a broad range of stakeholders to identify other opportunities and strategies to achieve the crucial goals of delivering professional policing in a manner that respects individuals' dignity, privacy, worth and human rights.

Policy of the Board

It is, therefore, the policy of the Toronto Police Services Board that the Chief of Police, in consultation with the Information and Privacy Commissioner of Ontario and other relevant stakeholders, will develop Procedure(s) that:

General

1. Implement the recommendations set out in the Office of the Privacy Commissioner of Canada's *Guidance for the Use of Body-Worn Cameras by Law Enforcement Authorities* (2015), and ensure that new recommendations and best practices continue to be monitored and implemented as they are identified by the relevant Provincial and Federal authorities;
2. Specifically identify the legislative authority for the collection of personal information that will be captured by the cameras and ensure that any such collection aligns with that authority and all other relevant legislation, including any legislative provisions addressing data, information or records storage, access, use and/or disclosure;
3. Ensure that all use of body-worn cameras and their recordings is consistent with the *Ontario Human Rights Code* and the *Charter of Rights and Freedoms*.

When and How to Use Body-Worn Cameras

4. Identify the uniform front-line Service Members who must wear body-worn cameras that are capable of reliably recording video and audio of the Service Member's contact with the public, and that can clearly indicate to individuals who are part of that interaction that the camera is active and recording;
5. Specify when a body-worn camera must be activated, so that Service Members will activate their body-worn camera *prior* to the beginning of all direct interactions with the public that are undertaken in whole or in part to further a valid law enforcement purpose, unless an unexpected and immediate threat to the life or safety of the Service Member or of a member of the public makes it impossible or dangerous to activate the body-worn camera prior to that interaction, in which case the Service Member is required to activate the body-worn camera at the earliest opportunity thereafter;

6. Establish that body-worn cameras may only be used for the purpose of recording direct interactions between Service Members and members of the public, and may not be used for surveillance of members of the public or Service Members, or to covertly record the activities of a member of the public, except with judicial authorization;
7. Establish that Service Members may not deactivate the body-worn camera until all direct interaction with the public has ended, except for specific circumstances which are clearly defined in this Policy and the Service's Procedure and are as limited as possible, and where such exceptions serve to protect the dignity of members of the public, in which cases the Service Member must record the specific reason for deactivation;
8. Establish that Service Members may not intentionally prevent the body-worn camera from capturing video or audio during an interaction with a member of the public in accordance with Section 5 (e.g., by obstructing the lens or microphone or by repositioning the camera so as to prevent it from capturing the interaction), with the sole exception of temporarily covering the lens with their hand to protect the dignity of an individual during situations of a sensitive nature (e.g., when encountering a person in a state of undress), and then only for the shortest time possible while taking steps to protect the dignity of the individual, and provided that the Member is not in a situation where they might use force while the lens is covered;
9. Establish that Service Members must inform members of the public that they are being recorded at the earliest opportunity during an interaction;
10. Establish, notwithstanding sections 5 and 7 above:
 - a. Conditions under which Service Members, *prior* to entering a private residence or a private place (defined as a place to which the public does not have lawful access and where one may reasonably expect to be safe from uninvited intrusion or surveillance, including, for example, places of worship and lawyers' offices) must inform occupants that they are being recorded in both video and audio and inquire whether these individuals request that the body-worn camera be deactivated;
 - b. Conditions under which Service Members may deactivate their body-worn cameras before the conclusion of an incident for the purpose of protecting law enforcement strategies, provided that:
 - i. the Service Members are not interacting with members of the public or are in the vicinity of members of the public while the body-worn camera is deactivated;
 - ii. the body-worn camera is reactivated at the earliest opportunity and prior to any interaction with a member of the public; and

- iii. the reason for the deactivation is recorded in accordance with a designated process;
 - c. Conditions under which Service Members who are attending at an Indigenous event in a public place which includes a spiritual ceremony, must deactivate their body-worn cameras for the duration of the ceremony, and reactivate them immediately at the conclusion thereof, if required to do so in accordance with this Policy;
 - d. Conditions under which Service Members who are attending at a healthcare facility must deactivate their body-worn cameras; and
 - e. That body-worn cameras shall not be activated in places or circumstances where recording is prohibited by law, except under exigent conditions or with lawful authority;
- 11. Establish with regards to the body-worn camera's 'stealth mode' (i.e., a mode wherein the body-worn camera is recording without providing visible and audible signals) that:
 - a. The 'stealth mode' shall only be used in situations where activating the camera in its normal mode may endanger the safety of Service Member, and only for the duration necessary for this purpose;
 - b. If a body-worn camera was set to 'stealth mode' prior to an interaction with a member of the public to protect the safety of Service Members, and the Service Member subsequently engages with a member of the public, the Service Member must inform that person or persons as soon as reasonably possible that the body-worn camera is activated, and turn off the 'stealth mode' as soon as possible.
- 12. Establish that Service Members must upload all recordings from the body-worn camera at the end of a shift, and that supervisors must ensure that all recordings from body-worn cameras used by Service Members under their supervision have been uploaded.

Controls

- 13. Establish that if a Service Member has not recorded in full or in part an interaction with a member of the public, the Service Member must document the specific reason that a recording was not made in part or in full using a designated process, which process must include a review by a Member designated by the Chief of Police;
- 14. Establish training requirements for Service Members to fulfill prior to being issued a body-worn camera, and subsequent on-going training requirements, so as to ensure that Service Members are able to comply in full with this Policy;

15. Establish a framework for reviewing of recordings by supervisors on a regular basis to:
 - a. Ensure compliance with procedures;
 - b. Identify and address evidence of explicit or implicit bias and discrimination; and
 - c. Determine the need for additional training or other measures;
16. Establish the framework for discipline of Service Members who fail to comply with this Policy or the Procedure, and in particular, where Service Members have failed to comply with the requirements as set out in sections 4–13;

Transparency

17. Require that up-to-date information be posted on the Service's public website concerning the collection of body-worn camera recordings, including a current copy of the Service's Body-Worn Camera Procedure, how individuals can complain about use or lack of use of body-worn cameras, what information is being collected, the length of applicable retention periods, how individuals can make requests for viewing or releasing to the public such recordings, information about how to appeal to the Information and Privacy Commissioner of Ontario where a request is denied in whole or in part, and a copy of the most recent annual report to the Board;

Secure Retention and Disposal of Recordings

18. In consultation with the Information and Privacy Commissioner of Ontario, and in accordance with all applicable legislation, establish and ensure that recordings from body-worn cameras, including any meta-data produced by the body-worn cameras or the technology supporting the Service's body-worn cameras, will be:
 - a. Stored on a secure Canadian storage server in accordance with all applicable provincial and federal legislation and security best practices, so as to prevent any editing, tampering and unauthorized access to recordings and meta-data;
 - b. Encrypted within the camera, during transit to the storage server, and while in storage; and
 - c. Destroyed at the end of their retention period in a secure manner which prevents recovery and unauthorized access to the recordings and meta-data;
19. Establish, in consultation with the Information and Privacy Commissioner of Ontario and the Ministry of the Attorney General, and in accordance with all applicable

legislation, the minimum retention period for recordings from body-worn cameras, and conditions for extensions of the retention period;

20. Establish actions to be taken by the Service in the case of a potential or actual access breach of the Service's recording and meta-data storage services, including breach mitigation and control steps and the steps to notify the public, impacted individuals of the potential breach;
21. Establish that the Information and Privacy Commissioner of Ontario must be notified as soon as reasonably possible of significant privacy breaches, to be determined through consideration of all the relevant circumstances, including whether:
 - a. The personal information at issue is sensitive, either by its nature or given its context;
 - b. The breach is likely to cause significant harm, including financial, reputational, or emotional harm, such as embarrassment or humiliation;
 - c. The breach involves the personal information of a large number of individuals;
 - d. The likelihood that the personal information at issue could be misused, or further disseminated by others; or,
 - e. The Service is having difficulties containing the breach.

Limited Use and Access to Body-Worn Camera Recordings

22. Establish the conditions under which specified individuals may view or receive copies of recordings from body-worn cameras, ensuring that:
 - a. Service Members who wore the body-worn camera which captured a recording may access the recording and make additions to their notes based on the review of the recordings, which must be clearly marked as such, once they completed any required initial reports, statements and interviews regarding the recorded events;
 - b. Access to recordings by other Service Members is limited only to those with a specified role in relation to the recording which justifies and necessitates such access, including but not limited to investigation, supervision, legal proceedings, training development, reporting, and auditing, and will be granted only when circumstances require such access;
 - c. Access to recordings is provided in a timely manner to Members of bodies responsible for independent oversight of police (e.g. the Ontario Independent Police Review Director and the Special Investigations Unit)

who are conducting an investigation and who have grounds to believe the recording includes evidentiary materials;

- d. Access to recordings is provided in a timely manner to individuals who have lawful authority to obtain such access;
23. Establish that Service Members who obtain copies of body-worn camera recordings in accordance with Section 22 above may not further disclose these recordings to other parties without lawful authority;
24. Establish the documentation required to obtain access to a recording from body-worn cameras in accordance with section 22, which must include, at a minimum, the identity of the requestor, the reason for the request for access, and the authority under which the demand for access is being made;
25. Establish that an audit trail will be created and maintained by the Service, that will identify with respect to every recording the time of access, whether a copy was provided to the requestor, and any information gathered in accordance with section 24, and that this audit trail will be kept indefinitely, regardless of the retention period of its associated recording.
26. Establish, notwithstanding the provisions of section 22 above, additional safeguards to enhance the storage and limit access to recordings of Minors who are suspected of an offence or are witnesses to a suspected offence, in accordance with the *Youth Criminal Justice Act*,
27. Establish that a member of the public may request to view recordings from a body-worn camera or that the recordings and/or their metadata be released to the requestor;
28. Establish that requests from members of the public for body-worn camera recordings, in accordance with section 27, must be assessed in compliance with MFIPPA, and any information the Service requires in order to make this assessment may be requested in a manner consistent with the Service's Access to Information processes;
29. Establish that, notwithstanding the provisions of section 27, the Service may refuse to release to a member of the public recordings where such refusal is in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, provided that the reason for the refusal is provided to the requestor in writing;
30. Ensure that access to recordings for members of the public is granted or refused in a timely fashion;
31. Establish that recordings released to the public in accordance with sections 27 and 33 must be full and unedited with the exception of measures such as image blurring and voice distortion for the purpose of concealing the identities of members of the public other than the requestor; and

32. Establish that the Service may only use recordings from body-worn cameras for the purposes of training after the identities of all members of the public captured in the recordings are concealed through measures such as image blurring and voice distortion.

In addition, it is the Policy of the Board that:

33. The Chief of Police may initiate the release to the public of recordings from body-worn cameras, taking into consideration relevant factors, including what is consistent with the law and the public interest, and what is reasonable in the circumstances of the case;
34. Whenever the Chief of Police initiates the release to the public of any recordings from body-worn cameras that include images or voice recordings of members of the public:
 - a. the identities of all members of the public captured in the recordings are concealed through measures such as image blurring and voice distortion, unless the Service is required by law to release the recordings in another form; and
 - b. the Chief of Police will include with the release a justification of the public interest in releasing the recording;

Furthermore, it is the Policy of the Board that the Chief of Police will ensure that:

35. Recordings from body-worn cameras may not be used in combination with facial-recognition technology, video analytics software, voice recognition software, or to generate a searchable database of images of individuals who have interacted with Service Members, with the exception of comparing images that are directly related to an investigation to a “mug shot” database in a manner approved by the Board;
36. The Service shall not use body-worn camera recordings recorded during a protest in combination with the Service’s “mug shot” database unless there are reasonable grounds to believe that an offence has been committed at the protest, and then only for the purpose of investigating such an offence and comparing only images of the individual suspected of the offence to the images in the database;
37. The Service shall conduct a Privacy Impact Assessment in consultation with the Information and Privacy Commissioner of Ontario, and bring its findings before the Board for its consideration *prior* to implementing any significant changes to the Service’s use of body-worn cameras, including when:
 - a. The Service wishes to utilize recordings from body-worn cameras in a novel manner or in combination with other software or hardware,

- b. The technology used to capture, retain, store or destroy the recordings changes beyond routine software updates issued by the supplier, including the deployment of any new or additional features; or
- c. The scope or governance of the Service's body-worn camera program changes;

Auditing and Public Reporting

It is also the Policy of the Board that the Chief of Police will:

38. Ensure that the Service conducts an annual audit of:

- a. all incidents concerning which a complaint under the *Police Services Act* was filed during the reporting period,
- b. all incidents for which an investigation was initiated by the Special Investigations Unit or the Office of the Independent Police Review Director,
- c. a sample of incidents for which a Use of Force form was completed during the reporting period,
- d. a sample of incidents during the reporting period that were initiated by a call for service
- e. a sample of incidents during the reporting period that were not initiated by a call for service,
- f. all incidents wherein a body-worn camera was disabled for the purpose of protecting law enforcement strategies in accordance with section 10.b above, and
- g. a sample of the metadata for incidents whose retention period has expired during the reporting period;

and which includes a review of body-worn camera recordings for these incidents to ensure that:

- a. The recording begins prior to the beginning of the interaction with the member of the public, and if not, that a satisfactory explanation for the failure to activate the body-worn camera before the interaction began was provided in accordance with the Service's Procedure;
- b. The subject of the recording is informed at the earliest opportunity in the interaction that the interaction is being recorded for video and audio;

- c. Any obstruction of the lens or gaps in the recording are justified and of reasonable duration;
 - d. The recording ends:
 - i. After conditions for an exception in accordance with section 7 above have been established; or
 - ii. After the interaction has ended;
 - h. All access to the recordings was justified and necessary;
 - i. All requests for recordings from the Special Investigations Unit or the Office of the Independent Police Review Director were fulfilled in full and in a timely manner; and
 - j. The Service is in compliance with required retention and destruction practices;
39. Advise the Board Office and file with it a new copy of the Service's Procedure governing body-worn camera use whenever a change is made to the Procedure;
40. Report no less than once every three months, by way of a report to the Board or a publicly available website, on the number of requests made by members of the public to view or release to the public recordings from body-worn cameras which were refused, if any, and a summary of the reasons for any refusals; and
41. Provide the Board with an annual report which will include:
- a. A summary of any changes to the relevant Procedures made in accordance with this Policy over the reporting period;
 - b. The findings of the annual audit;
 - c. The number of requests made by members of the public to view or release to the public recordings from body-worn cameras, the number of requests that were refused, if any, and a summary of the reasons for any refusals;
 - d. The number of recordings released to the public by the Service for public interest reasons, broken down by the reason for the release;
 - e. The number of complaints received by the Service with regards to use or failure to use of body-worn cameras, a summary of the complaints, and a summary of the dispositions of the complaints during the reporting period;
 - f. The total number of complaints received by the Service against Service Members, and the number of complaints for which there was a relevant body-worn camera recording, broken down by complaint resolution status;

- g. The number, if any, of recordings requested by the Special Investigations Unit or the Office of the Independent Police Review Director, which were not fulfilled within 30 days;
- h. The total number of recordings currently stored by the Service beyond the default retention period, broken down by the reason for the extended retention period;
- i. The total number of recordings released as part of a disclosure process in a legal proceeding;
- j. The number of reports submitted in accordance with section 13, above, documenting the reason for a failure to activate the body-worn camera prior to the beginning of an interaction with a member of the public, and the number of these incidents, if any, which were found to not be in compliance with the Procedure;
- k. The number of Service Members disciplined for lack of compliance and a summary of the disciplinary measures used;
- l. The number of requests for identification of individuals in images from body-worn camera recordings using the Service's mugshot database, and the percentage of such requests out of the total requests for use of the database;
- m. The number of investigations of potential privacy breaches during the reporting period, the number of such incidents that were determined to constitute a breach and a summary description of these incidents, the number of times the Information and Privacy Commission was notified of a significant breach, and the number of individual impacted that were notified of a breach;
- n. The costs and/or savings associated with deployment and use of body-worn cameras in the previous year; and,
- o. A review of whether the deployment of body-worn cameras is achieving the purposes set by this Policy, whether their use remains justified in light of these purposes, and whether their use has resulted in any unintended negative impacts, including, but not limited to:
 - i. Use of Force trends over the past five years;
 - ii. Complaints trends over the past five years;
 - iii. Findings from a survey of public trust in the Service; and
 - iv. Findings from a consultation with impacted and marginalized communities.

It is also the Policy of the Board that:

42. The Board shall review this Policy within one year after full deployment of the body-worn cameras by the Service, and thereafter at least once every three years, and make any amendments it determines are appropriate, having regard to the Policy's purposes, insights gained through the Service's deployment and experience with body-worn cameras, and academic or expert research findings concerning the use of body-worn cameras by police services.

Via E-Mail

October 9, 2020

Dubi Kanengisser
Senior Advisor
Toronto Police Services Board
40 College Street, 7th Floor
Toronto, ON M5G 2J3
dubi.kanengisser@tpsb.ca

Dear Dr. Kanengisser,

RE: Body-Worn Camera Policy Consultation

The Canadian Civil Liberties Association (CCLA) appreciates the opportunity to participate in the Toronto Police Service Board's (TPSB) consultation on the policy for body-worn cameras for the Toronto Police Service.

This letter is a follow-up to the in-person conversation we had on September 25, 2020, and is a supplement for the points we raised at that time. We have had the opportunity to review your follow-up email of September 28th and the changes you have made to the policy in response to our initial feedback. The changes address the majority of the points we raised in our last meeting and we appreciate the hard work that you and your team have done to reflect the feedback from the consultation.

We understand the decision to roll-out body-worn cameras has been made, and that these consultations are being conducted to create a strong and effective policy framework for this implementation. We must note, however, that CCLA shares the concerns expressed by the Ontario Human Rights Commission in their submissions to this consultation regarding moving forward with this implementation despite community concerns expressed pointedly and poignantly by individuals and groups in the Black and other racialized communities.

Body-worn cameras are not, by their mere implementation, going to serve the goal of enhanced police accountability. They are rather technological tools that, if not well constrained and focused by policy, are all too likely to exacerbate the power asymmetry between officers and members of the public, in a system where systemic racism is a reality. The stakes for this policy framework, and the more explicit procedures that will be based on it, could not be higher.

The points below elaborate on issues that we were not able to fully explore during our last meeting and provide feedback on some of the most recent changes to the policy.

1. Facial recognition

As mentioned in our consultation, the potential privacy impacts of body-worn cameras when used in combination with facial recognition technology are immense. Even if facial recognition technology is limited to comparing images to the service's existing mug-shot database, the number of facial images the service will be recording will be increasing exponentially. As currently drafted there is no requirement that the images run against the mug-shot database will be images connected to an active investigation. It is an extremely permissive provision.

We recommend that the exception in s. 30 for comparing images with the Service's mug-shot database be removed entirely.

Should the TPSB and TPS wish to explore the use of the mug-shot database in combination with body-worn camera images in the future, a full dedicated consultation, privacy impact assessment, and human rights impact assessment must first be undertaken.

If s. 30 remains in the policy, at a minimum, we strongly recommend that the policy significantly strengthen the limitation on the use of facial recognition. Possible revised wording for s. 30:

Recordings from body-worn cameras may not be used in combination with face recognition technology, video analytics software, voice recognition software or to generate a searchable database of images of individuals who have interacted with Service Members, with the exception of comparing images that are directly related to an active investigation to a "mug shot" database in a manner approved by the Board.

2. Facial recognition and protests

As set out above, we strongly recommend a complete ban on facial recognition for body-worn camera footage. Therefore, while we appreciate the addition of Section 31, we believe that stronger restrictions are warranted.

If the event that Board proceeds with a policy that allows for the use of the Service's mug-shot database, we recommend that the Board revisit the wording of s. 31. The provision is extremely permissive. It would permit any recordings from a protest to be used in combination with the "mug shot" database, regardless of whether the recordings were connected to the suspected offence. The threshold – reasonable suspicion – is also quite low. In our view, almost any large protest will give rise to *some* reasonable suspicion that *someone* has committed an offence. In addition, most disruptive but peaceful protests involve actions that on their face are prohibited by bylaws (eg. noise bylaws) or the *Highway Traffic Act*. In many cases these individuals will have been engaged in entirely lawful, constitutionally-protected activity.

Should the Board proceed with a policy that allows body-worn camera images to be used in combination with the Service's mug-shot database, there should be a carve-out prohibition for the use of images or video obtained at protests.

At the absolute minimum, the use of images from protests should be more tightly restricted than is currently set out in s. 31. We would suggest the following wording:

“The Service shall not use recordings or images gathered at protests in combination with the Service’s “mug shot” database unless there are reasonable grounds to believe that the individual the Service seeks to identify committed a criminal offence at the protest; the image used must consist only of the person or persons who are suspected of having committed the relevant offence.”

3. Use of body-worn cameras at protests

Given the significant privacy interests at protests and the potential for police recordings to significantly chill freedom of expression and peaceful assembly, we strongly recommend that body cameras be presumptively turned off when police officers are attending protests. The policy should specifically reference that the limit on body-worn cameras at protests has been put in place to ensure that there is not undue influence on the rights to freedom of expression and peaceful assembly.

There should also be specific situations that result in the cameras being turned on at a protest.

Should a police officer determine that she needs to respond to a particular situation or initiate a specific interaction with a member of the public during a protest, the body camera should be turned on.

Cameras should also be turned on if police officers believe that there is a likelihood that force will be used. This could be achieved by requiring that the cameras be turned on when a group of police officers actively equip themselves with heavier tactical gear during a protest situation, including for example shields or tactical helmets. This would be a clear sign that police believe that use of force may become necessary. This type of tactical gear, however, will not be actively deployed in the vast majority of protest situations.

We believe that this intermediate position appropriately reconciles the freedom of expression, privacy, peaceful assembly, and police accountability interests that intersect at protest events. Regardless of the final text of the policy, however, the provisions on body-worn cameras during protests should be reviewed after two years to ensure that the policy is achieving its goals, including the potential negative impacts on expression and peaceful assembly.

4. Rules on secondary uses and subsequent disclosure

During our consultation we mentioned that the policy likely needed a section limiting subsequent disclosure. We referenced the provisions of the *Youth Criminal Justice Act* regarding youth records as an example of a regime that contained provisions regarding both access and disclosure.

We believe that there needs to be a clear prohibition on secondary uses and subsequent disclosure by individuals who have access to recordings under s. 19.

5. Consideration of non-governmental recommendations

You note that Section 1 was revised as follows:

Implement the recommendations set out in the Office of the Privacy Commissioner of Canada's *Guidance for the Use of Body-Worn Cameras by Law Enforcement Authorities* (2015), and ensure that new recommendations continue to be monitored and implemented as they are made by the relevant Provincial and Federal authorities;

Government bodies are not the only ones that may provide relevant recommendations. We recognize that there may not be an ability to make a commitment, in policy, to implement all recommendations of non-governmental actors or organizations. Nevertheless, we do believe that any relevant recommendations should be monitored and given due consideration, regardless of the source.

CCLA also commends to you and supports the recommendations of the Ontario Human Rights Commission regarding the need for proactive and systematic supervisory review of footage to identify, monitor and address discrimination in interactions with the public. We also support the creation of an accessible and expedient process for individuals who are charged with offences or are planning on filing a police misconduct complaint to view all relevant footage. We believe that this process should be separate from access to information or more fulsome access requests, and allow individuals and their advocates to view-only expedited access to footage on a provisional, confidential and privacy-protective basis.

Regards,



Brenda McPhail, PhD.
Director, Privacy, Technology & Surveillance Project
bmcphail@ccla.org



Abby Dushman
Director, Criminal Justice Program
adeshman@ccla.org

**Ontario
Human Rights
Commission**

Office of the Chief Commissioner

180 Dundas Street West, Suite 900
Toronto ON M7A 2G5

Tel.: (416) 314-4537
Fax: (416) 314-7752

**Commission
Ontarienne des
Droits de la Personne**

Bureau du Commissaire en Chef

180, rue Dundas ouest, bureau 900
Toronto (Ontario) M7A 2G5

Tél. : (416) 314-4537
Télééc. : (416) 314-7752



WITHOUT PREJUDICE

October 28, 2020

Dubi Kanengisser
Senior Advisor
Toronto Police Services Board
40 College Street, 7th Floor
Toronto, ON M5G 2J3
Dubi.Kanengisser@tpsb.ca

Michael Barsky
Superintendent #4420
Unit Commander - No. 52 Division
Toronto Police Service
Michael.barsky@torontopolice.on.ca

Dear Mr. Kanengisser and Superintendent Barsky:

RE: Body-worn cameras consultation

Thank you for your invitation to participate in the Toronto Police Services Board's (TPSB) consultation on its Policy on body-worn cameras (policy) and to provide guidance on the Toronto Police Service (TPS) procedure (procedure) on the same issue. The OHRC is providing this guidance to the TPSB and TPS at the same time, to ensure the policy and procedure are in alignment.

The OHRC has been engaged with the TPS and TPSB on developing its body-worn camera program over several years, and is pleased to continue engaging on this issue. We appreciate the conversation we had with TPSB staff on October 6, where we provided feedback on the OHRC's points of concern with the TPSB/TPS implementation of the cameras. This letter is intended to supplement that conversation.

The OHRC is aware of vocal concerns from Black and other racialized communities about the efficacy and funding required for body-worn cameras. The OHRC has heard directly from Black communities that these cameras will not prevent the deaths of Black people at the hands of the police, and that more meaningful action is necessary. The OHRC also recognizes earlier research that suggests body-worn cameras can be a tool

for accountability for excessive use of force by officers, and notes that this research has been called into question by more recent studies.¹ For this reason, the TPS and TPSB need to consider evolving research on the efficacy of body-worn cameras, and community concerns about body-worn cameras.

For body-worn cameras to support accountability for officer misconduct, procedures around their use must be robust. This must include explicitly requiring supervisors to proactively review footage of officers under their command, to assess whether the officers are providing a service environment free of racial discrimination. We recognize that TPSB committed to updating its policy after our consultation on October 6, by adding:

“Establish a framework for reviewing of recordings by supervisors on a regular basis to ensure compliance with procedures and determine the need for additional training or other measures.”

While we are pleased to see the new requirement that supervisors will regularly review recordings, this does not go far enough. Reviews must be conducted with the explicit objective of identifying, addressing and eliminating racial profiling and racial discrimination. Further, the frequency of the reviews should be specified, and footage from all front-line officers should be reviewed at least every two years.

In addition, robust oversight policies and procedures are needed to ensure that cameras are not used to disproportionately subject certain neighbourhoods, or racialized groups, to higher scrutiny and surveillance.

Significant gaps in accountability and monitoring

Police services have said that body-worn cameras are meant to serve as a tool for accountability and monitoring for policing based on racial profiling or discrimination. This requires that supervisors regularly review camera footage, and act on any potentially-discriminatory conduct observed, through remediation and discipline of individual officers. As currently drafted, the policy and procedure fail to require systematic review of body-worn camera footage to identify and eliminate racially-biased policing and excessive force, and thus fails to ensure the cameras will be used to support accountability and monitoring.

Supervisors should, at least on a quarterly basis, conduct both systematic and random audits of the body-worn and in-car camera recordings of officers under their command, to assess whether officers are providing a service environment free from racial

¹ Evaluating the effects of police body-worn cameras: a randomized controlled trial, The Lab @ DC, Working Paper, October 20, 2017, https://bwc.thelab.dc.gov/TheLabDC_MPD_BWC_Working_Paper_10.20.17.pdf.

discrimination. These reviews should ensure that footage from all front-line officers is audited at least every two years.

Supervisors should thoroughly review use of force incidents, including data from use of force reports, injury reports, subject and witness officer notes and other relevant reports, and any video from body-worn or in-car cameras, immediately after the incident takes place, to determine whether there are credible non-discriminatory explanations for the use of force. This is subject to the jurisdiction of the Special Investigations Unit (SIU). The reviews should be documented. Where supervisors do not identify a credible non-discriminatory explanation for the use of force, the officer's conduct and supervisor's concerns should be flagged in their personnel file and referred to Professional Standards for a full investigation.

The policy and procedure should also identify the potential remediation and discipline individual officers would face if discriminatory conduct were identified on body-worn camera footage.

The TPS and TPSB should report on the quantity and quality of supervisors' audits every year, and this reporting should identify how many instances of potential racial bias were identified, how many internal conduct complaints were initiated based on reviewing body-worn camera footage, and the nature of any remediation or discipline of individual officers that followed.

The TPS and TPSB should also consult with the public annually about the use of body-worn cameras, to determine if cameras are serving their intended purpose.

The policy should explicitly state that one of the purposes of body-worn cameras is to serve as a tool for accountability for racially-discriminatory service delivery, given evidence of systemic racism, including anti-Black racism, in policing. The policy should also state that use of body-worn cameras must be consistent with Ontario's *Human Rights Code*. We appreciate that after our October 6 consultation, TPSB staff have advised us that this provision has been added to the General section of the policy: "Ensure that all use of body-worn cameras and their recordings is consistent with the Ontario *Human Rights Code*."

Without these important elements, body-worn cameras will be an expensive and perhaps ultimately worthless investment, at a time when communities are calling for defunding and drastic reductions in police budgets.

Use of body-worn camera footage for surveillance

In light of OHRC findings of over-surveillance and over-charging of Black persons by the TPS, extensively documented in *A Disparate Impact*,² we are deeply concerned about

² *A Disparate Impact*, Ontario Human Rights Commission, www.ohrc.on.ca/en/disparate-impact-second-interim-report-inquiry-racial-profiling-and-racial-discrimination-black.

using footage from body-worn cameras in conjunction with the TPS' mug shot database. We are concerned that this use will exacerbate existing racial disparities in the criminal justice system. Thus, we urge the TPSB and TPS to prohibit such a use of body-worn cameras. If the TPSB and TPS choose to allow body-worn camera footage to be used in conjunction with the mug-shot database, we support the recommendation from the Canadian Civil Liberties Association (CCLA), that a full dedicated consultation, privacy impact assessment, and human rights impact assessment be undertaken.

General best practices around body-worn cameras

The OHRC has identified the following elements as best practices in procedures and policies for de-ploying body-worn cameras to front-line officers, in conjunction with the best practices identified by the Civil Rights Principles on Body-Worn Cameras and the Body-Worn Camera Scorecard, projects led by the Leadership Conference on Civil & Human Rights and Upturn.³

The OHRC asks the TPSB and TPS to ensure these are included in their policy and procedure, while recognizing that many of these prescriptions have already been addressed. The OHRC notes that the current policy and procedure do not satisfy provisions (c), (i), (j), and (k), bolded below, and urges the TPSB and TPS to address this immediately. The OHRC would like to see mandatory disclosure to the public on all use of force incidents that invoke the SIU mandate within five days of the incident, but understands the restrictions on this in the regulatory framework governing the work of the SIU.⁴

Policies and procedures governing body-worn cameras should include:

- a. Clear criteria for when officers must record, and require officers to provide concrete, contemporaneous on-camera justifications for failing to record required events. For example, officers should begin recording at the earliest opportunity, prior to any contact with a member of the public, whenever that contact is for an investigative or enforcement purpose, and regardless of whether or not the person is within camera view, unless an exception applies.⁵ The following should be required to be recorded:
 - i. calls for service;
 - ii. all incidents where use of force appears likely, or is used;
 - iii. investigatory stops;
 - iv. traffic and pedestrian stops;
 - v. traffic control;
 - vi. foot and vehicle pursuits;
 - vii. emergency driving situations;

³Leadership Conference on Civil & Human Rights & Upturn, *Body Worn Cameras: A Policy Scorecard*, <https://www.bwcorecard.org/>.

⁴ Ontario Regulation 267/10, *Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit*, www.ontario.ca/laws/regulation/100267.

⁵ Body-worn cameras may not be engaged in places where recording is prohibited by law.

- viii. emergency vehicle responses to in-progress or just-occurred dispatches where fleeing suspects or vehicles may be captured on video leaving the crime scene;
 - ix. high-risk situations, including search warrants;
 - x. situations that may enhance the probability of evidence-based prosecution;
 - xi. situations that the member, through training and experience, believes to serve a proper police purpose, for example, recording the processing of an uncooperative arrestee;
 - xii. any encounter with the public that becomes adversarial after the initial contact; and
 - xiii. any other instance when enforcing the law.
 - xiv. During the recording of an incident, officers should not disengage the BWC until the entire incident has been recorded. In the event of an arrest, the incident is concluded when the subject is transported to the district station.
- b. Clear criteria for when cameras must be off, but audio stays on; such as level 3 and level 4 strip searches and cavity searches; and in healthcare facilities, unless an exception applies;
 - c. **Clear criteria for when cameras should be off, such as at protests, unless officers are directly engaging with protestors;⁶**
 - d. Clear criteria for when recording should be stopped;
 - e. Addressing personal privacy concerns by specifically, among other things, protecting categories of vulnerable individuals (e.g., victims of sexual violence, hospitalized individuals) from being recorded without their informed consent. Privacy guidelines should be developed in consultation with the Information and Privacy Commissioner of Ontario;
 - f. Requiring officers to file an initial written report or statement before relevant footage is reviewed, for all incidents;
 - g. Requiring the police service to securely delete all footage within two - three years, with exceptions for recordings that have been determined to be relevant to a criminal or civil investigation or proceeding, including officer disciplinary proceedings;
 - h. Expressly prohibiting both footage tampering and unauthorized access, and ensuring that all access to recorded footage will be logged;

⁶ The OHRC agrees with the CCLA's concerns that the presumptive use of body-worn cameras at protests may significantly chill freedom of expression and peaceful assembly.

- i. **Expressly allowing individuals who are filing police misconduct complaints to view all relevant footage in an accessible and expedient manner;**
- j. **Prohibit the use of biometric technologies (e.g., facial recognition, including mug shot databases) to identify individuals in footage;**
- k. **Criteria for when body-worn camera footage will be accessible, including:**
 - (a) **to individuals who are recorded and to the public;**
 - (b) **mandatory release to the public at the earliest opportunity in use of force incidents that invoke the SIU mandate (where officer conduct results in death or serious injury), or incidents where there is compelling public interest, if consent is obtained from the subject or next-of-kin. Consent must be sought as expeditiously as possible. This disclosure requirement shall apply to footage from all officers present during the incident;**
- l. Training to ensure all front-line officers appropriately understand and follow these prescriptions;
- m. Body-worn cameras shall be clearly affixed to an officer's uniform;
- n. TPS shall monitor the extent to which BWC are used in each division, and collect disaggregated race based statistics on interactions captured by the use of body-worn cameras. This information should be collected, analyzed and publicly reported on as part of TPS' Race-Based Data Collection Strategy

Privacy-related issues should be addressed in consultation with the Information and Privacy Commission. Issues relating to free speech and potential chilling effects of filming protests should be addressed in consultation with the CCLA.

The OHRC strongly encourages the TPSB and TPS to ensure that the policies and procedures that govern the use of body-worn cameras are drafted and applied in a way that is consistent with the Ontario *Human Rights Code* and section 15 of the *Canadian Charter of Rights and Freedoms*. Incorporating the recommendations provided in this letter and the feedback the OHRC provided during our October 6, 2020 consultation are a vital part of this process.

Sincerely,



Ena Chadha, LL.B., LL.M.
Chief Commissioner



Information and Privacy
Commissioner of Ontario
Commissaire à l'information et à la
protection de la vie privée de l'Ontario

November 5, 2020

Mr. Jim Hart
Chair
Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3

Dear Mr. Hart:

RE: Toronto Police Services Board Body-Worn Camera Public Consultation

I am writing to provide the Toronto Police Services Board (the Board) with the submission of the Information and Privacy Commissioner of Ontario (the IPC) regarding the governance framework for the Toronto Police Service (the Service) Body-Worn Camera (BWC) Program. My comments focus on the Board's draft BWC Policy and the Service's draft BWC Procedure as posted on the Board's [website](#) on October 20, 2020 (hereafter the Policy and the Procedure). It is my understanding that the Board will be considering these two governance documents at its November 24, 2020 public meeting.

As you are aware, the IPC wrote to the Board and the Service with respect to an earlier version of the Service's procedure (the July 27, 2020 version). My [letter](#) to the Board dated August 17, 2020, set out thirteen recommendations to help the Board and the Service put in place a BWC governance framework that respects the public's need for transparency and accountability in policing, and the equally compelling need to respect individuals' reasonable expectation of privacy. These thirteen recommendations were also relayed directly to the Service in our letter of August 14, 2020.

Since August, the Board, the Service, and the IPC have engaged in extensive dialogue over Toronto's BWC governance framework. While this work is still ongoing, significant progress has been made regarding the shared commitment to build transparency, accountability, and privacy into the Toronto BWC Program. In this context, I am pleased that the Board and the Service have committed to continuing to work with my office to improve necessary elements of the governance framework in the weeks and months ahead.

The IPC's Overarching Position on BWCs

As I explained in my letter of August 17, 2020 to the Board, the IPC recognizes the potential value of implementing police BWC systems. Civilian deaths in Canada and the United States continue to provide painful reminders of the importance of creating accurate recordings of police-civilian encounters. There is a growing public expectation to receive truthful and timely information about those encounters and to hold law enforcement accountable for their actions and decisions.



2 Bloor Street East
Suite 1400
Toronto, Ontario
Canada M4W 1A8

2, rue Bloor Est
Bureau 1400
Toronto (Ontario)
Canada M4W 1A8

Tel/Tél: (416) 326-3333
1 (800) 387-0073
Fax/Télé: (416) 325-9195
TTY/ATS: (416) 325-7539
Web: www.ipc.on.ca

In addition to transparency and accountability, individuals also value their sense of privacy and expect it to be protected from unwarranted state surveillance whether they are in private or public places. Accordingly, it is critical that a BWC governance framework respect both the public's need for enhanced transparency and accountability in policing, and the equally compelling need to respect individuals' reasonable expectation of privacy.

With the appropriate governance framework in place, BWC systems can be implemented in a manner that advances both these goals and helps earn public trust, recognizing that even a well-designed BWC Program can only provide a partial solution to the broader challenges facing policing today.

As you know, the thirteen recommendations I made on August 17, 2020 focused on establishing necessary transparency and accountability mechanisms, while at the same time, putting in place essential privacy controls and safeguards.

In the pages that follow, I will summarize each of those thirteen recommendations, the actions taken by the Board and the Service in response, and the IPC's evaluation of their current status. Where applicable, I will also provide additional recommendations.

MEETING THE PUBLIC'S EXPECTATION WITH RESPECT TO TRANSPARENCY & ACCOUNTABILITY

Recommendation #1 - *The Board and the TPS should commit to making BWC policies and procedures readily available to the public and publicly commit to working with the IPC to address our recommendations (regarding an appropriate BWC governance framework) by the end of 2020.*

Response to Recommendation #1: On October 20, 2020, the Board published the Policy and the Procedure on the Board's website. Section 15 of the Policy requires that "a current copy of the Service's BWC procedure" be "posted on the Service's public website."

At its August 18, 2020 meeting, the Board agreed not to proceed with Service-wide deployment until the necessary governance framework is in place. In addition, the Board and the Service committed to working with the IPC on developing the BWC governance framework, which they have actively done and continue to do. In view of our progress to date, I am confident that the governance framework will be completed by the end of 2020 or shortly after January 1, 2021.

Status of Recommendation #1: I consider recommendation #1 as having been addressed.

Recommendation #2 – *To help ensure that a full picture of the initial stages of police-civilian encounters is captured, the BWC's pre-event recording capacity should be leveraged to capture a longer period (for example, 60 rather than 30 seconds), and include both audio and video recording.*

Response to Recommendation #2: The Service's position is that given requirements in the Procedure that officers generally record the totality of all investigative or enforcement interactions or incidents, 30 seconds of pre-event video recording should be sufficient to

ensure that a full picture of the initial stages of all or virtually all such incidents are recorded.

As indicated in recent discussions with the Board and the Service, it is not yet clear that this approach to pre-event recording will be sufficient, particularly in circumstances where a police-civilian interaction starts as an informal one, *outside* of a call for service, but then quickly transitions into an investigative incident. In those circumstances, a 30-second pre-event recording capacity may not be sufficient to show what happened during the critical moments leading up to the officer's decision to treat the encounter as requiring an investigative stance.

In an effort to address our concerns, the Board has included provisions in its Policy with respect to annual audit requirements. Notably, section 33(c) requires that the audit review a sampling of BWC recordings of police – civilian interactions that arose independently of a call for service to assess whether those recordings began prior to the beginnings of those interactions and, if not, why not. In addition, the Service is exploring the possibility of instituting a longer pre-event recording of both video and audio in relation to, for example, incidents where an officer draws a weapon.

Status of Recommendation #2: It is apparent that both the Board and the Service are mindful of the importance of using BWCs to capture a full picture of the initial stages of police-civilian interactions that involve or result in an investigative incident. In addition, the Board and the Service have agreed to continue to engage the IPC on this issue.

ADDITIONAL RECOMMENDATIONS: At this time, I ask that the Service agree to update the IPC on possible changes to the BWC's pre-event recording capacity within the first quarter of 2021. In addition, I ask that the Board and the Service agree to commit to meet with the IPC regarding the lessons learned from its first annual BWC audit.

Recommendation #3 – *BWC recordings should be mandatory for the full duration of any calls for service and all other investigative-type encounters that involve a member of the public, subject to only a very limited number of exceptions. In particular, any mandated exceptions to the duty to record should be kept to a minimum, and any such exceptions should be clearly defined.*

Recommendation #4 – *Officer discretion to deactivate a BWC's recording functions and a supervisor's authority to order such deactivation should also be significantly limited and clearly defined.*

Recommendation #5 – *Officer discretion to block or reduce a BWC's recording capacity should also be significantly limited and clearly defined.*

Response to Recommendations #3, #4 and #5: Subject to two additional recommendations discussed below, the Policy and the Procedure have evolved to the point where they provide the Service and its officers with sufficiently clear and detailed instructions regarding the activation and deactivation of their BWCs. These instructions, found in sections 5 – 8 and

10 of the Policy and sections 4-6 of the Procedure¹, will help ensure that the totality of police-civilian investigative interactions will be recorded, subject to carefully and narrowly defined exceptions. Exceptions include limitations on recording in healthcare facilities, during spiritual ceremonies of Indigenous People, and in private places. In addition, there is provision for a vital but limited discretion for officers to momentarily obstruct the lens of their BWCs to protect the dignity of witnesses, victims or suspects in vulnerable situations (such as when an individual is in a state of undress).

As highlighted in the CCLA's October 9, 2020 [submission](#) to the Board, the use of BWCs at protests requires special consideration given the fundamental rights at issue and the potential chilling effect of overbroad surveillance. I agree with the CCLA that when police attend protests, their BWCs should not be turned on until after an officer determines that a specific situation calls for an investigative or enforcement action that will lead to, or is likely to lead to, direct interaction with one or more members of the public, including through the possible use of force. Such controls are consistent with the requirements in section 6 of the Policy that BWCs not be used for general surveillance or to record activity that is not a direct interaction between a police officer and a member of the public.

Status of Recommendations #3, #4 and #5: Substantial progress has been made with respect to these recommendations.

ADDITIONAL RECOMMENDATION: At this time, I recommend that the Board and the Service amend the Policy and Procedure to provide appropriate controls with respect to the use of BWCs at protests.

Recommendation #6 – *Officer and supervisor decisions to deactivate a BWC should be accompanied by stricter record keeping requirements.*

Response to Recommendation #6: Section 11 of the Policy requires that the Service establish rules governing de-activation-related record keeping requirements. Section 7 of the Procedure requires officers to record a brief audible statement indicating the reason for the intentional deactivation or limitation of the recording functionality of their BWCs, except where doing so would not be possible or would disclose confidential information. Section 8 of the Procedure addresses the record keeping requirements for accidental or unintentional interruptions to recording by requiring a subsequent deactivation notation in an officer's BWC and memorandum book. Section 20 of the Procedure addresses record keeping requirements with respect to the role of supervisors.

¹ As discussed in an October 30, 2020 telephone call between IPC and Board staff, there is an error in the section numbering of the Procedure. The text that forms the substance of section 6 is missing its enumeration as "section 6" and subsequent sections of the Procedure all require adjustment such that, for example, section 6, 7, 8, etc. become sections 7, 8, 9, etc. In this way key references to sections 5, 6, and 7 as found in what are now sections 6, 7, 20 and 29 will refer to the applicable rules about recording/not recording, consent and deactivation. I have asked my staff to follow up with the Board and the Service with respect to other technical recommendations in the days ahead. In the meantime, note that in the body of today's submission, we have chosen to make reference to the provision numbers as found in the Policy and draft Procedure as published on October 20, 2020.

Status of Recommendation #6: Substantial progress has been made with respect to this recommendation. The only outstanding issue relates to section 7 of the Procedure as it does not set any record keeping requirements where one of its exceptions applies (i.e. once the circumstances justifying the section 7 exceptions have come to an end).

ADDITIONAL RECOMMENDATION: I recommend that the Procedure be amended to instruct officers to make a deactivation notation in both the officer's BWC and memorandum book at the earliest opportunity, once the circumstances warranting a section 7 exception have come to an end.

Recommendation #7A – *As part of a comprehensive governance framework, accountability and transparency require the timely disclosure of all relevant BWC recordings to the bodies responsible for independent oversight of police (e.g. the Ontario Independent Police Review Director (the OIPRD) and the Special Investigations Unit (the SIU))*

Response to Recommendation #7A: Section 19(c) of the Policy requires that the Procedure establish conditions to ensure that access to BWC recordings is provided in a timely manner to bodies responsible for independent oversight of police (e.g. the OIPRD and the SIU). Accordingly, page 4 and sections 14, 19, 27, and 30 of the Procedure require that relevant BWC recordings must be secured and provided to the SIU in compliance with SIU requirements. We understand that this means that all relevant BWC recordings will have to be made available to the SIU in a timely manner. Page 4 and sections 13 and 28 further provide for comparable requirements with respect to the OIPRD.

Status of Recommendation #7A: I consider recommendation #7A as having been largely addressed.

ADDITIONAL RECOMMENDATION: Given the importance of independent oversight and the evidentiary value of BWC recordings, I recommend that the sections of the Board's Policy dealing with annual auditing (section 33) and annual reporting (section 35) be amended to verify, and report on, the extent to which BWC recordings are being made available to the applicable independent oversight bodies in a complete and timely fashion.

Recommendation #7B – *As part of a comprehensive governance framework, accountability and transparency further require the proactive public interest-based disclosure of BWC footage to the public in special circumstances to address compelling concerns about human rights and police use of force.*

Response to Recommendation 7B: Section 26 of the Policy requires the establishment of a public interest disclosure process whereby the Chief of Police may release BWC recordings to the public. The Policy requires that in considering releasing a BWC recording, the Chief must consider all relevant factors, including what is consistent with the law and the public interest and what is reasonable in the circumstances of the case. If the Chief decides to make such a public interest disclosure, sections 27 and 28 of the Policy require that the Service employ image blurring and voice distortion techniques so as not to reveal the identity of members of the public, but otherwise release a full and unedited copy of the

recording. Finally, on releasing a BWC recording to the public, the Chief must provide the public with a justification for the public interest release decision.

The Procedure also provides that the Chief may authorize the release of BWC recordings to the public where a compelling public interest exists, for example where there are allegations of discreditable conduct, improper conduct, misconduct or excessive or improper use of force by an officer.

Status of Recommendation #7B: I consider recommendation #7B as having been addressed.

ADDITIONAL RECOMMENDATION: However, given the importance of transparent and accountable decision-making, particularly with respect to the police use of force, I further recommend that the Procedure require that, if the Board or a member of the public requests the Chief to disclose a use of force-related BWC recording in the public interest and the Chief refuses to do so, the Chief provide the public with a justification for not releasing the recording.

PROTECTING INDIVIDUALS' REASONABLE EXPECTATION OF PRIVACY

Recommendation #8 – *The BWC governance framework must recognize and protect the public's reasonable expectation of privacy.*

Response to Recommendation #8: Both the Policy and the Procedure now explicitly state that individuals have a reasonable expectation of privacy, including in public spaces, and provide a number of important privacy and security protections, including the following:

- Section 16 of the Policy requires that BWC recordings, any meta-data produced by the body-worn cameras, and the technology supporting the Service's BWCs must be:
 - Stored on a secure Canadian storage server in accordance with all applicable provincial and federal legislation and security best practices, so as to prevent any editing, tampering and unauthorized access to recordings and meta-data,
 - Encrypted within the camera, during transit to the storage server, and while in storage, and
 - Destroyed at the end of their retention period in a secure manner which prevents recovery and unauthorized access to the recordings and metadata

Page 3 of the Procedure further indicates that:

“The Body Worn Camera and the Cloud Storage Solution are both Information Technology Assets and therefore subject to the *IT Acceptable Use Agreement* and *IT Governance* that establish organization wide controls to ensure secure storage, transfer, and disposal of all recordings created by the BWC system, including records containing audio, video files and meta-data. These controls govern any wrongful access, attempts to defeat security measures, and

inappropriate or personal use of this infrastructure, and shall be implemented by the Information Security Officer.”

- Section 18 of the Policy requires that the Procedure address the actions the Service will take with respect to actual or potential privacy breaches with respect to BWC recordings and meta-data storage services, including with respect to breach mitigation and breach notification.

Page 3 of the Procedure further provides that:

“Officers shall identify any indication or suspicion of a breach to their supervisor who will in turn conduct a preliminary investigation and engage the Information Security Officer according to the Service Procedure 17-02 Information Breaches. [...] In cases where there is a breach or possible breach of the Cloud Storage Solution, [...] the Supplier will, consistent with contractual obligations, promptly notify TPS in writing, and provide information relating to the breach or possible breach.”

- Section 17 of the Policy requires that the Procedure define minimum retention periods for BWC recordings and any associated meta-data and the conditions for the extension of those periods. Section 16(c) requires the secure destruction of this information at the end of each applicable retention period.

Page 3 of the Procedure further dictates that:

“Service BWC records shall be retained for a minimum of two (2) years plus one (1) day (which ensures the records are retained for the duration of the general limitation period established by the Limitations Act, 2002, S.O. 2002, c.24, Sched. B) and then securely destroyed, absent a circumstance that triggers a longer retention period.” (The Board and Service indicate that the circumstances that trigger a longer retention period are defined in terms of record classifications and that the retention periods for those classification are described in City of Toronto By-Law No. 689-2000.)

- Sections 32 – 35 of the Policy require the Service to conduct privacy impact assessments (PIA) and annual audits, notify the Board of changes to the Procedure, and provide the Board with annual reports. In addition, section 36 of the Policy requires the Board to conduct periodic reviews of the Policy. It is our understanding that such reviews will include an assessment as to whether Toronto’s BWC Program is accomplishing its purposes.

Finally, as you know, on October 30, 2020, I wrote to you and asked that the Board require that the Service involve the IPC in reviewing the Service’s PIAs when significant changes are made to Toronto’s BWC Program, for example, in relation to any updates to the services provided by AXON Canada. In addition, I requested that you require the Service to notify the IPC in the event of significant BWC-related privacy breaches. I understand that you have agreed to do both in accordance with the terms I conveyed to you on October 30, 2020.

Status of Recommendation #8: In my view, the Board and the Service have made significant improvements to the Policy and Procedure that incorporate limits and controls to better protect the public's reasonable expectation of privacy.

ADDITIONAL RECOMMENDATIONS: However, given the importance of the privacy rights at issue, I further recommend that the Board and the Service review City of Toronto By-Law No. 689-2000 to ensure that:

- Triggering events justifying retention of BWC recordings beyond the two year plus one day period are generally limited to circumstances where a recording is determined to be relevant to an ongoing investigation or a criminal or civil proceeding, and
- Unless indefinite retention is absolutely necessary, each applicable retention period comes with a clear rule dictating that, at the end of a reasonable period, secure destruction will be accomplished at the earliest opportunity.

Secondly, I recommend that the annual auditing and reporting requirements at sections 33 and 35 of the Policy be amended as follows:

- To ensure that calls for service related BWC recordings are handled in a manner consistent with the activation, deactivation, obstruction, access, retention and destruction requirements referenced in paragraphs (a) through (g) of section 33 of the Policy, I recommend that section 33 be amended to require that the Service conduct an annual audit of a sample of incidents during the reporting year that were initiated by a call for service.
- Section 35 of the Policy should be amended to require that the Chief's annual report to the Board include information about the number of potential privacy breaches that were investigated during the calendar year, the number determined to constitute a breach together with a summary description, the number of times the IPC was notified of the breach, and the number of individuals notified.

Thirdly, pursuant to my letter of August 17, 2020, I recommend that the Board ensure that the selected vendor and equipment are capable of supporting the Service's ability to comply with its statutory privacy and security requirements. In this context, it is critical that the Board satisfy itself that it has sufficient contractual terms in place with AXON Canada to support the Board's and the Service's compliance with all applicable privacy and security obligations.

Recommendation #9 – *Explicit limits and controls with respect to the use and disclosure of BWC recordings should be put in place, including detailed role-based access controls and explicit limitations on the use and disclosure of BWC recordings for secondary purposes.*

Response to Recommendation #9: Section 19 of the Policy provides that Service Members (i.e. Toronto police officers and other employees of the Service) may only access BWC recordings if their duties and functions justify and necessitate such access. Section 20 provides that Service Members who obtain access to BWC recordings under section 19

may not further disclose those recordings to any other parties without lawful authority. Section 21 requires that the Procedure establish the documentation required to obtain access to a BWC recording. At a minimum, that documentation must include the identity of the requestor, the reason for the request for access, and the authority under which the demand for access is being made. Section 22 obliges the Service to establish related audit trail requirements. Section 23 requires that the Service establish additional access controls and other safeguards in order to protect the privacy of suspects and witnesses who are minors in accordance with the requirements of the *Youth Criminal Justice Act*.

With respect to access by, and use and disclosure by anyone within the Service, the Procedure section on “Use and Disclosure (*Internal*) BWC Recordings” states that “(a)ccess to or viewing of BWC records will only be allowed to members of the Toronto Police Service with a specific role in relation to the records justifying and necessitating such access”. It then provides nine examples of circumstances where Service Members will be permitted to access, use and disclose BWC recordings.

With respect to access by and disclosure to anyone external to the Service, the Procedure section on “Use and Disclosure (*External*) BWC Recordings” states that “access to or viewing or production of BWC records for people who are not members of the Service will be provided only as permitted or required by law.” It then provides nine examples of circumstances where external access and disclosure of BWC recordings will be permitted.

Finally, the Procedure provides that:

“All actions in the BWC system are logged and auditable by Information Security. Audit logs are retained indefinitely.” (at page 3)

“Service Members who obtained access to a recording may not provide access to the recording or otherwise disclose it to other Service Members or any external body or individual without lawful authority. All such access is recorded within the meta-data of the system and can be tracked.” (at page 8)

With respect to restrictions on the use of BWC recordings for secondary purposes, the Service has assured the IPC that BWC recordings will not be “mined”, for example, to feed intelligence, nor will the Service’s BWC systems be used as a form of mass surveillance. The Service also takes the position that, as a practical matter, any such capacities would require the use of artificial intelligence or machine learning techniques that the Service has agreed not to use or deploy at this time. Moreover, section 30 of the Policy prohibits any such mass surveillance tactics, techniques or practices.

Status of Recommendation #9: It is my view that the Board and the Service have made significant progress with respect to the establishment of necessary access, use, and disclosure controls.

ADDITIONAL RECOMMENDATIONS: However, in view of the challenges associated with reconciling law enforcement duties with the need to mitigate the risks using and disclosing BWC recordings for foreseen or unforeseen secondary purposes, I further recommend that:

- the annual auditing (section 33) and reporting requirements (section 35) in the Policy be amended to ensure that the Service audit and report on the use and

disclosure of BWC recordings to assess whether all sampled uses and disclosures were justified and necessary; and,

- that the Board and the Service commit to consulting with the IPC and any other appropriate agencies to help the Service identify the necessary *Youth Criminal Justice Act*-related safeguards.

Recommendation #10 – *Enhanced notices should be provided to the public informing them of the existence and use of BWCs worn by officers.*

Response to Recommendation #10: Section 9 of the Policy requires police officers to inform members of the public that they are being recorded at the earliest opportunity during an interaction.

The Procedure (at page 4) further requires that, at the earliest opportunity, officers advise people they are interacting with, that the officer's BWC is recording and that the individual is being recorded. In addition, officers are required to wear their BWCs in plain view, mounted on their uniforms in the approved location using the approved mounting system. The cameras come with a sticker containing both pictographic and text notifications that the camera is a recording device. Furthermore, subject to an overriding concern about officer safety that justifies an officer's decision to employ a "Stealth Mode", when the BWC is recording, a red light on the camera repeatedly flashes on and off, the camera emits an audible sound every two minutes, and it emits an extended audible sound on deactivation.

Finally, additional notice is provided to the public through information published on the Service's website.

Status of Recommendation #10: I consider recommendation #10 as having been addressed.

Recommendation #11 – *Meaningful opportunity should be afforded to members of the public to provide or refuse consent to BWC recordings in private places.*

Response to Recommendation #11: Section 10(a) of the Policy requires that the procedure set out conditions under which, prior to entering a private residence or other private place, officers must inform occupants that they are being recorded in both video and audio and inquire whether these individuals request that the body-worn camera be deactivated. As indicated on page 2 of the Procedure, when officers enter a private residence or a private place on the basis of the owner or occupant's consent, officers are required to:

- Provide the owner/occupant with a reasonable opportunity to refuse or consent to being recorded and, where consent to recording is refused,
- Stop recording in that place.

Status of Recommendation #11: I consider recommendation #11 as having been addressed.

Recommendation #12 – *Use of personal information in BWC recordings used for officer training should be restricted when other less privacy-invasive alternatives are available.*

Response to Recommendation #12: Section 29 of the Policy states that the Service may only use BWC recordings for training purposes after the identities of all members of the public captured on the recordings are concealed through measures such as blurring and voice distortion.

As reflected on pages 3, 4, and 8 and in sections 18 and 28, the Procedure provides that:

- Supervisors and Unit Commanders shall identify BWC recordings that may be appropriate for training.
- BWC recordings identified by Supervisors or Unit Commanders as potentially relevant for training must be referred to the Unit Commander of the Toronto Police College who will review them to determine their potential utility for training.
- The use of BWC recordings requires the approval of the Toronto Police College.
- Anonymizing measures shall be completed by the lead trainer prior to the use of any BWC footage in training so as to ensure that the identities of all members of the public captured in the recordings are concealed through measures such as image blurring and voice distortion.

Status of Recommendation #12: In my view, the Policy and the Procedure provide for a process capable of ensuring that BWC recordings that feature members of the public will not be used for training purposes unless and until the recordings have been anonymized to preserve the privacy and dignity of the individuals involved. I consider Recommendation #12 as having been addressed.

Recommendation #13 – *The TPS should commit (and the Board should so direct the TPS) to adhere to a moratorium on the use of any facial recognition-related technologies in conjunction with BWCs – other than in the context of “mug shot” matching – until after the release of the privacy guidance being prepared by federal, provincial, and territorial privacy authorities and consultation with the IPC.*

Response to Recommendation #13: Section 30 of the Board Policy provides that:

“Recordings from BWC may not be used in combination with FRT, video analytics software, voice recognition software, or to generate a searchable database of images of individuals who have interacted with Service Members, with the exception of comparing images that are directly related to an investigation to a “mug shot” database in a manner approved by the Board.”

Status of Recommendation #13: It is our understanding that the Service and the Chief have agreed to adhere to the above moratorium. Based on the assumption that the moratorium will continue to be respected, I consider recommendation #13 as having been addressed and look forward to following up with the Board and the Service once the federal-provincial, and territorial Commissioners have issued their FRT-related guidance.

Finally, in my letter of August 17, 2020, I advised the Board that the IPC would not object to the Board approving a contract and moving ahead with the purchase of appropriate equipment, provided that officers are trained on the final governance framework well before BWCs are widely deployed in Toronto.

Section 12 of the Policy requires that officers be trained prior to being issued a BWC and receive subsequent ongoing training. These requirements are supported throughout the Procedure (see, for example, sections 4, 16, 26, and 28). It is my understanding that training is being provided to each group of officers being equipped with BWCs before they begin to use BWCs while on duty and that this training is based on the latest version of the Procedure.

Conclusion

The Board and the Service have demonstrated a commitment to build a BWC governance framework capable of providing for transparency, accountability and privacy. As mentioned at the outset, I look forward to further discussions with the Board and the Service in the months ahead in order to complete the BWC governance framework prior to full deployment of Toronto's BWC Program. I also encourage the Board and the Service to continue to engage key human rights experts such as the Ontario Human Rights Commission.

I remain confident that our ongoing collaboration will help establish an effective and robust BWC governance framework that will serve not only the needs of Toronto, but also provide a robust model for other police services in Ontario planning to implement similar BWC programs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia Kosseim', with a horizontal line underneath the name.

Patricia Kosseim
Commissioner



15-20 Body Worn Camera

Status: Amended

Issued: R.O. 2020.xx.xx–xxxx

Replaces: R.O. 201x.xx.xx–xxxx

Rationale

The Toronto Police Service (Service) has undertaken the use of Body-Worn Cameras (BWCs). The goals of equipping front-line officers with BWCs are to assist the Service to:

- enhance public trust, confidence in the police and police accountability;
- capture an accurate record of police officer interactions with the public;
- enhance public and police officer safety;
- strengthen the commitment to bias free service delivery by officers to the public;
- provide improved evidence for investigative, judicial and oversight purposes;
- ensure fair and timely resolution of complaints and reduce unwarranted accusations of misconduct;
- provide additional supervisory and leadership tools; and
- provide information as to the effectiveness of Service procedures and training.

The BWC is an audio video recording device that will document officers' interactions with members of the public during the execution of their duties. BWC's are intended to capture specific incidents. They are not intended for 24-hour recording.

The Supreme Court of Canada decision of *Regina v. Duarte* (SCC 1990), emphasises that interactions between the police and public are not to be secretly recorded without judicial authorization. Covert recording by a uniform police officer using the BWC is prohibited by law.

Frontline uniform officers will be equipped with the BWC technology and shall record all investigative and enforcement activities in compliance with this procedure. Frontline uniform officers who would not in the normal course of their duties engage in enforcement or investigative duties will not be equipped with BWC technology.

When a BWC is used, recordings are considered as supporting the officer's observations and shall supplement, detailed memorandum book notes and applicable reports.

In circumstances where the Special Investigations Unit (SIU) mandate has been invoked, the SIU will be the lead investigative agency and the Service cannot release that footage to the public; that decision would be made by the SIU. In cases where the SIU is not involved or their involvement has ceased, the Service may release to the public recordings from body-worn cameras where such recordings depict interactions with members of the public where a compelling public interest exists (such as where there are allegations of discreditable conduct, improper conduct, misconduct or excessive or improper use of force by Service Members). Such 'compelling public interest' releases will only occur with the explicit authorization of the Chief of Police.

The purpose of this document is to provide the Service with a Procedure for the use of BWCs, and the management, storage, and retrieval of audio/video digital media recorded using the BWCs.

Procedure

Discipline

Members must be cognizant of the value that the BWC presents and the importance of why they must be used in the performance of their assigned duties.

Any police officer found not in compliance with this Procedure 15-20, and/or associated Service Governance (rules), will receive a minimum penalty of **8 hours**. This penalty increases to a minimum of **16 hours** for a supervisor. These penalty provisions have been included in the Service rules - Chapter 13 Appendix A entitled "Unit Level Criteria/Conduct Penalties". The concept of progressive discipline will apply for subsequent breaches of associated Service rules. Pursuant to Procedure [13-03](#) and [13-05](#), any apparent breach of this Procedure will be considered on its merits having regard to all the circumstances before discipline is commenced.

The Service is committed to maintaining public trust by delivering professional and unbiased policing at all times.

NOTE: The above discipline will take effect after an officer is trained and equipped with a BWC for 60 calendar days. 60 calendar days was deemed by the Service to be a fair amount of time to allow officers to learn to properly use this new technology and apply the rules appropriately.

Context of Recording

Recording in a Private Place - Is permitted during exigent circumstances, under the legal authority of a warrant or with the consent of the owner/occupant of the private space. This includes private spaces such as, a residence, government buildings and religious places as long as legal authority exists and is documented.

Recording with the consent of the owner/occupant – In a situation where an officer's lawful presence in a private place is conditional on the owner's/occupant's consent, if the owner/occupant requests that the interaction not be recorded, the officer is required to stop recording or request the owner/occupant come out to a public setting. Officers are required to provide the owner/occupant a reasonable opportunity to refuse or consent to being recorded.

Recording in exigent circumstances or while in execution of a search warrant – when an officer is lawfully entitled to enter a private place in exigent circumstances or on the authority of a search warrant, the officer is lawfully permitted to record with their BWC during their presence at the location. In these circumstances, an officer shall continue to record, despite an individual's objection to being recorded.

Recording in a Public Place – Officers may encounter situations where individuals object to being recorded in a public place. Officers may continue to record, in compliance with the law. Officers should be mindful that the public has a reasonable, albeit diminished expectation to privacy in public spaces.

NOTE: In circumstances, such as demonstrations or protests, unless there exists an investigative or enforcement purpose for recording, officers should not in the normal course of their duties record these events. Officers should be guided by sections 4-7 below, in these circumstances.

Incidents of a Sensitive Nature – Officers equipped with a BWC must be cognizant of the impact recordings may have on victims, witnesses, or suspects involved in incidents of a sensitive nature. In such circumstances if it is momentarily necessary to obstruct the video to protect the dignity of another person (for example to allow them time to put clothing on), and taking into consideration the expressed

wishes of the person in question; only the video should be obstructed and this should only be resorted to for a short period of time and provided that the member(s) are not in a situation where they might use force while the lens is covered. Further, this must be in accordance with the law and documented in the officers memo book.

In circumstances where an officer equipped with BWC is in a place of worship, the officer shall be cognizant of the privacy of those parties present as it relates to their engagement in prayer, confession, worship and other matters that may be deemed personally sensitive. In those circumstances, the officer shall ensure that the parties are aware of the reasons that continuous recording is necessary. In those circumstances if the BWC recording is stopped due to a reasonable concern for the dignity of a person, it must be in accordance with this Procedure and documented both on the BWC and in the officers memo book.

Retention, Security and Disposal

The Body Worn Camera and the Cloud Storage Solution are both Information Technology Assets and therefore subject to the *IT Acceptable Use Agreement* and *IT Governance* that establish organization-wide controls to ensure secure storage, transfer, and disposal of all recordings created by the BWC system, including records containing audio, video files and meta-data. These controls govern any wrongful access, attempts to defeat security measures, and inappropriate or personal use of this infrastructure, and shall be implemented by the Information Security Officer.

The retention period of records is managed according to the City of Toronto By-Law No. 689-2000. All BWC records shall be retained for a minimum of two (2) years plus one (1) day (which ensures the records are retained for the duration of the general limitation period established by the Limitations Act, 2002, S.O. 2002, c.24, Sched. B) and then securely destroyed, absent a circumstance that triggers a longer retention period.

All actions in the BWC system are logged and auditable by Information Security. Audit logs are retained indefinitely.

Officers shall identify any indication or suspicion of a breach to their supervisor who will in turn conduct a preliminary investigation and engage the Information Security Officer according to the Service Procedure 17-02 Information Breaches.

NOTE: In cases where there is a breach or possible breach of the Cloud Storage Solution, the Supplier will, consistent with contractual obligations, promptly notify TPS in writing, and provide information relating to the breach or possible breach.

NOTE: Consideration may be given to retaining a BWC recording for training purposes. In such circumstances, this must be at the approval of the Toronto Police College.

Use and Disclosure (Internal) BWC Recordings

In general, the rules governing the use, review and dissemination of BWC recordings are contained in privacy legislation (MFIPPA). Access to or viewing of BWC records will only be allowed to members of the Toronto Police Service with a specific role in relation to the records justifying and necessitating such access. The following are specific examples of circumstances in which access will be allowed:

- a. Service Members who wore the body-worn camera which captured the recording and who have already completed any required initial notes, reports, statements and interviews regarding the recorded events shall be allowed to access such recordings;
- b. Supervisors of the Service Member who wore the body-worn camera which captured the recording, or who are captured in the recording (as long as that Supervisor is not also a witness

to the event) to allow the Supervisor to fulfill his/her duties as a Supervisor and where there are specific allegations of misconduct against the Service Member, or where a Use of Force form was completed and the events detailed in the form are also captured on the recording shall be allowed to access such recordings;

- c. Service Members (including members of other Police Services, and members of other criminal or quasi-criminal authorities, who are conducting an investigation as agents for the Service) who have grounds to believe the recording includes evidentiary materials relevant to a TPS criminal or quasi-criminal investigation shall have access to such recordings;
- d. Legal counsel to the Service and Service Members supporting them with regards to an on-going or potential legal proceeding shall have access to such recordings;
- e. Service Members who are conducting an audit of the Service's body-worn cameras Procedures shall be allowed to access such recordings;
- f. Service Members tasked with the development of training programs for the Service, who are made aware through their Unit Commander that certain BWC recordings may contain material that may be useful for the purposes of training of Service Members, shall have access to such recordings. All appropriate anonymizing measures shall be completed by the lead trainer prior to use in training;
- g. Service Members attached to Forensic Identification Service responsible for analysis in relation to BWC recordings shall be allowed access to such recordings;
- h. Service Members engaged in internal investigations, such as Professional Standards criminal or conduct investigations or internal reviews, shall be allowed access to BWC recordings that may be relevant to those investigations; and
- i. Service Members aiding the Chief of Police with respect to a "compelling public interest" release (described earlier in this Procedure) shall be allowed access to those BWC recordings.

Use and Disclosure (External) BWC Recordings

Access to or viewing of production of BWC records for people who are not members of the Toronto Police Service will be provided only as permitted or required by law. Without limiting the generality of the foregoing, the following are examples of circumstances where this will occur:

- a) Members of bodies responsible for independent oversight of police (e.g. the Ontario Independent Police Review Director (OIPRD) and the Special Investigations Unit (SIU) who are conducting an investigation and who have grounds to believe that the BWC recordings include evidentiary materials shall have access to such recordings;
- b) Anyone who has legal authority (whether that be by statute, regulation or prior judicial authorization) shall have access to such recordings, including in relation to the prosecution of Toronto Police Services criminal and quasi-criminal cases and access requests granted under MFIPPA;
- c) Members of the public or their representatives may be allowed to view BWC footage that captures an incident in which they were involved for the purpose of attempting to informally resolve a complaint or potential complaint into the conduct of a Service Member; such viewing will be at the discretion of the Officer in Charge or delegate; and

- d) Members of the public will see a BWC recording that has been ordered released to the public by the Chief of Police by virtue of there being a 'compelling public interest' in the release of such recording.

Member

1. All requests for a copy of BWC records from a member of the public shall be directed to the Access and Privacy Section of Records Management Services.

Police Officer

2. No police officer shall use a BWC without having completed the BWC training.
3. BWCs shall not be used to replace:
 - detailed memorandum book notes and applicable reports; and
 - photographic or video evidence normally captured by Scenes of Crime Officers (SOCO) or Forensic Identification Services (FIS)
4. When equipped with a BWC, you shall:
 - use the BWC assigned to you and in accordance with the prescribed training;
 - ensure that the totality of any interaction is recorded unless exempt in sections 5, 6 or 7 of this procedure;
 - ensure your BWC, is fully charged at the start of your shift;
 - ensure that your BWC is functioning properly in accordance with BWC training;
 - report all malfunctions to your immediate supervisor and the HELP desk at the earliest opportunity;
 - report any loss, damage or theft of your BWC to your immediate supervisor and comply with Procedure 15-16 at the earliest opportunity but no later than the completion of the tour of duty on that date;
 - not modify or attempt to modify any permanent settings or components of your BWC;
 - ensure the camera is mounted on your uniform in the approved location, using the approved mounting system, and in accordance with this procedure (See Appendix A);
 - ensure your camera status and recording indicators, and lens are not obstructed from your view, the public's view, and the view of other members and other first responders;
 - put the camera into "Stealth Mode" for officer safety reasons (contained within the definition of Stealth Mode, in the definitions below) only;
 - start a BWC recording;
 - prior to arriving at a call for service
 - at the earliest opportunity, prior to any contact with a member of the public, where that contact is for an investigative or enforcement purpose (including but not limited to; an apprehension under the mental health act or an interaction with a person in crisis), regardless of whether or not the person is within camera view;
 - to record statements that would normally be taken in the field including utterances and spontaneous statements;
 - to record interactions with a person in custody or member of the public while in a Service facility, if the officer believes it would be beneficial to do so;
 - to record Protective Search (Formerly Level 1) and Frisk Search (Formerly Level 2) in the field; and
 - to record any other interaction where the officer believes a BWC recording would support them in the execution of their duties.
5. When equipped with a BWC, you shall not record:

- policing activities that are not investigative or enforcement (as described in section 4 above), in nature (should an activity change from non-investigative or non-enforcement to investigative or enforcement then the BWC must be recording immediately);
- Strip Search (Formerly Level 3) and Body Cavity Search (Formerly Level 4) under any circumstance;
- administrative conversations within a police facility;
- circumstances where an officer has extended confidentiality to any person or is engaged with a person who is already a Confidential Source;
- attendance in a courthouse, except in exigent circumstances, or under legal authority; and
- attendance at a healthcare facility, except
 - under exigent circumstances;
 - under the authority of prior judicial authorization;
 - where the officer has custody of a person who is being treated or is waiting for health care treatment and the officer is alone with that person;
 - where the officer has custody of a person who is being treated or is waiting for health care treatment and the officer reasonably believes that the interaction between the officer and the person in his or her custody requires or might soon require the use of force; or
 - with the express consent of a person who might reasonably be expected to be captured in the recording.

In circumstances where an officer equipped with BWC is in a healthcare facility and a section 5 exception applies, the officer shall be cognizant of the privacy of those parties present as it relates to medical condition/treatment. In those circumstances, the officer shall take reasonable steps to ensure that the parties are aware that recording is going on and of the reasons that recording is necessary.

In the circumstances described in section 7, if it is momentarily necessary for the officer to obstruct the video (lens) of the BWC due to a reasonable concern for the dignity of a person at a healthcare facility, it must be in accordance with this Procedure and documented both on the BWC and in the officer's memo book.

In circumstances where an officer is present at an Indigenous Ceremony, the officer should be mindful of the significance of their privacy similar to that, which occurs within a Place of Worship. Unless required for an investigative or enforcement purpose, the officer shall not be recording during the ceremony except where the officer has received the explicit consent of the Elder or Knowledge Keeper conducting the ceremony to do so. Officers shall, whenever possible, have such a discussion with the Elder or Knowledge Keeper prior to the event in which the ceremony is to be held.

NOTE: Formal statements normally taken at a police facility, including The Queen v. KGB (youth case accused person's initials) statements, are not to be recorded using the BWC. Those statements are to be conducted by an appropriate investigator at a police facility.

6. At the earliest opportunity when the BWC is recording:
 - advise the members of the public that you are interacting with that your BWC is recording and they are being recorded;
 - when entering a private residence and/or private place, on the basis of consent alone, provide the owner/occupant a reasonable opportunity to refuse or consent to being recorded; and
 - advise Service members, and other first responders, in your presence that your BWC is recording and they are being recorded.

7. When your BWC is recording, the recording shall not be stopped, muted or deliberately repositioned so as not to effectively record your actions and people you are interacting with until the event has concluded (if an event changes from investigative or enforcement to non-investigative or non-enforcement then the BWC recording may be stopped), except when:

- booking/handling a prisoner within a Service facility where there is a reasonable belief that other recording equipment is in use and it would not benefit the investigation and/or officer safety to have the two systems recording simultaneously;
 - discussions between Service Members about protected investigative techniques, where those discussions are taking place away from any member of the public (where muting the BWC would be sufficient to ensure against the unintentional disclosure of such discussions then the BWC should be muted for the duration of those discussion rather than stopping the recording);
 - any interactions with a an undercover operator that are taking place away from any member of the public (where muting the BWC would be sufficient to ensure against the unintentional disclosure of such interactions then the BWC should be muted for the duration of those interactions rather than stopping the recording);
 - circumstances where an officer has extended confidentiality to any person or is engaged with a person who is already a Confidential Source;
 - it is momentarily necessary to obstruct the video to protect the dignity of another person (for example to allow them time to put clothing on); in these circumstances only the video may be obstructed and this should only be resorted to for a short period of time and provided that the member(s) are not in a situation where they might use force while the lens is covered; and
 - directed to do so by a supervisor applying the criteria in sections 5, 6 or 7 of this procedure.
8. Prior to stopping your BWC recording in accordance with sections 5, 6 or 7, shall, record a brief audible statement indicating the reason why the BWC is being stopped or its recording functions limited except where doing so is not possible or would disclose confidential information.
 9. If your BWC is recording and accidentally or unintentionally stops, you shall at the earliest opportunity start the BWC recording again and note the reason the recording was stopped both on video and in your memorandum book.
 10. Should privileged information from a confidential source or agent be captured by your BWC, you shall:
 - comply with Procedure 04-35;
 - immediately notify the officer handling the confidential source of the following:
 - name, badge number, and unit;
 - details of the circumstances of the recording;
 - BWC asset number;
 - date and time of recording.
 11. When completing your memorandum book, notes in relation to an investigation or enforcement, shall include:
 - a record of any review of the BWC recording; and
 - if necessary, an addendum to the notes based on the review of the BWC recording.
 12. At the conclusion of your shift, ensure your BWC is returned to the charging cradle/download station.
 13. Upon receiving a request for a BWC recording from either the Crown Attorney or the Provincial Prosecutor's office shall complete a TPS 168A and forward it to "Video Services" via internal e-mail.
 14. Upon receiving a request from an investigator, appointed by the Independent Police Review Director, requiring you to produce or provide access to a record, thing, data or information in relation to BWC, you shall do so in the manner and within the period specified by the investigator and shall, if requested to do so, provide any assistance that is reasonably necessary to permit the investigator to understand the record, thing, data or information.

15. When attending or involved in an incident where the mandate of the Special Investigations Unit (SIU) has been, or may be invoked shall:
 - follow the directions of the Chief's SIU Designate;
 - ensure your BWC is secured; and
 - comply with Procedure 13-16.
16. If a BWC malfunctions, is damaged, lost or stolen, notification to a Supervisor is mandatory.

NOTE: Service Members who obtained access to a recording may not provide access to the recording or otherwise disclose it to other Service Members or any external body or individual without lawful authority. All such access is recorded within the meta-data of the system and can be tracked.

Supervisor

17. Supervisory officers shall ensure that police officers assigned a BWC have completed the prescribed training, and shall determine additional training needs as appropriate.
18. Where an incident involves a BWC recording, shall ensure the recording has been appropriately classified for retention purposes.
19. When supervising personnel equipped with a BWC shall:
 - ensure officers are wearing the BWC according to training and this procedure;
 - Supervisors are required to review a video from each BWC equipped police officer a minimum of once per month to;
 - ensure officers are using the BWC in accordance with the law and BWC training;
 - determine if any additional training is required;
 - identify material that may be appropriate for training;
 - review recordings, where applicable, to assist in the resolution of a public complaint in compliance with Procedure 13-02.
20. When attending or involved in an incident where the mandate of the SIU has been, or may be invoked shall:
 - follow the directions of the Chief's SIU Designate;
 - ensure the involved officers BWC's are uploaded to the cloud; and
 - comply with Procedure 13-16.
21. When attending an incident where a police officer is equipped with a BWC, after assessing the circumstances, may direct the officer to stop recording, using the criteria in section 5, 6 or 7 of this procedure and make a record of the notification in the memorandum book.
22. Upon becoming aware that a malfunction has occurred with a BWC, shall ensure:
 - the officer notifies the HELP desk forthwith;
 - the BWC is returned to Toronto Police College, Armament Section; and
 - a replacement BWC is issued to the officer and recorded in the UCMR.
23. Upon becoming aware of any loss, damage or theft of a BWC, or of any unauthorized access to BWC recordings, shall notify the OIC by way of an internal memorandum (TPS649), and ensure compliance with Procedure 15-16.

NOTE: BWC recordings identified by Supervisors as potentially relevant for training must be referred to the Unit Commander of the Toronto Police College who will review them to determine their potential utility for training. If they are determined to be suitable for use in training then the process referred to in Use and Disclosure (Internal) BWC Recordings paragraph f will be complied with.

Case Manager

24. Members that are designated as a Case Manager shall ensure that:
- “Body-Worn Camera” selection has been made from the drop-down list on the eReport when a charge is laid involving a recorded incident; and
 - sufficient information is entered into the eReport to facilitate the retrieval of the appropriate recording for disclosure purposes, and specifically
 - the badge number and surname of the recording officer is inserted in the Name/Description field;
 - the date and start time that the recording was started is inserted in the Details field;
 - a brief synopsis of the incidents that have been recorded by the BWC, in relation to the case, is inserted in the Details field.
25. Where the incident involves the use of more than one BWC shall ensure that a separate entry is made in the eReport for each BWC used.
26. When disclosing BWC recordings shall comply with Procedure 12-08.

Officer in Charge

27. When in charge of a unit using BWCs the OIC shall:
- ensure that all officers equipped with a BWC have received the BWC training;
 - ensure officers are wearing the BWC according to training and this procedure;
 - ensure Supervisors review a video from each BWC equipped police officer a minimum of once per month; and
 - determine if any additional training is required.
28. When attending or involved in an incident where the mandate of the SIU has been, or may be invoked shall:
- ensure the BWC recordings are uploaded to the cloud;
 - follow the directions of the Chief's SIU Designate; and
 - comply with Procedure 13-16 (SIU procedure).

Unit Commander

29. When in charge of a unit with officers equipped with BWCs the Unit Commander shall ensure:
- all officers assigned a BWC have received the BWC training;
 - all officers are wearing the BWC according to training and this procedure;
 - all BWC equipment assigned to their unit is inspected monthly, and that any deficiency or malfunctioning equipment is attended to as soon as practicable;
 - supervisors conduct monthly regular random reviews of recorded video to:
 - ensure officers are using the BWC in accordance with the law and BWC training;
 - determine if any additional training is required;
 - identify material that may be appropriate for training;
 - supervisors review recordings, where applicable, to assist in the resolution of a public complaint; and
 - requests from an investigator, appointed by the Independent Police Review Director, requiring a member under your command to produce or provide access to a record, thing, data or information in relation to BWC, shall be done so in the manner and within the period specified by the investigator. Further, where an investigator has made a request for assistance to permit the investigator to understand the record, thing, data or information, the Unit Commander shall ensure that assistance is provided.

Duty Senior Officer – Toronto Police Operations Centre

30. When attending an incident where a police officer is equipped with a BWC may, after assessing the circumstances, and where deemed appropriate by the DSO, direct the officer to stop the BWC recording, using the criteria in sections 5 or 7 of this procedure.
31. When attending an incident where the mandate of the SIU has been, or may be invoked shall:
 - follow the directions of the Chief's SIU Designate;
 - ensure the BWC is secured and the recorded media is protected; and
 - comply with Procedure 13-16.

Unit Commander – Video Services

32. Shall ensure that all requests for BWC recorded media are dealt with in a timely manner in accordance with unit specific policy and Procedure 12–08.

Chief's SIU Designate

33. When an incident occurs in which the mandate of the SIU has been invoked, shall comply with Procedure 13-16.

Appendices

Appendix A

Supplementary Information

Governing Authorities

Federal: Constitution Act, Part I; Canadian Charter of Rights and Freedoms; Criminal Code

Provincial: Police Services Act; Ontario Human Rights Code

Municipal: Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and O. Reg 823; City of Toronto Municipal Code, Chapter 219, Article I, Records Retention Schedule

Other: Toronto Police Service Information Security Manual

Associated Governance (Rules)

TPS Procedures: 01-02 Search of Persons; 04-35 Source Management – Confidential Source; 12-08 Disclosure, Duplication and Transcription; 13-02 Uniform External Complaint Intake/Management; 13-16 Special Investigations Unit; 13-17 Memorandum Books and Reports; 15-16 Uniform, Equipment and Appearance Standards; 15-19 Soft Body Armour.

Forms: eReports; TPS 168A BWC Video Request Form;

Definitions

For the purposes of this Procedure, the following definitions will apply:

Call for Service means an incident attended by police officer(s) in response to a call from the public for assistance or service. This includes, but is not limited to, investigative detention, apprehension under the Mental Health Act, arrests, interactions with persons in crisis, crimes in progress, investigations, active criminals, and public disorder issues etc.

Case Manager means the officer in charge of managing a case during the investigation and presentation in a court of law

Covert means not openly acknowledged or displayed

Exigent Circumstances for the purposes of this Procedure means circumstances where there

- are reasonable grounds to suspect there is an imminent threat of bodily harm or death to any person;
- are reasonable grounds to believe that evidence relating to the commission of an indictable offence is present in a private place and that entry into the private place is necessary to prevent the imminent loss or imminent destruction of evidence; or
- in circumstances of fresh pursuit

Mute indicates a process where the sound is eliminated from the recording even though the video remains operational

Off means, the Body Worn Camera is powered off.

On means, the Body Worn Camera is powered on. The camera in the on position, the camera has a pre-event recording with no audio set to 30 seconds. When the camera begins recording, the video automatically captures the 30-second pre-event and attaches it as part of the overall recording.

Overt means shown openly, plainly or readily apparent, not secret or hidden.

Officer in Charge means the uniform staff sergeant in charge of the primary response unit at a police division.

Private Place means a place where one may reasonably expect to be safe from uninvited intrusion or surveillance, but does not include a place to which the public has lawful access. Such places include but are not limited to; a place of worship and a lawyer's office.

Public Place means any place to which the public have access as of right or by invitation, expressed or implied.

Record indicates any process which causes the Body Worn Camera to record audio and video data.

Search Levels

Protective Search (Formerly Level 1) – This is used generally during Investigative Detention and involves a limited search of a person who has been detained by police when there is reasonable belief the person poses a safety risk. The scope of the search is limited to exterior patting of clothing such as pockets, waistband or areas that may reasonably conceal such items as weapons or implements that may be used as weapons, usually with open hands to maximize the ability to detect weapons through clothing. This search may also be described as a “safety search”, as that is the purpose and objective.

Frisk Search (Formerly Level 2) – This is used generally for Search Incident to Arrest and means a more-thorough search that may include emptying and searching pockets as well as removal of clothing, which does not expose a person’s undergarments, or the areas of the body normally covered by undergarments. The removal of clothing such as belts, footwear, socks, shoes, sweaters, extra layers of clothing, or the shirt of a male would all be included in a Frisk search. A Frisk search may be commenced in the field and concluded at the station.

A Frisk search conducted incident to arrest includes the area within the immediate control of the arrested person; common law also typically supports searching the entirety of a motor vehicle when a person was arrested in or moments after exiting it.

Members shall make every effort to video and audio record all Frisk searches. Members are also required to articulate the justification for the manner and circumstances under which these searches are conducted. For the purposes of this definition, “Pat Down Search” means the same as, “Frisk Search”.

Strip Search (Formerly Level 3) – *R. vs. Golden 2001 SCC 83* established that which constitutes a strip search and what types of circumstances may justify one. A Strip search includes all steps in Protective and Frisk searches as well as a thorough search of a person’s clothing and non-physical search of the body. That will often require removal or rearrangement of some, or all, of the person’s clothing to permit a visual inspection of a person’s private areas: namely the genitals, buttocks, breasts or chest, body cavity, and/or undergarments; the mouth was excluded from this definition despite being a bodily cavity.

The Supreme Court noted that strip searches “represent a significant invasion of privacy and are often humiliating, degrading and traumatic” and therefore require “a higher degree of justification in order to support the higher degree of interference with individual freedom and dignity.”

When considering whether a strip search is justified, the Supreme Court stated, “In addition to reasonable and probable grounds justifying the arrest, the police must establish reasonable and probable grounds justifying the strip search,” and “the police must establish they have reasonable and probable grounds for concluding that a strip search is necessary in the particular circumstances of the arrest.”

NOTE: The mere fact that portions of a person's body normally covered by undergarments are exposed because of the way the person was dressed when taken into custody does not constitute a strip search, if the removal of such clothing was not caused by the police (i.e. the arrest of a naked person does not in itself constitute a strip search).

Body Cavity Search (Formerly Level 4) – means a search of the rectum or vagina

Stealth Mode is a state of the BWC where lights and sounds are suppressed, even though recording continues. Used only on rare occasions, and only for officer safety (e.g. searching a warehouse during a break and enter and not wanting to alert the suspect of police presence or location).

Stop Recording indicates any process which causes the Body-Worn Camera to stop recording audio or video data

Unit Commander means the most senior ranking uniform officer, in charge of a police facility.



Toronto Police Services Board Report

November 12, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Police Reform in Toronto: Toronto Police Service Initial Response

Recommendation:

It is recommended that the Toronto Police Services Board (the Board) receive the following report as an initial update on the Toronto Police Service's (the Service) response on implementation of the 81 recommendations from 'Police Reform in Toronto' report from Jim Hart, Chair of the Board.

Financial Implications:

There are no direct financial implications as a result of this report. However, there are recommendations that will require funding to enable the implementation of specific projects.

Any additional resources required to implement the recommendations and the appropriate funding sources will be identified in subsequent reports or through the annual budget process. To the extent possible, one-time, incremental costs necessary for the implementation of the recommendations will be funded from the Service's modernization reserve.

Background / Purpose:

At its virtual public meeting of August 18, 2020, the Board considered a report from Chair Hart entitled 'Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety'. Part of this report contained a list of 81 recommendations (the recommendations) that were directed at either the Board or the Chief of Police for implementation on various timelines (Min. No. P129/2020 refers).

The following report is the Service's initial update on the implementation of the first set of recommendations (# 74, 75, 76, 77 and 79) that required the Service to respond to the Board by the November 2020 Board meeting, as well as an overview of how the Service intends to keep the Board informed of the other ongoing initiatives and reforms.

Discussion:

Reporting Structure and Accountability

The Toronto Police Service's Strategy Management Unit (S.T.M.) is responsible for developing and implementing corporate projects and initiatives that enhance service delivery and support organizational objectives. Under the leadership of Acting Staff Superintendent Johnson, S.T.M. reports directly to the Chief of Police and collaborates with all pillars of the Service and with external partners to coordinate resources, share information and deliver consistent services to all TPS members.

Upon the conclusion of the August TPSB meeting, the Chief assigned S.T.M. to provide project oversight and effective tracking of the development and implementation of the recommendations. Over the past month, S.T.M. focused on creating a successful program structure for the Police Reform initiatives and developed a process to manage and coordinate progress efficiently. As a result, a review of the recommendations occurred to identify deliverables, outcomes, dependencies, milestones, high-level work plans and resource requirements for implementation. To ensure accountability and collaboration throughout this process, S.T.M. assigned a Deputy Chief, Chief Information Officer (C.I.O.), or Chief Administrative Officer (C.A.O.) to each project or task within the recommendations and to identify appropriate project leads to support the required work within each recommendation. This approach will support S.T.M. by ensuring all project deliverables are appropriately validated and executed within established timelines.

As direct result of Recommendation 72, S.T.M., in collaboration with the Service's Analytics & Innovation Unit, created an online reporting dashboard that is accessible by the public. This interactive dashboard is AODA-compliant and a useful and informative tool that contains relevant updates, links and documents on the recommendations' status and is updated every two weeks. The dashboard is also accessible on different platforms and mobile devices.

Collaboration

The Service has identified several recommendations that are overlapping with Toronto City Council recommendations. Collaboration between the partners (City, the Board, community groups and the public) has also commenced on a program level, as well as

on several individual recommendations. S.T.M is working closely with Project Managers at the City of Toronto to ensure that collaboration is ongoing. S.T.M. has scheduled ongoing weekly meetings with key stakeholders at the City of Toronto to ensure that potential challenges and dependencies are identified early in the process, and that shared tasks are on track.

The Service also understands the importance of partnering with experts, community members and other agencies to drive some of the initiatives effectively. Therefore, some units within the Service are exploring the possibility of working collaboratively with external partners. This work is ongoing and requires more time to seek the right partners or expertise to ensure appropriate results.

Project Structure / Project Management Approach

S.T.M. created a program structure for the Police Reform initiatives to manage and coordinate progress in an efficient way. The recommendations have been grouped in themes that correlate with the themes utilized by City of Toronto to ensure consistency and ease of understanding and reporting to the public.

The recommendations are categorized by the following themes:

1. Alternative Community Safety Response Models
2. Police Budget and Budgetary Transparency
3. Independent Auditing and Service Accountability
4. Chief Selection Criteria
5. Data Sharing and Information Transparency
6. Conduct Accountability
7. Police Training
8. Consultation with Experts and Communities
9. Building Public Confidence
10. Ensuring Change

Recommendation development:

In order to properly size or gauge the recommendations, S.T.M. worked closely with project leads to categorize the recommendations as tasks, guidelines, reports or projects and to expand the definition template to appropriately capture the following information:

- the current understanding of the recommendation,
- determine the deliverables to be completed to satisfy the recommendation,
- describe the anticipated outcomes at the successful implementation of the recommendation,
- identify which recommendations will be combined into projects,

- develop high-level work plans
- identify risks
- identify resource requirements

To help maintain project rigor, S.T.M. developed a Recommendation Status Reporting and Completion Templates used to track implementation, including progress updates and target timelines.

Risks and Costs

The Service understands the importance of implementing initiatives that enhance public trust and support police reform within the City of Toronto. Furthermore, the Service is mindful of its financial responsibilities and as such, the Service's Budget and Financial Analysis Unit is working closely with all internal stakeholders to review resources required to implement the recommendations. All staffing requests are being reviewed to determine whether they can be absorbed from within existing vacancies and whether the skills required can be sourced internal to TPS. All required public consultations and communications will be coordinated with S.T.M. to ensure synergies, alignment and efficiencies across projects. All one-time and potential future year ongoing costs will be clearly identified. Project progress and costs will be monitored through regular status reporting.

Next Steps

As required by the recommendations, and at minimum on a quarterly basis, S.T.M. will provide status updates to the Board on the implementation of the recommendations. S.T.M will also initiate information sessions with project leads to clarify milestones and deliverables; impact measurement matrices; and project lead reporting timelines.

Conclusion:

S.T.M strives to simplify and streamline the reporting mechanisms and ensure clarity for the stakeholders on a very complex set of Police Reform recommendations.

The following appendices are the Service's response to Recommendations:

- #74: Pacer Report
- #75: Independent review of Police Encounters with People in Crisis
- #76: Auditor General Recommendations
- #77: Recommendations made by the Inquest into the Death of Andrew Loku
- #79: The Way Forward

Acting Staff Superintendent Rob Johnson, Unit Commander of Strategy Management, will be in attendance to respond to any questions or concerns that may arise.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file at Board office

POLICE REFORM RECOMMENDATION SUMMARY – PRR#74 (PACER)



SERVICE LEAD : D/C M. Demkiw		Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the recommendations made in the PACER Report and, where recommendations remain unimplemented in part or in full, to present a timetable for their implementation or the rationale for not implementing particular recommendations and suitable alternatives.	
Recommendation Status	Number	Percent	All of the recommendations provided as a result of the inquest, have been responded to by the Service. There are currently four (4) recommendations, out of 31, that are currently in progress, where all remaining 27 recommendations are marked as implemented. <i>This report includes all the assessment requirements described in Recommendation 80. When the TPSB approves the respective reports, Recommendation 80 will be marked as COMPLETED.</i>
Implemented	27	87 %	
Not Implemented	-	-	
In Progress	4	13 %	
Total Recommendations	31	100%	
Recommendations NOT Implemented		Rationale	
N/A			
Recommendations In Progress		Timelines / Explanations	
#6 – Professional Standards Unit (PRS) Develop New Risk Thresholds		In February 2020, the Manager of EI&HR reported, “The EI&HR unit has entered into discussions with Professional Standards Support to identify potential opportunities for this area. These discussions are new and will be ongoing as we utilize recent reports (OHRC Collective Impact Report etc.) and previous research in this area.” This recommendation will be addressed within the Police Reform Recommendation #45 Conduct Early Intervention Reporting. Anticipated Completion: TBD	
#17 – Individualized Program to Improve Bias-Free Service Delivery		In July 2020, The Manager of EI&HR (having been trained as a Qualified Administrator in 2018 and evaluating the Intercultural Development Inventory IDI® program over the course of 2019) advises that several shortcomings exist in the current plan and recommended that the program be discontinued. This program will be replaced by an Inclusion Lead position to support the ongoing development, education, coaching of our members across the Service on a wide variety of topics and issues and to customize supports. Anticipated Completion: TBD	

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<p>#18 – Intercultural Development Assessment for TPS Applicants (Hiring & Promotion)</p>	<p>This program’s development is ongoing and “would also state our guiding principles as an organization in how we approach equity, diversity, inclusion and human rights work as a Service with metrics to measure our success.”</p> <p>In July 2020, the Manager of EI&HR—having been trained as a Qualified Administrator in 2018 and evaluating the IDI® program over the course of 2019—explained the reasons for discontinuing the program. This program will be replaced by an Inclusion Lead position to support the ongoing development, education, coaching of our members across the Service on a wide variety of topics and issues and to customize supports.</p> <p>As such, the principals included in this recommendation will be incorporated in the upcoming program being developed by EI&HR and is therefore ongoing. This initiative ties to Police Reform Recommendation 30.</p> <p>Anticipated Completion: TBD</p>
<p>#27 – Multi-Faceted Public Education Campaign</p>	<p>As of September 2020, while the EI&HR collaboration proposals are still in the conceptual phase, Corporate Communications has re-engaged the new third-party designer to continue development of the “<i>Know Your Rights</i>” video. This initiative ties to Police Reform Recommendation 70.</p> <p>Anticipated Completion: TBD</p>

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During their August 2020 public meeting, the Toronto Police Services Board adopted the recommendations contained in the report titled '*Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety*'. Included in the report are the following requirements:

74. **Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the recommendations made in the PACER Report and, where recommendations remain unimplemented in part or in full, to present a timetable for their implementation or the rationale for not implementing particular recommendations and suitable alternatives.**

80. **Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:**
 - a. **Concerns;**
 - b. **Status;**
 - c. **Impact (weighting);**
 - d. **Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);**
 - e. **Timelines; and**
 - f. **Service Lead (Deputy Chief)**

Background

In 2013, the Police and Community Engagement Review (PACER) released their report as a result of an extensive review. The review was a comprehensive undertaking which concluded with presenting (then) Chief William Blair, with 31 recommendations of ways the Service can continue to improve public safety and reduce social costs incurred during community engagements. The majority of these recommendations have been adopted by the Service and are incorporated into Service training, governance and front line response.

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Concerns

There are no concerns about the remaining work required to implement these recommendations. The majority of the recommendations have been adopted fully, or in part by the Service.

Status

27 of the 31 PACER recommendations have been implemented with the four remaining recommendations assigned to and being addressed by Equity, Inclusion & Human Rights. This unit is currently examining potential opportunities and alternate methods for implementation, and work on these recommendations is ongoing. The remaining recommendation has been assigned to a sub-committee of PACER 2.0 for completion, as a result of a recommendation from the Toronto Police Services Board Report on Police Reform.

IMPLEMENTED	27
IN PROGRESS	4
NOT IMPLEMENTED	0

The following PACER initiatives have been **IMPLEMENTED**:

- #1 – New Core Value to Reflect Bias-Free Policing**
- #2 – Procedural Revisions – Community Safety Note**
- #3 – Physical Card Replaced by Use of Memobook**
- #4 – Community Advisory Committee**
- #5 – Community Surveys**
- #7 - Proactive Reviews of Officer Performance Trends & Indicators**
- #8 - Complaints Alleging Discrimination and/or Racism Assigned to PRS**
- #9 - *Tribunal Hearings for All Discriminatory Misconduct***
- #10 - *Implementation of OIPRD Informal Resolutions***

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- #11 – Continue Use of In Car Camera System & Explore Body Worn Video***
- #12 – Enhanced Training in Collaboration with Community Partners***
- #13 – TPS Hiring Process to Include Enhanced Screening for Bias***
- #14 – Supervisory Evaluation of CSN for TPS Hiring Screening***
- #15 - Probationary Constables' CRU Assignment Doubled (35 -> 70 days)***
- #16 - Intercultural Development Program***
- #19 - Officers Evaluated on Quality of Community Engagements***
- #20 - Informal Recognition Program***
- #21 - Exploring Options for Data Retention***
- #22 - Divisional Policing Support Unit (DPSU) Deployments Coordinated with Divisions***
- #23 - Comprehensive Review of DPSU by Divisional Policing Command***
- #24 - Officer Prerequisites for Assignment to DPSU***
- #25 - Restructuring of DPSU Command***
- #26 - Increase Officer Awareness of Intelligence Gathering & Dissemination***
- #28 – Public Reporting on Community Safety Notes***
- #29 – Modify Receipt to a Redesigned Business Card Format***
- #30 – External Evaluation of Implementations***
- #31 – External Compliance Audit of Procedure 04-14***

The following PACER initiatives are currently **IN PROGRESS**:

- #6 – Professional Standards Unit (PRS) Develop New Risk Thresholds***
- #17 - Individualized Program to Improve Bias-Free Service Delivery***
- #18 - Intercultural Development Assessment for TPS Applicants (Hiring & Promotion)***
- #27 - Multi-Faceted Public Education Campaign***

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Impact (weighting)

Each of the recommendations were carefully reviewed and many were implemented as individual projects or work streams. These recommendations impact the following categories; Service Governance, Community Consultation, Professional Standards, Human Resources, Performance Management, Information Management, Operational Improvements, Intelligence Led Policing, Corporate Communications, Public Accountability and Project Management. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc.); Implementation took several years and required work by members of the Service, outside subject matter experts, public consultations and review by the Board.

Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc.);

Implementation took several years and required work by members of the Service, outside subject matter experts, public consultations and review by the Board.

Timelines

The majority of the recommendations were implemented over a four year period between 2013 and 2017. The remaining items will be implemented with a revised timeline.

References

- Recommendations from the Police and Community Engagement Review (The PACER Report) Phase II – Internal Report & Recommendations – (2013)
- Summary of Project PACER Report; 2020-09-14

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Recommendation 74: *Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the recommendations made in the PACER Report and, where recommendations remain unimplemented in part or in full, to present a timetable for their implementation or the rationale for not implementing particular recommendations and suitable alternatives.*

SERVICE LEAD:

Deputy Chief M. Demkiw

PACER Recommendation	T.P.S. Response
<p>#1 – New Core Value to Reflect Bias-Free Policing</p> <p><i>That the Service create a new Core Value articulating the Service’s explicit, continued commitment to delivering bias- free police services, and that a new values statement reflecting the new Core Value is embedded in all related Service Governance</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • 2013.09.01 – Established Working Group • 2014.01.29 – Draft of new Core Value prepared by the EAC • 2014.03.19 – Proposed wording reviewed by EAC and IAC • 2014.04.29 – Approval for proposed wording obtained from Command • 2015.01.21 – New Core Value approved by the Board • 2015.01.29 – Governance updated • 2015.02.11 – TPSNews Story about new Core Value • 2016.05.30 – R.O. re 14-02 revised to reflect new Core Value – Freedom from Bias • 2018.01.19 – News Release re new Core Values and Competencies

Police Reform Recommendation #74

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PACER Recommendation	T.P.S. Response
<p>#2 – Procedural Revisions – Community Safety Note</p> <p><i>That Procedure 04-14 be revised to reflect new terminology concerning Community Safety Notes (CSN) and that the Procedure be rewritten to include and define: the operational purpose of ensuring public safety, a legal and human rights framework, information management and retention requirements, new quality control processes and introduces heightened supervision standards.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • 2013.07.01 – R.O. Community Inquiry Report and Receipt • In 2014 a draft Procedure 04-14 was shared with stakeholders including IPC, OHRC & PAC for feedback • 2014.12.31 – R.O. suspending CSN submission was published • 2015.03.27 – Mayor, Chair, & Chief publicly released the revised Board Policy on Community Engagements, and a draft version of the procedure on Community Engagements • 2015.06.16 – The MCSCS announced it will introduce a Regulation to standardize street checks • 2015-06-18 – The Board rescinded its 2015 Community Contacts Policy and reinstated its 2014 Community Contacts Policy <ul style="list-style-type: none"> ○ A revised draft Procedure 04-14, compliant with the reinstated 2014 Board policy, was produced, but was not published pending the introduction of a Regulation by the MCSCS • 2015.10.28 – The MCSCS posted the draft Regulation • 2016.03.21 – The MCSCS filed the final version of O. Reg. 58/16 to standardize “street checks” • 2016.11.17 – The Board Policy Regulated Interaction with the Community and the Collection of Identifying Information was approved • 2016.12.07 – The PAC reviewed a draft of Procedure 04-14 and provided feedback • 2016.12.13 – TPS Procedure 04-14 was revised to reflect the new terminology of Regulated Interactions and to comply with O. Reg. 58/16 • 2017.01.01 – O. Reg. 58/16 Collection of Identifying Information in Certain

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PACER Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80) Circumstances under the PSA came into full effect
<p>#3 – Physical Card Replaced by Use of Memobook</p> <p><i>That the Service discontinue use of the physical hard copy card (currently the Community Inquiry Report or TPS 306 Form) and, as a replacement, direct Officers to enter the information captured during such community engagements directly into their memobook for subsequent input into the electronic application.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • 2013.11.05 CIRs replaced by CSNs and entered in Street Check module of Versadex • 2014.06.04 The Service discontinued the use of physical hard copy cards (TPS 306 Form)
<p>#4 – Community Advisory Committee</p> <p><i>That the Service create a standing community advisory committee to work continuously with the Service, in order to assess and address the issue of racial profiling, and through this partnership assist the Service in the delivery of bias- free police services.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • In 2013 the External (EAC) and Internal (IAC) Advisory Committees were established • 2013.11.25 – Community Advisory Committee Terms of Reference Approved • 2014.07.08 – First meeting of PACER Advisory Committee (PAC) – merged EAC & IAC • In 2014 The PAC formed four sub-committees to help address the following: • R02 – The definition of “Public Safety Purpose” for Procedure 04-14 • R12 – Training • R13 and R14 – Employment USPs

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PACER Recommendation	T.P.S. Response
	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <ul style="list-style-type: none"> • R27 – Public education campaign (Know Your Rights) • In 2017 a sub-committee was formed to address R05 – Community Surveys • The PAC met monthly until the final meeting in July 2017
<p>#5 – Community Surveys</p> <p><i>That the Service conduct community surveys to proactively evaluate and address issues relating to public trust, police legitimacy, customer service, racial profiling and bias in police services.</i></p>	<ul style="list-style-type: none"> ● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • In 2014 Strategic Planning reviewed and revised the existing survey • In August 2014, with input from the Center for Policing Equity, the questions and language in the survey were enhanced to ensure they are consistent with and encompass all areas required by this recommendation • 2016.04.27 – The PAC formed a Community Survey sub-committee to look into funding sources and the feasibility of using local researchers instead of the CPE • 2016.05.25 – Video call with Dr. Goff at PAC meeting re community surveys info and for him to answer questions from the PAC • 2017.03.09 – The CPE advised it will not be going forward with the community surveys as there is no funding, and there are capacity issues with the CPE <ul style="list-style-type: none"> ○ In the US, The Center for Policing Equity funds their surveys from grants. However, they are not allowed to accept money from government grants for external surveys conducted in Canada ○ This was the first time CPE provided their services in Canada, and funding was difficult because of the external funding issues • The PAC explored funding options for local researchers, including the Board's

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PACER Recommendation	T.P.S. Response
	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p>Special Fund</p> <ul style="list-style-type: none"> • 2017.07.04 – The PAC co-chair advised that the Board has provided \$98,000 for the surveys being arranged by the sub-committee. The Community Survey sub-committee had oversight of this and advised that Dr. Fearon and Dr. Farrell will be heading the survey • The sub-committee committed to providing progress updates via email
<p>#6 – Professional Standards Unit (PRS) Develop New Risk Thresholds</p> <p><i>That the Professional Standards Unit develop new risk thresholds specifically designed and implemented with respect to bias and racial profiling and create a new dimension with respect to an early detection and intervention alert system to support Officers working in high-risk assignments.</i></p>	<p> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • During implementation it was recognized that the spirit of this recommendation was rooted in officer wellness and the optimal unit for a support system for members was Human Resources instead of Professional Standards. • This recommendation was severed into two components, and re-assigned, which left recommendation #6 to read: <ul style="list-style-type: none"> ○ That the Human Resources Unit develop an early detection and intervention alert system to support Officers working in high-risk assignments. • In 2017, at the request of the Toronto Police Service, faculty from the Carleton University Department of Psychology conducted a literature review with the primary goals of reviewing literature related to Early Intervention Systems (EISs) in a police setting and to offer insights into how EISs may be extended to focus on indicators and interventions related to officer health and well-being. • In October of 2017 the Carleton team provided a draft report to the Service which was reviewed by members of Human Resources and the PACER Team. The

Police Reform Recommendation #74

PACER



PACER Recommendation	T.P.S. Response
	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>literature review identified six themes which assisted with formulating a strategy for continuing with implementation.</p> <ul style="list-style-type: none"> • The Service initiated discussions with faculty from Carleton University to have representatives of their Department of Psychology join the CAPE EIS Working Group along with TPS personnel, including sworn officers, Toronto Police College staff, and members of Human Resources. • This recommendation was assigned to the Equity, Inclusion, and Human Rights Unit (formerly Diversity & Inclusion) in 2015 for implementation. <p>20.02.03</p> <ul style="list-style-type: none"> • The EI&HR unit has entered into discussions with Professional Standards Support to identify potential opportunities for this area. • These discussions are new and will be ongoing as we utilize recent reports (OHRC Collective Impact Report etc.) and previous research in this area. (Suelyn Knight, Manager, Equity, Inclusion and Human Rights) <p>20.06.26</p> <ul style="list-style-type: none"> • The Equity Inclusion & Human Rights (EI&HR) unit continues to engage in discussions with Professional Standards Support to identify potential opportunities for this area. • These discussions are new and ongoing, as noted previously, as utilizes recent reports and previous research in this area. • To-be released: reports stemming from OHRC Inquiry into TPS and racial profiling will be particularly instructive to any newly operationalized processes in this area. These reports will likely be released in the coming months in 2020.

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PACER Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#7 – Proactive Reviews of Officer Performance Trends & Indicators</p> <p><i>That the Service design and conduct reviews at both the Unit and Professional Standards Unit level, examining all ranks of the Service to proactively assess and address Officer performance trends and indicators that may relate to bias, prejudices and/or racial profiling.</i></p>	<p>● IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • November 2014 – A&I (formerly BIA) created a Dashboard Tool and continued working towards easier mapping techniques and the ability to compare platoon to platoon <ul style="list-style-type: none"> ○ This tool will extract data from Versadex, which would assist supervisors with proactively assessing officer trends for bias • The portion of Recommendation 6 that was severed off and merged with Recommendation 7 reads: <ul style="list-style-type: none"> ○ <i>That the Professional Standards Unit develop new risk thresholds specifically designed and implemented with respect to bias and racial profiling</i> • June 2015, the Dashboard Tool was developed for use with CSNs • 2015.10.28 – The MCSCS posted the draft Regulation • 2016.03.21 – The MCSCS filed the final version of the O. Reg. 58/16 to standardize “street checks” • As a result of changes associated with Ontario Regulation 58/16, the Service developed a tool that will assist supervisors in ensuring officer performance is consistent with the goals of the Service (Implementation was adapted for compliance with O. Reg. 58/16) • Responsibility for compiling data for the Service Annual Report relating to Regulated Interactions was assigned to A&I (Formerly BIA), to ensure performance trends and indicators for regulated Interactions are assessed in compliance with O. Reg. 58/16,

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PACER Recommendation	T.P.S. Response
	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>at a corporate level while ensuring such evaluation does not impose any implicit or explicit expectation for Service Members to attempt or conduct Regulated Interactions, consistent with Board Policy</p> <ul style="list-style-type: none"> • The new risk threshold (originally a component of Recommendation 6), was specifically designed and implemented with respect to bias and racial profiling within the Service's Professional Standards Information System (PSIS) to proactively assess and address officer performance trends and indicators that may relate to bias, prejudices and/or racial profiling • 2017.04.26 – The PAC was given a presentation on the Early Intervention System and PSIS
<p>#8 – Complaints Alleging Discrimination and/or Racism Assigned to PRS</p> <p><i>That all internal or external complaints involving allegations of discrimination and/or racism are assigned to Professional Standards, and that the investigation will assume a case conference process involving Labour Relations, Legal Services, Toronto Police College and the Diversity Management Unit. The final dispositions of all such investigations will be entered in the Professional Standards Information System.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • The Service created a Unit Specific Policy (USP) that provides direction to investigators within Professional Standards, for complaints that contain an allegation of discrimination, based on any of the “Prohibited Grounds” as set out in the Ontario Human Rights Code • The USP was approved by Deputy Sloly • The USP was implemented in March 2015

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PACER Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#9 – Tribunal Hearings for All Discriminatory Misconduct</p> <p><i>That all Professional Standards investigations concluded with a final disposition indicating Officer misconduct concerning discrimination or racism are subject to a Tribunal Hearing.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • The Service created a Unit Specific Policy (USP) that provides direction to investigators within Professional Standards, for complaints that contain an allegation of discrimination, based on any of the “Prohibited Grounds” as set out in the Ontario Human Rights Code • The USP was approved by Deputy Sloly • The USP was implemented in March 2015
<p>#10 – Implementation of OIPRD Informal Resolutions</p> <p><i>That the Service continues to collaborate with the Office of the Independent Police Review Director (OIPRD) for implementation of the OIPRD “Informal Resolutions” program.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • A pilot program for enhanced mediation was commenced in 2014 • In February 2014 the first mediated complaint for the Province of Ontario was resolved with the participation of a member of the TPS • 2015.07.23 – PRS committed to the following: <ul style="list-style-type: none"> ○ Continue to participate and assist with the coordination of the OIPRD Mediation Program ○ Provide awareness and continue to provide UCCs with the resources to know when/how to utilize the OIRPD’s Mediation Program ○ Ensure training is provided with respect to using mediation as a method of

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PACER Recommendation	T.P.S. Response
	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>resolving complaints in the Leadership, Advanced Leadership, and PSA courses, which are run for new UCCs</p> <ul style="list-style-type: none"> ○ Continue to monitor and evaluate the Mediation Program through correspondence with the OIPRD • In 2016 a pilot project for the enhanced mediation program was completed • This program has been implemented and PRS has business processes in place consistent with the OIPRD processes
<p>#11 – Continue Use of In Car Camera System & Explore Body Worn Video</p> <p><i>That the Service continue to leverage and monitor the In-Car Camera System currently installed in all marked police vehicles, as well as explore the possibility of equipping all uniform Officers with Body Worn Video (Body Cameras).</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • 2015.05.15 – A media event was held in advance of the BWC being used in the community • 2015.05.18 – 100 officers from D43-CRU, D55-PRU, TSV, and TAVIS-Rapid Response Teams began using BWCs • In March 2016 the pilot project involving body worn cameras concluded • The Body Worn Camera Pilot Project Evaluation Report is available on the Toronto Police Service website
<p>#12 – Enhanced Training in Collaboration with Community Partners</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED

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That the Service continue to ensure all uniform Officers and investigators receive training that includes, but is not limited to:

- *Canadian Charter of Rights and Freedoms;*
- *Ontario Human Rights Code;*
- *articulable cause, reasonable suspicion & investigative detention;*
- *police note-taking, case disclosure and court testimony;*
- *customer service;*
- *tactical communication, strategic disengagement & conflict de-escalation, mediation and resolution; and*
- *prevention of discrimination, racism and Anti-Black racism.*

This training should incorporate role-play and scenario-based training in relation to the Community Safety Note Procedure 04-14. All training will involve community participation in training design, delivery and evaluation.

- The Service explored available anti-bias training and settled on the Fair and Impartial Policing© (FIP) anti-bias program
- In late 2013/early 2014, Command and Senior Officers attended FIP© training along with some community members/stakeholders
- In February 2014, 30 members attended the 3-day FIP© Train-the-trainer course
- In 2014 the PAC created a training sub-committee to have input on the curriculum for the 2016 In Service Training Program (ISTP)
- In November 2014, 25 additional members received the 3-day FIP© Train-the-trainer training
- 2014.12.01 – Service-wide FIP© training commenced for all officers
- 2015.02.25 – An instructor from the TPC attended the PAC meeting and discussed on-going delivery of the FIP© program
- In 2016, to response to PACER Recommendation 12 (and to the Iacobucci report on police response to persons experiencing mental health crisis), a third day was added to the ISTP curriculum
- In January 2016 delivery of the new ISTP curriculum began
 - Enhanced ISTP was designed and delivered to uniform members, in partnership with the community
- Ongoing In Service Training addresses the requirements of Ontario Regulation 58/16 and Procedure 04-14 “Regulated Interactions”
- By the end of April 2016, training on Fair and Impartial Policing© had been delivered to all Uniform members of the Service, at all ranks
- New material added to the ISTP curriculum for 2017 addressed Board Policy, Service Procedure 04-14, racial profiling, anti-Black racism, the Ontario Human Rights Code, and mental health issues
- By February 2017, all active sworn members had receive the Ontario government’s training program for O. Reg. 58/16 addressing the duties and prohibitions for when officers attempt to collect identifying information in certain circumstances

#13 – TPS Hiring Process to Include

● IMPLEMENTED

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<p>Enhanced Screening for Bias</p> <p><i>That the Service's recruiting and hiring process is strengthened to include an evaluation of all potential candidates for evidence of discriminatory and/or racist behaviour, including an examination of related social media content.</i></p>	<p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • In 2014 the PAC created a R13 and R14 sub-committee to assist in the development of the Employment Unit's new Unit Specific Policies (USP) • In February 2016, the Manager of the Employment Unit approved and implemented USP #22, which provides direction to members with respect to enhanced screening for bias
<p>#14 – Supervisory Evaluation of CSN for TPS Hiring Screening</p> <p><i>That the Service continue to review the weight given to Community Safety Notes (CSN) in the recruitment and hiring process and ensure a supervisor is responsible for content validation and evaluation of any CSN submissions considered in the process, including making every reasonable effort to ensure the original submitting Officer clarifies the context in which the CSN was submitted.</i></p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • In 2014 the PAC created a R13 and R14 sub-committee to assist in the development of the Employment Unit's new Unit Specific Policies • In February 2016, the Manager of the Employment Unit approved and implemented USP #23, which provides direction to members with respect to community safety notes • 2016.04.27 – The Manager and S/Sgt. from the Employment Unit attended, presented on, and answered questions related to implementation at the PAC meeting • 2016.12.13 – USP 23 was superseded by Procedure 04-14 which does not permit the use of Historical Contact Data (including CSNs) for the purposes of background checks for employment with the Service <p><i>Note: CSNs were only being used for hiring screening with the Service. <u>CSNs were never used for Vulnerable Sector Screening Program – Police Reference Checks.</u></i></p>
<p>#15 – Probationary Constables' CRU</p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p>

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<p>Assignment Doubled (35 -> 70 days)</p> <p><i>That all Probationary Constables (including the May 2013 constable graduation class) successfully complete a minimum of two Compressed Work Week Cycles, within their probationary period, assigned to the divisional Community Response Unit.</i></p>	<ul style="list-style-type: none"> <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • The two-cycle assignment with the Community Response Unit was implemented for the May 2013 recruit class (R.O. 2014.02.18-0229 – PACER) • R.O. 2015.05.04-0474 – PACER RECOMMENDATION NO. 15 – UPDATED was published. This R.O. required that for the two-cycle assignment, probationary constables will be assigned to the CRU and will work exclusively with designated Divisional Neighbourhood Officers
<p>#16 – Intercultural Development Program</p> <p><i>That the Service develop and implement an intercultural development program.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • In June 2014, the Service began working with two consulting firms to create an Intercultural Development Program (IDP) in the form of a professional development and training opportunity focused on enhancing the intercultural competency of Service members • The IDP was developed in partnership with the consulting firm <i>DiversiPro</i> in 2014, using the Intercultural Development Inventory® (IDI®) evaluation tool to provide an opportunity for: <ul style="list-style-type: none"> • Confidential assessment of individual members • An aggregate level evaluation of the Service • 30 focus groups were completed (at Units across the Service) and 15 individual leader interviews were completed • In September 2014, Service-wide rollout began. Participation in the IDI® was voluntary • In August 2015 the opportunity to participate in the IDP was extended to new recruits who were in the process of completing their recruit training • Individualized feedback sessions were provided to members of the Service who

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	<p>requested them</p> <ul style="list-style-type: none"> The last feedback sessions for the IDP, completed in January 2016, were the final component of implementation of R16
<p>#17 – Individualized Program to Improve Bias-Free Service Delivery</p> <p><i>That a specific and individualized program is designed for Officers requiring improvement in the areas of valuing diversity or bias-free service delivery, which would include participation in the intercultural development program.</i></p>	<ul style="list-style-type: none"> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> In November 2015, the Equity, Inclusion & Human Rights (Formerly D&I) was assigned as the IDP business custodian In February 2018, the Service undertook a new IDP which exceeds the requirements of PACER R17, and incorporates recommendations identified by the: <ul style="list-style-type: none"> o 2013 PACER Report (R17 & R18) o 2015 DiversiPro Inc. Report o 2017 Loku Inquest Jury (Jury for the inquest into the death of Mr. Andrew Loku) <p style="text-align: center;"><i>Note: In a Board Report detailing the implementation of the Loku Inquest recommendations, the Service committed to the implementing the IDP (use of the IDI and intercultural competence training).</i></p> <ul style="list-style-type: none"> The Service identified the business custodians and the next steps for implementation as follows: <ul style="list-style-type: none"> o The Service's Equity, Inclusion and Human Rights Unit (Formerly Diversity & Inclusion), as the IDP business custodian, will optimize Service-wide coordination

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	<p>of the overall implementation, including:</p> <ul style="list-style-type: none">- Establishing a new Project Champion Team (PCT)- Identifying and selecting 20 key Service members to be licensed as QAs- Managing the Service's licencing of the IDI®- Providing consultation and collaboration on the creation of the new IDP- Providing consultation on the implementation of R17 and R18- Supporting the IDP throughout the 5-year project- Informing and guiding the TPC facilitation (including design, development and delivery) of IDP Training <ul style="list-style-type: none">o The Toronto Police College, as the business custodian of all IDP related training, will optimize facilitation (including design and delivery) of the training for all members <ul style="list-style-type: none">• In November 2018, Service had 23 members trained as Qualified Administrators of the IDI®• In January 2019, the Manager of EI&HR advised the implementation of the new IDP and use of the IDI® had been put on hold• In December 2019, the Manager of EI&HR advised the IDI® is on her list of things to sort through next year "whether it's IDI or another similar platform, the commitment is there, but we just want to ensure maximum benefit to the Service and the it fits well with the direction if the new unit"• In February 2020, the Manager of EI&HR reported, "The EI&HR unit is in the process of staffing an Inclusion Lead position who will be responsible for designing and delivering a wide variety of training, coaching and mentoring opportunities and capacity building tools and techniques in this area."• In July 2020, the Manager of EI&HR advised—having been trained as a Qualified Administrator in 2018 and evaluating the IDI® program over the course of 2019—that:<ul style="list-style-type: none">o while seeing "...some merit to the program...[she]...did not fully see how it could be incorporated and rolled out to the entire organization in a holistic way that emphasized the learning and principles of equity and inclusion."o "...it did not provide an adequate framework for a comprehensive understanding
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	<p>of equity, diversity, inclusion and human rights.”</p> <ul style="list-style-type: none"> ○ “...it fell short in adequately identifying how an individual who may hold certain beliefs or values towards “in group vs out group” dynamics, may progress from one category to the next.” ○ “...it did not identify whether the participant had issues or needed further development in the areas of bias, race, gender, sexual orientation etc. therefore not leading to any specifics on the necessary area of growth.” ○ “...it did not provide a mechanism for ongoing coaching and development...” ○ “Depth of understanding of issues, opportunity for further education and engagement, explanation of impact on others and organization, accountability, consistent communication, evaluation of change – are all components of behaviour change...which unfortunately the IDI program did not have.” ○ “As such, [she] recommended that the program be discontinued. But be replaced by an Inclusion Lead position to support the ongoing development, education, coaching of our members across the Service on a wide variety of topics and issues and to customize supports for individuals, platoons, units, leaders etc. that is tailored to their specific issue or growth area.” ○ “This would be coupled with an overarching Equity Strategy which would also state our guiding principles as an organization in how we approach equity, diversity, inclusion and human rights work as a Service with metrics to measure our success.”
<p>#18 – Intercultural Development Assessment for TPS Applicants (Hiring & Promotion)</p> <p><i>That the Service mandate an intercultural development assessment</i></p>	<p><input type="checkbox"/> IMPLEMENTED</p> <p><input checked="" type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p>

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of all persons making application for employment with, or for promotion within, the Service.

- In February 2018, the Service undertook a new IDP, and was scheduled to begin incorporating the requirements of PACER R18 by requiring:
 - Mandatory completion of the IDI® assessment tool and participation in a confidential feedback session with a QA for all potential police cadets incorporated as one of the conditions listed on their conditional offer of employment
 - Mandatory completion of only the IDI® assessment tool (without a feedback session) as a pre-requisite for all members making application for promotion within the Service (Applicants IDI® profile remains confidential.)
- The implementation of R18 was adapted so that the IDI® would not contribute to the selection component of the process for employment with, or promotion within, the Service because:
 - IDI® licence limitations prevent Service members from using the IDI® for personnel selection purposes including
 - Hiring Talent (identifying & selecting talent for the organization),
 - Placement of Talent (assigning individuals to positions or new responsibilities within the workforce), and/or
 - Promotion of Talent (identifying & selecting individuals within the workplace for advancement)
 - Allocating IDP resources and QAs to "all persons making application" (i.e. including the vast majority of candidates who do not succeed in the process) is an inefficient, and cost prohibitive, use of public funds
- In November 2018, the Service had 23 members trained as Qualified Administrators of the IDI®
- In January 2019, the Manager of EI&HR advised the implementation of the new IDP and use of the IDI® had been put on hold
- In December 2019, the Manager of EI&HR advised the IDI® is on her list of things to sort through next year "whether it's IDI or another similar platform, the commitment is there, but we just want to ensure maximum benefit to the Service and the it fits well with the direction if the new unit"

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	<ul style="list-style-type: none"> • In February 2020, the Manager of EI&HR reported, “Upon review, the EI&HR unit will not be continuing with the IDI program, and will be identifying other measures and tools that fit within the overall new mandate and structure of the unit and its Service-wide objectives.” • In July 2020, the Manager of EI&HR—having been trained as a Qualified Administrator in 2018 and evaluating the IDI® program over the course of 2019—explained the reasons for discontinuing the program. (see last bullet point in recommendation 17 above)
<p>#19 – Officers Evaluated on Quality of Community Engagements</p> <p><i>That Officers continue to conduct Community Safety Note (CSN) related activities and will be evaluated primarily on the professional quality of such engagements and the intelligence quality of any CSN submissions.</i></p>	<ul style="list-style-type: none"> ● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • This recommendation was partially superseded by legislative, departmental, and policy developments as the recommendation recommends: <ul style="list-style-type: none"> ○ That officers continue to conduct CSN-related activities (now called Regulated Interactions); and ○ That officers will be evaluated “primarily on the professional quality of such engagements and the intelligence quality of any CSN submissions.” • CSNs were discontinued and replaced by Regulated Interactions. While this Recommendation recommends that officers “continue to conduct” CSNs, Board policy states that officers should not be expected or required to conduct Regulated Interactions • CSNs were not mandatory and were predominantly used for recording interactions

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	<p>which are specifically excluded from O. Reg. 58/16</p> <ul style="list-style-type: none"> • RIs are mandatory when officers engage in one or more of only three specifically prescribed circumstances AND NOT in any of the six specifically prescribed exceptions. RIs are mandatory whether or not they contain Identifying Information and, consequently, may have no information of value with respect to intelligence • Procedure 04-14 does not require that name information be included in a Regulated Interaction Report • To implement this recommendation, Procedure 04-14: <ul style="list-style-type: none"> ○ holds officers accountable if they engage in activities governed by O. Reg. 58/16, and ○ requires supervisors monitor and evaluate the quality of such interactions, but ○ does not require evaluation of the intelligence quality of the submissions because they are legislatively required regardless of intelligence potential
<p>#20 – Informal Recognition Program</p> <p><i>That the Service create and implement an informal recognition program that fosters high quality Officer performance in the areas of intercultural competence, customer service, and intelligence led policing and bias-free service delivery.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • In 2015, an informal recognition program was developed in SharePoint for Service-wide implementation <ul style="list-style-type: none"> ○ Governance for the use of the site was being incorporated within the then draft of Procedure 04-14 ○ Development of Procedure 04-14 was significantly altered by the introduction of O. Reg. 58/16 • This recommendation was marked complete in January 2016, and the Informal Recognition Program was scheduled to be implemented as part of the 2017 talent management strategy • March 2016, prior to implementation, Ontario Regulation 58/16 was published and prohibited the evaluation of police officers’ work performance based on Regulated Interactions. As a result, Regulated Interactions were subsequently removed from the

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	<p>talent management strategy</p> <ul style="list-style-type: none"> • The Service's 2017-2019 People Plan describes the Performance Management Program and Recognition Program as follows: <ul style="list-style-type: none"> ○ A new performance management program that will apply consistently to all people in the organization – all positions, all levels, all roles. One that is tied to the Service's goals and the cascading of goals to all units. It will be systematic, transparent, and accountable with more comprehensive tools, templates, and training, and clearer expectations for all participants. With this new program, we will also be working with the Toronto Police Association towards a reclassification system for constables that emphasizes their knowledge of, commitment to and ability to be effective in community-centred policing ○ A program that aligns rewards and recognition with values and desired behaviours, identifying key internal partners, annual objectives, a plan, and a budget. It will allow for team as well as organizational celebrations, and consider incentives to promote an inclusive workplace • Although delayed, the new performance management program encompasses an array of relevant metrics to better achieve the goals of Recommendation 20
<p>#21 – Exploring Options for Data Retention</p> <p><i>That the Service retain all Community Safety Note submissions for a maximum of seven years while continuing to explore industry best practices for information management, retention, privacy and access.</i></p>	<ul style="list-style-type: none"> ● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • Recommendation #21 afforded the Service a seven-year window within which to explore and incorporate industry best practices for information management, retention, privacy and access • For these records, in just over three years and in consultation with the PAC (including counsel for the Information and Privacy Commissioner of Ontario) the Service implemented procedures and extensive business processes to incorporate best

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	<p>practices for information privacy, including;</p> <ul style="list-style-type: none">○ data isolation,○ access audit trails, and○ role based security access <ul style="list-style-type: none">• This recommendation was partially superseded by regulatory developments, which are in part more exacting than Recommendation 21• The introduction of O. Reg. 58/16 established and codified industry-specific best practices for management, retention, privacy and access of records related to Procedure 04-14• For Regulated Interaction Reports, O. Reg. 58/16 establishes specific criteria for retention access, and disclosure with which the Board Policy and Service Procedure must comply and be consistent• O. Reg. 58/16 includes criteria for when Regulated Interaction Reports must be restricted and the limited purposes for which they may then be accessed• With extensive legal consultation, the Service and Board identified that even a Regulated Interaction Report submitted in clear contravention of O. Reg. 58/16 must be retained and accessible, albeit for limited purposes• Subsection 9(9) of O. Reg. 58/16 requires that access to identifying information in police databases shall be “restricted” once five years have passed since the information was entered into a police database• Board Policy regulates retention, access to, and use of information from Regulated Interactions and from the previous methods (such as CSNs) by which identifying information was collected from citizens. It requires the immediate “restriction” of Historical Contact Data and of Regulated Interactions that have been determined not to comply with the Policy or the Regulation• Access to Regulated Interactions Reports from interactions that did comply with the Policy and Regulation is to be restricted five years after it is entered into the Service’s database• The Board policy also governs the retention, access and disclosure of Historical Contact Data, and requires the Chief to adopt internal procedures that restrict access to the data unless “required for a substantial public interest or to comply with a legal
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	<p>requirement”, “ensure an auditable technological trail,” and provide for quarterly reporting to the Board about data access requests</p> <ul style="list-style-type: none"> • The Chief reports quarterly to the Board, and its Regulated Interaction Review Panel, on all requests for access to Historical Contact Data
<p>#22 – Divisional Policing Support Unit (DPSU) Deployments Coordinated with Divisions</p> <p><i>That the Divisional Policing Support Unit (DPSU) ensure all DPSU deployments are done in collaboration with the Divisional Crime Management Team, aligned to the Division’s crime management processes, priorities and projects, providing professional, high quality, bias-free service delivery to all members of the community.</i></p>	<ul style="list-style-type: none"> ● IMPLEMENTED □ IN PROGRESS □ NOT IMPLEMENTED <ul style="list-style-type: none"> • 2014 – Implemented in 2014 as follows: <ul style="list-style-type: none"> ○ All tasks within DPSU have and will continue to align with Community Safety Command (CSC) priorities. These priorities include but are not limited to: <ul style="list-style-type: none"> - Reducing violent crime & reducing personal/property crime - Improving neighbourhood safety & improving road safety - Improving customer service & improving confidence in police ○ The current deployment model is based on divisional criteria and in collaboration with the Divisional Crime Management Teams, aligned to the Division’s crime management processes, priorities and projects ○ All tasks within DPSU have and will continue to align with Community Safety Command (CSC) priorities, with the deployment model based on divisional criteria and in collaboration with the Divisional Crime Management Teams, aligned to the Division’s crime management processes, priorities and projects • The current vision for the Service's continuous improvement and allocation of resources is accurately reflected in the publicly available Action Plan: The Way Forward
<p>#23 – Comprehensive Review of DPSU by</p>	<ul style="list-style-type: none"> ● IMPLEMENTED

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<p><i>Divisional Policing Command</i></p> <p><i>That Divisional Policing Command (DPC) conduct a comprehensive review to assess the Divisional Policing Support Unit's recruitment, selection, training, supervision, deployment and performance management systems to more effectively align with DPC priorities.</i></p>	<ul style="list-style-type: none"> <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • 2014.11.24 - Implemented • In December 2013, the Divisional Policing Command (DPC) comprehensive review was completed and assessed the following areas: <ul style="list-style-type: none"> ○ Recruitment and selection <ul style="list-style-type: none"> - As of April 2014, all members assigned to DPSU had completed the staff development program. ○ Training <ul style="list-style-type: none"> - Officers assigned to DPSU – TAVIS (including RRT and NTI) receive three additional days of enhanced training ○ Supervision <ul style="list-style-type: none"> - The two RRT Staff Sergeants routinely go out on patrol. This is to ensure that Sergeants are supervising their teams effectively and professionally. The RRT Staff Sergeants and/or Divisional Staff Sergeants are also available to provide advice and guidance to the RRT Sergeants ○ Management controls <ul style="list-style-type: none"> - The DPSU Unit Commander and Second in Command Inspector have committed to regularly review the performance of all Staff Sergeants and Sergeants to ensure that they are performing their duties in a conscientious and professional manner ○ Performance management <ul style="list-style-type: none"> - The performance management process has been enhanced with more of an emphasis on the quality of engagements that officers have with members of the community • The Service has implemented substantial organizational restructuring, which included replacement of the TAVIS unit with alternate service delivery models • The current vision for the Service's continuous improvement and allocation of resources is accurately reflected in the publicly available Action Plan: The Way Forward
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<p>#24 – Officer Prerequisites for Assignment to DPSU</p> <p><i>That all officers assigned to Divisional Policing Support Units must have successfully completed the staff development program at a Divisional Policing Command division prior to an assignment with the Unit.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • Implementation of this recommendation commenced January 1, 2014 • As of April 2014, all members being assigned to DPSU had completed their staff development program
<p>#25 – Restructuring of DPSU Command</p> <p><i>That the Unit Commander assigned to Divisional Policing Support Unit hold the rank of Superintendent, supported by an Inspector as the second-in-command.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • On January 17, 2014, a new Superintendent position was added to the Divisional Policing Support Unit, supported by an Inspector as the second-in-command
<p>#26 – Increase Officer Awareness of Intelligence Gathering & Dissemination</p> <p><i>That the Service review and evaluate the current capacity of intelligence led policing practices and adopt appropriate means by which to increase Officer awareness, training and competency with respect to all existing intelligence gathering and dissemination methods.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • In 2014 members of the PACER Team met with senior officers to move the ILP program forward. There were discussions involving recruit training and divisional training with the assistance of the FIO program • Intelligence Services continued its practice and enhanced avenues to obtain and share information that supports the intelligence cycle • Intelligence services delivered training to Service members at the TPC to educate officers on the intelligence cycle and increase awareness of investigative methods by which criminal intelligence may be gathered (other than face-to-face) and disseminated

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#27 – Multi-Faceted Public Education Campaign

That the Service create and implement a corporate communications strategy to continuously educate, inform and engage the community with respect to the implementation of the PACER Report recommendations, Service public safety and public trust programs, the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms civil liberties and responsibilities. The communication strategy will involve direct community input into the design and delivery of the medium, embracing multiple languages and will be delivered across a full spectrum of avenues, including but not limited to mainstream, ethnic and social media, Community Police Liaison Committees meetings, focus groups and virtual town halls.

- IMPLEMENTED
- IN PROGRESS
- NOT IMPLEMENTED

- The Service worked with community partners to provide key messaging points and answers to frequently asked questions
- The Service created a Community Police Academy for members of the community who are interested in learning more about the complexities of policing, the daily operations of the Service, and having a better understand the role of modern policing in Toronto.
- The first session of this Academy began in October 2016
- In 2017, the Service collaborated with the PAC to develop a script for a broader “Know your Rights” video campaign
 - Production on the video series was commenced in 2017 by the PACER Team
 - In March 2018 the Chief viewed the draft video campaign. The PACER team was advised to await direction before proceeding any further with updates to the video
 - In July 2018, STM took over production of the KYR video campaign at the request of the Office of the Chief
- In November 2018, a KYR video was produced by a third-party designer using the script developed by the PAC and approved by the Chief. Corporate Communications reported the video “did not meet the Chief’s expectations and [they were] requested to contract a different third party to develop another video.” The new designer had completed only very preliminary work and the scope of the project began to change.
- In February 2020, in consultation with EI&HR, Corporate Communications was revising the script to include race-based data collection and body-worn cameras. EI&HR had proposed “an integrated plan with OJEN, Collective Impact, and the City of Toronto’s Crisis Response Teams” as well as “Neighbourhood Officers to review [the] script and brainstorm how the video could be visualized...”
- As of September 2020, while the EI&HR collaboration proposals are still in the conceptual phase, Corporate Communications has re-engaged the new third-party

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	designer to continue development of the KYR video.
<p>#28 – Public Reporting on Community Safety Notes</p> <p><i>That the Service design, implement and prepare a public report of Community Safety Note related procedures and practices including the use of demographic and race-based data.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • In 2015 CSNs were abolished • In 2017 CSNs were replaced by Regulated Interactions • O. Reg. 58/16 and Board Policy require the Chief of Police to report annually to the Board and that the Board make the report available to the public, free of charge • As per direction from the MCSCS, the first annual report was for the 2017 fiscal year
<p>#29 – Modify Receipt to a Redesigned Business Card Format</p> <p><i>That the Community Inquiry Report Receipt (Form 307) be redesigned to a Service business card format, which will be offered to any community member who is the subject of a Community Safety Note submission.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • A redesigned business card was designed for use as a receipt, however, this recommendation was partially superseded by legislative, departmental, and policy developments • With input from the PAC, a receipt that exceeds the requirements of O. Reg. 58/16 and Board Policy was created and produced • On January 1, 2017, officers began offering this receipt to individuals when conducting Regulated Interactions
<p>#30 – External Evaluation of Implementations</p> <p><i>That the Service enter into a partnership with an external person or</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p>

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organization for the purpose of conducting an evaluation of the implementation phase of the PACER Report recommendations, encompassing January 1st, 2014 to December 31st, 2016.

- In 2014 the Service engaged the Center for Policing Equity (CPE), including Dr. Phillip Goff, to evaluate the implementation of the recommendations contained within the PACER Report
- In 2015 reps from the CPE attended and made a presentation to the PAC at a PAC meeting
- In 2016 the PACER team reviewed and made extensive edits to the Climate Assessment questions due to language and cultural differences between Canada and the US, and also to use language familiar to Service members
- 2016.06.20 – The PACER team was advised that a different person had taken over as the project coordinator
- Training Assessments, including Members from recruit classes; 15-02, 15-03, 16-01, were completed in 2017
- The CPE tested their Climate Assessment Survey with focus groups and obtained valuable feedback
- In March 2017, the CPE advised they will not be going forward with the community surveys due to lack of funding and capacity issues with the CPE
- In March 2017, the CPE advised the Climate Assessment will not be as involved as originally proposed:
 - No pre and post
 - Will be a one-time measure of officers' attitudes and feelings about the Service, Command, the Community, groups within the community, etc.
 - If officers do not consent to the Attitude Behaviour Matching portion, it will be a measure of feelings and attitudes only, not behaviour
 - CPE will liaise with the PACER team and whomever else it is beneficial to speak with about the survey and explain its impact
 - CPE will send out a link and recruiting materials for Service to administer, along with promotional materials and an introductory letter for the Chief to send out
 - The link will be active for a few weeks for officers to participate
 - The CPE wanted the Service to provide the survey to Service members without permitting anyone in the Service to read it first (proprietary issues). The PACER

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	<p>team advised that would never happen, so CPE was going to look into getting a Non-Disclosure Agreement</p> <ul style="list-style-type: none">○ The PACER team explained the morale issues, the likelihood of incredibly low participation levels, and that it is unlikely to be supported by the TPA○ If the CPE goes ahead with this, the analysis will take several weeks after the surveys have been completed○ This report will come separate from and after the Policy Analysis <ul style="list-style-type: none">• The PACER team sent documents to support implementation to the CPE throughout the project, however, on May 1, 2017, the PACER team was advised that a different person had taken over carriage of the project• 2017.05.09 – During a telephone conversation the new CPE rep advised that none the previous documents that had been sent to the CPE over the past few years had been forwarded on to her• May 2017 – The PACER team sent the CPE an overview of the status of each recommendation, along with 30 supporting documents, to help guide the interviews the CPE said they would be conducting to draft the implementation report• 2017.05.25 – The CPE and the PACER team discussed the implementation report via telephone• 2017.07.17 – The CPE and the PACER team discussed the implementation report via conference call• 2017.07.18 – The CPE provided a draft implementation report that was produced solely by reviewing the information provided in May 2017. This report included several questions and requests for points of clarification for the PACER team• 2017.07.19 – The CPE was advised that based on the information in the report there are some areas the PACER team did not communicated accurately and/or provided insufficient information• 2017.07.20 – The CPE and the PACER team discussed the draft implementation report via conference call• 2017.07.27 – The PACER team sent the CPE a version of their report with some initial comments for discussion, and attached more supporting documents. The PACER team acknowledged that there has been an ever-changing point person as
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their contact, which likely contributed to some gaps in the information they had been provided thus far. This report was followed up with a phone call between the PACER team and the CPE

- 2017.09.29 – The PACER team contacted the CPE to provide an update on the status of the PACER team’s review of the CPE’s report
- 2018.02.05 – The CPE was advised via email that the PACER team’s review of their draft report had been put on hold while the team addressed some other moving parts
- 2018.04.18 – The PACER Team provided comments and track changes within the draft report to the CPE, along with a reference material portfolio containing 25 supporting documents
 - The CPE was advised that the delay was because the PACER team wanted to ensure due diligence in providing the CPE with detailed information and sources in order to properly inform the CPE’s report and prevent publication of inaccurate information
 - Additionally, the bulk of the editing arose from accounting for the distinction between Board Policy and Service Procedure 04-14. Much of the draft reports implementation assessment may have been based in incomplete information
 - The PACER team reworded some areas of the draft with track changes to accurately reflect the supporting documentation and make comments in others to respond to the CPE’s specific queries and/or explain the Service’s position on implementation of particular recommendations
 - The CPE was also advised in the same email that Service remains committed to making the CPE’s final report publicly available, and suggested arranging a conference call after the CPE have had a chance to re-evaluate the PACER teams comments, content, and the reference items
- 2018.04.19 – The CPE replied to the email advising because of the extensive changes, and because it is a busy time for them, that they would require a few weeks to review the report and respond
- 2018.04.20 – The PACER team provided the CPE via email further explanation of the delay and advised the CPE that the PACER team would love to connect via phone/conference call to discuss the report in more detail

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	<ul style="list-style-type: none"> • 2018.05.17 – The CPE requested the most recent version of Procedure 04-14 • 2018-05.18 – The PACER team responded to the email from the CPE, and provided all three versions of 04-14 (2009.04.28, 2016.12.30, and 2017.06.14). The CPE was advised to call or email for additional clarification <p><i>Note – 2018.05.18 was the last contact with the CPE until contacted by the PACER team on January 17, 2020, at which point CPE provided no timeline for completion of their report.</i></p>
<p>#31 – External Compliance Audit of Procedure 04-14</p> <p><i>That the Service invite the City of Toronto Auditor General to conduct an external compliance audit of Procedure 04-14.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • 2017.07.14 – The Board sent written invitation to the Auditor General for the City of Toronto • 2017.10.06 – The Board received and made public a letter indicating the Office of the Auditor General will be including the external compliance audit in the 2018 Audit Work Plan • The Audit of Toronto Police Service Regulated Interactions is included in the Auditor General’s report 2018 Audit Work Plan in Table 2: New Audit Projects Planned for 2018 (pg.3) indicating the audit will include an independent assessment of compliance with the Regulation, Policy, and Procedure for regulated interactions between the police and a public member, commonly known as “carding” or “street checks” • 2019.02.06 – The Auditor General’s Office 2019 Work Plan provided the following information on page 3 of the report. <i>The Toronto Police Services Board has requested two audits in recent years: (1) Level 3 and Level 4 Searches of Persons; and (2) Regulated Interactions (commonly known as “carding” or “street checks”). In light of the significant reviews by other independent parties, the Auditor General will not proceed with these audits</i>

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POLICE REFORM RECOMMENDATION SUMMARY - #75 (People In Crisis)



SERVICE LEAD : Deputy Peter Yuen			Direct the Chief to report by November 2020 on the status of implementation of the recommendations made in the Independent Review of Police Encounters with People in Crisis and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.
Recommendation Status	Number	Percent	There are no concerns about the remaining work required to implement these recommendations. The majority of the recommendations have been adopted fully or in part by the Service. The decision not to implement recommendations was made after careful study and review by the Police Services Board and represents limitations that were beyond the control of the Service. <i>This report includes all the assessment requirements described in Recommendation 80. When the TPSB approves the respective reports, Recommendation 80 will be marked as COMPLETED.</i>
Implemented	81	96 %	
Not Implemented	3	4 %	
In Progress	-	-	
Total Recommendations	84	100%	

Recommendations NOT Implemented	Rationale
#26 – SUPERVISION (debriefing)	This recommendation is not implemented in its suggested format, however parts of the recommendation has been implemented in Recommendation #25.
#55 – EQUIPMENT (Conducted Energy Weapons –effects on EDP)	<p>While the Service recognizes the value of continual research, it remains satisfied that the current medical research has found no persuasive evidence of risk to vulnerable persons.</p> <p>The Service understands that across Canada police authorities including the Ontario Ministry of Community Safety and Correctional Services (the Ministry) are not contemplating further research at this time.</p>
#69 – EQUIPMENT (Conducted Energy Weapons – threshold for use)	The threshold for use of CEWs has been set by the Ministry of Community Safety & Correctional Services after broad consultation with police legal advisors and stakeholders including use of force experts and police defensive tactics trainers. When considering the threshold, the Ministry took into account that the research has demonstrated that there are fewer injuries to individuals and police officers associated to CEW use than other force options like the baton and physical control techniques.

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Independent Review of Police Encounters with People In Crisis

<u>Recommendations In Progress</u>	<u>Timelines / Explanations</u>
N/A	

During their August 2020 public meeting, the Toronto Police Services Board adopted the recommendations contained in the report titled '*Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety*'. Included in the report are the following requirements:

75. Direct the Chief to report by November 2020 on the status of implementation of the recommendations made in the *Independent Review of Police Encounters with People in Crisis* and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #25)

80. Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:
 - a. Concerns;
 - b. Status;
 - c. Impact (weighting);
 - d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);
 - e. Timelines; and
 - f. Service Lead (Deputy Chief)

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Independent Review of Police Encounters with People In Crisis

Background

In July of 2014 Justice Iacobucci presented his report '**Police Encounters with People in Crisis**' to the TPSB. In 2014 the Service was directed by the Board to operationalize the recommendations as applicable. The report consists of 84 recommendations intended to improve the Service's approach to psychological wellness of members and the response to calls involving persons in crisis and to minimize the likelihood of a violent encounter. The majority of these recommendations have been adopted by the Service and are incorporated into Service training, governance and front line response.

Concerns

There are no concerns about the remaining work required to implement these recommendations. The majority of the recommendations have been adopted fully or in part by the Service. The decision not to implement recommendations was made after careful study and review by the Police Services Board and represents limitations that were beyond the control of the Service.

Status

As of September of 2020 the status of the recommendations made in '**Police Encounters with People in Crisis**' is as follows:

- 81 of the recommendations have been implemented fully or in an alternative form.
- The Service did not concur with 3 of the recommendations and therefore they were not implemented (See recommendations #26, #55, and #69)

Impact (weighting)

Each of the recommendations was carefully reviewed and many were implemented as individual projects or work streams. These recommendations have a major impact on all aspects of TPS member safety, training, governance and front line operations. This has

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Independent Review of Police Encounters with People In Crisis

led to the implementation of initiatives including the Vulnerable Persons Registry and The Toronto Police Service Mental Health and Addictions Strategy.

Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc):

Implementation took several years and required work by members of the Service, outside subject matter experts, public consultations and review by the Board.

Timelines

The majority of the recommendations were implemented over a three year period between July of 2014 and November of 2017. The Vulnerable Persons Registry (VPR) was launched in December of 2019 due to vital input that was obtained from experts within the mental health and special needs communities. Direction was also required from the office of the Information and Privacy Commissioner of Ontario regarding the manner in which VPR data could be obtained, managed and disposed.

Legend

CEW	-	Conducted Energy Weapon
EDP	-	Emotionally Disturbed Person
EMS	-	Emergency Medical Services
ICCS	-	In Car Camera System
ISTP	-	In Service Training Program
MCIT	-	Mobile Crisis Intervention Team
MCSCS	-	Ministry of Community Safety and Correctional Services
OPC	-	Ontario Police College
TEGH	-	Toronto East General Hospital

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Direct the Chief to report by November 2020 on the status of implementation of the recommendations made in the Independent Review of Police Encounters with People in Crisis and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.

SERVICE LEAD:

Deputy Peter Yuen

SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#1 – MENTAL HEALTH SYSTEM AND TORONTO POLICE</p> <p><i>The TPS create a comprehensive police and mental health oversight body in the form of a standing inter-disciplinary committee that includes membership from the TPS, the 16 designated psychiatric facilities, the three Local Health Integration Networks covering Toronto, Emergency Medical Services, and community mental health organizations to address relevant coordination issues, including:</i></p> <p style="margin-left: 20px;"><i>(a) Sharing Healthcare Information: developing a protocol to allow the TPS access to an individual’s mental health information in circumstances that would provide for a more effective</i></p>	<p>● IMPLEMENTED</p> <p>☐ IN PROGRESS</p> <p>☐ NOT IMPLEMENTED</p> <p>Through the work of the following committees the Service will continue to develop and refine processes and produce results that align with this recommendation. TPS was present at the following committees:</p> <ul style="list-style-type: none"> • Toronto Police Services Board’s Mental Health Sub-Committee. The Board’s Sub-Committee is comprised of members of the Board, members of the Service and members of the community. In creating the Sub-Committee, the Board noted that it is important that the Sub-Committee’s membership reflect the diversity of Toronto with representatives from major as well as more locally-based groups or organizations serving youth and specific ethno-cultural groups. The Sub-Committee’s mandate is to create a mechanism that facilitates ongoing liaison with the community and other stakeholders and thereby

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SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p><i>response to a person in crisis. This protocol must respect privacy laws and physician-patient confidentiality, and should address:</i></p> <p><i>I. whether, in consultation with the Government of Ontario, the concept of the “circle of care” for information sharing can be expanded to include the police, in circumstances beneficial to an individual’s healthcare interests;</i></p> <p><i>II. how healthcare, treatment and planning information with respect to people with repeated crisis interactions with the police can be shared with the TPS while respecting all relevant privacy and physician-patient confidentiality concerns; and</i></p> <p><i>III. more specifically, how healthcare information shared with the TPS can be segregated from existing police databases and therefore</i></p>	<p>enables the Board to deal with mental health issues in an informed, systematic and effective manner.</p> <ul style="list-style-type: none"> • Toronto Central Local Health Integration Network (TC-LHIN) Mobile Crisis Intervention Team (MCIT) City Wide Implementation Steering Committee. The Committee has helped design a MCIT program that now provides coordinated coverage in all areas of Toronto and now works to standardize the MCIT model across Toronto. The steering committee is comprised of <ul style="list-style-type: none"> - Toronto Police Services - Participating GTA LHIN representatives - Mental health and addiction services - Toronto Paramedics Services (formally Emergency Medical Services) - Acute Care Alliance - City of Toronto Mental Health Promotion Program - Center for Research on Inner City Health (CRICH St. Michael’s Hospital) <p>Two of the immediate products of the steering committee were the publication of the final report, the <u>MCIT Program Coordination in the City of Toronto</u> (2013), and a preliminary program evaluation report conducted by CRICH (2014) that recorded high institutional approval and client satisfaction. A second program evaluation is now underway.</p>

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SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p><i>prevented from subsequently being passed on to other law enforcement, security and border services agencies. Healthcare information should continue to be treated as such, and not as police information;</i></p> <p><i>(b) Voluntary Registry: the creation of a voluntary registry for vulnerable persons, complementing the protocol recommended in</i></p> <p style="padding-left: 20px;"><i>I. which would provide permission to healthcare professionals to share healthcare information with the police, only to be accessed by emergency responders in the event of a crisis situation and subject to due consideration to privacy rights;</i></p> <p><i>(c) Mutual Training and Education: how psychiatric facilities, community mental health organizations, and the TPS can benefit from mutual training and education</i></p>	<ul style="list-style-type: none"> • Police Encounters with Persons in Crisis Implementation Advisory Committee was formally constituted on September 4, 2014 to provide advice to the Service on the implementation of the recommendations when requested. The committee consists of 14 leading members of key stakeholder groups including, hospitals, community organizations, civil liberties, mental health associations, and those with lived experience including families. • Human Services and Justice Coordination Committees. The committees were established based on the <u>Provincial Strategy to Coordinate Human Services and Criminal Justice Systems in Ontario (1997)</u>, in order to plan more effectively for people who are in conflict with the law. Priority consideration is for people with a serious mental illness, developmental disability, acquired brain injury, drug and alcohol addiction, and fetal alcohol spectrum disorder. The committee network is comprised of 14 regional, 39 local, and one Provincial committee funded by the Ministry of Health and Long-Term Care. Each committee is a voluntary collaboration of important stakeholder groups from health and social service organizations, community mental health and addictions organizations, and partners from the justice sector including crown attorneys, judges, police services and correctional service providers and the ministries of Attorney General, Community and Social Services, Health and Long-Term Care, Community Safety and Correctional Services and Children and Youth Services. The members work to coordinate communication and service integration planning among health, social services and criminal justice organizations.

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SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p><i>(d) Informing Policymakers: informing policymakers at all levels of government, in the aim of making the mental health system more comprehensive</i></p> <p><i>(e) Advocacy: advocating more comprehensive and better-funded community supports for people with mental illness. This would be a multi-party initiative led by the mental health sector. It should include, among other things, planning for community treatment supports upon discharge from the hospital, and the creation of more “safe beds” in shelters for people in crisis, to be used when they do not meet the criteria for apprehension under the Mental Health Act but need assistance to stabilize their crisis;</i></p> <p><i>(f) Reducing Emergency Department Wait Times: a standardized approach to reducing emergency department wait times for police officers bringing in a person in crisis and transferring care to the hospital. Some relevant measures to be considered include;</i></p>	<p>Structurally, the local committees provide input to the fourteen regional committees, which in turn provide input to the Provincial committee. Moreover, the entire network of 54 committees supports knowledge transfer across the province.</p> <ul style="list-style-type: none"> • Toronto Central LHIN Strategic Advisory Council. The council will advise the TC LHIN regarding health care matters of critical strategic importance, with a particular focus on improving population health. The goal is to collectively identify and address issues of mutual concern. Membership consists of agencies and institutions with a shared strategic interest in community health and safety. These include, for example, <ul style="list-style-type: none"> ▪ the City of Toronto, ▪ Toronto Public Health, ▪ TC LHIN Primary Care Advisory, ▪ Don Valley Greenwood Health Link, and other area Health Links, ▪ Toronto Community Housing, ▪ Ontario Medical Association, ▪ Sick Children’s Hospital ▪ Centre for Addictions and Mental Health ▪ United Way. • Finally, the Service is also exploring with its community partners ways to expand collaborative programs known as HUBs. These programs are regular multi-agency forums where individual cases are studied to determine the best course of action and the appropriate agency to lead

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SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<ul style="list-style-type: none"> <i>i. develop a standard transfer of care protocol that minimizes emergency department wait times, and across Toronto's 16 psychiatric emergency departments. This protocol may build on existing efforts underway;</i> <i>ii. providing cross-sector training for officers and emergency department staff about apprehensions under the Mental Health Act and transfer of care;</i> <i>iii. ensuring adequate communication between officers and emergency departments when en route with a person in crisis to allow the emergency department to make necessary preparations;</i> <i>iv. arranging a separate waiting area for police-accompanied visitors to the emergency department;</i> <i>v. having adequate staff to manage mental health crisis situations in the emergency department;</i> <i>vi. designating a liaison in the emergency department to work</i> 	<p>the response. The goal is to intervene early so as to avoid or reduce harm and police contact. A successful pilot project has been running in north-west Toronto known as REXDALE FOCUS (Furthering Our Communities Uniting Services). A number of cases include persons with mental health issues.</p> <p>The Service is committed to continuous improvement and will work extensively with community partners to ensure that best practices and up-to-date information are incorporated into police practices.</p> <p><u>*** Update 2017.11.16</u></p> <p>The Service is in the progress of developing a Mental Health Strategy with community input. A total of 4 facilitated sessions have been conducted with the Board's Mental Health Sub-Committee for input and guidance. It is expected to be complete in early 2019.</p> <p>Launched in May 2017, the "Community Asset Portal" (CAP) developed by the Service's Business Intelligence unit in collaboration with Ryerson University is a web application that shows users an up-to-date map of social services such as shelters, community resource navigators, and mental health and youth support services.</p> <p>The CAP is a valuable reference tool that detects the location of users and allows them to see the resources in their vicinity, using a colour-coded map or by moving through a list of categories, such as Health or Food & Housing</p>

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SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p>vii. <i>with police officers when they arrive with a person in crisis; developing a protocol between police services and hospitals that sets out specific procedures, expectations, and respect for patient rights;</i></p> <p>viii. <i>conducting routine monitoring and evaluation of the protocols put in place, and making any changes warranted;</i></p> <p>ix. <i>developing a protocol for how psychiatric facilities' emergency department capacities can be effectively communicated to officers in a timely manner; and</i></p> <p>x. <i>developing a protocol to address how people apprehended under the Mental Health Act can be equitably distributed among Toronto's 16 psychiatric facilities to ensure the best medical treatment and shortest emergency department wait times; and</i></p> <p>xi. <i>Other Matters: any other matters of joint interest.</i></p>	<p>services. It also shows users how to get to the location by car, foot and public transit, as well as provides contact information.</p> <p>This tool will also assist the Divisional Policing Support Unit (DPSU) through their initiatives, such as the "Furthering Our Community by Uniting Services" (FOCUS) Toronto; whereby community and social services resources can be located and utilized. FOCUS Toronto is an innovative project led by the Service, United Way Toronto, City of Toronto and local community organizations that aim to reduce crime and improve community resiliency in the City of Toronto. The initiative brings together existing community agencies once a week at a situation table at the local level to provide a targeted, wrap around approach to supporting vulnerable individuals, children, youth and families that are experiencing heightened levels of risk involving anti-social behaviour as well as victimization in a specific geographic location.</p> <p>In April and October 2016, FOCUS North Scarborough, Downtown East and Downtown West commenced collaborative risk driven interventions in the formation of new situation tables in addition to the FOCUS Rexdale situation table. The expansion of these particular situation tables were recommendations of an independent evaluation of the model to support scaling in different geographic communities in the City of Toronto.</p> <p>The CAP will also enhance the efforts of community engagement and liaison with the current and potential DPSU partners. Collective efforts will enhance community safety and well-being.</p>

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SERVICE LEAD: Iacobucci Report Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p>Related Recommendation: JKE #6, #33, #40, #50, #69, IACOBUCCI #55, #58, #75</p>	<p>Another Service initiative, currently in development by the Service's Strategy Management Unit, is the "Vulnerable Persons Registry". It is the intent that this web based registry will allow vulnerable persons or their caregivers to voluntarily provide information that may be accessed by Service members. This would provide officers with valuable and possibly vital information should they encounter the vulnerable person while they are in crisis. Privacy Impact Assessments are currently underway to identify and assess any risk managements issues.</p> <p>UPDATE: The Vulnerable Persons Registry was launched on December 5th 2019 and is in use by members of the community and Service members.</p>

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	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#2 – MENTAL HEALTH SYSTEM AND TORONTO POLICE (training)</p> <p><i>The TPS more proactively and comprehensively educate officers on available mental health resources, through means that include:</i></p> <p>(a) <i>Mental Health Speakers: inviting members of all types of mental health organizations to speak to officers at the divisions;</i></p> <p>(b) <i>Technological Access to Mental Healthcare Resources: considering the use of technological means, similar to Vancouver’s “Dashboard” system, to efficiently communicate to officers a comprehensive up-to-date list or map of available mental health resources of all types in their area. Such an easily accessible reference tool should aggregate information on all community supports, in addition to major psychiatric facilities; and (reference checklist in Iacobucci #16)</i></p>	<p>● IMPLEMENTED</p> <p>□ IN PROGRESS</p> <p>□ NOT IMPLEMENTED</p> <p>The content of police training reflects the latest knowledge and practices in the field of mental health, crisis resolution, and police use-of-force. To assist in the development of training, and to incorporate the experiences of consumer-survivors into police training so that the disease and those who suffer from it are de-stigmatized, the Service has consulted broadly with advocacy groups, mental health professionals, and consumer-survivors.</p> <p>At the Toronto Police College the training includes both classroom and scenario based elements. It is delivered to new police officers during their recruit training and to serving members during their annual requalification as part of the In Service Training Program (ISTP). In the classroom, officers are informed of the resources available to them to help people in crisis, and as part of the scenario-based training officers are expected to reference these resources to help resolve the matter.</p> <p>In the divisional setting the Service will use existing forums including platoon training and the Community Police Liaison Committees (consisting of local community members) to expose officers to speakers who can discuss personal experience, public expectations and the resources available to help officers respond to persons in crisis.</p>

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<p><i>(c) Point of Contact: working with mental health organizations to identify key resource people or liaisons, so that every TPS officer has a contact in the mental health system that they feel comfortable contacting for advice and who is able to knowledgeably give that advice.</i></p> <p>Related Recommendation: JKE #27, IACOBUCCI #14, #15, #16, #21</p>	<p>The Service has and continues to develop a network of individuals, agencies, and institutions that will help serve as resources for officers serving persons in crisis. The Services partnership with MCIT hospitals and the LHIN have also expanded the network of available resources. Some of the resources currently include.</p> <ul style="list-style-type: none"> • City of Toronto Streets to Homes program • Gerstein Crisis Centre • St. Elizabeth Home Health Care • Empowerment Council • Voices from the Street • Sound Times • Schizophrenia Society of Ontario • Centre for Addiction and Mental Health • Canadian Mental Health Association • The Canadian Mental Health Commission • Canadian Coalition for Seniors' Mental Health • Community Resource Connection Toronto • City of Toronto Streets to Homes • Connex Ontario • The Consent and Capacity Board • Health Canada • Community Partners Housing Directory • Ministry of Health and Long Term Care • Mood Disorders Canada

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	<ul style="list-style-type: none"> • Anishnawbe Health Mental Health Crisis Line • Office of the Public Guardian • The Ontario Review Board <p>It is significant to note the number of consumer support agencies in the list, for example, the Empowerment Council, Voices from the Street, Sound Times, Anishnawbe Health Mental Health Crisis Line, and the Schizophrenia Society of Ontario.</p> <p>Work, however, remains to be done. To ensure that officers have ready access to the information they need, the Service is developing technological solutions in the form of internal web based accessible data bases.</p> <p><u>*** Update 2017.11.16</u></p> <p>The Toronto Police College continues to train its' Service members through the various teaching components of the 5-day MCIT course. Experts from the mental health field share their expertise with Service members to enhance a broader understanding of the issue. Components of the course are open to all Service members and to those Service members who are specifically assigned to deal with persons in crisis. The course is in its' fourth year of delivery.</p> <p>Launched in May 2017, the "Community Asset Portal" (CAP) developed by the Service's Business Intelligence unit in collaboration with Ryerson University is a web application that shows users an up-to-date map of social</p>

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	<p>services such as shelters, community resource navigators, and mental health and youth support services.</p> <p>The CAP is a valuable reference tool that detects the location of users and allows them to see the resources in their vicinity, using a colour-coded map or by moving through a list of categories, such as Health or Food & Housing services. It also shows users how to get to the location by car, foot and public transit, as well as provides contact information.</p> <p>This tool will also assist the DPSU through their initiatives, such as the “Furthering Our Community by Uniting Services” (FOCUS) Toronto; whereby community and social services resources can be located and utilized. FOCUS Toronto is an innovative project led by the Service, United Way Toronto, City of Toronto and local community organizations that aim to reduce crime and improve community resiliency in the City of Toronto. The initiative brings together existing community agencies once a week at a situation table at the local level to provide a targeted, wrap around approach to supporting vulnerable individuals, children, youth and families that are experiencing heightened levels of risk involving anti-social behaviour as well as victimization in a specific geographic location.</p> <p>In April and October 2016, FOCUS North Scarborough, Downtown East and Downtown West commenced collaborative risk driven interventions in the formation of new situation tables in addition to the FOCUS Rexdale situation table. The expansion of these particular situation tables</p>

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	<p>were recommendations of an independent evaluation of the model to support scaling in different geographic communities in the City of Toronto.</p> <p>The CAP will also enhance the efforts of community engagement and liaison with the current and potential DPSU partners. Collective efforts will enhance community safety and well-being.</p> <p>Another Service initiative, currently in development by the Service’s Strategy Management Unit, is the “Vulnerable Persons Registry”. It is the intent that this web based registry will allow vulnerable persons or their caregivers to voluntarily provide information that may be accessed by Service members. This would provide officers with valuable and possibly vital information should they encounter the vulnerable person while they are in crisis. Privacy Impact Assessments are currently underway to identify and assess any risk managements issues.</p> <p>UPDATE: The Vulnerable Persons Registry was launched on December 5th 2019 and is in use by members of the community and Service members.</p>

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<p>#3 – MENTAL HEALTH SYSTEM AND TORONTO POLICE (procedure)</p> <p><i>The TPS amend Procedure 06-04 “Emotionally Disturbed Persons” to provide for the mandatory notification of MCIT units for every call involving a person in crisis.</i></p> <p>Related Recommendation: IACOBUCCI #43, #46</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Procedure 06-04 <u>Emotionally Disturbed Persons</u> has been amended to ensure that the MCI Teams are notified as required. To further ensure that they are notified their availability has been incorporated into the Computer Aided Dispatch (CAD) system via the Availability List. As well, members who have received MCIT training, including former members, are also noted in the Availability List. Furthermore the Toronto Police Operations Centre is informed of the availability of MCIT and MCIT trained officers so that city wide deployment is possible.</p>

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<p>#4 – MENTAL HEALTH SYSTEM AND TORONTO POLICE</p> <p><i>The TPS, either through the Mental Health Sub- Committee of the Toronto Police Services Board or another body created for this purpose, consider ways to bridge the divide between police officers and people living with mental health issues. This initiative, in furtherance of the formal commitments recommended in Recommendation 5, and building on the mandate for community-oriented policing placed on all police services in Ontario under section 1 of the Police Services Act, may include:</i></p> <p><i>(a) Divisional Meetings: inviting members of the community of people who have experienced mental health issues into Divisional meetings to speak with officers;</i></p> <p><i>(b) Community Gathering Places: officers building collaborative relationships</i></p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Service through the Toronto Police College has worked extensively with consumer survivors, and other mental health stakeholders, to maximize training opportunities to help bridge the divide between the police and those with lived experience. Currently, consumer input has helped develop the curriculum of the annual in-service training for all officers and produce a training video on consumer experiences.</p> <p>The Service will also use existing forums including platoon training and the <u>Community Police Liaison Committees</u> (consisting of local community members) to expose officers to personal experience and public expectations.</p> <p>As well, divisional community relations officers continue to share the responsibility for mental health liaison. Indeed, the development of the newest MCI Team in 32 and 33 Division was the direct result of work done by the Divisions' community relations officers. The divisional Community Response Staff Sergeant and the Community Relations Officer will continue to liaise with and provide forums for local mental health agencies to address officers.</p> <p>Finally, to reflect the importance that the Service attaches to persons in crisis, it has assigned the portfolio to a deputy chief, the second highest ranking member of the Service. Deputy Chief Federico has assembled a dedicated</p>

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<p><i>with people who have experienced mental health issues at drop-ins, clubhouses, and other gathering places; and</i></p> <p><i>(c) Leadership: the TPS Mental Health Coordinator and Divisional Mental Health Liaison Officers facilitating the initiatives in subsections (a) and (b), as well as other relationship-building and de-stigmatizing programs.</i></p> <p>Related Recommendation: JKE #8, #27, IACOBUCCI #5</p>	<p>team that consists of a Superintendent in charge of MCIT support, an Inspector responsible for client and government relations, and two constables: one who is the program coordinator for the MCIT, and the other who supports the elderly. Moreover, Deputy Federico is the Service representative on many of the committees noted in Recommendation #1, including the Board’s Mental Health Sub Committee and the TC-LHIN MCIT City-Wide Steering Committee and the TC LHIN Strategic Advisory Council. He also personally participates in community outreach and consultation to build strong relationships with the consumer-survivor community and those who support them.</p> <p><u>*** Update 2017.11.16</u></p> <p>Deputy Chief Peter Yuen is now the Service lead of the Mental Health portfolio. He is assisted by Inspector Chris Boddy who represents the Service on a number of committees, has been involved in the portfolio for over a decade providing continuity and has developed close ties with the mental health community. Superintendent Scott Gilbert over sees the MCIT program and is supported by Sergeant August Bonomo and Police Constable Diana Korn.</p> <p>The Service continues to work closely with the community on the Mental Health Portfolio. As part of this commitment, in February 2018 they Service will conduct its annual “Community Training Day” which involves members from the mental health community attending the Toronto Police College and</p>

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	<p>witnessing the 2018 ISTP. Community members provide input on the training and offer suggestions for improvement.</p> <p>Currently as of October 2020 the service is exploring the possibility of expanding the MCIT program as part of the new recommendations.</p>

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#5 – POLICE CULTURE (policy)

The TPS prepare a formal statement setting out the Service’s commitments relating to people in crisis and, more broadly, relating to people experiencing mental health issues. The statement should be made public and treated as of equal weight to the Service’s Core Values. Among the commitments listed, the Service should consider including the following items

- a) A commitment to preserving the lives of people in crisis if reasonably possible, and the goal of zero deaths;*
- (a) (b) A commitment to take all reasonable steps to attempt to de-escalate potentially violent encounters between police and people in crisis;*
- (b) A commitment by the Service to continuous self-improvement and innovation relating to issues of policing and mental health;*
- (c) A commitment to eliminating stereotypes and providing education regarding people with mental health issues;*
- (d) A commitment to involving people with mental health issues directly, where appropriate, in initiatives that affect*

- IMPLEMENTED**
- IN PROGRESS**
- NOT IMPLEMENTED**

A formal statement has been produced and can be viewed by the public at <http://tps.on.ca/community/statementofcommitment.php>

The statement is consistent with and strengthens the Core Values of the Service, particularly Fairness, Reliability, Respect, and Freedom from Bias.

*** Update 2017.11.17

The Service is currently engaged in the development of a Mental Health Strategy with regards to Service members’ interactions with community members who are apparently experiencing a mental health or addiction issue. A total of 4 facilitated sessions have been conducted with the Board’s Mental Health Sub-Committee for input and guidance. It is expected to be complete in early 2019.

The Service continues to create informal forums for members to speak about mental wellness in further efforts, in part, to reduce stigma. Lunch & Learns have taken place throughout 2016 & 2017 involving Dr. Katy Kamkar, a psychologist from CAMH.

Additionally, in the Spring of 2017 TPC staff held a Mental Health Symposium involving community members with lived experience to present to members. This was attended by approximately 150 TPS members.

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<p><i>them, such as police training, and the development of relevant police procedures;</i></p> <p><i>(e) A commitment to working collaboratively with participants in the mental health system (individuals, community organizations, mental health organizations and hospitals);</i></p> <p><i>(f) A commitment to institutional leadership in the area of policing and mental health, and to becoming a pre-eminent police service in this field; and</i></p> <p><i>(g) A commitment to fostering a positive mental health culture within the TPS.</i></p> <p>Related Recommendation: JKE #52, #53, #72, IACOBUCCI #4 , #33</p>	<p>A No Boundary Internal Support Network has been developed for members who identify as having a Disability, either visible and/or invisible, to provide support, create networking opportunities and enable knowledge sharing and skill development.</p>
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<p>#6 – SELECTION OF POLICE OFFICERS (recruit certification)</p> <p><i>The TPS change mandatory application qualifications for new constables to require the completion of a Mental Health First Aid course, in order to ensure familiarity and some skill with this core aspect of police work.</i></p> <p>Related Recommendation: IACOBUCCI #7,8,70</p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Service is cautious that this requirement might limit the pool of available applicants especially since other police services are not required to set such a standard. As a result, the matter will be tabled at the Ontario Association of Chiefs of Police Constable Selection Committee to consider whether this qualification should become a required provincial standard. However, in the meantime, the Service will stipulate that a preferred applicant is one who has completed the Mental Health First Aid Course.</p> <p><u>*** Update 2017.11.17</u></p> <p>It should be noted that, a short time after TPS’s response was initially submitted the Service went into a hiring moratorium. Hiring resumed in late 2017 with a small class in December 2017.</p> <p>Although not yet a mandatory requirement, having completed courses in mental health issues/awareness, mental health first aid, crisis management/intervention, counselling, and stress management is now included as part of a candidate’s point based evaluation and is definitely a preferred experience. As well, demonstrated knowledge, understanding and appreciation for equity, human rights, and the importance of diversity and inclusion in all communities is also recognized.</p>

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<p>#7 – SELECTION OF POLICE OFFICERS (recruit attributes)</p> <p><i>The TPS give preference or significant weight to applicants who have:</i></p> <p><i>(a) Community Service: engaged in significant community service, to demonstrate community-mindedness and the adoption of a community service mentality. Community service with exposure to people in crisis should be valued;</i></p> <p><i>(b) Mental Health Involvement: past involvement related to the mental health community, be it direct personal experience with a family member, work in a hospital, community service, or other contributions; and</i></p> <p><i>(c) Higher Education: completed a post-secondary university degree or substantially equivalent education.</i></p> <p>Related Recommendation: IACOBUCCI #6, #8</p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>TPS will continue to actively recruit the best available applicants who have community service, mental health involvement and higher education. Typically, 80% of recruits hired by the Service hold post-secondary school education credentials.</p> <p><u>*** Update 2017.11.16</u></p> <p>It should be noted that, a short time after TPS’s response was initially submitted the Service went into a hiring moratorium. Hiring resumed in late 2017 with a small class in December 2017.</p> <p>Although not yet a mandatory requirement, having completed courses in mental health issues/awareness, mental health first aid, crisis management/intervention, counselling, and stress management is now included as part of a candidate’s point based evaluation and is definitely a preferred experience. As well, demonstrated knowledge, understanding and appreciation for equity, human rights, and the importance of diversity and inclusion in all communities is also recognized.</p>

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<p>#8 – SELECTION OF POLICE OFFICERS (recruit attributes)</p> <p><i>The TPS amend its application materials and relevant portions of its website to ensure that applicants for new constable positions are directed to demonstrate in their application materials any qualifications relevant to Recommendation 7.</i></p> <p>Related Recommendation: IACOBUCCI #6, #7</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service already enquires about applicant’s community service and higher education. Further, to Recommendation #6 and #7 the Employment Unit will incorporate a series of additional questions in the Service’s online uniform application form that will probe the applicant’s experience and knowledge on the subject of mental health. The forms are expected to be amended by third quarter 2015.</p> <p><u>*** Update 2017.11.16</u></p> <p>It should be noted that, a short time after TPS’s response was initially submitted the Service went into a hiring moratorium. Hiring resumed in late 2017 with a small class in December 2017.</p> <p>Although not yet a mandatory requirement, having completed courses in mental health issues/awareness, mental health first aid, crisis management/intervention, counselling, and stress management is now included as part of a candidate’s point based evaluation and is definitely a preferred experience. As well, demonstrated knowledge, understanding and appreciation for equity, human rights, and the importance of diversity and inclusion in all communities is also recognized.</p>

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<p>#9 – SELECTION OF POLICE OFFICERS (recruit attributes)</p> <p><i>The TPS consider whether to recruit actively from certain specific educational programs that teach skills which enable a compassionate response to people in crisis, such as nursing, social work, and programs relating to mental illness.</i></p> <p>Related Recommendation: IACOBUCCI #7, #8, #10</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Employment Unit frequently attends or hosts job fairs including at nursing schools, colleges and universities to recruit suitable applicants. For example, the Employment Unit attends the annual MARSKELL Group Health Job Fair, one of the largest nursing job fairs held.</p> <p>Further, the Employment Unit attends numerous career fairs through the university and colleges pertaining to educational focus on the humanities.</p>
<p>#10 – SELECTION OF POLICE OFFICERS (recruit attributes)</p> <p><i>The TPS direct its Employment Unit to hire classes of new constables that, on the whole, demonstrate diversity of educational background, specialization, skills, and life experience, in addition to other metrics of diversity.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Employment Unit will continue to make every effort to recruit the most suitable candidate from the most diverse backgrounds and experience. The Unit will continue to look for candidates with the qualities, attributes, and experience specified in this recommendation.</p> <p>Efforts also include appearances on ethnic radio shows like LGBT Radio, Black Pages, Asian Talk Show, along with holding information sessions in</p>

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<p>Related Recommendation: IACOBUCCI #6, #7, #8, #10</p>	<p>local neighbourhoods. Recently, the Unit partnered with OACP to hold the “Discover Policing Expo” at the Toronto Police College that attracted recruits from around the Province</p> <p>The Employment Unit continues to advertise in the international media market in Toronto and uses such programs as its Youth In Policing Initiative and Kids 4 Kicks to reach more diverse applicants.</p> <p>Of the 226 recruits hired in 2014, 86.7% have a post-secondary school education, 55.3% speak a language other than English, and 28.8% speak two or more languages other than English. In the January 2015 graduation class, three members held doctorates, one in the field of health science.</p> <p>Selection processes now probe for those characteristics through documentation, credentials, references, and interviews.</p>

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<p>#11 – SELECTION OF POLICE OFFICERS (psychological assessments)</p> <p><i>The TPS instruct psychologists, in carrying out their screening function for new constable selection, to assess for positive traits, in addition to assessing for the absence of mental illness or undesirable personality traits. In this aim, the TPS, in consultation with the psychologists, should identify a specific set of positive traits it wishes to have for new recruits and should instruct the psychologists to screen-in for those traits.</i></p> <p>Related Recommendation: IACOBUCCI #12</p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Service agrees that the identification of positive traits associated with success in the policing role would enhance the contribution of psychological evaluations to the selection of new constables.</p> <p>In order to identify a list of desirable traits for evaluation, it will be necessary to conduct a comprehensive review of the scientific literature and existing guidelines for police psychologists, as well as consultation with subject matter experts.</p> <p>It is expected that the review will be completed in 2015.</p> <p><u>*** Update 2017.11.17</u></p> <p>In September 2017, TPS psychologists collaborated with OPP psychologists in the preparation of a revision to the Guidelines for Psychologists that are incorporated within the OACP Constable Selection System. This revision includes the instruction that psychologists should pay attention to and report regarding the presence of positive traits, not just concerns that would detract from a candidate’s suitability for hire. This revision has been submitted to the Ministry and approval remains pending.</p>

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	<p>In preparation for the upcoming new constable classes, TPS psychologists (both in-house and on external contract) have been directed to incorporate the consideration of positive traits in their reports regarding the psychological evaluation of new constable candidates. In order to ensure consistency in application, the psychologists have been provided with the TPS Competency Framework which specifies the requirements for members at all ranks of the Service and highlights those positive traits which the Service has identified as desirable in its members. Although implementation has been completed, this process will be refined over time in order to ensure full and ongoing incorporation with the TPS procedure for new constable psychological evaluation.</p>

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<p>#12 – SELECTION OF POLICE OFFICERS (psychological assessments)</p> <p><i>The TPS include the psychologists in the decision making process for new constable selection, in a manner similar to their involvement in selecting officers for the ETF.</i></p> <p>Related Recommendation: IACOBUCCI #11, #13</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Employment Unit receives written reports from the psychologists for consideration. If there is a specific concern, a consultation with the psychologist may occur otherwise the Employment Unit relies on the written report.</p> <p>The Service recognizes the potential value of increased and systematic collaboration between the Employment Unit and the psychologists involved in the evaluation of new constable candidates. However, given the timelines associated with recruiting and hiring, and the demands this may place on both the psychologists and the Employment Unit, this recommendation requires additional investigation to establish the most practical and efficient means for information-sharing and collaboration in the decision-making process.</p> <p>This matter is currently under review using cases of recruits assessed by the Service’s in-house psychologists and the findings are expected by the end of 2015.</p>

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	<p><u>*** Update 2017.11.16</u></p> <p>During the period of the hiring moratorium, changes to the TPS Constable Selection Process and the nature of the working relationship between Psychological Services and the Employment Unit were put on hold, with priorities assigned elsewhere. When the moratorium was lifted to permit the hiring of a 2017 new constable class, the unusually short timeframe provided for the completion of the selection process necessitated that efficiencies be identified. Although Psychological Services and the Employment Unit have attempted to work together to facilitate the hiring of the 2017 class, the small window of time for the hiring process has not permitted the development of a collaborative decision-making process. Efforts has been made to address this recommendation in the hiring process for the future new constable classes.</p>

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<p>#13 – SELECTION OF POLICE OFFICERS (psychological assessments)</p> <p><i>The TPS compile data to allow the Service to evaluate the effectiveness of the psychological screening tests that it has used in selecting recruits. Relevant data may include data that show what test results correlate with officers who have satisfactory and unsatisfactory interactions with people in crisis.</i></p> <p>Related Recommendation: IACOBUCCI #12</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service agrees that the selection of police recruits would be enhanced by an improved understanding of the accuracy with which current tests and other psychological assessment methods predict both positive and negative police outcomes, including but not limited to satisfactory and unsatisfactory interactions with people in crisis.</p> <p>With this goal in mind, a committee has been established with representation from Psychological Services, the Toronto Police College, the Employment Unit, as well as Community Safety Command, Professional Standards, Performance Management, and Labour Relations. The plan for this committee is to review the files of probationary constables whose reclassification has been withheld, who have resigned voluntarily, or who have been recommended for termination to see if there were any indicators present during the probationer's psychological assessment that might have been used to identify at pre-hire a candidate who was at risk of early resignation or termination. Based on the work of this committee, the Service will assess the feasibility of identifying performance indicators that could be linked to psychological evaluation.</p>

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	<p>This process has started in 2015 and will be ongoing after each new constable class. The findings from this review process will be used to enhance and improve the process of new constable psychological evaluation, beginning in 2016 and onwards.</p>

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<p>#14 – SELECTION OF POLICE OFFICERS (psychological assessments)</p> <p><i>The TPS strike a working group that includes participation from the TPS Psychological Services unit to comprehensively consider the role of Psychological Services within the TPS, including:</i></p> <p><i>(a) More Information: whether the current process for psychological screening of new constables is effective and whether it could be improved, including whether TPS psychologists should be given more information about candidates to assist them in interpreting their test results;</i></p> <p><i>(b) Involvement of Psychologists in other Promotion Decisions: whether Psychological Services should be authorized to conduct evaluations of, and otherwise be involved in, discussions regarding the selection processes for officer promotions within the Service, and the selection of coach officers;</i></p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Service supports the establishment of a working group from a wide range of internal stakeholders to review areas of appropriate expansion and to prioritize increased responsibilities for Psychological Services, with terms of reference that reflect the considerations outlined in this recommendation.</p> <p>Considered for inclusion in the working group are: Psychological Services, Employment Unit, Staff Planning, Community Safety Command, Performance Management, MCIT coordinator, and Strategy Management, as well as front-line users of Psychological Services.</p> <p>Psychological Services will hold initial meetings in last quarter 2015 to explore terms of reference, scope, and other processes.</p> <p><u>*** Update 2017.11.16</u></p> <p>In December 2015, the Toronto Police Services Board and the Toronto Police Service endorsed a document of intention: “Our Commitment to You and Your Psychological Health”. A communication strategy is being developed which is to include a grass roots consultation process designed to obtain members’ input regarding the elements required in the development of a comprehensive internal mental health strategy for the TPS. Subsequent to</p>

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<p>(c) <i>MCIT: whether the TPS psychologists should be involved in the selection and training of officers and nurses for the MCIT. More broadly, the TPS should consider how to facilitate a close and ongoing relationship between the psychologists and the MCIT in order to enable collaboration and information sharing between the Service's two units with a primary focus on mental illness;</i></p> <p>(d) <i>Organizational Structure: whether the TPS should amend its organizational structure so that Psychological Services reports directly or on a dotted-line basis to a Deputy Chief, in order to give greater recognition to the operational role that they play; and</i></p> <p>(e) <i>Expanding Psychological Services: how Psychological Services should be expanded to accommodate the officer selection duties and TPS members' wellness needs, as described in this Report.</i></p> <p>Related Recommendation: IACOBUCCI #11, #12</p>	<p>this consultation process, a working group of relevant stakeholders will be established to review the results of consultation and to make recommendations regarding possible directions for the expansion of Psychological Services.</p> <p>Psychological Services is currently in the progress of participating in a Service-wide Data Warehousing Project that will improve our ability to evaluate the outcomes of decision-making from the employment phase of an officer's career.</p>

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<p>#15 – TRAINING (recruits)</p> <p><i>The TPS place more emphasis in its recruit training curricula on such areas as:</i></p> <p>(a) <i>Containment: considering and implementing techniques for containing crisis situations whenever possible in order to slowdown the course of events and permit the involvement of specialized teams such as ETF or MCIT as appropriate;</i></p> <p>(b) <i>Communication and De-escalation: highlighting communication and de-escalation as the most important and commonly used skills of the police officer, and the need to adjust communication styles when a person does not understand or cannot comply with instructions;</i></p> <p>(c) <i>Subject Safety: recognizing the value of the life of a person in crisis and the importance of protecting the subject's safety as well as that of the officer and other members of the public;</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is committed to the continuous improvement of officers' skills in dealing with persons in crisis. Recruit training curricula has been designed to address the items contained in this recommendation.</p> <p>The additional training recruits receive will be reinforced during annual In Service Training Program (ISTP):</p> <p>(a) Containment: scenarios for the dynamic scenario based training have been designed that require members to contain a crisis situation, slow down the dynamics, and then use a team approach to resolve the matter. Within this approach, members consider the use of specialized response teams such as ETF or MCIT or referral to outside resources or agencies.</p> <p>(b) Communication and de-escalation: discussed in classroom settings and practiced in the dynamic scenario based training.</p> <p>(c) Subject safety: all classroom instruction and scenario based training continue to emphasise the value of life for all persons. This is further reflected in the core values that guide TPS, such as integrity, fairness, respect and reliability.</p> <p>(d) Use of force: recruits and all sworn members are taught that the Use of Force model is a guideline and an aid to training (see TPS response to</p>

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<p><i>(d) Use of Force: making more clear that the Use of Force Model is a code of conduct that carries</i></p> <ul style="list-style-type: none"> <i>i. a goal of not using lethal force and</i> <i>ii. a philosophy of using as little non-lethal force as possible; and that the Model is not meant to be used as a justification for the use of any force;</i> <p><i>(e) Firearm Avoidance: implementing dynamic scenario training in which a recruit does not draw a firearm, as a means of emphasizing the non-lethal means of stabilizing a situation and reducing the potential for over-reliance on lethal force;</i></p> <p><i>(f) Fear: including discussions of officers' fear responses during debriefings of practical scenarios that required de-escalation and communication techniques to defuse a crisis situation;</i></p> <p><i>(g) Stigma: addressing and debunking stereotypes and stigmas concerning mental health. For example, the Toronto Police College (TPC) could</i></p>	<p>recommendation #41 for a more developed articulation of the use of force model).</p> <p>(e) Firearm avoidance: members are taught and given time to practice transitioning from one use of force option to another response, specifically from lethal to less lethal while applying effective de-escalation communication strategies. Indeed, training now includes this training without the member wearing their duty belt to isolate the skills of de-escalation.</p> <p>(f) Fear: officer fear management that includes recognition and mitigation strategies is now incorporated into recruit training and the ISTP program;</p> <p>(g) Stigma: the Service has incorporated the use of the video series developed by the College and consumers to reduce stigma to the divisional training setting as well as recruit and ISTP.</p> <p>(h) Experience and feedback: recruit training and ISTP have incorporated more training scenarios involving mental health and crisis situations. There will be 3 components to the program.</p> <ul style="list-style-type: none"> o Dynamic video training o Scenarios in the outdoors tactical village o Scenarios using the indoor tactical area <p>The scenarios will utilize basic officer safety principals with the focus on de-escalation, team work and communication.</p> <p>(i) Culture: a major effort is underway by the TPS to instill a client oriented culture, "Customer Service", in all aspects of police training and practice for members who engage both internal and external clients.</p>

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<p><i>build on its use of video presentations involving people with mental health issues by adding interviews with family members of people who have encountered police during crisis situations and police officers who were present during a crisis call that resulted or could have resulted in serious injury or death;</i></p> <p><i>(h) Experience and Feedback: incorporating mental health and crisis situations into a larger number of practical scenarios to provide recruits with more exposure to, and feedback on, techniques for resolving such situations; and</i></p> <p><i>(i) Culture: laying the foundation for the culture the TPS expects its officers to promote and embody, and preparing recruits to resist the aspects of the existing culture that do not further TPS goals and values with respect to interactions with people in crisis.</i></p> <p>Related Recommendation: JKE #11, #14, #15, #16, #25,</p>	<p><u>*** Update 2017.11.16</u></p> <p>Post OPC recruit training has been expanded to 9 weeks from 6. An additional day of training has been added to ISTP. The expansion of training days on both ISTP and Recruit training which occurred in 2015 remains.</p> <p>In 2017, ISTP builds on the foundation of last year’s program which involved emotional intelligence, critical thinking and de-escalation techniques. The Negotiator Workshop continues to be utilized.</p> <p>The development of training content is a collaborative initiative and will continue in 2018 with youth and community participation. On day 1 of 2018 ISTP youth will be invited to attend training sessions to provide a youth perspective during the de-brief and discussion. Recognizing that the majority of voluntary and investigative interactions occur with teens and young adults, the Learning Development and Standards Section of the TPC has initiated a partnership with Humber College students and requested their assistance in developing scenarios that will re-create incidents involving officers and young people. The emphasis will be on communication skills with a theme of “Every Contact Matters”. The goal of this initiative is to enhance all relationships through professional, ethical and bias free interactions.</p> <p>As a result, training with respect to mental health has been enhanced to increase officers’ knowledge, skills, and abilities in the areas of coordination, containment, and communication strategies including principles and techniques of de-escalation. All Service training has been redesigned to</p>

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<p>#26, #42, IACOBUCCI #16, #18, #42</p>	<p>emphasize de-escalation as an essential element of the Service's response to emotionally disturbed persons, which supports the guiding principle of preservation of life.</p> <p>All uniform officers receive the following training every 12 months as part of their ISTP:</p> <ul style="list-style-type: none"> • Communication and De-escalation: officers are shown the most effective means of communication when dealing with a person experiencing a crisis. Officers are reminded that de-escalation techniques should be attempted whenever possible. Discussion in classroom settings and practiced in dynamic scenario based training. • Containment: officers are taught, whenever possible, to slow down the course of events in crisis situations and to consider the use of specialized response teams such as ETF or MCITT or referral to outside resources or agencies. • Safety: preservation of life is the highest priority • Fear: officer fear management that includes recognition and mitigations strategies including discussions of officers' fear responses during debriefings of

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	<p>practical scenarios that require de-escalation and communication techniques to defuse a crisis situation</p> <ul style="list-style-type: none"> • Stigma: the Service has incorporated the use of a video series developed by the TPC and consumers to address and debunk stereotypes and stigmas concerning mental health.

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<p>#16 – TRAINING (recruits)</p> <p><i>The TPS consider whether officers would benefit from additional tools to assist them in responding to crisis calls, such as a quick reference checklist for dealing with people in crisis that reminds officers to consider whether containment of the person and the scene is a viable option; and whether discretion should be used in determining whether to apprehend, arrest, divert or release the person in crisis.</i></p> <p>Related Recommendation: JKE #14, MCGILLVARY #4</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is working to make a reference checklist available online through internal web based platforms such as Push Pin or a dashboard, or by adding one to officers’ memo book. A resource list is currently found within the Divisional Police Support Unit intranet webpage under the heading of <u>Mental Health</u>. This list links to external community agencies such as the <u>Canadian Mental Health Association</u> and the <u>Centre for Mental Health and Addictions</u>. Through these external links officers can find resources specific to the City of Toronto.</p> <p>The Service is also testing a <u>Vulnerable Persons Registry</u> that would include information about individuals that might help officers determine an appropriate course of action.</p> <p>Information about these sources is now part of the training curriculum, particularly during the scenario training where officers are expected to refer to these resources to resolve the event.</p> <p><u>*** Update on 2017.11.16</u></p> <p>Launched in May 2017, the “Community Asset Portal” (CAP) developed by the Service’s Business Intelligence unit in collaboration with Ryerson</p>

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	<p>University is a web application that shows users an up-to-date map of social services such as shelters, community resource navigators, and mental health and youth support services.</p> <p>The CAP is a valuable reference tool that detects the location of users and allows them to see the resources in their vicinity, using a colour-coded map or by moving through a list of categories, such as Health or Food & Housing services. It also shows users how to get to the location by car, foot and public transit, as well as provides contact information.</p> <p>This tool will also assist the DPSU through their initiatives, such as the “Furthering Our Community by Uniting Services” (FOCUS) Toronto; whereby community and social services resources can be located and utilized. FOCUS Toronto is an innovative project led by the Service, United Way Toronto, City of Toronto and local community organizations that aim to reduce crime and improve community resiliency in the City of Toronto. The initiative brings together existing community agencies once a week at a situation table at the local level to provide a targeted, wrap around approach to supporting vulnerable individuals, children, youth and families that are experiencing heightened levels of risk involving anti-social behaviour as well as victimization in a specific geographic location.</p> <p>In April and October 2016, FOCUS North Scarborough, Downtown East and Downtown West commenced collaborative risk driven interventions in the formation of new situation tables in addition to the FOCUS Rexdale situation table. The expansion of these particular situation tables</p>

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	<p>were recommendations of an independent evaluation of the model to support scaling in different geographic communities in the City of Toronto.</p> <p>The CAP will also enhance the efforts of community engagement and liaison with the current and potential DPSU partners. Collective efforts will enhance community safety and well-being.</p>
<p>#17 – TRAINING (recruits)</p> <p><i>The TPS consider whether the 20-week recruit training period should be extended to allow sufficient time to teach all topics and skills required for the critically important work of a police officer.</i></p> <p>Related Recommendation: None</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In August 2015, the Service increased the post Ontario Police College recruit training by three weeks. This increased time allows for the introduction of new material, expand current material, and reinstate previously included material.</p>

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	<p>Service recruits attend the Toronto Police College for 12 working days prior to attending the Ontario Police College (OPC) for their mandatory provincial 12-week training. Previously, Service recruits attend TPC for an additional six weeks (approximately 30 working days) after OPC prior to their deployment as police officers to their divisions. In this post-OPC training, recruits received additional training in a variety of areas in order to prepare them for policing the diverse and challenging environment of Toronto.</p> <p>Now, new training includes anti-bias and client oriented services, such as, responding to emotionally disturbed persons, fair and impartial policing, diversity, inclusion and human rights, and victim services. Increased training includes additional sessions on racially biased policing, the Accessibility for Ontarians with Disabilities Act, and the Services body worn and in-car camera systems. Previous material, now reinstated, includes youth and justice, and violent extremism.</p>
<p>#18 – TRAINING</p> <p><i>The TPS consider placing more emphasis, within the existing time allocated to in-service training if necessary, on the areas identified in Recommendation 15.</i></p> <p>Related Recommendation: IACOBUCCI #15</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In addition to the emphasis placed within the current two day ISTP, a third day of training is planned for 2016. This will help the Service meet its training goals.</p>

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	<p>*** <u>Update 2017.11.16</u></p> <p>The expansion of training days for both ISTP and Recruit training which occurred in 2015 remains and has continued.</p>
<p>#19 – TRAINING (in-service)</p> <p><i>The TPS consider requiring officers to re-qualify annually or otherwise in the areas of crisis communication and negotiation, de-escalation, and containment measures.</i></p> <p>Related Recommendation: IACOBUCCI #15, #16, #18</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The ISTP currently incorporates training in crisis communication and negotiation, de-escalation and containment measures. Failure to show an aptitude in these or any other part of the program results in officers having to relinquish their use of force options until they are able to show competence.</p>
<p>#20 – TRAINING (in-service)</p> <p><i>The TPS consider whether to tailor in-service mental health training to the needs and experience levels of different audiences, such as by offering separate curricula for officers assigned to specialty units or divisions with high volumes of crisis calls.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is committed to building the skill level and knowledge of all members so that they are effective in dealing with a person in crisis. It does so primarily through recruit training and the ISTP which all officers are required to attend. Through these programs the Service is confident that it</p>

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<p>Related Recommendation: JKE # 18, IACOBUCCI #43</p>	<p>reaches its members including those assigned to specialized units or division with high volumes of crisis calls.</p> <p>Furthermore, specialized training is given to Emergency Task Force, MCIT, and hostage negotiators. Other members are invited to participate in this training, for example the MCIT course has been attended by divisional training sergeants, coach officers, members assigned to youth and family services, and PRU officers interested in joining the MCIT.</p> <p>Finally, mental health training is also included in the coach, supervisors' and senior officers' courses.</p> <p><u>*** Update 2017.11.16</u></p> <p>The Service continues to offer its yearly 5-day MCIT course.</p>
<p>#21 – TRAINING (decentralized)</p> <p><i>The TPS consider how decentralized training can be expanded and improved to focus on such issues as:</i></p> <p><i>(a) Platoon training: increasing opportunities for officers to engage in</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The time available for decentralized training is limited by operational considerations and the collective agreement that governs shift scheduling. It is unlikely that this will change in the near future. However, notwithstanding these limits, the Service believes that when platoon training is combined with</p>

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<p><i>traditional and online mental health programming within their platoons;</i></p> <p><i>(b) Exposure: providing officers with in-service learning exercises that involve direct contact with the mental health system and community mental health resources; and</i></p> <p><i>(c) Peer learning: instituting a model of peer-to-peer education within divisions, such as discussions with officers who have experience with mental health issues in their families, who have worked on an MCIT, who received Crisis Intervention Team (CIT) training, or who have other related experience.</i></p> <p>Related Recommendation: JKE #27, IACOBUCCI #51, #52</p>	<p>its police college-based training, it can meet the training needs of its members.</p> <p>(a) Platoon training takes place on the 1st Thursday and last Wednesday of the afternoon shifts. The training is led by the divisional training sergeant and is standardized through the College. Attendance and performance records are kept by the College. A variety of training methods are used including in-room training, guest speakers, video, and web based using the Canadian Police Knowledge Network.</p> <p>(b) Exposure: This is accomplished, in part, through the use of training videos produced with consumers and, when feasible, by guest presenters. Content development is co-ordinated through the College with input from internal and external stakeholders and partners. Since 2014 all new coach officers, supervisors and senior officers receive training from, and exposure to, persons with lived experience.</p> <p>(c) Peer Learning: Police training and education is based on the principles of adult education; and peer learning, a component of that approach, is recognized by the Service as an effective means to help students gain knowledge and insight. Peer learning is included in the production of learning materials through input and feedback from our members, including those with lived experience, and peer to peer discussion is incorporated into all training sessions, regardless of their format. Since 2014 MCIT officers and those who have completed the training have also increased their divisional discussions to provide more peer-to-peer training. And, as part of their mandate the MCI Teams are required to</p>

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	<p>regularly promote their role to primary response officers in order to encourage notification and consultation when appropriate.</p> <p><u>*** Update 2017.11.16</u></p> <p>In November 2016, TPS through the efforts of the Vulnerable Persons Coordinator at the DPSU, a Disabilities Chief Community Consultative Committee was formed. The committee is comprised of 8 members, representing:</p> <ul style="list-style-type: none"> • Autism Speaks Canada • Canadian National Institute for the Blind • Bob Rumball Centre for the Deaf • Centre for Addiction and Mental Health • Learning Disabilities Association of Ontario • March of Dimes • Brain Injury Society of Toronto • Community Living Toronto <p>The Committee provides guidance in such things as training and have provided input on a number of TPS Procedures.</p> <p>The Committee attended Toronto Police College and participated in Use of Force Training including taking part in scenario training.</p>

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	<p>Several initiatives are currently being developed or have been developed regarding education and training for TPS personnel to be delivered in the form of training videos and CPKN (Canadian Police Knowledge Network) online modules. Topics include Autism, blindness/partially sighted awareness, and mental health awareness.</p>
<p>#22 – TRAINING (research)</p> <p><i>The TPS collaborate with researchers or sponsor research in the field of police education to develop a system for collecting and analyzing standardized data regarding</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service agrees that rigorous training metrics and assessments of competencies and skills are integral to policing training. The Service is</p>

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<p><i>the effectiveness of training at the TPC, OPC and the divisional levels, and to measure the impact that improvements in training have on actual encounters with people in crisis.</i></p> <p>Related Recommendation: JKE #1, IACOBUCCI #55, #56, #58, #83</p>	<p>informed that as part of the Ministry of Community Safety and Correctional Services' commitment to continuous service improvement, the Ontario Police College (OPC) will be undertaking a review of its training curriculum with an eye to a more rigorous assessment of its current training and police officer competencies. To this end, the OPC has committed to proceeding with a review in partnership with policing experts, academics, and its policing partners, including the OPP and the Toronto Police Service.</p> <p>As well, the Service uses established standards of measurement for evaluating police training based on the four levels in the <u>Kirkpatrick Hierarchy of Evaluation</u>. The results of this evaluation are reported to the Toronto Police Services Board annually.</p> <p><u>*** Update 2017.11.16</u></p> <p>Beginning in 2018, the Service implemented an incoming knowledge check on day 1 of ISTP. The knowledge check consisted of 15 questions covering a broad range of topics (such as use of force, racial bias, CIICC, crisis communication and de-engagement, responding to emotionally disturbed persons) that identifies a baseline of what officers know and their attitudes upon entry. The information is then utilized to effectively address areas requiring more emphasis to address the educational needs of the class. On day 3 of ISTP an outgoing written exam is administered to assess the progression of the topics covered, measuring skills, knowledge and attitude upon exit to determine any changes. Failure to show an aptitude in the</p>

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	<p>training covered in ISTP would result in officers having their use of force options relinquished until they are able to show competence in all areas.</p> <p>In addition, the Service employs a number of alternate exercises for oral/practical knowledge assessment, such as reviewing and interactive discussion of topics, active learning and practical exercises, presentations, dynamic scenarios and debriefs, participant course surveys, interviews with training co-ordinators and supervisors, and in-field training session observance of students by co-ordinators.</p> <p>Lastly, the Service is enhancing how it evaluates training and whether members follow their training. The Service has partnered with Dr. Nancy McNaughton of the University of Toronto Faculty of Medicine to further develop an academically and scientifically sound methodology. Preliminary assessments are underway.</p>
<p>#23 – TRAINING (curriculum design and delivery)</p> <p><i>The TPS consider whether a broader range of perspectives can be considered in</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p>

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<p><i>designing and delivering mental health training, for example, by involving TPS psychologists, Police College trainers, additional consumer survivors, mental health nurses and community agencies who work with patients and police.</i></p> <p>Related Recommendation: JKE #27, #50, IACOBUCCI #1, #15</p>	<p>The content of mental health training is continuously updated and refined in collaboration with various stakeholders and subject matter experts within the mental health and consumer survivor communities. Persons consulted include:</p> <ul style="list-style-type: none"> • Dr. John Arrowood, Staff Psychologist, Centre for Addiction and Mental Health (CAMH); • Dr. Terry Coleman Canadian Mental Health Commission • Dr. Dorothy Cotton, Canadian Mental Health Commission • Pat Capponi, Lead Facilitator – Voices from the Street; • Jennifer Chambers, Co-ordinator – Empowerment Council, CAMH; • Graham Vardy, Education Specialist & Coordinator for the Prevention & Management of Aggressive Behaviour training, CAMH. • Dr. Nancy McNaughton University of Toronto Faculty of Medicine <p>As well, on February 27, 2015, members of the Board’s Mental Health Committee, the TC-LHIN MCIT City-Wide Implementation Steering Committee, the Implementation Advisory Committee, the Ontario Police College, the Canadian Civil Liberties Association, along with the Service’s psychologists, and the Human Resources Director were invited to review the ISTP and provide their input and feedback.</p> <p><u>*** Update 2017.11.16</u></p> <p>Strategy Management has conducted external/internal surveys.</p>

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	<p>In 2017, a survey was sent to agencies and organizations within the city that provide services to people who may be experiencing or have experienced mental health issues. The purpose of the survey was to get feedback on the working relationship with the police and co-ordination of services, as well as agency worker perceptions of how well the police do at dealing with people in crisis or people who appear to be experiencing mental health issues. The information from this survey will be provided to Service stakeholders for this issue.</p> <p>Additionally, to get officer feedback on the current ISTP, a survey was distributed to officers. The first section of the survey listed the various components of the ISTP and asked officers to note how valuable each component was in providing them with the information and tools they needed to assist them in the performance of their duties. Officers were also asked for suggestions to improve the delivery of the ISTP. The second section of the survey noted that a focus of the ISTP was use of de-escalation to resolve encounters, and asked officers about the specific de-escalation techniques they regularly used and found effective. The information from this survey will be provided to the Toronto Police College to assist in refining the content and delivery of the ISTP.</p>
#24 – SUPERVISION (selection and evaluation)	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p>

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<p><i>The TPS further refine its selection and evaluation process for coach officers and supervisory officers to ensure that the individuals in these roles are best equipped to advise officers on appropriate responses to people in crisis; in particular, that the TPS:</i></p> <ul style="list-style-type: none"> <i>(a) Consider requiring additional mental health training and/or experience for candidates interested in coach officer and sergeant positions, such as CIT training or MCIT experience;</i> <i>(b) Create an evaluation mechanism through which officers can provide anonymous feedback on their coach officers or supervisors, including feedback on their skills regarding people in crisis; and</i> <i>(c) Ensure that performance evaluation processes for supervisors include evaluation of both their skills regarding mental health and crisis response, as well as their monitoring of their subordinates' mental health and wellness</i> <p>Related Recommendation: None</p>	<p>The selection of supervisors is a product of merit based systems that includes an assessment of demonstrated attributes and competencies, written or oral exams, and selection interviews. In 2014, the Service created a <u>Performance Management Unit</u> to establish and administer an evaluation and feedback process for all members of the service, including supervisors and coach officers. Furthermore:</p> <ul style="list-style-type: none"> (a) Since 2014 all new coach officers, supervisors and senior officers receive mental health training that includes a session with persons with lived experience. Coach Officers and supervisors also take the MCIT training, and in 2014 divisional training sergeants, and coach officers, have attended. From December 8-12, 2014, selected member from the College attended a train the trainer course at the Ontario Police College on the subject of mental resiliency in the workplace using the Canadian Military's <u>Road to Mental Readiness</u> program. This program has been endorsed by the Mental Health Commission of Canada and has been adopted by Calgary and Edmonton Police. In the same vein, from February 17-19, selected members from the College, Psychological Services, and the MCIT attended a symposium on <u>Mental Readiness – Strategies for Psychological Health in Police Organizations</u> presented by the Canadian Association of Chiefs of Police and the Canadian Mental Health Commission. Themes in these forums explored the issues of stigma, police cultural, self-awareness, and key behaviours that might identify members with a problem. Both these sessions provided the Service with lessons that will help enhance its training. A <u>Mental Readiness at Work</u> training component has been added to the new coach and supervisors'

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	<p>course in 2015, with the plan to deliver it to all coach and supervisors thereafter.</p> <p>(b) Further research is required when considering anonymous evaluation and feedback but presently probationary officers are invited, during their evaluations, to comment on their experience and relationship with their coach officers. This takes place in a private setting with their unit commander. At times, based on this feedback, different coach officers have been assigned.</p> <p>(c) While the Service develops and refines its appraisal processes evaluators are still expected to assess coach officers and supervisors' competence in crisis response and their ability to monitor their members' mental health.</p> <p><u>*** Update 2017.11.16</u></p> <p>During the most recent round of promotions to Sergeant (Supervisor), two former MCIT officers successfully met the criteria for promotion. One of those officers has been appointed to the rank of Sergeant and the other waits the lifting of the promotional moratorium.</p> <p>The Service is currently in the process of developing a new performance management process based on the year, the goals of the organization and behavioral competencies such as those outlined in the TPS Competency Framework. All supervisors will be provided training on the new performance</p>

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	management methods, how to provide feedback, competency expectations, goal setting and development of staff.

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<p>#25 – SUPERVISION (debriefing)</p> <p><i>The TPS create a Service-wide procedure for debriefing, including the debriefing of incidents involving people in crisis and incidents involving use of force, which includes consideration of such factors as;</i></p> <p><i>(a) Discretion: the circumstances under which debriefing is mandatory, as opposed to when it is subject to the discretion of the appropriate supervisor;</i></p> <p><i>(b) Participants: which members should participate in the debriefing process, particularly where there is a risk of re-traumatizing an officer suffering from critical incident stress;</i></p> <p><i>(c) Institutional Learning: how the learning points from the debriefing can be shared with other members of the Service;</i></p> <p><i>(d) Process: the appropriate circumstances, methods and selection of appropriate personnel for debriefing incidents that involved people in crisis, whether they were</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service recognizes the value of learning from experience as part of continuous improvement in individual and corporate performance. While acknowledging that some observers suggest that there are benefits from conducting operational debriefings, it is also recognized that operational debriefings may place officers at heightened psychological risk, a concern that is supported by a review of the scientific literature relating to the impact of trauma exposure and the identification of factors that both facilitate and interfere with recovery. Noted experts in the field of police psychology from the Psychological Services section of the International Association of Chiefs of Police who were canvassed by the Service expressed concern about the potential risk to officers' psychological well-being if a procedure for debriefing is developed that requires mandatory participation.</p> <p>In 2013, the Ontario Ombudsman in his report entitled In the Line of Duty made it clear that police services have an obligation to protect officers and their families from the effects of operational stress injury. While acknowledging the need for accountability for police actions, it is the opinion of the Service that the requirement that officers participate in a mandatory critical analysis of actions taken may result in negative impact on the psychological health and well-being of some officers.</p>

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<p><i>resolved successfully or resulted in unsatisfactory outcomes;</i></p> <p><i>(e) Timing: how to create an expectation that debriefs will be conducted immediately after an incident, where appropriate, to encourage learning through debriefs without the fear of resulting sanctions;</i></p> <p><i>(f) Self-analysis: whether the incident was resolved with the least amount of force possible, as well as whether the officer experienced fear, anxiety and other psychological and emotional effects during the encounter, and techniques for coping with those effects while trying to de-escalate a situation;</i></p> <p><i>(g) Direct Feedback: direct feedback to officers on incidents that could have been resolved with less or no force, including whether the officer considered inappropriate circumstances or failed to consider appropriate factors and any alternative force options that could have been employed;</i></p>	<p>Furthermore, it is also important to recognize that the act of reliving the event from the perspective of others, as required by an operational debriefing, would necessarily alter the recall of the event among those who participate in the debriefing, leading to contamination in the ability of participants to provide accurate testimony in any subsequent legal proceeding.</p> <p>Given the potential for adverse outcomes for some individuals the Service will not implement this recommendation.</p> <p>Nevertheless, to achieve the goal of this and related recommendations which is for the Service to learn from critical events, the Service can rely on established systems and processes that do not put the psychological well-being of members at risk, and do not undermine their capacity to provide accurate first-hand testimony. These processes include:</p> <ul style="list-style-type: none"> • A review of the event by the Service’s PRS-SIU Liaison via a Section 11 investigation, PRS-Criminal Section 11 report, the Use of Force Analyst and the Use of Force Committee to identify trends or possible gaps in training, equipment, or procedure, using documents and records including: <ul style="list-style-type: none"> ▪ the Use of Force Report completed by involved officers when they use force that results in injury or when the officer uses certain force options such as the CEW or firearm, ▪ other officer submitted reports including occurrences, injury reports, and arrest records, ▪ officers’ memo books and other notes,

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<p><i>(h) Critical Incident Response: the importance of conducting debriefs in a manner that respects officers' mental health needs following an incident of serious bodily harm or lethal force, and the role of the Critical Incident Response Team;</i></p> <p><i>(i) Stigma: how to foster discussions regarding stereotypes or misconceptions about people in crisis that may have contributed to the officer's decision-making during the crisis situation; and Valuing the Role of Debriefs: methods for creating a culture of debriefing and self-assessment within the Service, rather than a systemic perception of debriefing as a routine administrative duty.</i></p> <p>Related Recommendation: JKE #13, #20, #24, IACOBUCCI #26, #27</p>	<ul style="list-style-type: none"> ▪ results of officer interviews or testimony, and ▪ any video evidence from both police and private sources. <ul style="list-style-type: none"> • A full evidentiary review by Professional Standards as part of a legislated investigation required when police actions have led to serious injury or death of a civilian or a police officer [PSA O. Reg. 267/10, s. 11 (1)]. • Analysis by the Police College of recommendations resulting from coroner's inquests and other legal proceedings, inquiries, and reviews. • At the conclusion of every practical exercise, especially scenario-based training, (which are based on real-life events) participants are probed for the reasons behind their decisions and they are given an opportunity to peer and self-critique their decisions and actions. This form of debriefing is a proven educational method that very effectively imbeds the training and the lessons. • Finally, sergeants will be given more tools and training to help them critically assess members' performance and conduct using all available methods and resources including operational reports, particularly the Use of Force Report in order to make appropriate supervisory decisions and recommendations regarding training, procedures, and equipment. <p>Combined, the lessons learned from these processes help develop policy, procedures, practices, supervision and training. On the other hand, to enhance its ability to learn from these events, the Service will continue to develop and refine its information systems. For example, the Service has worked closely with the Ministry of Community Safety and Correctional</p>

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	<p>Services to develop a more comprehensive Provincial Use of Force Report that captures more information about the circumstances and the person against who force was used.</p> <p>The protocol is that the Service utilizes to achieve the goal of learning from the event results in ensuring best practices and compliance are followed.</p>

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<p>#26 – SUPERVISION (debriefing)</p> <p><i>The TPS develop a procedure that permits debriefing to occur on a real-time basis despite the existence of a Special Investigations Unit (SIU) investigation. The TPS should work with the SIU and appropriate municipal and provincial agencies to craft a procedure that does not interfere with external investigations, and that maintains the confidentiality of the debriefing process in order to promote candid analysis and continuous education.</i></p> <p>Related Recommendation: JKE #13, #20, IACOBUCCI #25, #28, #29, #32, #55, #56, #57, #58, #60, #61, #63, #64, #65, #66, #69, #72, #73</p>	<p> <input type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input checked="" type="checkbox"/> NOT IMPLEMENTED </p> <p>For the reasons provided in response to Recommendation 25, the Service will not implement a debriefing process as prescribed, however the essence of the recommendation is captured in Recommendation 25 in a slightly different format.</p>

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<p>#27 – SUPERVISION (mental health champions)</p> <p><i>The TPS develop a network of mental health champions within the Service by appointing at least one experienced supervisory officer per division with experience in successfully resolving mental health crisis situations to:</i></p> <p style="margin-left: 40px;"><i>(a) provide formal and informal divisional-level training, mentoring and coaching to other officers;</i></p> <p style="margin-left: 40px;"><i>(b) lead or participate in debriefings of mental health crisis calls when appropriate;</i></p>	<p>● IMPLEMENTED</p> <p>☐ IN PROGRESS</p> <p>☐ NOT IMPLEMENTED</p> <p>The Service will create a mental health champion at each division. The Service has identified the divisional Community Response Staff Sergeant for the role based on the criteria used to select the Staff Sergeant. This criterion included the experience and competence to handle complex and critical incidents. Additional support will be provided by the divisional Community Relations Officer who is currently the mental health liaison officer for each division.</p> <p>However, the role of the mental health champion will not include leading or participating in debriefings given the Service’s response in Recommendation</p>

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<p><i>(c) provide feedback to supervisors and senior management on officers who deserve recognition for exemplary conduct when serving people in crisis and those who need additional training or coaching;</i></p> <p><i>(d) meet periodically with other mental health champions at various divisions to discuss best practices, challenges, and recommendations; and</i></p> <p><i>(e) report to the appropriate deputy chief or command officer on the above responsibilities</i></p> <p>Related Recommendation: JKE #27, IACOBUCCI #25, #30, #31, #50</p>	<p>number 25. On the other hand the Service recognizes the value of learning from experience. Thus, sergeants will be given tools and training to critically assess operational reports, including the Use of Force Report in order to make appropriate recommendations regarding training, procedures, and equipment.</p>

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<p>#28 – SUPERVISION (discipline)</p> <p><i>The TPS establish an appropriate early intervention process for identifying incidents of behaviour by officers that may indicate a significant weakness in responding to mental health calls. Relevant data would include: propensity to draw or deploy firearms unnecessarily; use of excessive force; lack of sensitivity to mental health issues; insufficient efforts to de-escalate incidents; and other behaviours.</i></p> <p>Related Recommendation: IACOBUCCI #26, #30, #31, #32, #34, #39, #40</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service has an <u>Early Intervention</u> (EI) program to proactively identify Service members with potential performance or conduct issues. The program provides members' unit commanders with comprehensive information to help them guide and help their members. An EI alert is triggered when a member exceeds a pre-set threshold for incidents monitored through the Professional Standards Information System. Once an alert is triggered, the member's performance and conduct history is reviewed and a report is generated to help unit commanders address potential performance or conduct issues.</p>

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	<p>In 2013, the Service created an additional threshold related to use-of-force. Additional improvements were also made to the review process to record the action taken by unit commanders and any results obtained.</p> <p>Annually the Service publishes the statistics, data, and analysis related to the conduct of our members and their use of force in its <u>Professional Standards Report</u> (http://www.torontopolice.on.ca/publications/).</p>
<p>#29 – SUPERVISION (discipline)</p> <p><i>The TPS review its discipline procedure with regard to the following factors:</i></p> <p>(a) <i>Consistency: whether appropriate consequences are consistently applied to penalize inappropriate behaviour by officers in connection with people in crisis;</i></p> <p>(b) <i>Appropriate Penalties: whether officers who demonstrate conduct inconsistent with the role of a police officer are appropriately disciplined, including through suspension without</i></p>	<p>● IMPLEMENTED</p> <p>□ IN PROGRESS</p> <p>□ NOT IMPLEMENTED</p> <p>Police discipline is governed by statute in the Province of Ontario. The Service will continue to apply discipline pursuant to the <u>Police Service Act</u>, legal rulings and principles, procedural justice, and established practice. In addition, when determining the appropriate level of discipline, the Service will continue to consider past behaviour, complaints and discipline, as well as previous incidents of use of force, and, in the case of supervisors, failure to fulfil their duties.</p> <p>Regarding legislative reform, the Service participates on the <u>Future of Policing Advisory Committee</u> of the Ministry of Community Safety and</p>

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<p><i>pay or removal from their positions when appropriate;</i></p> <p><i>(c) Supervisory Responsibility: whether there are appropriate disciplinary consequences for supervisors who fail to fulfil their duties to identify and rectify weaknesses in training or performance by officers subject to their oversight;</i></p> <p><i>(d) Use of Force Reports: whether the information recorded in previous Use of Force Reports could be used in determining the appropriate level of discipline in particular incidents involving excessive use of force; and</i></p> <p><i>(e) Legislative Reform: whether the factors listed above require the TPS to work with the provincial government to modify legislative or regulatory provisions.</i></p> <p>Related Recommendation: IACOBUCCI #26</p>	<p>Correctional Services where changes to the <u>Police Service Act</u> are considered.</p>

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<p>#30 – SUPERVISION (rewards)</p> <p><i>The TPS create incentives for officers to put mental health training into practice in situations involving people in crisis, and to reward officers who effectively de-escalate such crisis situations. In this regard, the TPS should consider inviting community organizations or other agencies to participate in determining division-level and Service-wide awards for exceptional communications and de-escalation skills.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service agrees that rewards and recognition are effective ways to encourage good performance. The Toronto Police Service and the Board have established a formal awards program to recognize good police work in the form of medals, merit marks, commendations and letters of excellence (Procedure 13-01 <u>Awards</u>). These awards are bestowed for acts of bravery, altruism, innovation, and otherwise commendable work.</p> <p>The awards are often earned by police officers who have exercised restraint in the face of danger and risk to personal safety. These situations often involve police encounters with persons in crisis that were safely concluded</p>

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<p>Related Recommendation: JKE #45, IACOBUCCI #50</p>	<p>without the use of force because the officer skillfully and successfully de-escalated the situation.</p> <p>The submissions for the formal recognitions are approved by a committee of Board staff along with uniform and civilian members of various ranks and positions from across the Service. Awards are presented at public meetings scheduled throughout the year. In addition, the Service may, at the unit level, reward members for excellent work by way of positive documentation and an award of up to eight hours of time off.</p> <p>Submissions to recognize Service members' good work are often received from members of the public and the Service continues to encourage such submissions.</p> <p>The Service will invite members from the Board's Mental Health Committee and other partners to participate in assessing appropriate submissions.</p> <p>Information about a member's commendable performance is welcomed from members of the public. Members of the public may register a compliment online at the Toronto Police Service website.</p> <p><u>*** Update 2017.11.16</u></p> <p>The Board has created a new Mental Health Excellence Award which may be granted to a group of police officers, civilian members, or a Service unit in conjunction with partnering agency/agencies that demonstrate excellence, compassion and respect in their interactions with members of the community who are experiencing mental illness. As a guideline, the award maybe granted according to the following circumstances: individuals or a group of</p>

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	<p>individuals who possess exemplary de-escalation techniques or particular sensitivity in dealing with an individual experiencing mental illness, and an established body of work over many years or an entire career in this area. Submissions for the award can be made by both members and the community.</p> <p>The Mental Health Excellence Award was presented for the first time at the Service Awards ceremony held on Wednesday November 16, 2016.</p>
<p>#31 – SUPERVISION</p> <p><i>The TPS consider revising the process for performance reviews and promotions to</i></p> <p><i>(a) establish an explicit criterion that experience with people in crisis will be considered in making promotion decisions within the Service;</i></p> <p><i>(b) place a greater emphasis on crisis de-escalation skills such as communication, empathy, proper use of force, patience and use of mental health resources; and</i></p> <p><i>(c) determine the appropriate use of information contained in Use of Force Reports in assessing an officer's</i></p>	<p>● IMPLEMENTED</p> <p>□ IN PROGRESS</p> <p>□ NOT IMPLEMENTED</p> <p>In 2014, the Service created a <u>Performance Management Unit</u> to establish and administer an evaluation process for all members of the service, including those seeking promotion.</p> <p>The Service is considering including the elements of this Recommendation into its promotional and work assignment processes.</p> <p><u>*** Update 2017.11.16</u></p> <p>A Talent Management Strategy for the TPS has been developed and is currently being rolled out. The Strategy includes competencies, which will emphasize skills that will support de-escalation. For all of these initiatives,</p>

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<p><i>performance and suitability for promotion or particular job assignments.</i></p> <p>Related Recommendation: IACOBUCCI #28,</p>	<p>Psychological Services will be consulted to ensure that these processes take into consideration the recommendation of Police Encounters with people in crisis.</p> <p>TPS has mapped out a new comprehensive People Plan that provides a framework for modernizing Human Resources in how they are managed, trained, assessed and supported. Within this framework, four strategic themes organize the modernization of Human Resources, these are:</p> <ul style="list-style-type: none"> • Our People • Our Leadership • Our Culture and Inclusivity • Our HR Services <p>An integral part of the Our leadership theme will be, "Changes to the promotional process to base it on our new competencies and ensure that it's consistently fair and transparent"</p>

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<p>#32 – SUPERVISION</p> <p><i>The TPS enforce, in the same way as other TPS procedures, those procedures that require an officer to attempt to de-escalate, such as Procedure 06-04 “Emotionally Disturbed Persons”. In particular:</i></p> <p>(a) <i>Professional Standards investigations under Section 11 of Regulation 267/10 under the Police Services Act should investigate whether applicable de-</i></p>	<p>● IMPLEMENTED</p> <p>□ IN PROGRESS</p> <p>□ NOT IMPLEMENTED</p> <p>The Service will continue to strictly and fairly enforce compliance with its rules and procedures. A failure to de-escalate a situation when force is used might constitute unreasonable or excessive use of force which is an offence under the <u>Police Services Act Code of Conduct</u>. In such cases the Service does consider whether discipline is warranted.</p> <p>(a) Professional Standards will continue to investigate and make findings based on the evidence in Section 11 investigations.</p>

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<p><i>escalation requirements were complied with and, if not, a finding of contravention of Service Governance and/or misconduct should be made;</i></p> <p><i>(b) in appropriate cases, officers who do not comply with applicable de-escalation requirements should be subject to disciplinary proceedings; and</i></p> <p><i>(c) supervisory officers should be formally directed to (i) monitor whether officers comply with applicable de-escalation requirements, and (ii) take appropriate remedial steps, such as providing mentoring and advice, arranging additional training, making notations in the officer's personnel file, or escalating the matter for disciplinary action.</i></p> <p>Related Recommendation: IACOBUCCI #26, #28, #64</p>	<p>(b) All allegations of misconduct or poor performance will be thoroughly investigated and any findings will be carefully reviewed to determine the appropriate action discipline will be applied as required.</p> <p>(c) Supervisors' responsibility currently requires them to monitor their members' performance and conduct, and take the appropriate action when required.</p>

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<p>#33 – MENTAL HEALTH OF POLICE PERSONNEL</p> <p><i>The TPS create a formal statement on psychological wellness for TPS members. This statement should</i></p> <p><i>(a) acknowledge the stresses and mental health risks that members face in the course of the performance of their duties;</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Consistent with the <u>National Standard on Psychological Health and Safety in the Workplace</u> (Mental Health Commission of Canada), a formal statement on psychological wellness for Service members has been produced. The statement incorporates the elements outlined in Recommendation 33 and has been be posted prominently in Service facilities and on the Service website http://www.torontopolice.on.ca/</p>

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<p>(b) confirm the Service’s commitment to providing support for members’ psychological wellness;</p> <p>(c) emphasize the importance of members attending to their mental health needs;</p> <p>(d) emphasize the importance of members monitoring the mental health of their colleagues, and assisting colleagues to address mental health concerns;</p> <p>(e) emphasize the role of supervisory officers in monitoring the mental health of those under their command, and in intervening to assist where appropriate;</p> <p>(f) set out the psychological wellness resources available to members of the Service; and</p> <p>(g) be accessible online and used in training at all levels of the Service.</p> <p>Related Recommendation: IACOBUCCI #5, #37</p>	<p><u>*** Update 2017.11.16</u></p> <p>In 2016 Psychological Services presented to the Board on a number of Service member wellness initiatives currently underway and moving forward. The report is posted on the Ministry of Labour website.</p> <p>https://www.ontario.ca/page/post-traumatic-stress-disorder-prevention-plans#section-3</p> <p>Road to Mental Readiness</p> <p>Part of the Service’s commitment to psychological wellbeing is to engage in efforts to reduce stigma and increase resiliency surrounding the issue of mental health. To this end, the Service started rolling out a training program in 2017 called <i>Road to Mental Readiness (R2MR)</i>. Previously implemented by the Department of National Defence for members of the military, R2MR has also been adapted by the Mental Health Commission of Canada (MHCC) for a policing environment.</p> <p>The R2MR curriculum is set by the Mental Health Commission of Canada, and the success of the program is based on addressing all of these modules thoroughly. The Ontario Police College has assisted in the development of a team of in-house trainers which includes the Service Psychologists, as well as members recruited from the Toronto Police College and the TPS Critical Incident Response Team, to deliver this training.</p>

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<p>#34 – MENTAL HEALTH OF POLICE PERSONNEL</p> <p><i>The TPS consider whether to establish a comprehensive psychological health and safety management system for the Service.</i></p> <p>Related Recommendation: IACOBUCCI #28</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service has an enviable record of effectively and efficiently supporting the psychological health and safety of its members. Indeed, the Service has been recognized by both the Ontario Psychological Association and the American Psychological Association in 2008, 2009, and 2010 for its efforts to provide a psychologically healthy workplace.</p> <p>The Service will work with internal stakeholders and external subject matter experts to develop a comprehensive psychological health and safety management system that is consistent with the specifications of the <u>Canadian National Standard on Psychological Health and Safety in the Workplace</u>. In developing this project plan, attention will be devoted to the five key elements of a psychological health and safety management system:</p> <ol style="list-style-type: none"> 1) Leadership Commitment and Participation; 2) Planning; 3) Implementation; 4) Evaluation and Corrective Actions; and 5) Management Review. <p>Application to the <u>Canada Excellence Mental Health at Work Award Program</u> is being considered as one possible vehicle to conduct a gap analysis for the</p>

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	<p>identification of additional programs and procedures that can help achieve compliance with the National Standard.</p> <p>It is expected that the review could be completed by 2nd quarter 2016.</p> <p><u>*** Update 2017.11.16</u></p> <p>Significantly, TPS has mapped out a new comprehensive People Plan that provides a framework for modernizing Human Resources in how they are managed, trained, assessed and supported. Within this framework, four strategic themes organize the modernization of Human Resources, these are:</p> <ul style="list-style-type: none"> • Our People • Our Leadership • Our Culture and Inclusivity • Our HR Services <p>Contained within the Our Culture and Inclusivity theme,” a more comprehensive and integrated wellness strategy that emphasizes the whole employee and delivers services in a different way – better coordination of corporate wellness resources and proactive case management putting the employee at the centre, bringing the services to them, rather than requiring the individual to navigate on their own”</p>

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<p>#35 – MENTAL HEALTH OF POLICE PERSONNEL</p> <p><i>The TPS provide a mandatory annual wellness visit with a TPS psychologist for all officers within their first two years of service.</i></p> <p>Related Recommendation: IACOBUCCI #36</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The TPS agrees that new officers would benefit from participating in psychological wellness program. A pilot project involving wellness visits was conducted with early career officers at 14 and 22 Divisions; however, at this time Psychological Services does not have the capacity to fully implement this recommendation Service-wide.</p> <p>The Service budgeted for a third psychologist in 2015, the Service will begin to expand the early-career pilot program to other units.</p> <p><u>*** Update 2017.11.16</u></p> <p>In April 2016, a one-year pilot project involving Wellness visits for all early career officers assigned to D14 and D22 was completed, with data collected regarding the effectiveness of this intervention.</p> <p>The response by officers who participated in the project were overwhelmingly positive. Psychological Services has worked with 51 Division to implement the early career wellness project for their division. The eventual goal is for Service wide implementation and ongoing commitment to this initiative in the future based on availability of the psychologists.</p>

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<p>#36 – MENTAL HEALTH OF POLICE PERSONNEL (frequency of psychological wellness visits)</p> <p><i>The TPS consider providing less frequent periodic mandatory wellness visits with a TPS psychologist or other counsellor for all police officers, or, if it is not immediately possible to provide wellness visits to all officers, for any officer who works as a first responder, coach officer, or supervisory officer..... The TPS should also encourage all officers to seek counselling voluntarily.</i></p> <p>Related Recommendation: IACOBUCCI #5, #35, #37, #38</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service now requires certain units designated as high risk to participate in a psychological wellness program that includes regular visits with the Service psychologists.</p> <p>The Service agrees that all front-line police officers would benefit from regular visits with a psychologist as part of a wellness program, not only members assigned to designated high risk units. However, there are significant financial implications associated with this recommendation and, while these cannot be determined at this time, it is likely that they will include the need to hire additional staff.</p> <p>The Service has budgeted for a third psychologist in 2015, the Service will consider if it is possible to modify the current program to include additional first responders, coach officers, and supervisory officers.</p> <p>In the meantime, the Service has undertaken several other ways to encourage members to seek counselling voluntarily (see, for example, recommendation 37.)</p>

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	<p><u>*** Update 2017.11.16</u></p> <p>The Service now requires certain units designated as high risk to participate in a psychological wellness program that includes regular visits with the Service psychologists.</p> <p>The Service agrees that all front-line police officers would benefit from regular visits with a psychologist as part of a wellness program, not only members assigned to designated high risk units. However, there are significant financial implications associated with this recommendation and, while these cannot be determined at this time, it is likely that they will include the need to hire additional staff.</p> <p>In the meantime, the Service has undertaken several other ways to encourage members to seek counseling voluntarily (see, for example, recommendation 37.)</p> <p>Some targeted expansion of the Wellness program occurred during 2015 (for example, the inclusion of Homicide investigators and their civilian supports); however, full expansion of the Wellness program to include visits with a Service psychologist for all front-line members is dependent on the hiring of a third psychologist.</p> <p>Pending the addition of resources to Psychological Services, members are encouraged to seek counselling voluntarily through our Employee Family</p>

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	<p>Assistance Program (EFAP) provided by Shepellfgi, the CIRT/PSV Program, multi-faith chaplaincy program, referral to a community psychologist funded by the Benefits plan, or individual consultation with one of the Service Psychologists. Psychological Services and Corporate Communications worked on an outreach campaign for February 2016, which is Psychology Month. This campaign provided a platform to share the TPSB and the Service’s commitment to Psychological Health in the form of a statement called “Our Commitment to your Psychological Health”. In addition, this campaign will remind members regarding the range of services that are available to assist in the development of positive mental health.</p> <p>Expansion of wellness programs and increased involvement of the Service Psychologists in other projects is limited by their capacity to meet the increasing demands.</p> <p>Psychological Services is currently engaged in an ongoing project to support the Statement of Commitment and to seek input from across the Service on how to operationalize the ideal. This initiative also provides an opportunity to communicate the existing services that are available to all members of the Service. The wellness program is now mandatory for the following units: ETF, FIS, TSV (recon), TDS, Undercover Ops – INT, Communications, Tech Crimes – INT, Child Exploitation – Sex Crimes, International Policing Missions, Homicide, and the Early Career Pilot. This program is also extended to any member who identifies, or has been identified as in need of assistance. As time permits this program will be extended to other sections within Sex Crimes and the expansion to additional uniform divisions and</p>

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	<p>members facing criminal charges. Voluntary consultations with the psychologists have increased significantly. Support for officers impacted due to officer-involved shootings is in the process for expansion as well.</p> <p>PREVENTION</p> <p>1. Selection</p> <ul style="list-style-type: none"> • Pre-employment psychological screening of new constable candidates • Pre-transfer psychological screening of candidates to the Emergency Task Force • Pre-deployment psychological screening of candidates for secondments to the RCMP International Peace Operations Branch (IPOB) for overseas missions • Psychological screening of members requesting membership on the Peer Support/Critical Incident Response Team <p>2. Psychological Wellness Programs</p> <p>The goal of the Psychological Wellness Program is to improve and sustain psychological health by fostering the development of effective strategies for coping with stress and for enhancing psychological strength and resilience. Wellness visits are scheduled at least annually with members of teams who engage in activities considered at risk for the development of Operational Stress Injury.</p> <ul style="list-style-type: none"> • Psychological Wellness Program includes:

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	<ul style="list-style-type: none"> ✓ Sex Crimes: Investigators from Child Exploitation (seen 2x per year), Child and Youth Advocacy Centre, and Human Trafficking ✓ Intelligence: Investigators from Technical Crimes (seen 2x per year) and Undercover Operators ✓ Organized Crime Enforcement: Investigators from Drug Squad ✓ Emergency Task Force: Gun Team members and Training Office ✓ Forensic Identification Services: Investigators and civilian Photo Technicians, Crime Scene Technicians and Lab Specialists ✓ Traffic Services: Collision Reconstructionists ✓ Communication Services: Call taking - Dispatch and tape analysts ✓ Homicide: Investigators (Detectives and Detective Sergeants), Cold Case and Major Case Management (including civilian support) ✓ All members who have been deployed on overseas missions, either as reserve members of the Canadian Forces or those seconded to the RCMP through the IPOB Program. These members are seen upon return and then at three, six, and twelve months post-deployment ✓ Early Career Program: police officers from No. 22, 14 & 51 Divisions <ul style="list-style-type: none"> • Proposed program expansion to include: <ul style="list-style-type: none"> ✓ Suspended members facing criminal charges ✓ Service wide expansion of Early Career Program ✓ Sex Crimes: Investigators from Investigations Section, Threat Assessment/Risk Management

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	<p style="text-align: center;">✓ Property and Video Evidence Management</p> <p>3. Wellness Supports for Deployed Members and their Families (for International Policing opportunities)</p> <ul style="list-style-type: none"> • Pre-deployment training with deploying members, their families, and their Family Liaison Officers (FLO's) • Supportive contact with family members and FLO's throughout the course of mission • Training with family members and FLO's regarding the challenges of re-integration to family and work life after the stresses of mission deployment <p>4. Pre-Inquest Preparatory Sessions</p> <ul style="list-style-type: none"> • Briefing sessions to prepare members for the personal impact of a Coroner's Inquest, including mental preparation for psychological demands of testimony <p>5. Presentations and Training</p> <ul style="list-style-type: none"> • Regular contributions to the training of Communication Operators and new Peer Support / Critical Incident Response team members regarding topics related to mental health • Contributions to topics in the Toronto Police College curriculum relating to Wellness, Mental Health, Operational Stress Injury, and Anti-Stigma, including delivery of Road to Mental Readiness training (R2MR - <i>Mental Health Commission</i>)

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	<ul style="list-style-type: none"> • Family Day presentation to new recruit classes and their families prior to graduation • Mental health awareness and suicide prevention training to all newly promoted supervisors <p>INTERVENTION</p> <p>6. Peer Support Volunteers / Critical Incident Response Team</p> <ul style="list-style-type: none"> • A team of 84 active peer support volunteers carefully selected to represent many of the divisions/units of the Service, with both uniform and civilians across a range of ranks • Trained to provide critical incident response, peer support & liaison/referral to available resources <p>7. Critical Incident Response</p> <ul style="list-style-type: none"> • Immediate response by peer support team after critical incident events • Psychological debriefing with members involved in critical incidents, including events to which the SIU has invoked its mandate • Additional support and intervention is offered to members involved in critical incident events <p>8. Employee and Family Assistance Program (EFAP) – Shepell.fgi</p> <ul style="list-style-type: none"> • Free counselling services available 24/7, every day of the year • Available to all Service members and their dependents, as well as retired members

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	<p>9. Benefit coverage – External Psychologist</p> <ul style="list-style-type: none"> • \$3500 per year in benefits for a Service member and his/her dependents to access the services of a psychologist or a counsellor working under the supervision of a registered psychologist <p>10. Consultation with Service Psychologist</p> <ul style="list-style-type: none"> • Brief, supportive interventions with members during periods of emotional or psychological crisis, both self-referred and referred by supervisors/management • Consults with Unit Commanders/Supervisors on issues relating to member psychological health

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<p>#37 – MENTAL HEALTH OF POLICE PERSONNEL</p> <p><i>The TPS promote a greater understanding of the role and availability of the TPS psychologists, the EFAP and peer support groups as confidential resources that officers are encouraged to make use of to help them stay mentally healthy.</i></p> <p>Related Recommendation: IACOBUCCI #5, #33, #36, #38</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service will continue to make every effort to promote awareness amongst its members of the psychological and general health supports available. For example, in February 2014, Psychological Services conducted a health promotion campaign during Psychology Month called the Elephant in the Room that got members talking about mental illness without the stigma.</p> <p>Printed material (pamphlets, fact sheets, news articles) and internal web presence reminds members of the available support including EFAP (provided by Shepell-fgi), Peer Support Critical Incident Response Teams, Psychological Services, and Occupational Health and Safety Services which includes Medical Advisory Services. Information about the resources and supports is also promoted at every training opportunity such as ISTP and the supervisors and leadership courses. Members’ personal experience is also shared in these forums to de-stigmatize mental illness and encourage members to seek help.</p> <p>A Critical Incident Peer Support working group has been formed with the goal of developing creative means to increase the profile of the Critical Incident Peer Support Team and to make members aware of avenues for accessing their services. Proposed initiatives include the re-design of the EFAP web-page to include the peer support component and the development of a</p>

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	<p>package of promotional materials for presentation at each unit/Division of the Service.</p> <p>Currently the Service supports an ISN that serves those members who have identified themselves as disabled. The ISN is known as the No Boundaries Internal Support Network. This network currently includes police officers who have experienced traumatic events or psychological stress.</p> <p>Also in response to Recommendation 5 a formal statement has been produced and can be viewed at http://tps.on.ca/community/statementofcommitment.php. The statement is consistent with and strengthens the Core Values of the Service, particularly Fairness, Reliability, Respect, and Freedom from Bias.</p> <p><u>*** Update 2017.11.16</u></p> <p>Significantly, TPS has mapped out a new comprehensive People Plan that provides a framework for modernizing Human Resources in how they are managed, trained, assessed and supported. Within this framework, four strategic themes organize the modernization of Human Resources, these are:</p> <ul style="list-style-type: none"> • Our People • Our Leadership • Our Culture and Inclusivity • Our HR Services

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	<p>Contained within the Our Culture and Inclusivity theme ...” a more comprehensive and integrated wellness strategy that emphasizes the whole employee and delivers services in a different way – better coordination of corporate wellness resources and proactive case management putting the employee at the centre, bringing the services to them, rather than requiring the individual to navigate on their own”.</p>

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<p>#38 – MENTAL HEALTH OF POLICE PERSONNEL</p> <p><i>The TPS consider whether it would be helpful to establish an Internal Support Network for people who have experienced a shooting or other traumatic incident, or more generally to help officers with work related psychological stresses.</i></p> <p>Related Recommendation: IACOBUCCI #37</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is strongly committed to helping members develop formal and informal networks of support. Since 2007 the Service has supported Internal Support Networks (ISN) which are peer initiated forums where members can develop relationships, share experiences, and receive mentorship and support.</p> <p>Currently, the Service supports an ISN that serves those members who have identified themselves as disabled. The ISN is known as the <u>No Boundaries Internal Support Network</u>. This network currently includes police officers who have experienced traumatic events or psychological stress.</p> <p>In addition, there is a much-valued informal support system that has developed among officers who have the shared experience of involvement in a shooting incident. This initiative is both peer-led and informal, factors which have contributed to its acceptance among officers and to its success. Because the development of an ISN would require a more formal administrative structure, this model might meet with resistance from officers due to concern that membership would require them to self-identify as an “at risk” group. Instead, a “buddy system” will be developed that will match officers who have experienced shooting incidents and their aftermath with officers who are new to the experience, with support offered not only in the</p>

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	<p>immediate aftermath of the event but also in the months that follow and especially at the time of participation in any judicial proceedings. This buddy-system will operate under the auspices of the Critical Incident Response Team and its Coordinator, with administrative supervision provided by the Service psychologists.</p> <p><u>*** Update 2017.11.16</u></p> <p>A proposed framework of support for officers involved in shooting incidents. This proposal includes the development of a buddy system that matches officers who have been through post-shooting legal proceedings with officers preparing for testimony, not just in the immediate aftermath of the event but also in the months that follow and especially during judicial proceedings. Although this system has not been formalized to date, members of the TPS Critical Incident Response Team/Peer Support Volunteers continue to provide this important support function to members who have been involved not only in shooting incidents but also in other high risk vents likely to result in heightened levels of stress for members. In addition, an informal peer-led buddy system continues to reach out to and provide support to members immediately after involvement in a shooting incident and in the months that follow, providing a supportive presence to the officer when involved in legal proceedings, particularly when heightened media attention is anticipated.</p>

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	<p>In October 2017, TPC hosted a focus group workshop consisting of public safety representatives from across Canada and advisors from the Mental Health First Aid Canada (MHFA), Mental Health Commission of Canada, in order to develop a Mental Health First Aid training curriculum specific to the public safety sector. Toronto Police Service is keenly watching developments in this program and is open to exploring the possibility of future inclusion into a psychological health and safety management system R2MR training is now mandatory for all sworn members. Included with R2MR is a component known as Safe Talk, which is an additional tool to assist members in recognizing and dealing with feelings of suicidal ideation and/or PTSD, within themselves or a colleague.</p>

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<p>#39 – MENTAL HEALTH OF POLICE PERSONNEL (procedures)</p> <p><i>The TPS consider creating a new procedure, substantially modelled after Procedure 08-05 “Substance Abuse,” to address members’ mental health, and specifically to require officers in supervisory roles to monitor for mental health concerns of TPS members under their command, in order to identify means of providing help for mental health issues before a fitness for duty issue arises.</i></p> <p>Related Recommendation: IACOBUCCI #28, #33, #40</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The procedure is being drafted. Professional Standards Support – Governance will consult with Psychological Services regarding the development of a procedure for “Psychological Health and Wellness” that will confer upon members of the Service the responsibility to take appropriate actions whenever they become aware of individuals who are experiencing distress that is psychological in nature, with the range of appropriate actions and resources for response specified within the procedure for both individual members and their supervisors. The publication of this procedure will be supported by the appropriate training at both unit-level and the College.</p> <p>Currently, procedures addressing sickness and injury reporting, traumatic critical incidents, workplace safety, violence, and harassment, injury on duty, substance abuse, and medical accommodation are among some of the procedures that govern, in a more general way how the Service, including supervisors and unit commanders, manage members’ health (Service Governance <u>Chapter 08 Health and Safety</u>). The Service is confident that when taken together these procedures help guide and instruct supervisors to support members’ health, including mental health, in the workplace.</p> <p>Additionally, a <u>Mental Readiness at Work</u> component has been added to the supervisors’ course. Themes in this training include, amongst other things</p>

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	<p>de stigmatization, organizational cultural, self-awareness, and key behaviours that can identify members with a problem.</p> <p><u>*** Update 2017.11.16</u></p> <p>The procedure titled “<i>Psychological Health and Wellness</i>” is complete.</p>
<p>#40 – MENTAL HEALTH OF POLICE PERSONNEL (training)</p> <p><i>The TPS provide officers in supervisory roles with training specific to monitoring other officers’ psychological wellness and guiding preventive intervention where it is warranted.</i></p> <p>Related Recommendation: IACOBUCCI #28, #33, #39, #49</p>	<p>● IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Toronto Police College has added course content to the supervisor, coach officer, advanced leadership, and ISTP courses to help supervisors monitor members’ psychological wellness and intervene when appropriated. This includes aspects of the <u>Mental Readiness at Work</u> training that explore, amongst other things, de stigmatization, organizational cultural, self-awareness, and key behaviours that can identify members with a problem.</p>

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<p>#41 – USE OF FORCE (procedures)</p> <p><i>The TPS revise its Use of Force Procedure to supplement the Ontario Use of Force Model and guidelines with best practices from external bodies such as the International Association of Chiefs of Police, the United Nations and other police services in order to:</i></p> <ol style="list-style-type: none"> <i>a. Incorporate approaches to minimizing the use of lethal force wherever possible</i> <i>b. Increase the emphasis placed on the seriousness of the decision to Use lethal force in response to a person in crisis;</i> <i>c. Further emphasize lethal force as a last resort to be used in crisis situations only where alternative approaches are ineffective or unavailable;</i> <i>d. Articulate the importance of preserving the lives of subjects as well as officers wherever possible;</i> 	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service regularly reviews and updates all its procedures to incorporate the latest knowledge techniques, practices, and equipment that will help officers safely defuse potentially violent situations emphasizing the preservation of life through the use of de-escalation techniques and minimal use of force. It is currently participating in a provincial working group to update the current provincially mandated Use of Force Report and is also addressing this recommendation through annual ISTP.</p> <p>Policing officials in the Province of Ontario continue to review the Use of Force Model to ensure it reflects current best practices.</p> <p>Current relevant Service procedures are informed by the <u>Ontario Use of Force Model</u> (2004). This model was developed through extensive collaboration among experts in the area of police use of force. An excerpt from Appendix B in Procedure 15-01 <u>Use of Force</u>, details the development and principles of the model;</p> <p style="padding-left: 40px;"><i>... as an aid to training, the Model promotes continuous critical assessment and evaluation of each situation and assists officers to understand and make use of a variety of force options to respond to potentially violent situations. ... The Ontario Use of Force Model (2004) is not intended to serve as a justification for officer use of force nor does</i></p>

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<p>e. <i>Recognize indicators of mental health crises as symptoms rather than threats to officer safety;</i></p> <p>f. <i>Acknowledge that many mental health calls result from crisis symptoms rather than criminal behaviour;</i></p> <p>g. <i>Emphasize that police responding to people in crisis are usually required to play a helping role, not an enforcement role; and articulate that communication with a person in crisis should be a default technique in all stages of assessing and controlling the situation and planning a response.</i></p> <p>Related Recommendation: IACOBUCCI #42</p>	<p><i>it prescribe specific response option(s) appropriate to a situation. The Model does provide a valuable framework for understanding and articulating the events associated with an incident involving officer use of force.</i></p> <p><i>As conceived by the CACP and the use of force experts and trainers, the National Use of Force Framework would bring together into one model all of the best theory, research and practice about officer use of force. The model would be dynamic, support officer training, and facilitate professional and public understanding of officer use of force. In Ontario, the National Framework, along with updated Provincial Use of Force Guidelines were vetted through the Policing Standards Advisory Committee (PSAC). The new Ontario Use of Force Model-2004 (based on the National Framework) was endorsed by PSAC and has subsequently been approved by the Minister for release.</i></p> <p><i>Six basic principles underlie the Ontario Use of Force Model (2004).</i></p> <ol style="list-style-type: none"> <i>1. The primary responsibility of a peace officer is to preserve and protect life.</i> <i>2. The primary objective of any use of force is to ensure public safety.</i> <i>3. Police officer safety is essential to public safety.</i> <i>4. The Ontario Use of Force Model (2004) does not replace or augment the law; the law speaks for itself.</i> <i>5. The Ontario Use of Force Model (2004) was constructed in consideration of (federal) statute law and current case law.</i>

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	<p data-bbox="919 472 1854 537">6. <i>The Ontario Use of Force Model (2004) is not intended to dictate policy to any agency</i></p> <p data-bbox="873 574 1885 708">Current Service procedures relating to use of force (e.g.: 15-01 <u>Use of Force</u>, 15-02 <u>Injury Reporting</u>, 15-04 <u>Service Firearm</u>, 15-09 <u>Conducted Energy Weapons</u>, amongst others) align with the Ontario Use of Force Model and are consistent with this recommendation.</p>

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<p>#42 – USE OF FORCE (procedure)</p> <p><i>The TPS regularly update its Use of Force Procedure to reflect best practices and the results of further research into the most effective means of communicating with people in crisis.</i></p> <p><i>In this regard, the TPS should seek alternative approaches for officers when a person in crisis does not appear to comprehend or have the ability to comply with the Police Challenge; and consider consulting with provincial agencies, the Ontario Police College, mental health experts, consumer survivors, and others with specialized experience to ensure that the Use of Force Procedure reflects best practices.</i></p> <p>Related Recommendation: JKE #10, #16, #48, IACOBUCCI #41</p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>Pursuant to Board Policy TPSB AD-001 the Service follows a three year cycle of regularly reviewing and updating all its procedures to incorporate the latest knowledge and best practices. While current Service procedures relating to use of force (e.g.: 15-01 <u>Use of Force</u>; 15-02 <u>Injury Reporting</u>; 15-04 <u>Service Firearm</u>; 15-09 <u>Conducted Energy Weapons</u>, amongst others) are consistent with this recommendation, they are continually reviewed to incorporate the latest knowledge, techniques, practices, and equipment that will help officers safely defuse potentially violent situations emphasizing where feasible the preservation of life through the use of de-escalation techniques. In conducting its review the Service will consult with appropriate resources and subject matter experts.</p> <p>However, the Service also believes that this recommendation is best implemented through training. Officers are currently taught a variety of communication strategies aimed at assisting in de-escalation involving persons in crisis including:</p> <ul style="list-style-type: none"> • recognizing when persons in crisis do not understand police instructions, • changing communication strategies to gain understanding, and

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	<ul style="list-style-type: none"> • acquiring appropriate assistance or resources to establish communication and understanding. <p>The development of this training is a product of broad consultation with subject matter experts and community stakeholder, especially consumers.</p> <p><u>*** Update 2017.11.16</u></p> <p>The Disabilities Chief Community Consultative Committee has consulted with the Toronto Police College (TPC) on training curriculum and delivery. The Committee has attended TPC and participated in Use of Force Training.</p>

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<p>#43 – MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS develop a pilot Crisis Intervention Team (CIT) program, intended to complement the MCIT program, along the lines of the Memphis/Hamilton model, in the aim of being able to provide a specialized, trained response to people in crisis 24 hours per day.</i></p> <p>Related Recommendation: IACOBUCCI #44, #23</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The TPS is, through the ISTP, raising all members’ skills to effectively deal with persons in crisis. The 10 core elements of the Memphis Model are incorporated into the Service’s ISTP and MCIT training, which are also consistent with the Mental Health Commission of Canada’s recommendations.</p> <p>Since 2014, by extending the invitation to attend MCI Team training to non-team members, the Service is expanding its pool of specially trained officers who are available during the hours when MCIT are not. These include divisional training sergeants, coach officers, members assigned to youth and family services, and PRU officers interested in joining the MCIT. These officers, along with former MCIT officers, are listed as available resources with Communications Services (Dispatch) on the Availability List.</p>

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<p>#44 – MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS fully implement the 10 core elements of the Memphis/Hamilton CIT model comprehensively discussed in this Report.</i></p> <p>Related Recommendation: IACOBUCCI #43</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The 10 core elements of the Memphis model are incorporated into the Service’s MCIT approach, which is also consistent with the Mental Health Commission of Canada’s recommendations.</p> <ol style="list-style-type: none"> 1. MCIT is a partnership between the Service and partnered hospitals. 2. This partnership helps plan and determine how the program is utilized. 3. As part of its programming the MCIT advocates on the behalf of its clients in order to ensure the best possible outcomes when navigating the various mental health and social services available in the community. 4. The Service has dedicated a Mental-Health (MCIT) Co-ordinator who oversees the teams, as well as a Command and Senior Officer who are champions for the program. 5. All MCIT members receive formalized training. 6. The partnered hospitals are a receiving facility for persons in crisis. 7. MCIT officers and nurses wear a distinct identifying crest. 8. The Mental Health co-ordinator, along with MCIT and Divisional Mental Health Liaison officers conduct outreach in the community. 9. Radio dispatchers are made aware when the MCIT units are working, so that the teams can be dispatched to calls requiring their expertise because the teams register on divisional Availability Sheets when on duty.

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	<p>10. The MCIT program is involved in research and evaluation through office of the Centre for Research on Inner City Health.</p> <p>11. Established agreements, policies and procedures guide the activities of the MCIT program.</p> <p>12. Members of the MCIT are recognized for exceptional performance through the various award schemes in place with the Service.</p>

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<p>#45 – MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS should study the effectiveness of CIT officers who participate in its pilot program by analyzing, among other things</i></p> <ol style="list-style-type: none"> <i>a. Whether a greater proportion of calls involving a person in crisis are addressed by a specialized response;</i> <i>b. Whether CIT officers use various forms of force less frequently than non-CIT officers;</i> <i>c. Whether CIT officers feel more capable and confident in interacting with people in crisis than non-CIT officers;</i> <i>d. Whether the relevant community notes a difference in the way they are treated by CIT officers versus non-CIT officers;</i> <i>e. Whether the proportion of persons entering the criminal justice system who suffer from mental illness declines; and</i> <i>f. Any other metrics deemed relevant.</i> 	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>All programs undertaken by the Service are evaluated to determine their effectiveness. Currently, the Centre for Research on Inter-City Health (CRICH, of St. Michael's Hospital) is evaluating the MCIT program. This evaluation will compare the MCIT program to the Service's general response to persons in crisis. The findings of this study will help the Service identify opportunities and service enhancements, and the need for further research.</p> <p>At the same time the Service continues to evaluate its overall progress in implementing its priority to <i>Enhance officer ability to effectively interact with emotionally disturbed persons, particularly those with mental illness</i> (Service Priority #1). The Service evaluates its performance based on the following performance and objectives indicators:</p> <ul style="list-style-type: none"> • decrease in proportion of MHA interactions involving an injury (sustained either prior to or during apprehension), • increase in proportion of officers who say they believe that the training they have received has prepared them to effectively interact with emotionally disturbed persons, and • of those officers who dealt with an emotionally disturbed person during the year, increase in proportion who say that the training they received did help them in that situation.

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	<p>The results of the evaluation of its Service Priorities are submitted publicly to the Toronto Police Services Board annually.</p>
<p>#46 – MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS should amend its procedures and training to enable, where appropriate, a CIT officer to take charge of a call when a person in crisis may be involved, regardless of whether they are the first officer to arrive</i></p> <p>Related Recommendation: JKE #19</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>This is already a general practice within the Service. However, the Service will formalize the practice of having officers with additional mental health training take a lead at calls involving persons in crisis when feasible and consistent with officer and public safety.</p>

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<p>#47 – MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS establish a six-month probation period for MCIT officers, which culminate in a review, to ensure that the best-suited people are in these roles. Those who successfully complete probation should be subject to a minimum commitment of two years as part of the MCIT</i></p> <p>Related Recommendation: None</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Outside of probationary constables and newly promoted sergeants, the Service does not employ a probationary period for any police officer assigned to special units or projects. Given that police associations might argue that to introduce one might affect working conditions, it might raise collective agreement issues. Instead, consistent with established practice, members' performance is always under review through, for example, daily supervision coaching and mentoring, annual evaluations, special performance reviews, and complaint investigations. When considered unsuitable, officers will be reassigned regardless of the passage of time.</p> <p>MCIT members are volunteers who are carefully selected for the assignment. Selection is based on merit. Candidates must have a proven record of performance including effective response to persons in crisis. Partnered hospitals participate in the selection process. Successful candidates are usually assigned to the team for a minimum of two years. To date, (over 15 years) there have been no documented concerns about the members selected to the teams.</p> <p>Currently interest in the MCIT program is high among Service members and team members typically commit to serving at least two years.</p>

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<p>#48 - MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS expand the availability of MCIT to provide at least one MCIT unit per operational division. The following matters related to expanding MCIT should be addressed, in cooperation with applicable Local Health Integration Networks and partner hospitals:</i></p> <p style="margin-left: 20px;">a. <i>Hours: Whether MCIT service should be provided 24 hours per day;</i></p> <p style="margin-left: 20px;">b. <i>First Response: Whether MCIT can act as a first response in certain circumstances; and</i></p> <p style="margin-left: 20px;">c. <i>Alcohol and Drugs: Whether MCIT can respond to calls involving alcohol or drug abuse</i></p> <p>Related Recommendation: JKE #34, IACOBUCCI #43, #44</p>	<p>● IMPLEMENTED</p> <p>□ IN PROGRESS</p> <p>□ NOT IMPLEMENTED</p> <p>In May 2014, the Service introduced a new team to North Toronto and with funding from the Central LHIN expanded the coverage of existing teams into 22, 23, and 53 Divisions. As a result, 6 teams now cover all 17 Service divisions:</p> <ul style="list-style-type: none"> • 11/14/22 Divisions are partnered with St Joseph's Health Centre. • 12/13/31 Divisions are partnered with Humber River Regional Hospital. • 32/33 Divisions 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 Toronto East General Hospital. <p>The Service will continue to work with its hospital partners and the TC-LHIN to expand the availability and coverage of the MCIT if warranted. There are several considerations.</p> <ul style="list-style-type: none"> • Whether community services are available 24 hours when the team wants to divert a client from the emergency room. • The current needs analysis of the program has identified the peak times for the operation to be generally between 11 am and 11pm.

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	<ul style="list-style-type: none"> • Given the legal and health and safety consideration, while not first responders, the teams do operate as co-responders. • The MCIT program focuses on mental illness because it is the critical community need at this time. While addictions and mental illness do intersect, the clinical responses are entirely different. It would not, for example, be appropriate for persons who are only suffering from their addiction to be brought to the emergency department, especially if they are intoxicated. Furthermore it is unlikely that the Team nurse could perform a mental health assessment on an intoxicated person. Because the teams are established, in the main, to speed up hospital admissions, this would be an inefficient use of the resource since the teams are already stretched to their limit responding to the apparently mentally ill.

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<p>#49 – MCIT AND OTHER CRISIS INTERVENTION MODELS (training)</p> <p><i>The TPS require all coach officers and supervisory officers to attend the training course designed for MCIT officers so that they gain greater awareness of mental health issues and the role of specialized crisis response.</i></p> <p>Related Recommendation: Iacobucci #40, #51, #53</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Given the training demands the Service is under, this recommendation is not feasible as written. However, in 2014, the Service included an enhanced module on mental health issues in the coach and supervisor courses, and expanded the number allotted spaces available to non-MCIT officers to attend the MCIT course. Preference is given to supervisors and coach officers. Furthermore, all officers now receive enhanced training (which includes many of the elements from the MCIT course) as part of the ISTP.</p> <p>Moreover, as part of their mandate the MCI Teams are required to regularly promote their role to PRU officers in order to encourage notification and consultation when appropriate. In June 2014, a Routine Order (0742) was also published as reminder of the MCIT's role and function.</p>

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<p>#50 – MCIT AND OTHER CRISIS INTERVENTION MODELS (rewards)</p> <p><i>The TPS establish a system of awards and recognition within TPS for exemplary MCIT service as part of the overall system of recognition and awards identified in Recommendation 30.</i></p> <p>Related Recommendation: JKE #45, IACOBUCCI #30</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service agrees that rewards and recognition are effective ways to encourage good performance. The Toronto Police Service and the Board have established a formal awards program to recognize good police work in the form of medals, merit marks, commendations and letters of excellence (Procedure 13-01 <u>Awards</u>). These awards are bestowed for acts of bravery, altruism, innovation, and otherwise commendable work.</p> <p>The awards are often earned by police officers who have exercised restraint in the face of danger and risk to personal safety. These situations often involve police encounters with persons in crisis that were safely concluded without the use of force because the officer skillfully and successfully de-escalated the situation and MCIT officers qualify.</p> <p>The submissions for the formal recognitions are approved by a committee of Board staff along with uniform and civilian members of various ranks and positions from across the Service. Awards are presented at public meetings scheduled throughout the year. In addition, the Service may, at the unit level, reward members for excellent work by way of positive documentation and an award of up to eight hours of time off.</p>

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	<p>Submissions to recognize Service members' good work are often received from members of the public and the Service continues to encourage such submissions.</p> <p>The Service will invite members from the Board's Mental Health Committee and other partners to participate in assessing appropriate submissions.</p> <p>Information about a member's commendable performance is welcomed from members of the public. Members of the public may register a compliment online at the Toronto Police Service website.</p> <p><u>*** Update 2017.11.16</u></p> <p>The Board has established a new Mental Health Excellence Award which may be granted to a group of police officers, civilian members, or a Service unit in conjunction with partnering agency/agencies that demonstrate excellence, compassion and respect in their interactions with members of the community who are experiencing mental illness. This award may be granted in the following circumstances where individuals or a group of individuals who possess exemplary de-escalation techniques or particular sensitivity in dealing with an individual experiencing mental illness, and an established body of work over many years or an entire career in this area. Submissions for the award are made by both members and the community.</p>

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	<p>This was presented for the first time at the Service Awards ceremony held on Wednesday November 16, 2016.</p>
<p>#51 – MCIT AND OTHER CRISIS INTERVENTION MODELS (supervision)</p> <p><i>The TPS encourage supervisory officers, coach officers, and others with leadership roles to promote MCIT program within the TPS so that all front line officers know the resources at their disposal.</i></p> <p>Related Recommendation: JKE #38, IACOBUCCI #21, #39, #40, #49, #52</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Since 2014, all new coach officers, supervisors, and senior officers receive mental health training that includes a discussion about the role of the MCIT as a resource to the front line. Furthermore, information about the role of the ETF and the MCIT as front line resources is included in the ISTP training which is delivered annually to all police officers.</p> <p>This information is also delivered through the de-centralized platoon training at the divisions.</p>

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<p>#52 – MCIT AND OTHER CRISIS INTERVENTION MODELS (training)</p> <p><i>The TPS, as part of training at the platoon level, include sessions in which MCIT units educate other officers on the role of the MCIT unit and best practices for interacting with people in crisis.</i></p> <p>Related Recommendation: JKE #38, IACOBUCCI #21, #51</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Since 2014 MCIT officers and those who have completed the training have increased their divisional discussions to provide more peer-to-peer training. In fact, as part of their mandate the MCI Teams are required to regularly promote their role to primary response officers in order to encourage notification and consultation when appropriate.</p> <p>Furthermore, on June 16, 2014, a Routine Order (0742) was published reminding officers that they can rely on their training to safely respond to persons in crisis, and of the role and function of the MCIT's.</p>

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<p>#53 – MCIT AND OTHER CRISIS INTERVENTION MODELS (procedures)</p> <p><i>The TPS consider whether to amend Procedure 06-04 “Emotionally Disturbed Persons” to identify exceptions to TPS requirements such as handcuffing, the use of in-car cameras, and other measures, in recognition that the apprehension of a person in crisis under the Mental Health Act differs from other types of police apprehensions</i></p> <p>Related Recommendation: JKE #39, IACOBUCCI #5</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Procedures 01-01 Arrest and 06-04 Emotionally Disturbed Persons have been revised to include the following direction to officers:</p> <p><i>Keeping in mind officer and public safety, officers may use discretion when determining whether to handcuff an individual as it may not be practical or necessary in all circumstances (e.g. due to person’s medical condition, age, disability, pregnancy, or frailty).</i></p>
<p>#54 – MCIT AND OTHER CRISIS INTERVENTION MODELS</p> <p><i>The TPS solicit the input of MCIT members to learn from their first-hand experience, with respect to any proposed changes to the MCIT program</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Since 2008, an MCIT advisory committee has been established to include team members’ input and feedback into program development. More recently, in 2014 and 2015, they have been part of the evaluation project conducted by Centre for Research on Inner City Health of St. Michael’s Hospital.</p>

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<p>#55 – EQUIPMENT (Conducted Energy Weapons – research into effects on EDP)</p> <p><i>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.</i></p> <p>Related Recommendation: JKE #2, IACOBUCCI #1, #56, #57, #68, #71</p>	<p> <input type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input checked="" type="checkbox"/> NOT IMPLEMENTED </p> <p>While the Service recognizes the value of continual research, it remains satisfied that the current medical research has found no persuasive evidence of risk to vulnerable persons. The Service understands that across Canada police authorities including the Ontario Ministry of Community Safety and Correctional Services (the Ministry) are not contemplating further research at this time.</p> <p>In Ontario, under the regulations of the <u>Police Services Act</u>, the Ministry approves and specifies the types of weapons that police may use. One of them is the Conducted Energy Weapon (CEW) (s.14 Regulation 926/60). On August 27, 2013, the Ministry announced that it will authorize the expanded deployment of conducted energy weapons (CEW) in Ontario. The Ministry explained that:</p> <p style="padding-left: 40px;"><i>Conducted Energy Weapons (CEWs) 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 CEWs.</i></p> <p style="padding-left: 40px;"><i>The Ministry of Community Safety and Correctional Services initiated a review to explore the advisability of expanding deployment of CEWs.</i></p>

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	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p><i>The review included an examination of current medical literature, a jurisdictional scan and consultation with stakeholders, including police and civil liberties advocates.</i></p> <p><i>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 CEWs, based on their local needs and circumstances.</i></p> <p>The Ministry found that in addition to its effectiveness the CEW had a lower incidence of injury to both subjects and officers when compared to other intermediate force options, including empty hand techniques (see for example <u>Prospective Analysis of Police Use of Force in Four Canadian Cities – Dr. Christine Hall, 2013</u>).</p>

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<p>#56 – EQUIPMENT (use of force reporting)</p> <p><i>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:</i></p> <ol style="list-style-type: none"> <i>a. the location of contact by CEW probes on a subject's body;</i> <i>b. the length of deployment and the number of CEW uses;</i> <i>c. any medical problems observed by the officers;</i> <i>d. any medical problems assessed by Emergency Medical Services(EMS) or hospital staff;</i> <i>e. the time period between the use of a CEW and the manifestation of medical effects;</i> <i>f. the subject's prior mental and physical health condition;</i> <i>g. the use of CEWs per ratio of population;</i> 	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service acknowledges the benefits of collecting broad data about use-of-force incidents so that comprehensive analysis can be done about officer and public safety and health, weapon effectiveness, training, supervision, and procedures.</p> <p>In Ontario, the Service along with the Ministry of Community Safety and Corrections (the Ministry), the Ontario Police College (OPC), and other police services, is participating on a joint working group whose mandate it is to update the current provincial Use of Force form (UFR Form 1). The new form which is expected to be published in 2015 will enhance the collection of data for analysis. Furthermore, the Service is aware that the Ministry is currently examining the viability of the Ontario Police College collecting and analysing province-wide use of force data to inform training.</p> <p>The information sought in sub-clauses (d), (e), and (f) is currently captured in another report(s) used by the Service such as the injury report.</p> <p>While the Service waits for the publication of the new use of force report, its current reports (including its CEW report), collect very useful data. Annually, the Service submits a report to the Board regarding use of force generally,</p>

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<p><i>h. the use of CEWs per ratio of officers equipped with the devices; and</i></p> <p><i>i. the use of CEWs in comparison to other force options.</i></p> <p>Related Recommendation: JKE #4, #5, IACOBUCCI #55, #57, #58, #68, #71, #83</p>	<p>and CEW use specifically. Contained in these reports are the information sought in sub-clauses (h) and (i).</p>

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<p>#57 – EQUIPMENT (use of force reporting)</p> <p><i>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.</i></p> <p>Related Recommendation: JKE #4, #5, IACOBUCCI #55, #56</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The proposed provincial use of force report will be comprehensive. The Service will continue to use its CEW report.</p> <p>Officers are required to fill out the forms correctly and in full. The reports are then reviewed for completeness and accuracy by the officer's supervisors and then the Service's Use of Force Analyst.</p>
<p>#58 – EQUIPMENT (use of force reporting)</p> <p><i>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</i></p> <p>Related Recommendation: IACOBUCCI #1, #55, #71</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service will consult with its partners to determine if it is feasible to collect this data. It is important to note, however, that since the introduction of CEWs into its operations in 2007, the Service has reported no serious injuries related to its CEW use.</p>

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<p>#59 – EQUIPMENT (Conducted Energy Weapons)</p> <p><i>TPS consider conducting a pilot project to assess the potential for expanding CEW access within the Service, with parameters such as:</i></p> <ul style="list-style-type: none"> <i>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;</i> <i>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;</i> <i>c. Reporting: the pilot project require standardized reporting on issues such as:</i> <ul style="list-style-type: none"> <i>i. frequency and circumstances associated with use of a CEW,</i> 	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Since 2007, the Service has deployed CEWs to front-line supervisory personnel. On October 7, 2013, the Service submitted a plan to the Board to phase in the expanded deployment of CEWs to non-supervisory front-line police officers. Based upon operational needs and community safety, the Service planned to initially expand the deployment of CEWs to two (2) officers from each platoon for each of the 17 divisions and Traffic Services, and four (4) officers from the TAVIS Rapid Response Team.</p> <p>This plan would equip 184 officers with a CEW in addition to the 275 front-line supervisors who are already equipped. As a result, each shift would have up to 5 CEWs available (3 sergeants and 2 constables), which are two more than is currently available.</p> <p>Officers would be carefully chosen by their Unit Commander based upon a proven record of good judgement and competence. They will only be issued a CEW after they have completed the Ministry approved user training that is based on a set of principles that foster the responsible and accountable use of CEWs.</p> <p>No further expansion was planned at the time. The Board instructed the Chief not to proceed until the Ministry released its revised Use-of-Force Guidelines.</p>

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<ul style="list-style-type: none"> <i>ii. including whether it was used in place of lethal force;</i> <i>iii. frequency and nature of misuse of CEWs by officers;</i> <i>iv. medical effects of CEW use; and</i> <i>v. the physical and mental state of the subject;</i> <i>d. Analysis: data from the pilot project be analyzed in consideration of such factors as:</i> <ul style="list-style-type: none"> <i>i. whether CEWs are used more frequently by primary</i> <i>ii. response units, as compared to baseline information on current use of CEWs by supervisors;</i> <i>iii. whether CEWs are misused more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors</i> <i>iv. the disciplinary and training responses to misuses of CEWs by officers and supervisors;</i> <i>v. whether use of force overall increased with expanded</i> 	<p>On November 2, 2103, the Ministry released its guidelines. In 2016 the Service intends to submit a report to the Board with its plan to expand deployment.</p> <p>Every time an officer uses a CEW, even if the officer only displays the weapon to gain compliance, the officer must submit a report. This report captures information necessary to properly assess the officer’s actions and the CEW program generally. These reports help form the basis of the Service’s annual report.</p> <p>Each year since 2007, the Service reports publicly to the Board on the use of the CEW. This report is an extensive analysis of all aspects of the weapon’s use consistent with the purpose of this recommendation. In fact, this report is one reason why the Service believes that its record consistently demonstrates that officers are using good judgement under difficult circumstances and making appropriate decisions to use only the force reasonably necessary to resolve tense and dangerous situations. Moreover, the CEW has proven to be an effective tool that has helped avoid injuries to the public and police officers. Consequently, the Service believes that through proper policy, procedures, training, and accountability, the CEW is an appropriate use of force option that can help maintain public and officer safety. In essence, then, the Service has conducted an eight year pilot project that has, in its view, proven the concept and administration of its CEW program.</p>

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<p><i>availability of CEWs in the pilot project;</i></p> <p><i>vi. whether use of lethal force decreased with expanded availability of CEWs in the pilot project; and</i></p> <p><i>vii. whether TPS procedures, training or disciplinary procedures need to be adjusted to emphasize the objective of reducing deaths without increasing the overall use of force or infringing on civil liberties; and</i></p> <p><i>e. Transparency: the TPS report the results of the pilot project to the Toronto Police Services Board (TPSB), and make the results publicly available.</i></p> <p>Related Recommendation: IACOBUCCI #55, #56, #57, #58, #60, #61 #72, #73</p>	<p>While the Service supports expanded deployment, it remains committed to maintaining the highest degree of accountability and public confidence consistent with this recommendation. For example, in 2015, the Service introduced a pilot project to deploy body worn cameras to selected front-line officers to monitor their activities including their use of force. Supervisors who are currently equipped with CEW will be part of the pilot project.</p>

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<p>#60 – EQUIPMENT (Conducted Energy Weapons – Body worn camera)</p> <p><i>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</i></p> <p>Related Recommendation: JKE #30, IACOBUCCI #55, #56, #57, #58, #60, #61, #72, #73, #74</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service engaged in a pilot project which equips officers with body worn cameras.</p> <p>The pilot project included some supervisors who are currently equipped with CEW will be part of the pilot project.</p>
<p>#61 – EQUIPMENT (use of force reporting)</p> <p><i>The TPS ensure that CEW Reports are reviewed regularly, and that inappropriate or excessive uses are investigated.</i></p> <p>Related Recommendation: IACOBUCCI #55, #56, #57, #58, #60, #72, #73</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Every Use of Force and CEW Report is reviewed by the officer’s supervisor and then unit commander to assess the officer’s actions and performance to determine if there are any immediate issues to address. If inappropriate conduct is suspected the matter will be investigated. The reports are then reviewed by the Service’s Use of Force Analyst, who further assesses the officer’s actions to determine if there are corporate and systemic issues to be addressed, for example changes to procedures and training.</p>

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<p>#62 – EQUIPMENT (discipline)</p> <p><i>The TPS discipline, as appropriate, officers who over-rely on or misuse CEWs, especially in situations involving non-violent people in crisis.</i></p> <p>Related Recommendation: IACOBUCCI #26, #55, #56, #57, #58, #60, #61, #63, #64, #65, #66, #69, #72, #73</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service remains committed to strict and fair discipline and it is confident that it has the necessary supervision and processes in place to hold its members accountable. Officers who over rely on, or misuse CEWs will be thoroughly investigated and if found to have committed misconduct will be disciplined.</p>
<p>#63 – EQUIPMENT (training)</p> <p><i>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</i></p> <p>Related Recommendation: IACOBUCCI #26, #55, #56, #57, #58, #60, #61, #64, #65, #66, #69, #72, #73</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>When officers' actions indicate that they need additional training it is provided and they are compelled to take it.</p>

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<p>#64 – EQUIPMENT (reporting)</p> <p><i>The TPS require officers to indicate on CEW Reports whether, and what, de-escalation measures were attempted prior to deploying the CEW</i></p> <p>Related Recommendation: IACOBUCCI #26, #28, #32, #55, #56, #57, #58, #60, #61, #64, #65, #66, #69, #72, #73</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is working with several police services and the Ministry of Community Safety and Correctional Services, to update the provincially mandated Use of Force Report.</p> <p>The Service currently trains officers to include de-escalation attempts in the CEW Report.</p> <p>The CEW Report must be filled out in conjunction with the Provincial Use of Force Report that currently collects information on whether tactical communication was used and whether it was effective. The principles of tactical communication are based on the principles of de-escalation. Both reports must be submitted together.</p>

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<p>#65 – EQUIPMENT (Conducted Energy Weapons)</p> <p><i>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</i></p> <p>Related Recommendation: IACOBUCCI #26, #28, #32, #55, #56, #57, #58, #60, #61, #64, #65, #66, #69, #72, #73</p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>Using the systems in place now, the Service will discover unreported usage and will take the appropriate action. Currently Procedure 15-09 <u>Conducted Energy Weapon</u> requires that data from each CEW, regardless of whether it has been used, be randomly downloaded and reviewed for audit purposes. If the weapon has been used a data download is required before the end of the shift. The Use of Force Analyst uses this data to determine if there are any issues.</p> <p>To augment its monitoring the Service, through the Inspection Section of its Audit and Quality Assurance Unit increased its collection and analysis of CEW data from the divisions in 2015.</p>

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<p>#66 – EQUIPMENT (Conducted Energy Weapons)</p> <p><i>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.</i></p> <p>Related Recommendation: IACOBUCCI #26, #28, #32, #55, #56, #57, #58, #60, #61, #64, #65, #66, #69, #72, #73</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Currently Procedure 15-09 <u>Conducted Energy Weapon</u> requires that data from each CEW, regardless of whether it has been used, be randomly downloaded and reviewed for audit purposes. If the weapon has been used a data download is required before the end of the shift. The Use of Force Analyst uses this data to determine if there are any issues.</p> <p>In a similar fashion, Procedure 15-17 <u>In Car Camera System</u> requires supervisors to regularly review recorded images to assess officer conduct and the Officers in Charge are to ensure that supervisors do so. The introduction of body worn cameras has been accompanied by the same requirement. Additionally, when the Inspection Section of the Audit and Quality Assurance Unit conducts its inspections it reviews in-car camera and body worn camera recordings.</p> <p>As previously noted, the Service remains committed to applying fair and strict discipline when warranted. It is confident that it has the necessary supervision and processes in place to hold its members accountable.</p>

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<p>#67 – EQUIPMENT (procedures)</p> <p><i>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.</i></p> <p>Related Recommendation: IACOBUCCI #55, #56, #57, #68, #69</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In March 2015 the Service amended Procedure 15-09 <u>Conducted Energy Weapon</u> to include the following comment:</p> <p style="padding-left: 40px;"><i>CEWs provide officers with an additional tool to assist them in utilizing the appropriate level of force required when necessary. The purpose of issuing CEWs is not to increase the use of force by officers, but rather to provide officers with an additional option within the use of force continuum in an effort to reduce fatalities and serious injuries whenever possible.</i></p> <p>A Routine Order (0233) was published on March 5, 2015 informing members of the change. In addition to the procedure, the appropriate use of the weapon is emphasized through training, supervision and reporting.</p>

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<p>#68 – EQUIPMENT (Conducted Energy Weapons)</p> <p><i>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.</i></p> <p>Related Recommendation: IACOBUCCI #55, #56, #57, #69, #71</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>TPS through its Use of Force Analyst and Armament Section constantly collect and analyze information, data, and evidence to determine the best practices and evidence based procedures for all use of force options.</p>

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<p>#69 – EQUIPMENT (Conducted Energy Weapons – threshold for use)</p> <p><i>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.</i></p> <p>Related Recommendation: JKE #29, IACOBUCCI #55, #56, #57, #68</p>	<p> <input type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input checked="" type="checkbox"/> NOT IMPLEMENTED </p> <p>The threshold for use of CEWs has been set by the Ministry of Community Safety & Correctional Services after broad consultation with police legal advisors and stakeholders including use of force experts and police defensive tactics trainers. When considering the threshold, the Ministry took into account that the research has demonstrated that there are fewer injuries to subjects and police officers associated to CEW use than other force options like the baton and physical control techniques.</p> <p>In accordance with Ministry standards, a CEW is only used in direct application (probe or drive stun mode) when <i>the officer believes a subject is threatening or displaying assaultive behaviour or, taking into account the totality of the circumstances, the officer believes there is an imminent need for control of a subject</i> (Equipment and Use of Force Regulation (R.R.O. 1990, Reg. 926).</p> <p>Therefore, direct application of the device is only used to gain control of a subject who is at risk of causing physical harm, not to secure compliance of a subject who is merely resistant.</p> <p>This recommendation expects officers to predict whether bodily harm is imminent. The Service submits that it is difficult in the extreme, if not</p>

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	<p>impossible, for anyone to reliably anticipate before being assaulted whether the assault will result in bodily harm as defined. Admittedly, there will be strong indicators of potential injury when the person is armed or forcefully striking out, but if the person threatens an assault or engages only in the first stages of a fight by, for example, shoving and pushing, it would be very difficult to determine if injury “that is more than merely transient or trifling in nature” would result until it was too late to intervene (if, for example, the shove resulted in a violent fall). And by the time it became clear that bodily injury is imminent, it might be too late to use the weapon because CEW is most effective in probe mode and that requires that there be some distance between the officer and the subject, and in drive stun mode the officer is very likely already struggling with the subject.</p> <p>It is a principle in Canadian society, endorsed by law and countless court rulings that persons, including police officers, do not have to wait to be struck before defending themselves. The Service submits that this principle, in part, recognizes that a first strike might incapacitate the victim - and if the victim is a police officer the public would be in greater danger because the assailant could become armed with the officer’s weapons. This is an outcome that a police officer cannot let occur. An officer’s responsibility includes preventing an offence whenever possible and so requiring an officer to anticipate the severity of injury that an assault might cause before using the CEW, in the opinion of the Service, unnecessarily complicates an officer’s assessment. This, in turn, raises an unacceptable risk to public and officer safety, especially when the officer could use the CEW earlier instead of other force options to gain control and, according to research, greatly reduce the likelihood of injury to the subject and the police officer.</p>

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	<p>The Service has arrived at its current position in consultation with the Ministry and is not aware that the Ministry contemplates changing the threshold.</p> <p>TPS Procedure 15-09 <u>Conducted Energy Weapon</u> clearly articulates when it is appropriate to use the CEW. In addition to the procedure, the appropriate use of the weapon is also emphasizes through training, supervision and reporting.</p>

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<p>#70 – EQUIPMENT (training)</p> <p><i>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</i></p> <p>Related Recommendation: JKE #8, #9, #18, IACOBUCCI #6</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is exploring the feasibility of incorporating the Mental Health First Aid course into its curriculum. Members of the training staff along with the Mobile Crisis Intervention Team Co-ordinator have taken the course and many of its tenets have now been incorporated into the ISTP, the Supervisor Course and the MCIT course.</p> <p>In addition CEW training has now been extended to 12 hours from eight to include four hours of judgement training pursuant to new Ministry training standards. The judgement training emphasizes de-escalation.</p> <p><u>*** Update 2017.11.16</u></p> <p>In October 2017, TPC hosted a focus group workshop consisting of policing representatives from across the province and advisors from the Mental Health First Aid Canada (MHFA), Mental Health Commission of Canada, in order to develop a Mental Health First Aid training curriculum specific to the public safety sector. The Service is engaged in the process and will follow developments.</p>

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<p>#71 – EQUIPMENT (training)</p> <p><i>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.</i></p> <p>Related Recommendation: JKE #43, IACOBUCCI #55, #56, #58, #68</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Presently, all training, including CEW training, is reviewed at least annually, to ensure it is up to date.</p> <p>All members issued a CEW are informed of the health risks associated with the use of CEWs. Furthermore, the Ministry’s training standard expects student to learn when and against whom the weapon should not be used.</p>
<p>#72 – EQUIPMENT (Body Worn Cameras)</p> <p><i>The TPS issue body-worn cameras to all officers who may encounter people in crisis to ensure greater accountability and transparency for all concerned.</i></p> <p>Related Recommendation: JKE #28, IACOBUCCI #60, #73</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service has initiated a body worn camera pilot project starting in 2015. Some cameras were issued to officers who are likely to encounter people in crisis.</p> <p>The project will be evaluated to determine its impact on accountability and transparency.</p>

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#73 – EQUIPMENT (procedure)

The TPS develop a protocol for protecting the privacy of information recorded by body-worn cameras. The protocol should address the following matters:

- a. Use and Retention: The privacy protocol should address the appropriate methods of storage and length of retention of body camera recordings, limits to accessing and sharing this information, and mechanisms through which individuals recorded can request access to, and the deletion of, information stored by the TPS;*
- b. Discretion: The TPS should establish the scope of discretion for officers to disable recording, reporting measures to be taken when a camera is deactivated, and consequences of misusing that discretion. Examples include requiring officers to notify Communications Services of the reason for disabling a body camera and the duration of the deactivation, or requiring officers to file were deactivated;*

- IMPLEMENTED**
- IN PROGRESS**
- NOT IMPLEMENTED**

The pilot project for body worn camera started in 2015. The project has established protocols that address the issues raised in recommendation #73.

Several external agencies and community groups have been consulted and advised by TPS in designing the pilot project including:

- Ontario Privacy Commission
- Ontario Human Rights Commission
- Ontario Ministry of the Attorney General
- Community Police Liaison Committees of 42, 43, 55 Divisions TPS
- Chief's Consultative Committees
- Special Investigations Unit (SIU)
- Office of the Police Review Director (OIPRD)
- Toronto Police Services Board's Mental Health Committee
- Canadian Civil Liberties Association

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- c. Discipline: The TPS should establish and enforce clear disciplinary measures for members of the Service who do not comply with the privacy protocol and the discretionary/use protocol to be developed concerning body cameras;*
- d. Balancing Interests: The TPS should investigate appropriate options for balancing an individual's right to privacy, an officer's discretion, and the need for accountability in public policing; and*
- e. Collaboration: The TPS should work closely with civil liberties groups, legal advisors, consumer survivors, provincial government agencies, privacy commissioners and other appropriate stakeholders in developing the protocol*

Related Recommendation: JKE #28, #30,
IACOBUCCI #60, #72

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	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#74 – EQUIPMENT (alternative options)</p> <p><i>The TPS conduct a review of alternative equipment options and tactical approaches, including examples from other jurisdictions, to assist in further reducing the number of deaths arising from police encounters with people in crisis.</i></p> <p>Related Recommendation: JKE #3, IACOBUCCI #59</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service has requested of police in England information with respect to:</p> <ul style="list-style-type: none"> • the success of unarmed vs armed officers encountering individuals armed with an offensive weapon, • the response of UK officers to individuals armed with a knife or edged weapon, the type of training and instruction is provided to UK officers in situations where edged weapons are present, • the judgement based training given to London officers in determining application of force decisions, including appropriate and reasonable response to edged weapons, and • who is dispatched to calls related to edged weapons (e.g.: individual officers, multiple officers, coordinated response utilizing specialized teams). <p>The Service’s Armament Section constantly reviews, updates and, when warranted, creates new tactical approaches that are based on best practices, evidence based research, and the local, unique circumstances upon which policing in a large urban environment requires.</p>

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	<p><u>*** Update 2017.11.16</u></p> <p>Since 2016, the Service has in its equipment inventory a specially designated, easily distinguishable shotgun that fires less lethal ammunitions. Only police officers qualified by the Toronto Police College (TPC) – Armament Section to use less lethal shotguns shall be allowed to use this equipment. This equipment is available to all qualified officers in the Primary Response Units in all divisions.</p> <p>The Service is studying the feasibility of equipping Primary Response Unit officers with shields as part of their protective equipment.</p> <p>The Service has put forth a discussion paper, titled, <u>/achieving <i>Zero Harm/Zero Death – An Examination of Less-Lethal Force Options, including the Possible Expansion of Conducted Energy Weapons</i></u>. This paper presented on October 18, 2017 at Toronto Police Services Board – Public consultation outlined the Service’s current disposition regarding less lethal force options including the use of de-escalation techniques. Also included in the paper is comprehensive background information which outlines the Service’s experience with Conducted Energy Weapons (C.E.W.), a synopsis of the medical research regarding C.E.W. use, the Ministry of Community Safety current position and guidelines to police services in the province of Ontario. The discussion paper supports expansion of C.E.W. as another less lethal option for front line officers.</p>

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<p>#75 – IMPLEMENTATION</p> <p><i>The Chief of Police strike an advisory committee, to advise the Chief of Police on how best to implement the recommendations contained in this Report. In this regard, I recommend:</i></p> <ul style="list-style-type: none"> • <i>Stakeholder Membership: The advisory committee should include leading members of key stakeholder groups, including hospitals, community mental health organizations, the police and those with lived experience of mental illness;</i> • <i>Limited Membership: The advisory committee should be of manageable size—large enough to provide adequate representation of stakeholder groups, but small enough to be efficient;</i> 	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>Invitations were extended to individuals and organizations to form the Implementation Advisory Committee as recommended by Justice Iacobucci. The following participants have met.</p> <ul style="list-style-type: none"> • Ms. Susan Davis, Executive Director Gerstein Centre. The Centre provides crisis intervention, supportive counselling, and referrals to other services to adults, living in the City of Toronto, who experience mental health problems. • Dr. Catherine Zahn President and CEO Centre for Addiction and Mental Health. CAMH is Canada's largest mental health and addiction teaching hospital, as well as one of the world's leading research centres, combining clinical care, research, education, policy development and health promotion to help transform the lives of people affected by mental health and addictions. • Dr. David S. Goldbloom, Chair Mental Health Commission of Canada and Senior Medical Advisor at CAMH. MHCC is a catalyst for improving the mental health system and changing the attitudes and behaviours of Canadians around mental health issues by bringing

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<ul style="list-style-type: none"> • <i>Advisory Role: The advisory committee should play only an advisory role and should not have decision-making authority, unless the Chief of Police determines otherwise;</i> • <i>Defined Role: The role of advisory committee members should be defined in clear terms at the time of the creation of the advisory committee, so that there is no misunderstanding as to their function and authority;</i> • <i>In Camera Meetings: The discussions of the advisory committee should be held in camera in order to promote candour and collegiality, unless otherwise directed by the Chief of Police.</i> • <i>Advisory committee members should agree as a condition of membership that they will not disclose the committee's discussions;</i> • <i>Communications with the Public: The advisory committee and its individual members should not advocate publicly or use the media as a vehicle</i> 	<p>leaders and organizations from across the country to accelerate these changes.</p> <ul style="list-style-type: none"> • Ms. Pat Capponi, Lead Facilitator Voices from the Street a speaker's bureau of individuals who have had direct experience with homelessness, poverty, and mental health issues. • Ms. Jennifer Chambers, Co-ordinator of The Empowerment Council, an independent organization consisting of people who have received mental health or addictions services. • Mr. Steve Lurie, Executive Director, Canadian Mental Health Association – Toronto. CMHA Toronto offers a continuum of services for people living with serious and persistent mental health illness. • Sukanya Pillay, Director, Public Safety Program. The Canadian Civil Liberties Association. The CCLA is a national organization that promotes respect for and observance of fundamental human rights and civil liberties, and defends, extends, and fosters recognition of these rights and liberties. • Mr. Bruce Herridge, Director Ontario Police College: the College provides training to prepare police officers to safely and effectively perform their duties, while meeting the needs of Ontario's diverse communities • Ms. Sandy Murray, Senior Advisor, Toronto Police Services Board. The Board is a seven member civilian body that oversees the Toronto Police Service and is responsible for policy and governance (http://www.tpsb.ca/). • Mr. Brian Beamish, Acting Commissioner Ontario Information Privacy Commission. Under the <u>Freedom of Information and Protection of</u>

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<p><i>for seeking to persuade the Chief of Police (or the TPS more broadly) to make specific decisions, or to criticize the TPS.</i></p> <ul style="list-style-type: none"> • <i>The advisory committee should not be a political body but rather a true advisory body, with the effectiveness of its advice deriving from the quality of its membership;</i> • <i>Staffing: The advisory committee should be provided with reasonable assistance by staff as needed, whether using existing TPS personnel or otherwise; and</i> • <i>Annual Reports: The advisory committee should prepare annual reports for the Chief of Police, summarizing the state of progress in implementation, any significant divergences between the advice of the committee and the decisions taken by the TPS in the past year, and major recommendations going forward relating to implementation, prioritization, scheduling, planning,</i> 	<p><u>Privacy Act</u>, and the <u>Personal Health Information Protection Act</u>, the Commission helps government organizations and health information custodians apply the rules on how they may collect, use, and disclose personal data (http://www.ipc.on.ca/english/Home-Page/)</p> <ul style="list-style-type: none"> • Ms. Paula Podolski, St. Joseph’s Hospital, • Paula Villafana, Humber River Regional Hospital, • Ms Susan Engels, Scarborough Hospital, and Ms. Linda Young, Toronto East General Hospital. • Mark Pugash, Director, TPS Corporate Communications. • Dr. Molyn Leszcz, Psychiatrist-in-Chief, Mount Sinai Hospital and Co-Chair of the Mental Health and Addictions Acute Care Alliance (http://www.psychiatry.utoronto.ca/news-announcements/name-change-the-mental-health-and-addictions-acute-care-alliance/). • Irina Sytcheva, Schizophrenia Society of Ontario. The Society works to create a positive difference in the lives of people, families and communities affected by schizophrenia and psychotic illnesses (http://www.schizophrenia.on.ca/). <p>The committee agreed that its mandate was to generally provide feedback, insight and wisdom to the Chief of Police regarding the implementation of Justice Iacobucci’s recommendation when requested. The committee is not an accountability, oversight, or governance body nor will be asked to advocate, conduct research, develop new recommendations or implement the recommendations.</p>

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<p style="text-align: center;"><i>resource allocation, public reporting and related topics</i></p> <p>Related Recommendation: IACOBUCCI #1, #75, #76, #81</p>	<p>The committee agreed to meet as needed depending on the progress of implementation.</p> <p>Since many of the recommendations are common with those that arose out of the recent Jardain-Douglas, Klibingaitis, Eligon coroner's inquest, the Committee was asked to include those recommendations into its mandate.</p> <p>To maintain confidentiality, it was agreed that the existence, purpose, and themes discussed by the Committee can be shared with members' constituents; however, the detailed candid discussions, opinions, and attributions would not be shared. It was agreed that there would be a record of general topics of discussion and that people on the committee could continue to speak openly, as community members or representatives of agencies at large and on behalf of their constituents, just that any confidential information arising from committee work would be kept confidential.</p> <p>Regular reports will be published.</p>

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<p>#76 – IMPLEMENTATION</p> <p><i>In order to ensure transparency and accountability during the implementation stage, the TPS issue a public report at least annually after the date of release of this Report, with the following contents:</i></p> <ol style="list-style-type: none"> <i>a. a list of recommendations implemented in whole or in part to the date of the report, with an explanation of what was done and when;</i> <i>b. a list of those recommendations still to be implemented, with an indication of the anticipated timing of implementation;</i> <i>c. if applicable, a description of resource constraints that affect the ability of the TPS to implement any recommendations, or the timing of implementation;</i> <i>d. if applicable, a description of any other limitations on the ability of the TPS to</i> 	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service will regularly and publicly report on its progress in implementing the recommendations.</p> <p>On December 15, 2014 the Service submitted its latest progress report when it updated the Toronto Police Services Board on its response to inquest recommendations from the Jardain-Douglas, Klibingaitis, Eligon (JKE) Inquest (Min. No. P270). At that time the Service publicly advised that there were numerous recommendations in common with Justice Iacobucci’s review and that thirty three had been implemented.</p> <p>Finally, this document conforms to this recommendation.</p>

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<p><i>implement any recommendations (such as lack of cooperation from other organizations, change in circumstances, etc.);</i></p> <p><i>e. if applicable, a list of recommendations that the TPS decided not to implement at all, and an explanation of the reasons for decision;</i></p> <p><i>f. if applicable, a list of recommendations that the TPS decided to implement in modified form (different from what was recommended in this Report), and an explanation of the reasons for decision; and</i></p> <p><i>g. a discussion of any significant divergences between the advice of the advisory committee and decisions made by the TPS.</i></p> <p>Related Recommendation: IACOBUCCI #1, #75, #76, #81</p>	

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<p>#77 – IMPLEMENTATION</p> <p><i>The Chief of Police and the Executive Management Team of the TPS play a significant leadership role in requiring implementation of the recommendations in this Report, and in encouraging (through leadership by example and otherwise) voluntary compliance.</i></p> <p>Related Recommendation: IACOBUCCI #78, #79</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Chief of Police William Blair took leadership of this matter by commissioning the independent review conducted by retired Justice Frank Iacobucci and then publicly committing that “our highest duty is to preserve the lives of the citizens that we have sworn to serve and protect”. Chief Blair’ statement can be found on the Service’s website (http://www.torontopolice.on.ca/community/statementofcommitment.php).</p> <p>The Chief publicly stated that where feasible, the Service will implement Justice Iacobucci’s recommendations. In turn, Chief Mark Saunders made the same commitment.</p> <p>To reflect the importance that the Chief attaches to the issue of police use of force and its response to persons in crisis, Chief Saunders did assign the portfolio to a deputy chief, the second highest ranking member of the Service.</p>

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<p>#78 – IMPLEMENTATION</p> <p><i>The TPS appoint a senior officer to assume overall operational responsibility and executive accountability for the implementation of the recommendations in this Report, subject to the direction of the Chief of Police or the chief's designate.</i></p> <p>Related Recommendation: IACOBUCCI #77, #79</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>To reflect the importance that the Service attaches to the issues of police use of force and police response to persons in crisis, a deputy chief, the second highest ranking member of the Service has assumed the portfolio.</p> <p>To administer this portfolio then Deputy Chief M. Federico worked directly with a Superintendent who provides front-line support to the MCITs, an Acting Inspector who oversees government partnerships, a Staff Sergeants coordinates the Service's support of the vulnerable sector, including persons in crisis, and two constables: one who is the program coordinator for the MCIT, and the other who supports the elderly.</p> <p>To respond to the Iacobucci report, Deputy Chief Federico assembled a dedicated team that consisted of the Implementation Management Team and various working groups. He also established liaisons with the Ministry of Community Safety and Correctional Services, the Ministry of Health and Long Term Care, and the applicable Local Health Integration Networks, other government agencies, and community groups.</p>

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	<p>Deputy Chief M. Federico was the Service representative on the Toronto Police Services Board’s Mental Health Sub Committee, the Co-Chair of the MCIT City-Wide Implementation Steering Committee, Chair of the Iacobucci Implementation Advisory Committee, member of the LHIN Strategic Advisory Council, and he personally participates in community outreach and consultation to build strong relationships with governments, hospitals, community agencies, and the consumer-survivor community and those who support them.</p>
<p>#79 – IMPLEMENTATION</p> <p><i>The TPS create an implementation team, led by the senior officer identified above and composed of those TPS members charged with responsibility to implement recommendations within specified areas of the Service (e.g., within the MCIT program, within Psychological Services, within the Toronto Police College, etc.)</i></p> <p>Related Recommendation: IACOBUCCI #77, #78</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>An Implementation Management Team, led by an acting inspector, was created to guide and co-ordinate the implementation of the recommendations using appropriate project and business management principles. The Team included a Detective, a Sergeant, and two constables with specialized training and experience in mental health (one constable was the Service’s MCIT Co-ordinator and the other was a former member of a MCIT). The Implementation Management Team reported directly to Deputy Chief Federico.</p>

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	In addition, eleven working groups were formed around the themes identified in the review to work on the recommendations. These groups represented a cross section of assignments, experience and leadership.
<p>#80 – IMPLEMENTATION</p> <p><i>The Chief of Police or his delegate appoint, within each TPS division and unit, at least one TPS member formally charged with responsibility for ensuring effective implementation of the recommendations in this Report at the division or unit level.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Unit Commanders are responsible for the effective delivery of service in their units. Accordingly, once a recommendation is approved, the appropriate Unit Commanders will ensure that it is implemented.</p>
<p>#81 – IMPLEMENTATION</p> <p><i>In connection with those recommendations above that call for further study, examination and analysis of specific issues</i></p> <p style="margin-left: 20px;">a. <i>Stakeholder Input: Where appropriate, the TPS seek to involve representatives of affected stakeholders meaningfully in the work;</i></p> <p style="margin-left: 20px;">b. <i>Deliverables: The TPS identify specific deliverables sought from</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service is committed to a systematic project management approach to implementing the recommendations. To this end:</p> <p>(a) The Implementation Management Team consulted broadly with both internal and external stakeholders in order to determine how best to fulfil the recommendations.</p>

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<p><i>those tasked with the work, and a timeframe for delivery; and Police Encounters With People in Crisis</i></p> <p>c. <i>Reporting Requirement: There be a regular reporting requirement for any work taking place over an extended period, whereby the senior TPS officer in charge of implementation is kept informed regarding the progress of the work.</i></p> <p>Related Recommendation: IACOBUCCI #45, #76</p>	<p>(b) As part of the business process established by the Implementation Management Team, stakeholders and partners tasked with specific assignments were given specific deliverables and timelines.</p> <p>(c) Regular reporting to the Deputy Chief was part of the established business process used by the Implementation Management Team.</p>
<p>#82 – IMPLEMENTATION</p> <p><i>In connection with those recommendations above that call for the TPS to work with outside organizations such as government ministries, hospitals and others, the TPS take a leadership role in forging and fostering the necessary relationships.</i></p> <p>Related Recommendation: IACOBUCCI #1, #75</p>	<p>● IMPLEMENTED</p> <p>□ IN PROGRESS</p> <p>□ NOT IMPLEMENTED</p> <p>To reflect the importance that the Service attaches to the issue of police use of force and police response to persons in crisis, a deputy chief has assumed the portfolio.</p> <p>Deputy Chief M. Federico was the Service lead on the TPSB's Mental Health Sub Committee, the Co-Chair of the TC-LHIN MCIT City-Wide Implementation Steering Committee, Chair of the Iacobucci Implementation Advisory Committee, member of the LHIN Strategic Advisory Council, and he</p>

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	personally participates in community outreach and consultation to build strong relationships with governments, hospitals, community agencies and the consumer-survivor community and those who support them.
<p>#83 – IMPLEMENTATION</p> <p><i>The TPS collaborate with academic researchers, hospitals and others to evaluate the effectiveness of TPS initiatives undertaken as a result of this Review, including, where applicable, both quantitative and qualitative evaluations.</i></p> <p>Related Recommendation: IACOBUCCI #22, #55, #56, #58</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Service recognizes the value of continual research into the effectiveness of its initiatives and as part of its regular business the Service evaluates its programs to determine if they are meeting their goals. At times, when it is appropriate, the Service works with outside evaluators who are often researchers, academics, auditors, and partners.</p> <p>One of the Service Priorities is to <i>Enhance officer ability to effectively interact with emotionally disturbed persons, particularly those with mental illness</i> (Service Priority #1). Its performance objectives and indicators include:</p> <ul style="list-style-type: none"> • decrease in proportion of MHA interactions involving an injury (sustained either prior to or during apprehension) • increase in proportion of officers who say they believe that the training they have received has prepared them to effectively interact with emotionally disturbed persons • of those officers who dealt with an emotionally disturbed person during the year, increase in proportion who say that the training they received did help them in that situation

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	<p>This priority is entirely congruent with the recommendations in Justice Iacobucci's review. Thus, when the Service measures its performance it will, in effect, be evaluating aspects of its response to the review. Annually, the Service reports its progress to the Toronto Police Services Board publicly (see for example, the <u>2013 Service Performance Year End Review</u>). In 2015 the Service considered whether the review would benefit from outside evaluators.</p> <p>On a related note, in 2015 the Service joined with the Ontario Police College and academics in reviewing police training with a view to a more rigorous assessment of its current training and police officer competencies. This research helped the Service evaluate the effectiveness of its training. As well, the Service is currently joined with the Centre for Research on Inner-City Health (CRICH) evaluating the MCIT program. The results of the CRICH evaluation are expected to be published.</p>

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<p>#84 – IMPLEMENTATION</p> <p><i>A follow-up review be conducted—whether by TPS personnel, by an independent review body or by committee of interested stakeholders—in five years’ time to assess the degree of success achieved in minimizing the use of lethal force in encounters between the TPS and people in crisis, and to make further recommendations for improvement. I recommend that the results of that review be made public, and that the reviewers be similarly tasked with developing recommendations for implementation.</i></p> <p>Related Recommendation: None</p>	<p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>In addition to any review the Service might undertake, every year the Service reports publicly on the progress it has made across the spectrum of its responsibilities. These reports include the <u>Service Performance Year End Review</u> which evaluates the Service’s performance against the objectives and indicators specified in each Service Priority; the <u>Professional Standards Annual Report</u> which examines the Service’s activities in such categories as use of force, injuries, public complaints, and awards; and the <u>Annual Training Report</u>, which assesses the effectiveness of the Service’s training programs. These reports typically provide year-to-date and year-over-year comparisons so that readers can gauge the progress of the service over extended periods of time. Many of these reports are submitted to the Board at the Board’s public meeting and they are accessible from the Service’s or the Board’s website.</p> <p>Cumulatively, these reports represent the progress the Service has made on its overall mandate, including its response to persons in crisis.</p>

POLICE REFORM RECOMMENDATION SUMMARY – PRR#76 (Auditor General Reports)



SERVICE LEAD : CAO T. Veneziano			Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Auditor General in all previous reports and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.
Recommendation Status	Number	Percent	<p>A review of all four (4) of the Auditor General’s Reports from the past 10 years, was conducted by the Audit & Quality Control Unit. There were 17 total recommendation within the four AG reports. The Service’s Audit & Quality Assurance Unit is in regular contact with the Auditor General’s Office and meticulously tracks and responds to all recommendations and requests.</p> <p>All recommendations have been responded to and updates have been provided to the Auditor General and the Toronto Police Services Board.</p> <p>All updates have been reviewed and approved by all levels of oversight and marked as implemented, except one that has been marked “not applicable” by the Auditor General themselves. (below)</p> <p style="text-align: center;"><i>This report includes all the assessment requirements described in Recommendation 80. When the TPSB approves the respective reports, Recommendation 80 will be marked as COMPLETED.</i></p>
Implemented	16	94 %	
Not Implemented	1	6 %	
In Progress	-	-	
Total Recommendations	17	100%	

Recommendations NOT Implemented	Rationale
<p>Pay Duty Audit (2011) Rec# 2:</p> <p>The Chief of Police consider modifying the charging rate for a partial paid duty hour such that Toronto’s charging rate is consistent with other large police services.</p>	<p>Based on the status update provided to the Toronto Police Services Board from the Auditor General on May 22, 2013, the Auditor General determined this recommendation is not applicable to the Toronto Police Service.</p>
Recommendations In Progress	Timelines / Explanations
N/A	

Police Reform Recommendation #76

Auditor General Reports



During their August 2020 public meeting, the Toronto Police Services Board adopted the recommendations contained in the report titled *'Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety'*. Included in the report are the following requirements:

- 76. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Auditor General in all previous reports and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.**

- 80. Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:**
 - a. Concerns;**
 - b. Status;**
 - c. Impact (weighting);**
 - d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);**
 - e. Timelines; and**
 - f. Service Lead (Deputy Chief)**

Background

The Audit & Quality Assurance Unit (A&QA) of the Toronto Police Service (TPS) maintains a *'recommendation tracking database'* to monitor the implementation status of recommendations assigned to TPS management. In doing so, A&QA monitors and tracks approved recommendations related to reports issued by the Auditor General's Office as directed and approved by the Chief of Police.

On a quarterly basis, A&QA follows up with management for an update on the status of the implementation of recommendations. The A&QA follow-up process assists Command in taking appropriate and necessary action to ensure recommendations are implemented in a timely manner, thereby fulfilling their governance and accountability roles. Management is responsible for maintaining and monitoring the Service's system of internal controls. Consistent with this principle, Command officers, Senior Management and Unit Commanders are responsible for the implementation of recommendations which are designed to improve the effectiveness of the internal control system.

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Auditor General Reports



The Auditor General's Office has issued a number of audit reports related to TPS operations and conducted their own follow up on recommendations issued by their office. Since 1999, the Auditor General has provided 14 reports to the Toronto Police Services Board. Their last follow up report on *Previous Audit Recommendations* was presented to the Board at its meeting in **June, 2018**. At that time, **the Auditor General reported that all of their recommendations had been addressed**. Since that time, **the Auditor General had not conducted any further audits** related to TPS operations. Currently, the Auditor General is conducting a Risk Assessment of TPS operations and is planning an audit engagement related to Cybersecurity.

The contents of this response to PRR#76 will focus on the Auditor General's recommendations from the **past 10 years** which include;

- **Telecommunication Expenses (2018)**
- **Paid Duty Audit (2011)**
- **Review of IRIS (2011)**
- **AG Second Follow-Up on Sexual Assault Audit (2010)**

Concerns

There are no concerns as all of the recommendations have been adopted fully or in part by the Service.

Status

As of September of 2020 the status of the recommendations made in '**Auditor General Report**' is as follows:

- 16 of the recommendations have been implemented fully or in an alternative form.
- Recommendation #2 was deemed by the Auditor General not applicable to the Service and therefore was not implemented.

Police Reform Recommendation #76

Auditor General Reports



The Auditor General completes a regular follow-up process to review the status of audit recommendations made in previously issued audit reports. At the time of the latest report (October 2020), all police audits recommendations of previous Auditor General Reports have been addressed and none remain outstanding.

Impact (weighting)

Each of the recommendations was carefully reviewed and many were all implemented as individual projects or work streams.

Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc):

Implementation took some time and required work by members of the Service, outside subject matter experts, public consultations and review by the Board.

Timelines

All of the recommendations were implemented as of June 2018.

Police Reform Recommendation #76

Auditor General Reports



Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Auditor General in all previous reports and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.

SERVICE LEAD:

CAO T. Veneziano

Auditor General Recommendations	T.P.S. Response
<p style="text-align: center;"><u>TELECOMMUNICATION EXPENSES (2018)</u></p> <p>#18 – Evaluating the cost benefit of converting landlines to Voice Over Internet Protocol</p> <p><i>City Council request the Chief Executive Officers of City Agencies and Corporations to review the issues and recommendations included in this report and consider the relevance to their respective organizations. Particular emphasis should be placed on evaluating the cost benefit of converting landlines to Voice Over Internet Protocol (VOIP).</i></p>	<p style="text-align: center;"><u>SERVICE LEAD:</u> CAO T. Veneziano, MGR. C. Beers</p> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> 2011 was the last year that the TPS operated the telephone system using analog Centrex telephone circuits. All subsequent years from 2011 to 2017 the service operated with a mixed ratio of analog Centrex and VoIP telephones. The annual savings of \$830,600 is for 95% of landlines The remaining 5% will not be migrated to VoIP as they are single telephone locations or specialized requirements The annual savings started to be achieved in Jan of 2018 after completion of the VoIP migration and cancellation of Centrex interfaces.
<p><u>PAY DUTY AUDIT (2011)</u></p>	<p style="text-align: center;"><u>SERVICE LEAD:</u> CAO T. Veneziano, MGR. L. Ramos</p>

Police Reform Recommendation #76

Auditor General Reports



<p>#2 – Consider modifying the charging rate for Paid Duty</p> <p><i>The Chief of Police consider modifying the charging rate for a partial paid duty hour such that Toronto’s charging rate is consistent with other large police services.</i></p>	<p> <input type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input checked="" type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations (Min. No. P136/13). The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board. Status updates were presented to the Board at the meeting held on March 27, 2013 (Min. No. P57/13). Based on the status update, the Auditor General determined this recommendation is not applicable to the Toronto Police Service. (2013)
<p style="text-align: center;"><u>PAY DUTY AUDIT (2011)</u></p> <p>#6 – Evaluate the need to establish a limit on Paid Duty hours</p> <p><i>The Chief of Police evaluate the need to establish a maximum limit on paid duty hours an officer can perform each year. Such an evaluation to take into account resource requirements and risks of interference with the performance of regular police duty.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations. The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board. Status updates were presented to the Board at the meeting held on March 27, 2013. Based on the status update, the Auditor General determined this recommendation is now fully implemented and is therefore closed.

Police Reform Recommendation #76

Auditor General Reports



<p style="text-align: center;"><u>PAY DUTY AUDIT (2011)</u></p> <p>#7 – Take steps to improve officer compliance with policy prohibiting Paid Duty assignments</p> <p><i>The Chief of Police take steps to improve officer compliance with Service policy prohibiting paid duty assignments that conflict with regular duties including court attendance.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • Response to the AG's office January 20th, 2012: A routine order has been issued in this regard. • Per Board Meeting held on June 12th, 2012: the recommendation has been identified as fully implemented by the Auditor General's office.
<p style="text-align: center;"><u>PAY DUTY AUDIT (2011)</u></p> <p>#8 – Review and enhance monitoring procedures to identify non-compliance with Paid Duty requirements</p> <p><i>The Chief of Police review and enhance monitoring procedures to identify instances of non-compliance with paid duty policy requirements. Such monitoring procedures should include periodic review of regular duty schedules in conjunction with paid duty assignments. Instances of non-compliance should be addressed including disciplinary action where appropriate.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations • The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board. • Status updates were presented to the Board at the meeting held on March 27, 2013 • Based on the status update, the Auditor General determined this recommendation is now fully implemented and is therefore closed.

Police Reform Recommendation #76

Auditor General Reports



<p style="text-align: center;"><u>PAY DUTY AUDIT (2011)</u></p> <p>#9 – Review current policy governing requirements for Paid Duty officers</p> <p>The Chief of Police review the current policy governing requirements for paid duty officers at special events, with a view to:</p> <ul style="list-style-type: none"> a. Ensuring consistent application of Service criteria in determining when paid-duty officers should be required for special events; b. Including guidelines to promote a consistent and transparent approach in determining the number of police officers, including paid-duty officers, required for special events; and c. Further maximizing the use of auxiliary members at special events where possible. 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • As per the email correspondence received from Jane Ying, Senior Audit Manager, Toronto Auditor General’s Office, dated April 3rd, 2014; <p>“We have completed our 2014 recommendation follow-up assessment. We agreed that Recommendation 9 has been fully implemented as you reported. For Recommendation 10, we determined that it is no longer applicable given the directive by City Council in 2012 regarding traffic control decisions at film shoots. Both rec 9 and 10 will be removed from our next year’s follow-up cycle.”</p>
<p style="text-align: center;"><u>PAY DUTY AUDIT (2011)</u></p> <p>#10 – Develop criteria for determining film permit Paid Duty policing requirements</p> <p>The Chief of Police, in conjunction with the General Manager of Economic Development and Culture and the General Manager of Transportation</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • As per the email correspondence received from Jane Ying, Senior Audit Manager, Toronto Auditor General’s Office, dated April 3rd, 2014;

Police Reform Recommendation #76

Auditor General Reports



<p><i>Services, develop criteria for determining film permit paid duty policing requirements. Such criteria be accessible to the film industry through permit documents or websites.</i></p>	<p><i>“We have completed our 2014 recommendation follow-up assessment. We agreed that Recommendation 9 has been fully implemented as you reported. For Recommendation 10, we determined that it is no longer applicable given the directive by City Council in 2012 regarding traffic control decisions at film shoots. Both rec 9 and 10 will be removed from our next year’s follow-up cycle.”</i></p>
<p style="text-align: center;"><u>REVIEW of IRIS (2011)</u></p> <p>#1 – Give consideration to the engagement of a Fairness Consultant in major procurements</p> <p><i>The Chief of Police give consideration to the engagement of a Fairness Consultant in major procurements. The criteria outlined by the City of Toronto be considered by the Chief of Police in determining when Fairness Consultants should be engaged.</i></p>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p><u>SERVICE LEAD:</u> CAO T. Veneziano, DIR. S. Dhaliwal</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations • The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board. • Status updates were presented to the Board at the meeting held on March 27, 2013 • Based on the status update, the Auditor General determined this recommendation is now fully implemented and is therefore closed. (2013)

Police Reform Recommendation #76

Auditor General Reports



<p style="text-align: center;"><u>REVIEW of IRIS (2011)</u></p> <p>#2 – Review the composition of all Information Technology Steering Committees</p> <p><i>The Chief of Police review the composition of all Information Technology Steering Committees with a view to including qualified City staff. The Chief develop specific criteria to determine when such a process should occur.</i></p>	<div style="border: 1px solid black; padding: 5px; text-align: center; margin-bottom: 10px;"> <u>SERVICE LEAD:</u> CIO C. Stairs, MGR. T. Mulder </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board. Status updates were presented to the Board at the meeting held on March 27, 2013 The current documented process regarding the guidelines for when a steering committee should include a City Staff member is document and included in the Execution phase of the PMO Tool Kit. Based on the status update, the Auditor General determined this recommendation is now fully implemented and is therefore closed. (2013)
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Police Reform Recommendation #76

Auditor General Reports



<p style="text-align: center;"><u>REVIEW of IRIS (2011)</u></p> <p>#3 – Ensure that Privacy Impact Assessments are incorporated into all future information technology projects</p> <p><i>The Chief of Police ensure that Privacy Impact Assessments are incorporated into all future information technology projects at the initial stages of project development. A Privacy Impact Assessment be completed at the earliest possible time in regard to the Integrated Records and Information System project.</i></p>	<div style="border: 1px solid black; padding: 5px; text-align: center; margin-bottom: 10px;"> <u>SERVICE LEAD:</u> J. Chollet - Information Security Officer </div> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • On this date (2016.05.19) the Board received the following report from the Auditor General: <ul style="list-style-type: none"> ○ Toronto Police Service ○ Audit Recommendations – Fully Implemented ○ Report Title: Toronto Police Service – Review of Integrated Records and Information System (IRIS) Report Date: August 26, 2011 <p><i>QA Note: the recommendation has been moved to implemented status.</i></p>
<p style="text-align: center;"><u>REVIEW of IRIS (2011)</u></p>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <u>SERVICE LEAD:</u> S/SUPT. K. Yeandle </div>

Police Reform Recommendation #76

Auditor General Reports



<p>#4 – Conduct a financial analysis to identify operational benefits from the implementation of the Integrated Records and Information System</p> <p><i>The Chief of Police conduct a financial analysis to identify, quantify and document anticipated financial and operational benefits from the implementation of the Integrated Records and Information System. Related assumptions used in the analysis should be documented.</i></p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board. Status updates were presented to the Board at the meeting held on March 27, 2013. Based on the status update, the Auditor General determined this recommendation is now fully implemented and is therefore closed.
<p style="text-align: center;"><u>REVIEW of IRIS (2011)</u></p> <p>#5 – Report to the Toronto Police Services Board on the actual benefits achieved</p> <p><i>Upon project completion, the Chief of Police report to the Toronto Police Services Board on the actual benefits achieved and where applicable, a description of anticipated benefits not realized.</i></p>	<div style="border: 1px solid black; padding: 5px; text-align: center; margin-bottom: 10px;"> <u>SERVICE LEAD:</u> S/SUPT. K. Yeandle </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> The project closeout report has been completed, reviewed and signed by the Executive Sponsor. The report has been distributed to the Executive Sponsor and Information Technology Services. On 2017.06.15, the Auditor General confirmed this recommendation has been determined to be fully implemented in her report that was submitted to and received by the TPSB.
<p style="text-align: center;"><u>REVIEW of IRIS (2011)</u></p>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <u>SERVICE LEAD:</u> CIO C. Stairs, MGR. T. Mulder </div>



Police Reform Recommendation #76

Auditor General Reports

<p>#6 – Develop a process to define anticipated project outcomes</p> <p><i>The Chief of Police develop a process to define, articulate and measure anticipated project objectives and outcomes.</i></p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none">• The process to define and articulate anticipated project objectives and outcomes is complete, documented and published, as required by the Service’s Project Management Framework.• The Project Initiate Procedure is available to all TPS members via the ITS website in the PMO toolbox.• The process to measure the project outcomes against the anticipated objectives is now included in the published Project Closing procedure. (Helen Curtin, ITS - PMO)• The current Project Closeout process outlines the process to measure the project outcomes against the anticipated objectives in the project completion report.• The recommendation will be moved into Implemented status upon confirmation from the Auditor General's Office (2015)
<p><u>AG SECOND FOLLOW-UP ON SEXUAL ASSAULT AUDIT (2010)</u></p>	<p><u>SERVICE LEAD:</u> Det. C. Rock</p>

Police Reform Recommendation #76

Auditor General Reports



<p>#1(a) – Ensure internal monitoring process for sexual assault reports – Divisional adherence</p> <p><i>The Chief of Police ensure the internal monitoring process for sexual assault reports is implemented consistently and effectively. In particular:</i></p> <p><i>(a) The Service compliance results should be regularly provided to and reviewed by senior officers in charge of Divisional Policing Command, the Sex Crimes Unit, and the Training and Education Unit. Areas showing below expected compliance level should be identified and adequately addressed through measures including training and disciplinary action.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • The Toronto Police Service has enhanced the internal monitoring process for sexual assault reports across the Service. This has been accomplished through Divisional Policing Command Planners. • The first, second and third quarterly reviews have been conducted and Divisional Policing Command continues to monitor compliance. • Due to the outdated software used to capture information for the Unit Commander Morning Report (UCMR), the implementation of the self audit tool posed technical difficulties. • To resolve this challenge, Unit Commanders were advised of the issue and were instructed via e-mail on October 21, 2010 to comply with the self audit tool requirements. • Occurrences will be classified as compliant, non-compliant, and in-progress. Issues of non-compliance will be reported to the applicable Staff Superintendent for appropriate action. <p style="text-align: center;"><i>QA Note: This recommendation has been marked as "fully implemented" on the AG's list. (2012)</i></p>
<p><u>AG SECOND FOLLOW-UP ON</u></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED

Police Reform Recommendation #76

Auditor General Reports



<p><u>SEXUAL ASSAULT AUDIT (2010)</u></p> <p>#1(b) – Ensure internal monitoring process for sexual assault reports – Divisional adherence</p> <p><i>The Chief of Police ensure the internal monitoring process for sexual assault reports is implemented consistently and effectively. In particular:</i></p> <p><i>(b) Divisions should adhere to the internal monitoring requirements, and that the case assessment completion rates are monitored and reported to senior officers.</i></p>	<p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • The Toronto Police Service has enhanced the internal monitoring process for sexual assault reports across the Service. This has been accomplished through Divisional Policing Command Planners. • The first, second and third quarterly reviews have been conducted and Divisional Policing Command continues to monitor compliance. • Due to the outdated software used to capture information for the Unit Commander Morning Report (UCMR), the implementation of the self audit tool posed technical difficulties. • To resolve this challenge, Unit Commanders were advised of the issue and were instructed via e-mail on October 21, 2010 to comply with the self audit tool requirements. • Occurrences will be classified as compliant, non-compliant, and in-progress. Issues of non-compliance will be reported to the applicable Staff Superintendent for appropriate action. <p><i>QA Note: This recommendation has been marked as "fully implemented" on the AG's list. (2012)</i></p>
<p><u>AG SECOND FOLLOW-UP ON SEXUAL ASSAULT AUDIT (2010)</u></p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p>

Police Reform Recommendation #76

Auditor General Reports



<p>#2 – Include sexual assault reports investigated by the Sex Crimes Unit in the internal monitoring process</p> <p><i>The Chief of Police give consideration to the inclusion of sexual assault reports investigated by the Sex Crimes Unit in the internal monitoring process for sexual assault reports.</i></p>	<p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • The Toronto Police Service has enhanced the internal monitoring process for sexual assault reports investigated by the Sex Crimes Unit. • The Sex Crimes Unit Detective Sergeant audits compliance by ensuring all sexual assaults are recorded on the (UCMR) to facilitate daily quality assurance and internal monitoring efforts across the city. • All sexual assaults investigated by the Sex Crimes Unit are subjected to an internal review by a Detective Sergeant of that unit. • Occurrences are classified as compliant, non-compliant, and in-progress. Issues of non-compliance are reported to the applicable Staff Superintendent for appropriate action. <p><i>QA Note: This recommendation has been marked as "fully implemented" on the AG's list. (2012)</i></p>
<p><u>AG SECOND FOLLOW-UP ON SEXUAL ASSAULT AUDIT (2010)</u></p> <p>#3 – Ensure that the new information system acquired is properly designed to</p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p>

Police Reform Recommendation #76

Auditor General Reports



track records of supervisory review.

The Chief of Police ensure that the new information system acquired by the Toronto Police Service to replace the existing information systems is properly designed to accurately and efficiently track records of supervisory review.

- On Feb 15, 2013, the Office of the Chief submitted the following response to the Auditor General:
“The new information system acquired by the TPS has been properly designed to accurately and efficiently track records of supervisory review. The system is currently undergoing testing to ensure compliance. Processes are now in place to address all the requirements of this recommendation, therefore this recommendation should be considered implemented.”
- At the Toronto Police Services Board meeting held on May 22, 2013, the Board was in receipt of the following report from the Auditor General: Toronto Police Service – Results of Follow-up of Previous Audit Recommendations
- The purpose of this follow-up was to determine the implementation status of the audit recommendations made by the Auditor General to the Board.
- Status updates were presented to the Board at the meeting held on March 27, 2013.
- Based on the status update, the Auditor General determined this recommendation is now fully implemented and is therefore closed. (2013)

POLICE REFORM RECOMMENDATION SUMMARY – PRR#77 (LOKU)



SERVICE LEAD : D/C Peter Yuen		Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Inquest into the Death of Andrew Loku and, where the Service has deviated from or failed to implement an inquest recommendation, to identify in detail the reason for that deviation or failure to implement.	
Recommendation Status	Number	Percent	All of the recommendations provided as a result of the inquest, have been responded to by the Service. The Service provided an update to the Auditor General and the Toronto Police Board, by way of the Audit & Quality Assurance Unit in 2018 and again in February 2020. All updates have been reviewed and approved by all levels of oversight and marked as implemented. <i>This report includes all the assessment requirements described in Recommendation 80. When the TPSB approves the respective reports, Recommendation 80 will be marked as COMPLETED.</i>
Implemented	14	88 %	
Not Implemented	2	12 %	
In Progress	-	-	
Total Recommendations	16	100%	
Recommendations NOT Implemented			Rationale
#6 – Review the Intercultural Development Program deployed by the Toronto Police Service			Some of the recommendations from previous reports such as PACER were implemented by the Service in relation to I.D.P; however, further review of I.D.P was conducted as part of this recommendation and the Command’s decision was not to implement the program at this junction due to budgetary constraints, resource allocation, and limitations within the specific program which was examined.
#10 – Require Coach Officers and Supervisors to take MCIT training			Given the training demands that the Service is under, this recommendation is not feasible. The Mobile Crisis Intervention Team training is a five day highly resource intensive course and only offered one time a year. However, officers have received and continue to be trained in other courses such as R2MR and other de-escalating methods.

Police Reform Recommendation #77

LOKU



<u>Recommendations In Progress</u>	<u>Timelines / Explanations</u>
N/A	

During their August 2020 public meeting, the Toronto Police Services Board adopted the recommendations contained in the report titled '*Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety*'. Included in the report are the following requirements:

77. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Inquest into the Death of Andrew Loku and, where the Service has deviated from or failed to implement an inquest recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #27)

80. Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:

- a. Concerns;
- b. Status;
- c. Impact (weighting);
- d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);
- e. Timelines; and
- f. Service Lead (Deputy Chief)

Implemented Recommendations

#1 – Ensure the Service implements regular training on the equitable delivery of police services

#2 - Measure effectiveness of above training

#3 - Ensure all officers complete mandated Implicit Association Test

Police Reform Recommendation #77

LOKU



- #4 – Continue emphasis on planning in a crisis**
- #5 – Expose officers, in training, to lived experiences of racialized communities**
- #7 – Amend annual Use of Force recertification**
- #8 – Emphasize de-escalation and alternative measures when the police challenge is issued**
- #9 – Consider use of trained de-briefers following exceptional critical incidents**
- #11 – Ensure all patrol cars are equipped with less-lethal options**
- #12 – Ensure that the Service has a clear policy with respect to serving and protecting persons with mental health or addiction issues**
- #13 – Consider officer’s skill dealing with EDPs and racialized communities during promotional decisions**
- #14 – Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre**
- #15 – Consider additional funding and training for 911 operators**

Concerns

There are no concerns since all of the recommendations except two have been adopted fully or in part by the Service.

Status

As of September 2020 the status of the recommendations made in ‘Report on the Recommendations made by the Inquest into the Death of Andrew Loku’ is as follows:

- 14 of the recommendations have been implemented fully or in an alternative form.
- The Service did not implement 2 of the recommendations (See recommendation #6 and #10)

Police Reform Recommendation #77

LOKU



Impact (weighting)

Each recommendation was carefully reviewed and was implemented as individual projects or work streams.

Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc.);

Implementation took significant amount of time and required work by members of the Service, internal and external subject matter experts.

Timelines

The recommendations were implemented between mid 2015 to mid 2016.

Police Reform Recommendation #77

LOKU



Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Inquest into the Death of Andrew Loku and, where the Service has deviated from or failed to implement an inquest recommendation, to identify in detail the reason for that deviation or failure to implement.

SERVICE LEAD:

D/C Peter Yuen

LOKU Recommendation (2018)	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#1 – Ensure the Service implements regular training on the equitable delivery of police services</p> <p><i>Using reputable, external educators and other experts, TPS should ensure that the Service develops and implements annual/regular training at division and platoon meetings with a focus on the equitable delivery of policing services. The training should acknowledge the social inequities and challenges faced by racialized communities and consumer survivors who have experienced mental health challenges and equip officers with skills needed to provide appropriate responses and service delivery. Training topics should include, but not limited to:</i></p> <ul style="list-style-type: none"> • Bias-free service delivery, • Social disparity, • Equitable outcomes for all, 	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <ul style="list-style-type: none"> • Training with respect to mental health has been enhanced to increase officers’ knowledge, skills, and abilities in the areas of coordination, containment, and communication strategies including principles and techniques of de-escalation. All Service training has been redesigned to emphasize de-escalation as an essential element of the Service’s response to emotionally disturbed persons, which supports the guiding principle of preservation of life. All sworn uniform officers receive the following on an annual basis as part of their I.S.T.P.: • Communication and De-escalation: officers are shown the most effective means of communication when dealing with a person experiencing a crisis. Officers are reminded that de-escalation techniques should be attempted whenever possible. This is delivered through discussion in classroom settings and practiced in dynamic scenario based training. • Containment: officers are taught, whenever possible, to slow down the course of events in crisis situations and to consider the use of specialized response teams such as M.C.I.T. or E.T.F. or referral to outside resources or agencies.

Police Reform Recommendation #77

LOKU



LOKU Recommendation (2018)	T.P.S. Response
<ul style="list-style-type: none"> • <i>Stress and fear techniques,</i> • <i>Mindfulness techniques,</i> • <i>De-escalation,</i> • <i>Crisis communication,</i> • <i>Negotiation,</i> • <i>Implicit bias,</i> • <i>Trauma informed approaches,</i> • <i>Anti-Black Racism, and</i> • <i>Visible and invisible disabilities.</i> 	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <ul style="list-style-type: none"> • Subject Safety: preservation of life is the highest priority. • Fear: officer fear management that includes recognition and mitigation strategies including discussions of officers' fear responses during debriefings of practical scenarios that require de-escalation and communication techniques to defuse a crisis situation. • Stigma: the Service has incorporated the use of a video series developed by the T.P.C. and consumers to address and debunk stereotypes and stigmas concerning mental health. • Use of Force: the Use of Force Model is a decision making aid that trains officers to use the amount of force that is reasonable and necessary. • Firearm Avoidance: dynamic scenario training in which officers do not have to draw a firearm. Emphasis is placed on non-lethal means of stabilizing a situation and reducing the potential for over-reliance on lethal force.
<p>#2 - Measure effectiveness of above training</p> <p><i>Measure the effectiveness of the above mentioned training in anti-Black racism and persons in crisis by requiring both a written and oral exam of the participants. Failure in such</i></p>	<ul style="list-style-type: none"> ● IMPLEMENTED ☐ IN PROGRESS ☐ NOT IMPLEMENTED <ul style="list-style-type: none"> • In 2018, the Service implemented an incoming knowledge check on day one of I.S.T.P. The knowledge check was a collection of 14 questions covering a broad range of topics (such as use of force, racial bias, C.I.I.C.C., crisis communication and

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<p><i>exams should result in requiring re-attendance at such training.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>de- escalation, responding to emotionally disturbed persons) it identified a baseline of what officers knew and their attitudes upon entry.</p> <ul style="list-style-type: none"> • That information was utilized to consider areas that required more emphasis for each class. • Upon completion of day one, officers were required to complete a 14 question outgoing examination. • When officers failed to show competence in certain areas, they were required to receive additional training in the identified area. In addition failure to show competence in the remaining two days of I.S.T.P. resulted in officers having their use of force options removed/suspended until they were able to show competence in all areas. • In addition, the Service employed a number of alternate exercises for oral/practical knowledge assessment, some of which included reviewing and interactive discussion of topics, active learning and practical exercises, presentations, dynamic scenarios and debriefs, participant course surveys, interviews with training co-ordinators and supervisors, and in-field training session observation of students by qualified co-ordinators.
<p>#3 - Ensure all officers complete mandated Implicit Association Test</p> <p><i>Mandate that all officers complete the Implicit Association Test as part of initial and requalification training.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • The F.I.P. curriculum training, taken by all Service officers, underscores that all people, even well-intentioned individuals, have biases and these biases are often

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	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>unconscious or implicit and can influence choice and actions without conscious thinking or decision making.</p> <ul style="list-style-type: none"> • To enhance awareness and understanding of this concept, the Service offers the link to the Harvard Implicit Association Test (I.A.T) at several of the T.P.C. courses, including I.S.T.P. • Members are strongly encouraged to complete the I.A.T. for self-awareness of attitudes and beliefs they may have. • This will help members to better understand what implicit associations they are making unconsciously and how biases related to various social factors may overlap.
#4 – Continue emphasis on	<input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS

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<p><i>planning in a crisis</i></p> <p><i>TPS should continue to emphasize the importance of planning in a crisis situation to identify the lead in communication.</i></p>	<p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • The I.S.T.P. delivered by the T.P.C., incorporates the importance of planning in a crisis situation. • The annual three day training includes a number of scenario-based exercises that encourage officers whenever possible and time permitting to have a plan when entering into a crisis situation. • The caveat is that situations can change dramatically. Officers are taught to continually assess the situation and readjust their plan accordingly. • With respect to one officer communication with the person in crisis, since 2015, the I.S.T.P. Negotiator Workshop directly addresses that one officer, when feasible, act as the primary negotiator with the person in crisis. The workshop focuses on de-escalation and crisis negotiation and involves using active listening skills to improve officers' chances of demonstrating empathy in order to build rapport with the goal of influencing a subject's behaviour. • Training scenarios also encourage and incorporate the identification of a secondary negotiator who could potentially take the lead if rapport is not developed with the primary negotiator. • Officers are trained in both roles of the primary and secondary negotiator. • The 2018 I.S.T.P. has instituted the Incident Response Lecture which speaks to the issue of planning in a crisis situation. • Officers are trained in the area of managing imminence. If the situation dictates that the officer must take imminent action to protect one's self or another person than the plan may be altered or quickly adjusted to bring the situation to a resolution. If the threat it not imminent and the officer has time, than they are trained to use their de-escalation training to plan for a resolution.
<p>#5 – Expose officers, in training, to</p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p>

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<p><i>lived experiences of racialized communities</i></p> <p><i>Expose or continue to expose officers in training to the perspectives and lived experience of racialized communities, the Black community and individuals with mental health issues and/or addictions.</i></p>	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • As stated in recommendation #1, the extra training day also emphasizes the Service’s core values and commitment to bias-free policing, with in-person presentations and dialogue between members and community representatives. • In this training component, members are exposed to a variety of scenarios through practical role-playing, video and judgement-simulator exercises which provide members with an opportunity to think critically about their courses of action while identifying reasonable steps that may avoid racially-biased policing. • The development of the content and the scenarios was a collaborative initiative between T.P.C. staff and the P.A.C.E.R. advisory committee. • Further, elements of diversity and inclusiveness are interwoven through all training and mentoring programs provided by the T.P.C.
<p>#6 – Review the Intercultural Development Program deployed by the Toronto Police Service</p> <p><i>Review the Intercultural Development</i></p>	<p><input type="checkbox"/> IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input checked="" type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • The Service remains committed to furthering the intercultural competence of Service

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<p><i>Program deployed by the Toronto Police Service and consider the continued use of the Intercultural Development Inventory or other similar tool, as well as in-house intercultural competence facilitators, to further the intercultural competence of Toronto Police Service members.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>members and, consistent with this recommendation, has:</p> <ul style="list-style-type: none"> ○ reviewed the Intercultural Development Program (I.D.P.) initially deployed in 2014, ○ considered the continued use of the proprietary Intercultural Development Inventory© (I.D.I.) or other similar tools; and ○ considered the use of in-house intercultural competence facilitators (i.e. Service members). <ul style="list-style-type: none"> • The Service has decided not to implement the program: <ul style="list-style-type: none"> ○ it was deemed by Command that there would be no net new programming for the 2021 due to fiscal constraints as well as the reallocation of resources to initiatives that are legislated (Race-Based Data Collection) or adjudicated (McWilliam Decision and the Gender Diverse Trans Inclusion Project). ○ It is also worth mentioning that EIHR unit also provides cultural and identity specific training and coaching for the members; which was not previously offered during the time of PACER and/or the Loku Inquest.
<p>#7 – Amend annual Use of Force recertification</p> <p><i>Amend the annual Use of Force recertification to include qualification in areas such as mental health and/or</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • As stated in recommendation #1, I.S.T.P. incorporates training in crisis

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<p><i>addictions, anti-racism, particularly anti-Black racism, implicit and unconscious bias, fear inoculation, de-escalation and crisis communication.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>communication and negotiation, de-escalation and containment measures.</p> <ul style="list-style-type: none"> • Communication and de-escalation are thoroughly discussed in the classroom setting and practiced in the dynamic scenarios involving mental health and crisis situations. • The dynamic scenarios include dynamic video training and scenarios in both the outdoor tactical village and the indoor tactical area. While the focus of these exercises is de-escalation, teamwork and communication, officer fear management is also included; this includes recognition and mitigation strategies. • The Service has participated in the iPREP train the trainer program which will assist officers to control stress and hone their split-second decisions during critical incidents. The iPREP measures and analyzes an officer's sensory nervous system reading during highly realistic training sessions that simulate real life events. Attendees receive instruction from expert trainers tailored to their individual stress responses and delivered in a manner that maximizes learning and retention. The training provides officers with improved mental and physical control, leading to enhanced safety for officers and the communities they serve. • Further to recommendation #1 and #5, through judgement training, practical exercises and simulator scenarios, I.S.T.P. covers awareness and bias avoidance training and reiterates the importance of maintaining neutral, bias free encounters that are respectful of the rights of all community members during all interactions. Failure to show competence in these or any other part of the I.S.T.P. program results in officers having their use of force options removed/suspended until they are able to show competence.
<p>#8 – Emphasize de-escalation and alternative measures when the police challenge is issued</p> <p><i>Continue to emphasize that where the police challenge is issued and the</i></p>	<ul style="list-style-type: none"> ● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • Officers are trained that if a subject does not comply with their initial direction, they

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<p><i>subject does not comply, where possible, alternative methods of communication, de-escalation, disengagement and containment should be attempted. For example, consider making it clear that lethal force will be used if commands aren't obeyed.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>are to attempt alternative communication strategies with the person.</p> <ul style="list-style-type: none"> • However, many situational factors can affect an officer's attempt to de-escalate a situation, including the person's condition, distance from the officer and their reaction in response to the officer's commands. • Officers are taught to try various communication strategies including, when feasible and consistent with safety, offering help and understanding. • However, disengagement is not always an option and should only be used if the person is contained in a safe manner that allows for continued communication. • "Police Don't Move" is the standardized challenge for police officers when confronting someone who poses an imminent and dangerous threat to the officer. • This provides clear and concise direction to the person as well as other officers who are on scene.
<p>#9 – Consider use of trained de-briefers following exceptional critical incidents</p> <p><i>Consider the use of trained de-briefers to be deployed following exceptional critical incidents, having regard to any SIU investigation and the rights of officers, with a view to using the</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • It should be noted that informal post-event debriefs routinely occur between Supervisors and subordinates at the local divisional level however, it's recognized that there may be learnings that are not being captured. To that end, the Service has undertaken and:

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<p><i>knowledge gained to inform de-escalation training. If resources permit, consider using the de-briefers in situations with positive outcomes as well as negative ones, even if they are less serious incidents, in order to learn from those occurrences.</i></p>	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <ul style="list-style-type: none"> ○ trained de-briefers within the Police College staff; ○ Through informal post-event debriefings, that routinely occur at the local divisions, supervisory members have identified scenarios that have potential for a shared learning experience and forward those scenarios and lessons learned to the Police College; ○ The Police College incorporated the identified learning opportunity into the appropriate College courses, develop learning material based on these scenarios, or undertake a debriefing session. <ul style="list-style-type: none"> • As well, to help with achieving the goal of this recommendation the Service currently relies on established objective systems and processes which include: <ol style="list-style-type: none"> 1) A review of the event by the Service's P.R.S.-S.I.U. Liaison via a Section 11 investigation, P.R.S.-Criminal Section 11 report, the Use of Force Analyst and the Use of Force Committee to identify trends or possible gaps in training, equipment, or procedure, using documents and records including: <ul style="list-style-type: none"> ○ the Use of Force Report completed by involved officers when they use force that results in injury or when the officer uses certain force options such as the C.E.W. or firearm, ○ officer submitted reports including occurrences, injury reports, and arrest records, ○ officers' memo books ○ results of officer interviews or testimony, and ○ any video evidence from both police and private sources. 2) At the conclusion of every practical exercise during scenario based training, (which are based on real-life events) participants are probed for the reasons behind their decisions and they are given an opportunity to peer and self-critique

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	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>their decisions and actions. This form of debriefing is a proven educational method that very effectively imbeds the training and the lessons.</p> <ul style="list-style-type: none"> • Combined, the lessons learned from these processes help develop policy, procedures, practices, supervision and training.
<p>#10 – Require Coach Officers and Supervisors to take MCIT training</p> <p><i>Require Coach officers and Supervisory officers take the 5-day Mobile Crisis Intervention Team training. Make mental health and/or addictions and policing of racialized communities, in particular Toronto’s Black community, a key component of Coach Officer training.</i></p>	<p><input type="checkbox"/> IMPLEMENTED</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input checked="" type="checkbox"/> NOT IMPLEMENTED</p> <ul style="list-style-type: none"> • Given the training demands that the Service is under, this recommendation is not feasible. The Mobile Crisis Intervention Team training is a five day highly resource intensive course and only offered one time a year. • While the Service does not have the capacity to offer this course more than once a year, the Service has expanded the number of allotted spaces for officers. • In addition the following three courses offered at the T.P.C.: Coach Officer, Supervisory in Service Leadership and I.S.T.P include a 90 minute module on mental health as well as M.C.I.T. awareness training. • Furthermore, in 2016, the Service implemented the Road to Mental Readiness (R2MR) training which was a program developed by the Department of National Defense and adapted by the Mental Health Commission of Canada. • R2MR was created to spark transformational culture change and better mental health for Service members as well as to help decrease the stigma surrounding mental health to improve customer service and promote better engagement with our

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	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p>communities.</p> <ul style="list-style-type: none"> R2MR training covers the mental health continuum model, providing information about barriers to care, resources available through the Service, practical skills for helping fellow members as well as resiliency strategies for promoting mental health and finding positive resolutions when dealing with persons in crisis.
<p>#11 – Ensure all patrol cars are equipped with less-lethal options</p> <p><i>Ensure that all patrol cars are equipped with less lethal weapons, e.g., CEW, sock or beanbag guns and that all officers are trained in the use of such weapons along with defensive equipment such as shields and helmets.</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> The Service continues to identify, research and review available and emerging less lethal use of force technologies and best practices. The Service is also a member of the Provincial Use of Force Committee, making recommendations to the government on such equipment. Currently each division has Less Lethal Shotguns assigned and are deployed by qualified officers. The Service is studying the feasibility of equipping P.R.U. officers with shields as part of their personal protective equipment when responding to an assaultive person or a person armed with a weapon. By providing some measure of protection, shields may give officers the confidence to contain the situation and when safe to do so move closer to a threat to secure it without increasing the likelihood of using lethal force. However, while shields might initially protect officers from injury they do not by themselves disarm the person. At one point officers have to take physical control and disarm the person and this would be extremely difficult and risky while holding onto the shield because the officer would only have one hand available.

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	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>This would make it challenging to access their handcuffs or other force options or even defend themselves if the shield is grabbed and the officer's arm gets trapped. Dropping the shield, of course, defeats its purpose.</p> <ul style="list-style-type: none"> • When dealing with a person in crisis, officers are encouraged to de-escalate situations by attempting to build rapport. Presenting a shield from the outset could be perceived as a barrier and prevent officers from accomplishing this goal. However, the Service is examining situations where the shield would be helpful. For example, introducing shields to an event that does not require immediate intervention may give officers the means to contain the person while other officers without shields wait to disarm and apprehend the person when it is safe to do so. To evaluate the effectiveness of this, the Service has acquired a number of shields and T.P.C. is developing the appropriate tactics and training. • The Service has also canvassed other agencies for their experience with shields, 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 actively causing harm to the public. • At its meeting on February 15, 2018, the Board approved the expanded deployment of up to 400 additional C.E.W.s to front-line officers
<p>#12 – Ensure that the Service has a clear policy with respect to serving and protecting persons with mental health or addiction issues</p> <p><i>Undertake a structural/cultural review and analysis to ensure that the Service has a clear policy with respect</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • To properly inform an appropriate implementation of this recommendation, the Service is leveraging its collaboration with Expert Working Groups, assembled by the City of Toronto.

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<p><i>to serving and protecting persons with mental health or addiction issues and/or racialized persons, in particular, Black persons. The Chief's review and analysis should include input from experts in this field together with persons in the communities falling within the above-mentioned descriptors. Following this, the Chief shall clearly state the TPS policy and communicate it in detail to all officers and employees. The Chief shall ensure that all members through continuous training have a clear understanding of the Chief's mandate in this regard. Failure to follow the Chief's mandate should have consequences and sanctions.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <ul style="list-style-type: none"> • In September of 2017, Service members participated in and contributed to the below expert working groups, comprised of City/T.P.S. staff, along with Black community leaders, with a focus on the respective action item with regard to policing: <ul style="list-style-type: none"> ○ Staff Training Working Group focused on staff training across City divisions using an Anti-Black Racism lens ○ Race-Based Data Working Group focused on the collecting and reporting on race-based data ○ Public Education Working Group focused on providing civic and public education using an Anti-Black Racism lens. • Each Expert Working Group was tasked with delivering “a multi-year work plan” which was appended to the Toronto Action Plan to Confront Anti-Black Racism and was presented to the Executive Committee and City Council in November 2017. City Council accepted the plan. • Since the Expert Working Groups are comprised of leaders and experts from the Black community, the Service will continue to participate in, and contribute to, the implementation of the finalized Action Plan in order to properly inform the review and provide an analysis necessary to effectively implement this jury recommendation. • The Toronto Action Plan to Confront Anti-Black Racism is a five year plan to leverage the talents, knowledge, and experiences of Black residents and Black organizations as partners in making municipal services, spaces and policies fully inclusive and accessible to Black Torontonians in both intent and practices. • The Action Plan includes 22 recommendations and 80 actions to address five issue areas: children and youth development; health and community services; job and income supports; policing and the justice system; and community engagement and Black leadership. In addition, at its meeting on December 14, 2017, the Board approved the motion for the establishment of a new consultative committee composed of the black community to consider possible or identified disparities in

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	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>services and outcomes for racialized persons and consider interventions to address any such disparities.</p> <ul style="list-style-type: none"> • Lastly, as mentioned in recommendation #1, the Service has partnered with Ryerson University who has offered a number of courses to Service members about diversity and bias avoidance. This curriculum will augment the Services existing training and also facilitate research opportunities for both the university and the Service. • With respect to persons with mental health or addiction issues, the Service has a formal Mental Health Statement of Commitment relating to people experiencing mental health issues: <ol style="list-style-type: none"> 1) Members of the Toronto Police Service are committed to preserving the lives of people in crisis if reasonably possible. Our goal is the safety of every citizen and we aspire to preserve every life; 2) In every encounter with a person in crisis, we are committed to taking all reasonable steps to attempt to de-escalate a potentially violent encounter, and to safely resolve such situations; 3) Recognizing the increasing complexity of responding to persons in crisis and the role that we have been given in the Mental Health System, we remain committed to continuous self-improvement and innovation, in both policing and in mental health; 4) We are committed to the elimination of stereotypes and the stigmatization that victimizes persons experiencing mental health issues through education of both our members and the public; 5) We remain committed to involving people with mental health issues directly, where appropriate, in initiatives which affect them, including training and in the development of relevant police procedures; 6) We will continue to work collaboratively with our partners in the Mental Health System, including individuals, community organizations, mental health organizations and hospitals; 7) We are committed to institutional leadership in matters of policing and mental health,

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	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p>and will strive to become a preeminent police service in this field;</p> <p>8) We are committed to fostering and maintaining a positive mental health culture within the Toronto Police Service.</p> <ul style="list-style-type: none"> • The Service is also currently engaged in the development of a Mental Health Strategy with regards to Service members' interactions with community members who are apparently experiencing a mental health or addiction issue. A total of 4 facilitated sessions have been conducted with the Board's Mental Health Sub-Committee for input and guidance. Community members including mental professionals have also provided input, along with TPS members. • Additionally, to get officer feedback on the current I.S.T.P., a survey was distributed to officers. • The first section of the survey listed the various components of the I.S.T.P. and asked officers to note how valuable each component was in providing them with the information and tools they needed to assist them in the performance of their duties. • Officers were also asked for suggestions to improve the delivery of the I.S.T.P. The second section of the survey noted that a focus of the I.S.T.P. was use of de-escalation to resolve encounters, and asked officers about the specific de-escalation techniques they regularly used and found effective. • The information from this survey will be provided to the T.P.C. to assist in refining the content and delivery of the I.S.T.P.
<p>#13 – Consider officer's skill dealing with EDPs and racialized communities during promotional decisions</p> <p><i>When making decisions about promotions, supervisors should</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • In 2017, the Service partnered with industry leaders to develop a competency framework that would drive behaviours aligned with the Service's transformational

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<p><i>consider an officer's skill and experience in dealing with Emotionally Disturbed Persons (EDPs), members of the Black community and racialized communities, including their ability to de-escalate and negotiate during crisis situations.</i></p>	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>goals.</p> <ul style="list-style-type: none"> • Through research, consultations, focus groups, and engagement initiatives, eight core and leadership competencies were designed. Consultations and focus groups included members of the black community, the mental health community, youth advocates, human rights and police oversight leaders helped in developing the themes, the language and the behavior expectations. • These competencies were organized into 4 clusters, including: Our Mindset, Our Connections, Our Development, and Our Impact. Each competency provides behaviour expectations for the following categorization of employees: <ul style="list-style-type: none"> ○ all members ○ supervisor/sergeant/staff sergeant ○ manager/inspector/superintendent ○ director, staff superintendent and command officers. • The organization is embedding these competencies into all HR processes including recruiting, hiring, development, training, and performance evaluation. The competencies have been embedded into the executive promotion process utilized in 2017 and onward.
<p>#14 – Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre</p> <p><i>Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre police telephone line when</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • For the past 20 years, the Service has offered the Provincial Statutes Course six times a year and continues to do so. One of the topics covered on this course is the Mental Health Act, which includes a 90 minute presentation made by a social worker

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LOKU Recommendation (2018)	T.P.S. Response
<p><i>interacting with a person in crisis.</i></p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>from the Gerstein Crisis Centre, who emphasises the need to be sensitive to the needs of vulnerable people who are in crisis. In addition, Sept 27th 2018 service issued a Routine Order to remind and encourage members to utilize crisis centers (such as the Gerstein Centre) as a resource when interacting with a person in crisis.</p> <ul style="list-style-type: none"> • Members will also be reminded of the Service’s newly developed Community Access Portal (C.A.P.). This mapping tool created by the Service, is an effective tool available to Service members to connect the public to community resources, including mental-health services. • Launched in May 2017, the “Community Asset Portal” (C.A.P.) Developed by the Service’s Business Intelligence unit in collaboration with Ryerson University is a web application that shows users an up-to-date map of social services such as shelters, community resource navigators, and mental health and youth support services. • The C.A.P. is a valuable reference tool that detects the location of users and allows them to see the resources in their vicinity, using a colour-coded map or by moving through a list of categories, such as Health or Food & Housing services. It also shows users how to get to the location by car, foot and public transit, as well as provides contact information.
<p>#15 – Consider additional funding and training for 911 operators</p> <p><i>Consider additional funding and training for 911 operators in order to improve their skills in extracting more pertinent information during an emergency call. Consider beginning the de-escalation process during a</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • Currently, all Communication Operators undergo a rigorous training program for one year. • This combines 16 weeks of classroom instruction and one-on-one training with experienced on-desk trainers.

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LOKU



LOKU Recommendation (2018)	T.P.S. Response
<p><i>911 call.</i></p>	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <ul style="list-style-type: none"> • To ensure high standards and competency throughout the training program, testing is conducted at each level before candidates progress to the next stage. • Successful candidates must demonstrate their ability to communicate concern and empathy for individuals in crisis while also taking action to ensure safety is maintained in emergencies. • Following successful completion of the Call Taker and Dispatcher training programs, all Communication Operators receive continuous training on a yearly basis. • As frontline responders, Communications Operators play a vital role in assessing high risk situations and coordinating resources in response to individuals in crisis. • The Service's communications training has always been based on improving operator skills and ensuring international best practices on de-escalation are met. • The Service will review its existing training and work towards improving the de-escalation skills of 911 operators within our current funding and training programs. • The Service will specifically work towards addressing recommendations that were identified in the Loku Inquest by providing suitable training to the 911 operators.
<p>#23 – Explore all possible avenues to assess whether MCIT's could be available as first responders in crisis situations</p> <p><i>That the Ministry of Health and Long Term Care/LHN's, together with the Toronto Police Service, explore all possible avenues to assess whether MCIT's could be available as first responders in crisis situations,</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED <ul style="list-style-type: none"> • Mobile Crisis Intervention Teams are collaborative partnerships between participating Toronto hospitals and the T.P.S. Each M.C.I.T. is comprised of one police officer and a mental health nurse. • The Service is not aware of any model in other jurisdictions in which an M.C.I.T. comprised of a police officer and a nurse would be available as first responders to a

Police Reform Recommendation #77

LOKU



LOKU Recommendation (2018)	T.P.S. Response
<p><i>specifically including situations where weapons are involved”.</i></p>	<p>Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>crisis situation involving a weapon or any type of violence.</p> <ul style="list-style-type: none"> • Memorandums of Understandings (M.O.U.) have been signed between the Service and six partner hospitals. The M.O.U.s clearly set out that the safety of the nurses is the responsibility of the Service. Allowing an M.C.I.T. to become available as a “first responder in crisis situations, specifically including situations where weapons are involved” would contravene the Service’s existing M.O.U’s. • At this time our current partner hospitals do not want their employees, the nurses, to be first responders. The Service has been advised that the Nurses’ Association of Ontario would additionally have concerns. M.C.I.T.s have traditionally been considered secondary responders. • However, as the program has evolved since its inception in 2000, the M.C.I.T.s now operate as co-responders to a call that do not include weapons or any other identified safety concerns. • This means, when appropriate, M.C.I.T. will respond simultaneously with P.R.U. • It should be noted that even in these situations police officers will still make the initial contact and assess the situation with the M.C.I.T. following behind. • Additionally, M.C.I.T.s are able to attend situations involving weapons once the situation is deemed safe by responding officers. M.C.I.T.s stage at a nearby location and will respond to the call once the P.R.U. advises the scene is safe.

POLICE REFORM RECOMMENDATION SUMMARY - #79 (The Way Forward)



SERVICE LEAD : Chief J. Ramer			Direct the Chief of Police to report by November 2020 on the status of recommendations made in Action Plan: The Way Forward, including what has been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of Action Plan: The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.
Recommendation Status	Number	Percent	Work being carried out by the Strategy Management Unit is still underway in relation to several TTF recommendations marked as IN PROGRESS, particularly TTF Recommendation #16. Work in relation to these initiatives should continue as much of it is either in line with the new Police Reform Recommendations or will otherwise enhance the organization's service delivery model. <i>This report includes all the assessment requirements described in Recommendation 80. When the TPSB approves the respective reports, Recommendation 80 will be marked as COMPLETED.</i>
Implemented	25	76 %	
Not Implemented	1	3 %	
In Progress	7	21 %	
Total Recommendations	33	100%	

Recommendations NOT Implemented	Rationale
#8 – More Effective Deployment in Vehicles	<p>In 2017, through risk and demand analysis, the TPS believed there may be an opportunity to identify situations where unaccompanied officers or response alternatives would be a more appropriate response than sending a two-person car. Changes within the period from 1900 to 0300 would require a negotiated change to the collective agreement with the Toronto Police Association.</p> <p>At that point in time, it was agreed to delay the launch of this initiative until the implementation of the new districts. However, the need for this recommendation has largely reduced due to the other initiatives taken, such as the alternate models of response to service calls, including online reporting and the establishments of CISUs. It is recommended that this recommendation be reevaluated for future implementation.</p>

Police Reform Recommendation #79

The Way Forward



<u>Recommendations In Progress</u>	<u>Timelines / Explanations</u>
<p>#2 -- Improved Capabilities Related to Data, Information, and Analysis, Including “Big Data”</p>	<p>The Analytics and Innovation unit has worked along with other partner units on the following initiatives which were completed in 2018 :</p> <ul style="list-style-type: none"> • Enterprise Business Intelligence Project (2015 – 2018) • Enterprise GIS Project (2017 – 2018) <p>Currently, there are 3 projects ongoing;</p> <ul style="list-style-type: none"> • Global Search Project (2017 – Continue) • Pushpin Project (2017 – Continue) • Analytics Centre of Excellence (ANCOE) Project (2019 – 2020) <p>Anticipated Completion: 2021+</p>
<p>#5 – Alternative Reporting and Follow-up for Non-Emergencies</p>	<p>This recommendation is focusing on the development of alternative solutions to reduce the workload from the PRU, and to create alternative ways for the public to initiate service requests. The following initiatives are completed:</p> <ul style="list-style-type: none"> • 311 call redirecting of non-emergency service requests • Online Parking complaints • Crossing guard duties • Vulnerable persons registry • Citizen Online Report Entry (CORE) webpage for various issues where there is no risk to public safety (http://www.torontopolice.on.ca/core/) <p>The following initiatives are still in progress:</p> <ul style="list-style-type: none"> • Non-Emergency Events review (CISU expansion and standardization and Non-emergency events triage) <p>It is suggested that work related to this recommendation continues in order to enhance service delivery.</p> <p>Anticipated Completion: Q4 2022</p> <p>This is an ongoing project and it is recommended that the evaluation and</p>

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<p>#7 – More Efficient Scheduling</p>	<p>implementation of suitable shift schedules for the Service continues. The pilot shift schedules are in progress and are being assessed by both the Service and the TPA.</p> <p>Anticipated Completion: 2022</p>
<p>#9 – A Risk-Based Response to Special Events</p>	<p>EMPO began working with multiple stakeholders in 2019, finding that this recommendation and Recommendation #15, It was identified that overhauling paid duty will require a project management process to look at special events and paid duties from the point of intake and permit granting. However, implementation of this recommendations was placed on hold due to COVID-19 pandemic.</p> <p>Anticipated Completion: TBD</p>
<p>#15 – Overhauling Paid Duty</p>	<p>Emergency Management is currently exploring the use of alternative technologies to the current paid duty management system (PDMS). This recommendation is also moving forward in conjunction with Recommendation #9.</p> <p>TPS and the involved stakeholders believe a holistic approach to both special events and paid duties will lead to an efficient, consistent approach to the way TPS and the City of Toronto manage their resources and identify risks to public safety. However, implementation of this recommendation was placed on hold due to COVID-19 Pandemic.</p> <p>Anticipated Completion: TBD</p> <p>This recommendation was redefined to have three major components:</p>

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The Way Forward



<p>#16 – City-Wide Divisional Boundary and Facilities Realignment</p>	<ul style="list-style-type: none"> • Align with City boundaries and consolidate from 17 to 10 districts. • Facility review to align with modernization needs. • Assessing/redesigning core business processes to effectively operate as a district; <i>including</i> integrating other initiatives. <p>The recommendation was renamed to the District Policing Program as it better described the impact on people, processes, technology and infrastructure required to support the new model of policing.</p> <p>With the onset of the Police Reform recommendations, Command proposed the deferral of the physical implementation of boundaries as it would distract energy and attention from the key work for Police Reform, but to <u>continue</u> the process reviews that will enhance service delivery.</p> <p>The ongoing work related to this initiative will continue under the <i>Police Reform Recommendation #79</i>.</p> <p>Anticipated Completion: TBD</p>
<p>#23 – Investment in 9-1-1</p>	<p>In 2017 consultation with the city of Toronto began to implement a 9-1-1 cost recovery fee that would recoup the cost of providing 9-1-1 services to all land and wireless telephone users. This is an ongoing project relying on collaboration with the Provincial Government.</p> <p>In September of 2020, Deputy Coxon met with provincial representatives and provided three high level recommendations for Funding, Governance, and Education.</p> <p>Anticipated Completion: Q1 2022</p>

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The Way Forward



During their August 2020 public meeting, the Toronto Police Services Board adopted the recommendations contained in the report titled *'Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety'*. Included in the report are the following requirements:

79. Direct the Chief of Police to report by November 2020 on the status of recommendations made in Action Plan: The Way Forward, including what has been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of Action Plan: The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility. (Board #2; ARAP #14; MHAAP #29)

Concerns

80. Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:

- a. Concerns;
- b. Status;
- c. Impact (weighting);
- d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);
- e. Timelines; and
- f. Service Lead (Deputy Chief)

Status

As of September of 2020 the status of the recommendations made in **'The Way Forward'** is as follows:

IMPLEMENTED	25
IN PROGRESS	7
NOT IMPLEMENTED	1

Police Reform Recommendation #79

The Way Forward



The following TTF initiatives have been **IMPLEMENTED**:

- #1 – Connected Officers**
- #3 – Disbanding TAVIS**
- #4 – Risk Assessment for Priority Response**
- #6 – Improved Public Safety Response**
- #10 – A More Efficient Retail Response**
- #11 – Disband the Transit Patrol Unit**
- #12 – Alternate Delivery of the Lifeguard Program**
- #13 – Alternate Delivery of the School Crossing Guard Program**
- #14 – Using Traffic Technology Enforcement to Improve Community Safety**
- #17 – More Accessible and Transparent Information and Services**
- #18 – Moratorium on Hiring and Promotions**
- #19 – Assessing Information Technology Requirements**
- #20 – Alternative or Shared Delivery of Court Services**
- #21 – Alternate or Shared Delivery of Parking Enforcement**
- #22 – Alternate or Shared Delivery of Background Screenings**
- #24 – Comprehensive Culture Change and Human Resources Strategy**
- #25 – Public Engagement Strategy**
- #26 – Service Engagement Strategy**
- #27 – Association (TPA and SOO) Engagement Strategy**
- #28 – Peer to Peer Accountability**
- #29 – Change Management Advisor Appointment**
- #30 – People Management Strategy**
- #31 – Quarterly Reporting**
- #32 – Modernization Scorecard**
- #33 – The Neighbourhood Officer Program**

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The following TTF initiatives are currently **IN PROGRESS**:

- #2 -- Improved Capabilities Related to Data, Information, and Analysis, Including “Big Data”**
- #5 – Alternative Reporting and Follow-up for Non-Emergencies**
- #7 – More Efficient Scheduling**
- #9 – A Risk-Based Response to Special Events**
- #15 – Overhauling Paid Duty**
- #16 – City-Wide Divisional Boundary and Facilities Realignment**
- #23 – Investment in 9-1-1**

One TTF Recommendation, **#8 – More Effective Deployment in Vehicles**, was marked as **NOT IMPLEMENTED**.

Impact (weighting)

The recommendations and the related work streams were prioritized based on a number of factors including legislative requirements, mandatory deadlines, impact upon members, impact upon the public, monetary costs, personnel resources and time required to implement them. These initiatives were also reviewed by TPS command officers to ensure that they are in line with parallel initiatives that were underway.

Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc):

The weighting of each TTF recommendation was reassessed quarterly by using TTF Project Scorecards. These scorecards were reviewed quarterly to ensure alignment with Service priorities and goals. The ease of implementation of the remaining **IN PROGRESS** TTF Recommendations varies and is described in the responses for each one listed in this document.

Timelines

The majority of the recommendations were implemented over a three year period between July of 2014 and November of 2017. Work has continued in relation to the other TTF recommendations with various time frames required to complete the work on each one. This is based on the Impact (Weighting) factors listed in the previous section and the particular work that needs to be completed for each **IN PROGRESS** response below.

POLICE REFORM RECOMMENDATION SUMMARY - #79 (The Way Forward)



Recommendation 79:

Direct the Chief of Police to report by November 2020 on the status of recommendations made in *Action Plan: The Way Forward*, including what has been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of *Action Plan: The Way Forward* should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.

'The Way Forward' SERVICE LEAD:

Chief J. Ramer

The Way Forward Recommendation	T.P.S. Response Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p>#1 – Connected Officers</p> <p>Investment in transitioning from Mobile Workstations in vehicles to smart devices carried by all officers. This will include a full application suite and e-Notebook, 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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C S. Coxon CAO T. Veneziano</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>These devices represent a platform that allows members to send and receive corporate information securely allowing for efficient decision making.</p> <p>The project commenced In 2017 with 700 members equipped with mobile devices in 2018. As of October 2020, members in the following Divisions have been equipped with mobile devices: 51, 55, 12, 23, 31, 41, 42, 43 and all Neighbourhood Officers across the city. A total of 2050 devices have been deployed through the Connected Officer program.</p> <p>Some existing business applications have been updated for the mobile environment and progress is continuing with a modernized alternative to the current paper memorandum book.</p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
	<p>The Connected Officer Program will continue to move forward under the CIO pillar and will continue to be operationalized by the Service. This initiative will work towards full maturity, enabling every Officer with mobile technology. The project is the foundation to supporting emerging applications and future innovation initiatives.</p> <p>As this is an ongoing operational project, it is considered implemented.</p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#2 -- Improved Capabilities Related to Data, Information, and Analysis, Including “Big Data”</p> <p>Toronto Police Service support the new service delivery model with a strengthened capacity to collect, measure, and evaluate data from a wide range of internal and external sources, including an improved capacity to model demand and workload as well as analytics of large complex data sets (“big data”). With this ability, the Service will be better able to deliver evidence-based policing services where they are needed most, in a way that is proportional, appropriate, and more sustainable.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer D/C S. Coxon CIO C. Stairs</p> </div> <p> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The task of improving the capabilities related to data, information and analysis began in 2015 but saw a major increase after the release of the Way Forward report. The goal was to create a strengthened capacity to collect, measure, and evaluate data from a wide range of internal and external sources, including an improved capacity to model demand and workload as well as analytics of large complex data sets (“big data”).</p> <p>The Analytics and Innovation unit has worked along with other partner units on the following initiatives which were completed in 2018 :</p> <ul style="list-style-type: none"> • Enterprise Business Intelligence Project (2015 – 2018) • Enterprise GIS Project (2017 – 2018) <p>Currently, there are 3 projects ongoing;</p> <ul style="list-style-type: none"> • Global Search Project (2017 – Continue) • Pushpin Project (2017 – Continue) • Analytics Centre of Excellence (ANCOE) Project (2019 – 2020) <p>TPS is also continuing to develop applicable data governance and information management practices for these initiatives. Moving forward, the Analytics and Innovation Unit will continue to look at new innovative ways to use data to achieve the modernization goals of the service and will continue to independently report their progress to the Board, on their respective projects.</p> <p>Reporting on this recommendation will be continue under the Police Reform Recommendation #79.</p>

Police Reform Recommendation #79

The Way Forward



The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#3 – Disbanding TAVIS</p> <p>TAVIS will be disbanded and existing members will be redeployed to other Service Priorities.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Disbanding TAVIS was completed in the first half of 2017. The surge capacity it provided was offset by the creation of the Priority Response Group (PRG).</p>

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The Way Forward



The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#4 – Risk Assessment for Priority Response</p> <p>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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C P. Yuen D/C S. Coxon</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The TPS was tasked with developing a risk assessment tool to identify non-emergencies that can be addressed through alternative approaches. This principle has been well established to ensure Priority Response units focus on calls that require a police presence and provide effective alternatives when that presence is not required. These initiatives have been implemented under other recommendations.</p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#5 – Alternative Reporting and Follow-up for Non-Emergencies</p> <p>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, including:</p> <ul style="list-style-type: none"> • Enhanced, easy to use, and convenient on-line, digital, and by-phone reporting tools for low-risk incidents with civilian reporting and intake personnel available by appointment at police stations. • The use of civilian members to more efficiently follow up on less serious/non-emergency neighbourhood safety incidents 	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: D/C P. Yuen D/C S. Coxon</p> </div> <p> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In early 2017 the Strategy Management Unit (STM) was tasked with facilitating the implementation of Community Investigative Support Units (CISU) in each division based on recommendations made in The Way Forward report. This concept had originally been developed in 43 Division and had been shown to provide accommodated members with meaningful duties while providing PRU officers and divisional investigators with time to spend on more urgent duties.</p> <p>Currently CISU's are operational in all divisions across the service. Data has shown that on average CISU Station members spend 30% less time on each call than PRU units due, in part, to the fact that they do not need to travel to their calls. To date, divisional CISUs have been responsible for producing an average of 25% of General Occurrences created at each division. It has resulted in the PRU attending approximately 41,000 fewer calls in 2018 than before the CISU was established. CISUs are now active in every division. The time spent by CISUs on calls and other tasks represents time that would otherwise have been spent by PRU officers. In 2018 CISUs attended 418,026 calls for service. This represents an average of 7% of all calls for service received by PRU officers.</p> <p>Following the initial rollout and establishment of CISUs in each division three phases were identified in order to complete their rollout. The first phase involved moving the TPS PRIME unit from the Communications Centre to the former 54 Division building. Phase 2 is intended to standardize the flow of tasks to each CISU to improve workflows. The second phase was approved and will be implemented in early 2021. The third and final phase involves enhancements to the sharing of workload between the TPS PRIME Unit and divisional CISUs.</p> <p>Additionally TPS worked with the City Manager's Office and various other city agencies including Municipal Licensing and Standards, Animal Control and 311 to develop a shared response model. This was implemented in May of 2018. This resulted in Communications receiving 8,633 fewer calls for</p>

Police Reform Recommendation #79

The Way Forward



The Way Forward Recommendation	T.P.S. Response
	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>service and PRU members attending 6,836 fewer calls for service in 2018 than they did in 2017.</p> <p>This represents approximately 10,000 officer hours that were made available for other tasks. Overall TPS PRU members attended 31% fewer 311 related calls in 2018 than they did in 2017. Moving forward, a CISU User's group will monitor, adjust or add resources to the CISU program if needed. The 311 initiative will be monitored for possible improvements and upgrades to the online reporting system will continue to relieve pressures put on frontline response and communications.</p> <p>This recommendation is ongoing as it is constantly being reassessed as it applies to front line response and interaction with other agencies. The ongoing work related to this initiative will continue under the Police Reform Recommendation #79.</p>
<p>#6 – Improved Public Safety Response</p> <p>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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>This recommendation was completed in May 2017 with the creation of the PSRT (Public Safety Response Team). The PSRT is a support to front line policing and community engagement initiatives. It has the ability to provide extreme event response, public order management, search management, and critical infrastructure protection.</p>
	<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div>

Police Reform Recommendation #79

The Way Forward



The Way Forward Recommendation	T.P.S. Response
<p>#7 – More Efficient Scheduling</p> <p>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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p><input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The task of creating a new schedule began in late 2016. The goal was to provide a more effective schedule for members as well as the organization. In January 2019, a schedule pilot project was launched in 41 Division to test a 5 on 4 off / 4 on 5 off schedule beginning. This new schedule was selected from a number of options presented to the members. As a result of the positive response in 41 Division, 23 Division showed an interest in the new schedule and members subsequently voted to join in the pilot as well.</p> <p>The Joint Shift Schedule committee evaluated the pilot and in late 2019, the pilot was offered service-wide to all Divisions. Members were provided a comprehensive package that was developed based on division-specific data with several options. After the voting phase, 10 Divisions voted to join the pilot to test the 5/4 schedule and the 7/7 schedule. This service-wide pilot began in January 2020. With the Covid-19 pandemic declared in March 2020, the evaluation of the pilot was greatly impacted. As a result, Divisions currently working a shift schedule pilot were given an opportunity to extend their respective pilots. After voting was completed, all Divisions elected to extend their pilots to the end of 2021. Furthermore, the Divisions that were on the CWW also had an opportunity to vote to pilot an alternate shift schedule. S.T.M. and the TPA presented to D12, D22, D51, D32 and TSV and a vote was held. These Divisions ultimately elected to remain on the CWW. After evaluating the ‘Watch Commander’ model at D55, it was deemed ineffective and members voted to align with the rest of the Division and moved to the 12 hour 5/4 shift.</p> <p>This recommendation is ongoing as it is constantly being reassessed as it applies to front line response. The ongoing work related to this initiative will continue under the <i>Police Reform Recommendation #79</i>.</p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#8 – More Effective Deployment in Vehicles</p> <p>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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> TPSB D/C B. McLean D/C S. Coxon</p> </div> <p> <input type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input checked="" type="checkbox"/> NOT IMPLEMENTED </p> <p>Through risk and demand analysis, TPS believes there may be an opportunity to identify situations where unaccompanied officers or response alternatives would be a more appropriate response than sending a two-person car. Changes to two person vehicle responses (between 19:00 to 0:300) will require a negotiated change to the collective agreement with the Toronto Police Association. Since the release of the Way Forward report this recommendation was reassessed as being best implemented after the implementation of the District Policing Program.</p> <p>This recommendation is ongoing as it is constantly being reassessed as it applies to front line response. The ongoing work related to this initiative will continue under the <i>Police Reform Recommendation #79</i>.</p>
	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input type="checkbox"/> IMPLEMENTED </p>

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The Way Forward



The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#9 – A Risk-Based Response to Special Events</p> <p>The Service support special events through a fair and equitable threat and risk assessment. This will focus police resources on events where their presence is necessary for public safety. For designated situations, event organizers will be responsible for their own security measures. We are recommending a more integrated structure for special events. Divisions currently support local events within their boundaries, while the Public Safety-Special Events Unit handles large scale major events. This leads to challenges in consistency of approach, risk assessment, and staffing, which will be addressed in the new design.</p>	<p> <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward report recommended a review of the way Special events are viewed from a risk based point of view. Additionally, The consistency of how events were handled and staffed need a review.</p> <p>This recommendation was assigned to EMPO in 2018 and to see it’s fulfillment it requires multiple stakeholders and resources which have taken time to coordinate. Discussions with all stakeholders began in 2019 and early in the process It was decided that the entire process - from intake of special events at the City, to the granting of permits must all be looked at in conjunction with all stakeholders. The assigned committee decided to take the approach of large scale project management process to look at not only safety and security of events but of the Paid Duty process as well. As a result, a steering committee will be struck and lead by senior leadership from TPS and the City. Two separate working groups, one for paid duties and one for Major events will work alongside a Safety and Security Task force.</p> <p>EMPO began working with multiple stakeholders in 2019, finding that this recommendation and Recommendation #15, It was identified that overhauling paid duty will require a project management process to look at special events and paid duties from the point of intake and permit granting.</p> <p>The implementation of this recommendations was placed on hold due to COVID-19 pandemic.</p>
	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <u>SERVICE LEAD:</u> D/C P. Yuen </div>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#10 – A More Efficient Retail Response</p> <p>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. We estimate that through this change, it will be possible to save approximately 5,500 hours of policing services per year, while reducing costs for the private sector.</p>	<p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>A more efficient retail response was intended to improve and streamline the approach to dealing with shoplifters but due to lack of buy-in from stakeholders in the retail security sector the recommendation as written was discontinued. However, the concept was introduced in 2019, on a smaller scale, in the downtown core as a <i>Shop Theft Release Program</i> pilot in 51 and 52 Division.</p> <p>This pilot has led to the expansion of the program in other divisions across the city. The program has resulted in a reduction in the number of shop theft calls that are attended by front line officers when persons are detained by stakeholders and has reduced the amount of time parties are detained by stakeholders for relatively minor offences before being released. The pilot program has also improved the relationships that TPS has with the retail sector. The pilot program also respects many of the fundamentals outlined in Bill C-75.</p> <p>The Pilot has been operating successfully in 51, 52, 32, and 33 Divisions. The team is currently in the process of beginning to implement the pilot program in 22, 23, and 43 Divisions pending Staff Superintendent and Command approval. With the closure of many retail stores due to Covid-19, data will likely be unique for 2020.</p>
	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> SERVICE LEAD: Chief J. Ramer </div>
<p>#11 – Disband the Transit Patrol</p>	<p><input checked="" type="checkbox"/> IMPLEMENTED</p>

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The Way Forward Recommendation	T.P.S. Response
<p>Unit</p> <p>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 a highly capable Special Constable Program in place, and local Divisions will continue to respond to calls as required. Transit Patrol Unit members will be redeployed to other priorities.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p><input type="checkbox"/> IN PROGRESS</p> <p><input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Transit Patrol Unit was disbanded in first half of 2017 sending 67 officers back to divisional Primary Response Units. The TTC special constable program was revised and provided the backfill for the TPS officers that no longer patrolled TTC properties. TTC Special constables have since taken over the duties that transit patrol officers performed.</p>
<p>#12 – Alternate Delivery of the</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: Chief J. Ramer</p> </div> <p><input checked="" type="checkbox"/> IMPLEMENTED</p>

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The Way Forward Recommendation	T.P.S. Response
<p>Lifeguard Program</p> <p>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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p><input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Way Forward report recommended that TPS divest itself of the responsibility of administering the Lifeguard Program. In 2017 the TPS began working with the city to explore, plan and build the capacity at the city to deliver the program in a new model administered by the city. The Service has been administering the program since 1982, when the Service amalgamated with the Harbor Police. The cost of \$1.2 million is funded by the City to the TPS and lifeguards are trained, equipped and supervised by the Service.</p> <p>Throughout 2018 and into the 2019 season the TPS worked with the City of Toronto Park, Forestry and Recreation to support the transition of the program. The program finished its full transition to the City of Toronto following the 2019 season (After Labour Day). Any future support provided by the TPS will be outlined in a memorandum of understanding that is still being finalized.</p>
<p>#13 – Alternate Delivery of the</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C P. Yuen CAO T. Veneziano</p> </div> <p><input checked="" type="checkbox"/> IMPLEMENTED</p>

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The Way Forward Recommendation	T.P.S. Response
<p>School Crossing Guard Program</p> <p>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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <p> <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward report recommended that the TPS begin transferring the function of School Crossing Guards from the TPS to the City. This is consistent with the TTF mandate to return to core policing. To ensure police officers were not responsible for covering vacant crossings, Strategy Management worked with the City to come up with a plan for the 2018-2019 school year. Backfills were hired by the City and when school started in September they covered vacant crossings. From September to December the City was responsible for backfilling 7035 school crossings. Full transfer of the program occurred on August 1st, 2019. The City of Toronto now manages the program through Transportation Services.</p>
<p>#14 – Using Traffic Technology Enforcement to Improve Community Safety</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C P. Yuen CAO T. Veneziano</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p>

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The Way Forward Recommendation	T.P.S. Response
<p>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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>The Way Forward report recommended implementation of traffic enforcement cameras in school zones and areas identified as having higher collision rates. The City of Toronto had already established prior to this recommendation some red light cameras that effectively influenced safer driving behaviour of motorists.</p> <p>During the past three years Red light cameras in the city have more than doubled and have been strategically placed with shared data from TPS to the city which has resulted in continued improvement to road safety. In addition, speed enforcement cameras have been placed in numerous school zones across the city.</p> <p>In the future, as technology improves and becomes capable of enforcing additional violations, recommendations will be made to the Vision Zero team at the City of Toronto.</p>
<p>#15 – Overhauling Paid Duty</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p>

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The Way Forward Recommendation	T.P.S. Response
<p>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. In our final report we will include 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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>The Way Forward report recommended an overhaul of the Paid Duty process. EMPO has been assigned the oversight of this recommendation. In mid 2018 a committee was struck to begin the process of examining the entire paid duty process from intake to assigning, including the software applications of PDMS and the financial implications to our Service.</p> <p>Emergency Management is currently exploring the use of alternative technologies to the current paid duty management system (PDMS). This recommendation is also moving forward in conjunction with Recommendation #9.</p> <p>TPS and the involved stakeholders believe a holistic approach to both special events and paid duties will lead to an efficient, consistent approach to the way TPS and the City of Toronto manage their resources and identify risks to public safety.</p> <p>The implementation of this recommendations was placed on hold due to COVID-19 pandemic.</p>
<p>#16 – City-Wide Divisional Boundary and Facilities Realignment</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer, D/C S. Coxon, D/C P. Yuen, CAO T. Veneziano</p> </div> <p> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In its final report, the Transformational Task Force outlined an action plan for a city-wide</p>

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The Way Forward Recommendation	T.P.S. Response
<p>Toronto Police Service 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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>boundary and facilities realignment with a mandate to improve service delivery by aligning the new model of policing with Toronto's neighbourhoods and its services. This recommendation was redefined to have three major components:</p> <ul style="list-style-type: none"> • Align with City boundaries and consolidate from 17 to 10 districts. • Facility review to align with modernization needs. • Assessing/redesigning core business processes to effectively operate as a district; <i>including</i> integrating other initiatives. <p>The recommendation was renamed to the District Policing Program as it better described the impact on people (structures, roles, job descriptions and competencies to align with new processes), processes, technology and infrastructure required to support the new model of policing. This recommendation incorporated many of the other recommendations in The Way Forward.</p> <p>The implementation of this program will be phased by consolidating divisions and/or functions within the existing boundaries first, and then, once the IT systems and Communications Service Centre are ready, the district boundaries will be adjusted. It is also foreseen that the realignment of the facilities and further process improvements will happen in parallel and will also continue after the boundaries have been adjusted.</p> <p>The following are some highlights of completed components of this program:</p> <ul style="list-style-type: none"> • Approval of district boundaries consisting of 10 districts by Command - Dec 2017 • Radio Coverage technical study – Q1/2020 • Calls for Service Study – Q3/2020 • District Systems Access Requirements – Q3/2019 <p>The following projects are in progress:</p> <ul style="list-style-type: none"> • Changes with Ancillary units to accommodate facility requirements and modernization

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The Way Forward Recommendation	T.P.S. Response
	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>efforts:</p> <ul style="list-style-type: none"> ○ Traffic Operations: decentralization – pilot in progress ○ Court Services: possible relocation of wagons – on hold ○ Court Services: process review – in progress ○ Court Services: access database replacement – in progress – Q4/2021 ○ Court Services: bail hearings by video instead of in-person – pilot in progress <ul style="list-style-type: none"> ● Completion of consolidation of D54 and D55, including POA court consolidation – in progress ● Investigative review – in progress ● PRU review – planned ● Prisoner Management Strategy – in progress ● Process and systems integration with judiciary stakeholders - initiated <p>With the onset of the Police Reform recommendations, Command proposed the deferral of the physical implementation of boundaries as it would distract energy and attention from the key work for Police Reform, but to <u>continue</u> the process reviews that will enhance service delivery. The following projects are therefor deferred:</p> <ul style="list-style-type: none"> ● Future district design, including people requirements and implementation strategy ● External stakeholder engagement ● Communication Centre preparation: CAD Configuration and Operational Dispatch model ● Preparation of IT applications for Districts ● Rationalization of Fleet and Materials locations <p>This recommendation is ongoing as it is constantly being reassessed as it applies to front line response. The ongoing work related to this initiative will continue under the <i>Police Reform Recommendation #79</i>.</p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#17 – More Accessible and Transparent Information and Services</p> <p>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, including:</p> <ul style="list-style-type: none"> • A public safety data portal to encourage the creation and use of open data for public safety in Toronto. • A wider, up-to-date range of means to speak with neighbourhood officers – in person and by phone, but also through video calling, social media, and the Toronto Police Services app. • Enhancing the Toronto Police Service app • Enhancing real-time data and information about what’s happening in neighbourhoods • Offering technology that brings 	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer D/C S. Coxon D/C P. Yuen</p> </div> <p>● IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED</p> <p>The Way Forward report recommended an investment in modern technology to offer the public open access to information and tools that communities can use to improve neighbourhood safety.</p> <p>In 2017 work began on the Public Safety Data Portal to encourage the use of open data for public safety in Toronto. The portal is intended to improve the understanding of policing, improve transparency, and enhance confidence. The portal is enhancing the real-time data and information about what’s happening in neighbourhoods, including crime trends, traffic information and more general policing metrics, while respecting privacy requirements. The portal has functionality to visualize police data through charts, graphs and maps as well as to download data in standard formats.</p> <p>The portal also has a section to view released Freedom of Information Requests (FOIs). The Analytics and Innovation unit hosts ongoing internal and external information sessions. The open data portal endeavors to continually update new datasets and create new partnerships to provide relevant statistics for the public.</p> <p>Members can view the portal here: http://data.torontopolice.on.ca/</p> <p>TPS is also continuing to develop applicable data governance and information management practices for these initiatives. Moving forward, the Analytics and Innovation Unit will continue to look at new innovative ways to use data to achieve the modernization goals of the service and will continue to</p>

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<p>communities together to crowdsource and solve safety problems</p> <ul style="list-style-type: none"> • Offering technology for communities to anonymously crowdsource and report concerns about officers 	<p>independently report their progress to the Board, on their respective projects.</p>
<p>#18 – Moratorium on Hiring and Promotions</p> <p>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. There will be some circumstances where hiring or filling vacant positions may be necessary – for example, to make investments in modernization, achieve other strategic priorities, comply with legislative requirements, or provide adequate supervision. In these situations, the Service will implement a rigorous and transparent assessment</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: D/C B. McLean CAO T. Veneziano</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In 2016 the service embarked on a moratorium on hiring and promotions between ranks for officers and civilians. In May 2018 the hiring moratorium officially ended and TPS began hiring Civilians and sworn members again.</p>

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<p>process before approval is given, and will continue to report on the number and types of situations where it has been necessary to do so.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p>
<p>#19 – Assessing Information Technology Requirements</p> <p>Toronto Police Service 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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: CAO T. Veneziano Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward Report recommended that the TPS retain an expert advisor to review potential efficiencies, alternative service delivery models and future trends for information technology in policing. The advice was to include an assessment and benchmark of the Information Technology Unit (ITS) capacity, organizational reporting structure and provide recommendations and a multi year roadmap. The assessment was completed by an unbiased, well known technology research company and the final report was presented to the Chief and TPS Command in January 2019.</p> <p>The report warned that ITS was significantly under staffed based on peer groups that have the equivalent mandate and workload. Between the assessment, benchmark and capacity report and the existing three year ITS strategic plan, ITS has worked towards a significant transformation to align with their TPS business partners. The recommendation is considered closed, however, work will continue to execute the 3 year plan identified in the two documents.</p> <p>In April of 2020 a new Chief Information Officer position was created in the organizational chart. Colin Stairs was hired and is in the process of operationalizing the efficiencies contained in The Way Forward.</p> <p>It is recommended that this issue be closed. The Chief Information Officer (CIO) Colin Stairs has reviewed all documentation relating to the assessment and has implemented a comprehensive Benefits</p>

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	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
	<p>Framework to address the recommendations in the Way Forward Report. The CIO has a program strategy in place to move forward with the significant transformation to better align with our TPS business partners. We consider this recommendation closed and implemented.</p>
<p>#20 – Alternative or Shared Delivery of Court Services</p> <p>Toronto Police Service 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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: D/C S. Coxon CAO T. Veneziano</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward report recommended a full assessment on whether there are better alternatives to the current Parking Enforcement Unit and Court Services unit that would lower operating costs. In determining the feasibility of this recommendation a cost benefit analysis was conducted. This analysis was to aid in determining if there are different service delivery models that could prove more efficient and/or effective than the current status quo and should therefore be explored further. The City of Toronto took the lead in securing Ernst and Young (EY) to conduct the analysis. The final report was presented to the City by EY in July 2018. In October 2018, the report remained confidential with the Board.</p> <p>The TPS had prepared a response to the EY report and found that, through an investment in current and future initiatives and along with a review of processes and personnel, the Service continuously works towards finding budgetary and operational efficiencies.</p> <p>On October 15th 2020 an All Chief’s Memo was issued by the Ministry of the Solicitor General advising of their intention to undertake a process to review the delivery of court security and prisoner transportation across the province. The Ministry will be engaging the services of an external consultant, Goss Gilroy Inc. (GGI) to perform this review. An estimated time frame has not been provided by the Ministry for the completion of this review.</p>

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<p>#21 – Alternate or Shared Delivery of Parking Enforcement</p> <p>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.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C P. Coxon CAO T. Veneziano</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p><i>*See response to #20 – Alternative or Shared Delivery of Court Services.</i></p>
<p>#22 – Alternate or Shared Delivery of Background Screenings</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C B. McLean</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p>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.</p>	<p>This recommendation sought to expand the use of contract agents (primarily retired TPS members) to conduct background screenings as part of the TPS’s hiring process. This recommendation was worked on and implemented by Talent Acquisition (formerly the employment unit) in 2017.</p>
<p>#23 – Investment in 9-1-1</p> <p>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 technology including allowing the Service to receive text messages, photos, videos, and better location information. Currently, the Toronto Police Service’s Communications Centre is the answering point for police, fire, and paramedic services. The costs to staff, operate and maintain these operations</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C P. Coxon CAO T. Veneziano</p> </div> <p> <input type="checkbox"/> IMPLEMENTED <input checked="" type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In 2017 consultation with the city of Toronto began to implement a 9-1-1 cost recovery fee that would recoup the cost of providing 9-1-1 services to all land and wireless telephone users. Currently the costs to run the Communications centre operations and staffing are covered through the services budget. It would also allow for investment in NG911 – the next phase of 9-1-1 technology that would allow the service to receive media and improved location information.</p> <p>Currently, consultation with all 3 levels of government is ongoing regarding changing legislation that deals with 9-1-1 recovery efforts. Initially, NG 9-1-1 was mandated via legislation by the province of Ontario to be implemented by July 2022. However, this deadline has now been revised due to COVID-19.</p> <p>In June of 2019 Deputy Coxon began facilitating a provincial group comprised of OACP, AMO, OPSB,</p>

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<p>are covered though the Service’s budget. At present 9-1-1 cost recovery fees are in place in eight other provinces.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>TFD and DAS requesting a meeting with the Provincial Government to address the need for 911 infrastructure funding and a Provincial strategy.</p> <p>A meeting was scheduled with the provincial government in January of 2020 to further discuss this issue. In September of 2020 Deputy Coxon met with provincial representatives and provided three high level recommendations for Funding, Governance, and Education.</p> <p>TPS is also continuing to develop this initiative and is an ongoing project dependant on several external agencies and governing bodies. Moving forward, Community and Neighbourhood Command will continue oversee this project and will continue to independently report their progress to the Board, on this project.</p>
<p>#24 – Comprehensive Culture Change and Human Resources Strategy</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: D/C B. McLean</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>In Jan 2018 – the Service conducted an Organizational Cultural Assessment where 3500 members responded. The Service then engaged with members from all areas of the Service to contribute to designing the vision for the Culture the Service needs for success. In the Fall of 2019, the Service</p>

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The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)
<p>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. The approach focuses on four key strategic fronts:</p> <ul style="list-style-type: none"> • Leadership and decision-making - • People management and human resources strategies • Structures and business processes - • Use of technology and management information 	<p>created a Culture Vision Map that includes programs that will support the Culture changes in the years to come.</p> <p>The People & Culture Plan 2020-2023, was presented on September 17th, 2020 at the TPSB meeting. Programs outlined in the plan are aligned to four strategic priorities; Our People, Our Leadership, Our HR Services and Our Culture and Inclusivity, and further embed trust, transparency and accountability into the design.</p> <p>This plan, provides insights learned from the 2018 Culture assessment and broad culture engagements, the Service’s #MyService initiative and the plan and priorities for the next 3 years ending in 2021.</p> <p><i>Although this Work will continue in relation to his TTF recommendation as it is in line with Recommendation 53 of the Police Reform Recommendations adopted by the Toronto Police Services Board.</i></p>
<p>#25 – Public Engagement Strategy</p> <p>With the release of The Way Forward report in February 2017 the service committed to provide the public with consistent, thorough updates on</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>With the release of The Way Forward report in February 2017 the service committed to provide the public with consistent, thorough updates on modernization efforts. This strategy was implemented and these efforts are ongoing.</p>

Police Reform Recommendation #79

The Way Forward



The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
modernization efforts.	
<p>#26 – Service Engagement Strategy</p> <p>With the release of The Way Forward report in February 2017 the service committed to provide members with consistent, thorough updates on modernization efforts.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>With the release of The Way Forward report in February 2017 the service committed to provide members with consistent, thorough updates on modernization efforts. This strategy was implemented and these efforts are ongoing.</p>
<p>#27 – Association (TPA and SOO) Engagement Strategy</p> <p>With the release of The Way Forward report in February 2017 the SOO (Senior Officer Organization) committed to have meaningful engagement with the TPA.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer D/C B. McLean</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>With the release of The Way Forward report in February 2017 the SOO (Senior Officer Organization) committed to have meaningful engagement with the TPA. This strategy was implemented and these efforts are ongoing.</p>

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The Way Forward



The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#28 – Peer to Peer Accountability</p> <p>The Way Forward recommends 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.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward report recommended a robust program be developed that would establish new pathways of accountability that are peer-to-peer within the Service.</p> <p>This recommendation was not implemented as a stand-alone but the spirit of this recommendation was incorporated in the People & Culture Plan 2020-2023 that was presented to the TPSB in September 2020.</p>
<p>#29 – Change Management Advisor Appointment</p> <p>The Way Forward recommended that an independent advisor with strong experience in change management be appointed to provide the TPSB with</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> TPSB</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward recommended that an independent advisor with strong experience in change management be appointed to provide the TPSB with advice and Perspective. In Q3 of 2017, Jim Rankin, a change management expert was appointed to that role.</p>

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The Way Forward Recommendation	T.P.S. Response
<p>advice and Perspective.</p>	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>Over 18 months Jim provided the board with updates and advice on the process of change within the service as it moved towards modernizing. Mr. Rankin’s contract concluded at the end of 2018.</p>
<p>#30 – People Management Strategy</p> <p>We are recommending a comprehensive people management and HR strategy for the Service that includes significant changes to:</p> <ul style="list-style-type: none"> •The roles, functions and structure of 	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>SERVICE LEAD: D/C B. McLean</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>Historically, the Service has had a traditional, transactional approach to HR with outdated processes, policies, tools and structures. In early 2017, the Service’s People Plan was introduced in response to the Way Forward Vision Currently, the Service is implementing the people plan.</p> <p>Toronto Police Service has new core values and new behavioural competencies that have been</p>

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The Way Forward Recommendation	T.P.S. Response
<p>the Service’s Human Resources unit to enable it to play a more modern and strategic role.</p> <ul style="list-style-type: none"> • HR policies, processes, analytics and tools that will enable modernization of service-delivery and deployment changes. 	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>adopted into the entire HR lifecycle. There is a new Performance Management System that was created and implemented with all Senior Officers across the Service.</p> <p>Uniform Job Profiles were created to help member’s career plan and deliver on the accountabilities of their roles. Two mentorship pilots have been deployed with success. Members have participated in 360 degree feedback tools to aid in their development and leadership skills.</p> <p>The Service is building a new promotional process along with a leadership development program to build skilled and competent leaders prepared to lead our Service through change. The Service will be scaling the New Performance Management system to include Staff Sergeants/Assistant Managers in 2020 and Sergeants/Supervisors in 2021.</p>
<p>#31 – Quarterly Reporting</p> <p>The Way Forward Report recommended that the TPS report on modernization progress quarterly to the TPSB and share these updates with the public. These reports are to be framed by the strategy map defined in The Way Forward report.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward Report recommended that the TPS report on modernization progress quarterly to the TPSB and share these updates with the public. These reports are to be framed by the strategy map defined in The Way Forward report. This reporting began in 2017 and continues today. The information is available on the public website.</p>

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The Way Forward



The Way Forward Recommendation	T.P.S. Response
	Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (<i>PRR#80</i>)
<p>#32 – Modernization Scorecard</p> <p>The Way Forward Report recommended that the TPS implement a modernization scorecard which when fully realized will be comprehensive, transparent and accessible to all.</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> Chief J. Ramer</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Way Forward Report recommended that the TPS implement a modernization scorecard which when fully realized will be comprehensive, transparent and accessible to all. The scorecards were implemented in 2017 and continue today. The information is available on the public website.</p>
<p>#33 – The Neighbourhood Officer Program</p> <p>The Toronto Police Service (TPS) implemented the first iteration of a Neighbourhood Officer Program (NOP) in May of 2013, as an anti-violence intervention within 33 selected neighbourhoods throughout</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>SERVICE LEAD:</u> D/C S. Coxon</p> </div> <p> <input checked="" type="checkbox"/> IMPLEMENTED <input type="checkbox"/> IN PROGRESS <input type="checkbox"/> NOT IMPLEMENTED </p> <p>The Toronto Police Service (TPS), implemented the first iteration of a Neighbourhood Community Officer Program (NCOP) in May of 2013, as an anti-violence intervention strategy within 33 selected neighbourhoods throughout Toronto.</p> <p>The Way Forward report called for an enhanced version of the program with consistent job functions</p>

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The Way Forward Recommendation	T.P.S. Response
Toronto.	<p style="text-align: center;">Status * Rationale * Concerns * Impact * Ease of Implementation * Timelines (PRR#80)</p> <p>and mandates throughout the city. The first phase of the Enhanced Neighbourhood Community Officer Program (NCOP), commenced on October 1, 2018, with an initial deployment of 40 Neighbourhood Community Officers (NCOs) and four Neighbourhood Community Officer Sergeants in eight City of Toronto neighbourhoods that are housed within four Toronto Police Service (T.P.S.), Divisions: 11, 22, 41 and 42.</p> <p>As of October 2020, there are 139 NCO's, including 11 NCO Sgts, deployed in 34 City of Toronto Neighbourhoods across all TPS Divisions.</p> <p>Each NCO is assigned to a designated neighbourhood for a minimum of 4 years, attends a one-week community centric NCO Training Course and wears a distinctive NCO marked uniform.</p>

Further Recommendations on effective & efficient police service delivery:

As part of ongoing efforts for modernization within Toronto Police Service following programs have been identified by Strategy Management to be undertaken in order to enhance service delivery.

1. Remote Video Bail:

In partnership with Ministry of the Attorney General and various other stake holders the Service is conducting a pilot program in two divisions with two more in the near future. The pilot program will identify and validate several areas of

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efficiency. They are: less prisoner movement and the risks that are associated with movements, reduction in custody time spent at TPS facility, further reduction in operational cost, and simplifying Bail process by using technology.

2. Prisoner Management Review:

Reviewing TPS current prisoner management at central lock up locations in order to find efficiencies within the current set up. Strategy Management is confident with their partnership with Court Services that there are several areas which can benefit the Service by enhancing the current model.

3. Service wide Investigative Review:

This review will examine our current investigative processes, staffing model, required tools, and the way we communicate. This initiative is for all investigative units including specialized operations within the entire Service. Strategy Management believes this review can potentially have a significant impact on service delivery and a reduction in certain challenges faced by members daily.



Toronto Police Services Board Report

October 19, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Recommendation 30 – Preliminary Report Diversity in Human Resources

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following preliminary report on how diversity in human resources is being prioritized and achieved in the Toronto Police Service (Service).

Financial Implications:

There are no financial implications.

Background / Purpose:

At its August 2020 meeting, the Board approved 81 recommendations on police reform in Toronto aimed at addressing systemic racism, alternative community safety and crisis response models and building new confidence in public safety (Min. No. P129/20 refers). Recommendation 30 within this report directed the Chief of Police to present a preliminary report to the Board by November 2020, to be followed by a comprehensive report by February 2021, and thereafter on a frequency as directed by the Board, on outcomes associated with how diversity in human resources is being prioritized and achieved in the Toronto Police Service, including with respect to recruitment, hiring and promotion for both civilian and uniform positions at all ranks and classifications. This report serves as a preliminary report on the Service's efforts to date.

Discussion:

Twenty-first century policing of diverse and complex communities requires services and practices grounded in principles of equity, fairness, and anti-racism. As the largest

municipal police service in Canada, serving a rapidly growing and diverse city, the Service embarked on a modernization program to build strong partnerships and demonstrate accountability and transparency with its internal members and external partners.

Within the Service's modernization, the People & Culture Pillar has been on a journey of transformation, anchored in the principles of diversity, equity, inclusion, transparency and fairness. At the October 2017 Board meeting, in response to the recommendations of the Transformational Taskforce, the Service presented its plan to modernize its human resources services and delivered its first ever People Plan - 27 change initiatives under the four strategic themes of People, Leadership, Culture & Inclusivity and HR Services (Min. No. P228/17 refers). The central thread within the 2017-2019 Plan was the commitment by the Service to reflect the diversity of Toronto and the lived experiences of its communities in all policies, programs and procedures. Below are key People Plan initiatives that highlight how the Service is prioritizing diversity and inclusion in its human resources programs.

CORE VALUES

The 2017-2019 People Plan acknowledged that the very foundation of the Toronto Police Service's culture – the Core Values and Competencies – must be centred on diversity, inclusion and equity. The work of the Police and Community Engagement Review (P.A.C.E.R.) Advisory Committee, undertaken between 2012-2016, added an eighth core value - Freedom from Bias - to the Service's Core Values of Honesty, Integrity, Fairness, Respect, Reliability, Teamwork and Positive Attitude. The Service recognized that Freedom from Bias transcends all core values and must be the bedrock upon which all of our organization's values are built. This principle further guided the revamping of the Service's Core Values and Competency framework.

In 2017, the Service, together with the community it serves, co-developed a new set of Core Values and Competencies. The Core Values, together with a new competency framework, would be the foundation upon which programs such as recruitment, deployment, professional development and promotion would be built. These Core Values and Competencies were developed for both uniform and civilian members, and were presented to the Board at its February 2018 meeting (Min. No. P02/18 refers).

Service at our Core: by respecting and upholding the rights and freedoms of all people in all our interactions, free from bias or stereotype, seeking to understand and help others by making a difference; and asking ourselves, "Have I done all I can do?"

Do the right thing: by acting professionally, with integrity, and without prejudice, even in the most challenging circumstances, when no one is watching, and on and off duty; holding others accountable to the same standards; challenging any inappropriate behaviour; and asking ourselves, "Have I lived up to my word and values?"

Connect with Compassion: by treating all people with empathy, respect, equity and dignity; going the extra mile to ensure others feel safe, supported, included, engaged and valued; standing up for those who cannot stand up for themselves; valuing others life experiences; and asking ourselves, “Have I treated others as they would like to be treated?”

Reflect and Grow: by recognizing that we do not have all the answers; seeking and acting on input and feedback from the communities and our colleagues; acknowledging and learning from our mistakes and successes; and asking ourselves, “What else can I do to improve?”

These Core Values, which are built on the principles of equity, diversity and inclusion, serve as the North Star guiding all Human Resources-led initiatives. To date they have been successfully incorporated into the Service’s recruitment, promotion, leadership development and performance management programs.

TALENT ACQUISITION

In 2018, the Service reviewed its approach to recruitment in response to declining recruitment volumes, and a need to source and attract a more diversified candidate pool. In response, the Service developed a two-pronged strategy:

- Approach the Ministry of Community Safety and Correctional Services (Ministry) with a call to action to modernize the Constable Selection System (C.S.S.); and,
- Re-imagine the Service’s own applicant sourcing and marketing strategies.

The C.S.S. was a comprehensive suite of assessment tools developed by the Ministry in the early 1990s to determine the suitability of police constable applicants in Ontario. In 1998, the Ontario Association of Chiefs of Police (O.A.C.P.) was granted authority to sub-licence the system to individual police services in Ontario - 41 municipal police services and the Ontario Provincial Police used the system, working through a third party vendor to assess candidates. By 2018, it had become clear to the Service and other like-minded policing organizations that the 20 year-old system was problematic.

The C.S.S. was found to be frustrating for candidates and did not meet the needs of police agencies looking to hire a more diverse cohort of candidates. At the request of Service and others, the Ministry conducted a review of the C.S.S. and found that a disproportionate amount of persons from racialized backgrounds and women were unsuccessful in the testing phases of the process. As a result of the Service and other stakeholders petitioning the Ministry and the O.A.C.P., the C.S.S. for all of Ontario was revamped to a more equitable process as of January 2020. This new process addresses some of the systemic barriers found previously – which included excessive focus on fitness levels that negatively impacted female and some racialized applicants,

testing fees that were considered to be unattainable for certain demographics, and testing locations not always easily accessible to candidates without cars.

To ensure that the new C.S.S. does not create unintended barriers for applicants to the Service, members of the Talent Acquisition unit partnered with the Wellesley Institute to conduct a preliminary assessment of the new selection tools. The Wellesley Institute is a non-profit and non-partisan Canadian think tank that focuses on reducing urban inequities and social and economic inequalities. Initial concerns have been raised about the ability of the tools to efficiently funnel candidates with the profile and lived experiences that the Service has identified as desirable. This work is ongoing at the time of this report.

Concurrent with this work, the Service was also re-imagining its own applicant sourcing, marketing and recruitment strategies. Partnering with Deloitte, the Service designed a talent acquisition strategy to better reflect Toronto's diversity, one that is more focused on the applicant's needs and motivations, and tailors outreach accordingly. Strategies were defined to widen the applicant funnel – creating awareness even among those who have never considered a career in policing; to diversify the funnel – diversity across backgrounds, career stages, demographics, identity and lived experiences; to align the applicant funnel with the Service's Core Values and Competencies; and to sustain the applicant funnel by taking a data driven approach to ongoing workforce planning and continuously monitoring, evaluating and adjusting the sourcing and marketing approaches.

As well, the recruitment process shifted away from a mindset of investigating and “screening out” applicants, to one that emphasized finding and “pulling in” the best talent for uniform and civilian roles that reflect the communities of Toronto. This shift of mindset has occurred by looking at applicants holistically, rather than the piece-meal investigative and psychological assessments that were happening in the past. This has led to a talent acquisition process that is less cumbersome, costly and time-consuming, and more inspiring, encouraging and meaningful to candidates. This has been enabled by diversifying the Talent Acquisition unit itself to reflect the diversity and lived experiences of our city, by ensuring that a panel reviews candidate files rather than decisions made by background investigators on uniform hiring, and by ensuring that our recruiters are creating meaningful connections with the candidates.

These changes to the Service's talent acquisition philosophy and process have already had a demonstrable impact on the demographics of the cadet classes. For example, in 2018, the two classes averaged 38% of candidates identifying as racialized and/or Indigenous, and 15% identifying as female. By comparison, the last two classes hired in 2020 averaged 43% of candidates identifying as racialized and/or Indigenous, and 40% as female.

Until 2020, there was limited diversity data collected for those applying for civilian roles. Starting in October 2020, the Talent Acquisition unit began collecting diversity data for all external candidates and new hires. Although the data collected is provided on a

voluntary basis, this data will seek to assess the effectiveness and outcomes of our strategy to hire diverse, qualified candidates. This data will be reported to the Board at future meetings.

ORGANIZATIONAL CULTURE ASSESSMENT

Diversity initiatives in talent acquisition have limited value in the absence of a sense of belonging for members once they have joined the Service. In 2018, the Service undertook an organizational culture review to understand how our employees are experiencing working for the Service. This review explored the behaviours, values, artefacts, reward systems and rituals that shape our members' experience and satisfaction working for the Service.

Through an organizational survey completed by 3,500 employees, and an additional 40 focus groups comprised of 500 members, we heard that our employees are committed to excellence in public service, and that being part of a team and having a sense of family at work matters to them. Service members are proud of their ability to contribute to the community; however, the review also shed light on challenges that were clearly identified by members.

A need for leadership development and accountability, organizational fairness and transparency were widespread themes that emerged through the consultation process. Additionally, our members shared their strong desire for better internal communication and the need for respect and equity for all members, across ranks, whether civilian or uniform.

These themes have been incorporated into Service's 2020-2023 People Plan, with the commitment to developing and delivering a comprehensive set of people programs designed to support and enhance our members' capabilities to deliver community-centric services; empower our leaders and hold them accountable for championing change and innovation; and to enable a culture of fairness, transparency, and respect. The 2020-2023 People Plan was presented to the Board at its September 2020 meeting (Min. No. P132/20 refers).

THE FOUNDATIONS OF LEADERSHIP DEVELOPMENT PROGRAM

Effective leadership is essential to a successful, modern organization. Helping to prepare current and future leaders for the rigors and expectations of leadership today is an important part of building a strong, resilient Service.

In collaboration with experts in modern leadership development, the Service created the Foundations of Leadership Development Program. This program, designed around our four competency clusters – Our Development, Our Mindset, Our Impact, and Our Connections – offers four full days of practical training on effective leadership aligned to each theme.

Day One – exploring what it means to be develop as a leader at the Toronto Police Service

- Leadership mindset and accountabilities
- Effective communication
- Effective feedback
- Coaching conversations

Day Two – leading with an adaptable and solution-focused mindset

- Problem solving and decision making
- Change transition model
- Overcoming resistance to change
- Communicating change

Day Three – developing emotional intelligence to help deliver and be accountable for results

- Emotional intelligence
- Trust equation
- Setting clear expectations and accountabilities
- Critical conversations
- Motivate for full engagement

Day Four – exploring the connections leaders need to be successful

- Service impact model
- Inclusive leadership
- Diversity and inclusion at the Toronto Police Service

This leadership development program, designed for sergeants, staff sergeants, and civilian supervisors, was piloted in 2019. Feedback from the early sessions was highly positive, with many participants, both uniform and civilian, noting its value even at more advanced stages of their careers, as well as for members seeking leadership roles. This leadership development program is being embedded into the new promotional process and is mandatory for all uniform members seeking promotion.

The Service currently in the process of building a program to support the next level of leaders – Inspectors, Superintendents and Managers.

UNIFORM PROMOTIONAL PROCESS

A clear ask from our sworn members during the listening tours of “The Way Forward” and the culture assessment focus groups, was a need to re-evaluate the uniform promotional process. Rank and file wanted a more transparent, consistent and fair process that minimized bias.

The traditional process that emphasized memorization and inconsistent transparency was not seen to be aligned to the members' accomplishments and potential, and therefore, was no longer supported by executive leaders or members across ranks.

From 2019-2020, over 300 uniform members across the Service participated in the development of a new uniform promotional process that launched in October 2020. This new process was built by members, for members. It is a multi-hurdle process that, at its core, focuses on developing members. It incorporates our Core Values and Competencies, and is based on the demonstrated accomplishments of all members seeking promotion. Currently, the new promotional process is being independently reviewed by the Wellesley Institute to ensure that the process reflects the principles of being equitable, fair, transparent and free from bias. The new uniform promotional process was reported to the Board at its September 2020 meeting (Min. No. P139/20 refers).

RE-BRANDING OF THE EQUITY, INCLUSION & HUMAN RIGHTS UNIT

In support of this modernization, the Service created the Equity, Inclusion and Human Rights (E.I. & H.R.) unit, the first of its kind in Canadian policing. Established with strategic direction from the Service's modernization plan, The Way Forward, the E.I. & H.R. unit is a Centre of Excellence led by a team of subject matter experts, utilizing best practices in the promotion of inclusion and human rights to champion a progressive equity agenda for the Service. The vision for a rebranded unit, the unit structure, and a prioritized approach to staffing the unit with critical positions were presented and approved at the May 2019 Board meeting (Min. No. P106/2019 refers).

As was reported to the Board at its October 2020 meeting, the E.I. & H.R. unit is leading a range of high-profile initiatives that drive work through a multi-pillar framework that includes community engagement, partnerships and collaborations, training, change management and communication, research and evaluation, policy analysis and development, program development, and strategic advice.

Key initiatives being led by the E.I. & H.R. unit include the following:

- Race-based Data Collection strategy implementation;
- Gender Diversity and Trans Inclusion Project;
- Workplace Well-being, Harassment and Discrimination review;
- Comprehensive and targeted training in the areas of anti-Black racism, and equity, inclusion and human rights training;
- Targeted coaching and training;
- Train-the-trainer and capacity building; and,
- Multi-modal staged race-based data training curriculum.

The impact of these initiatives will ultimately create a more equitable, inclusive work environment and long-lasting positive changes within the Service and in its interactions

with the community and other external stakeholders. It can also provide a template for other policing agencies as they look towards meeting the increasingly complex needs of the communities they serve and addressing systemic racism. For more detailed progress report on the work of the E.I. & H.R. unit, please refer to the report submitted at the October 2020 Board meeting.

SENIOR LEADERSHIP DEVELOPMENT AND COMMITMENT TO EQUITY INCLUSION AND HUMAN RIGHTS (E.I. & H.R.) AGENDA

A key transition point for organizations moving through the diversity and inclusion maturity curve is when diversity and inclusion is no longer an HR-driven initiative, but rather one where senior leaders step up, challenge the status quo and proactively identify and address barriers to inclusion. To support the Service's senior leadership to effectively lead, manage and integrate equity, inclusion and human rights, the Service has partnered with the Wellesley Institute to deliver targeted leadership development to a group of senior leaders.

To further strengthen leadership commitment to the Service's E.I. & H.R. agenda, each Command leader has been assigned a portfolio within the E.I. & H.R. program of lead and sponsor. This will provide the Service's senior leaders with an opportunity to role model inclusion and to be held accountable for key inclusion performance indicators.

Deputy Chief Shawna Coxon: Race-based Data Collection

Deputy Chief Barbara McLean: Gender Diversity and Trans Inclusion Project; Loku Inquest Recommendations; Comprehensive and Targeted E.I. & H.R. Training; Comprehensive Review of Procedures

Deputy Chief Peter Yuen: Community Engagement for Race Based Data – Self ID Pilot; Examination of Coach Officer Selection

Acting Deputy Chief Myron Demkiw: Communication and Change Management

Chief Administrative Officer Tony Veneziano: Senior Leadership Development, E.I. & H.R.; Equity Strategy

Chief Information Officer Colin Stairs: Data Management; Service-wide Project Data Analysis; Public Reporting

It is expected that this targeted leadership development program will be extended to additional senior members of the organization to support greater capacity building amongst our leaders as a key driver in achieving a more equitable organization.

LOOKING FORWARD

In the near term, we have also identified key programs that will further our goal for creating a workplace that is not only free from bias, but that celebrates differences, enshrines fairness, creates equitable outcomes and is open and transparent. These include the following:

Understanding the demographics of our workforce:

While the Toronto Police Service collects some demographic data on its members, we recognize that we need to do more to establish a diversity baseline, set hiring, promotion and performance goals, and develop effective tracking and evaluation tools. The success of the 2020-2023 People Plan requires more comprehensive data on relevant measures that will help us to strengthen equity, diversity and inclusion within the Service.

Today, our data does not allow us to provide the organization with analysis on diversity for programs supporting promotions, leadership development and mentoring. Our commitment to the Board is that the Service will create the foundation for an online census to help refine, implement, and further evaluate the outcomes of our programs against our commitment towards a more diverse and equitable organization.

Mentorship Program:

In 2017, we developed and tested our first formal mentorship program, where participants were matched with a mentor to guide, share experiences, skills and knowledge. The results from original participants were very positive; they felt more satisfied with their experience as members, more connected to the organization, and more effective across the different competencies. Mentors also enjoyed their participation in this program, and provided positive feedback from their experience. This program is aligned to our goal of an inclusive organization – one where members have the ability to build networks and share experiences to better themselves and the organization. By 2022, we will move beyond the test stage and open the program to all members as both a personal and career development opportunity.

Uniform Role Profiles and Talent Mobility:

As part of our 2017-2019 People Plan, we embarked on a process that would, for the first time in the Service's history, create comprehensive and standardized uniform role profiles. These job descriptions are a key component of our new uniform promotional process and performance management system. But of equal importance, they support providing a more transparent process for uniform members to have access to job opportunities, as well as to prepare in advance for future roles. Currently, most uniform job vacancies are not posted internally for open competition; however, it is the goal over the next several years, to post all vacant roles. Providing members with more opportunities and options will encourage career development, improve performance and

enhance morale and motivation across the Service, allowing more members to reach their full potential.

Unconscious Bias Training for Hiring Managers:

In 2021, all managers with accountability for hiring will be required to complete an online course on how to attract and hire a diverse workforce. Hiring managers will learn the skills they need to further mitigate unconscious bias on key decision points during the recruitment and selection process.

Training Curriculum Review:

Effective training is required to prepare members to deliver public safety in our city, as well as assist them in realizing their full potential throughout their career with the Service. This training helps them be effective in their current roles, and prepare those who seek promotion.

To this end, one initiative was started in early 2020, and involved planning for a review of Toronto Police College (T.P.C.) courses through an anti-Black racism lens. Such a training review has not been previously undertaken and underscores the Service's commitment to its vision of delivering community centric policing services. The review will seek to flag material that is prejudicial to this community group or fails to provide the appropriate context for engagement, in an objective and non-judgmental manner, with members of the Black community. The course review will be conducted by Dr. Gervan Fearon and Dr. Carlyle Farrell.

Dr. Farrell and Dr. Fearon completed a major study on community perceptions of the Service and the impact of rule changes under Ontario Regulation 58/16. This assignment, completed for the Board, involved some 1,500 in-depth personal interviews across the City of Toronto and its ethno-cultural communities, and was presented at the May 2019 meeting (Min. No. P99/18 refers).

The T.P.C. is working with Dr. Fearon and Dr. Farrell on a plan for wider internal dissemination of the study's findings in support of its strategic priorities, including race-based data collection, the implementation of contemporary policing practices, and its ongoing efforts at community engagement. While the COVID-19 pandemic has interrupted this project, the Service is of the view that the study's findings could further these priorities among Service leaders, instructors at the T.P.C., and Neighborhood Community Officers, and better prepare members to deliver policing practices that enhance community safety in our city.

Both projects, the review of training curriculum and the wider dissemination of the community study, are ongoing at the time of this preliminary report and are expected to be completed in 2021. Both will be impacted by the course of the COVID-19 pandemic. The academic qualifications and expertise of Dr. Fearon and Dr. Farrell are described below:

Dr. Gervan Fearon is the President and Vice-Chancellor at Brock University. He has held similar positions at Brandon University and also served as that institution's Vice-President (Academic and Provost). Dr. Fearon has also served as Dean of The G. Raymond Chang School of Continuing Education at Ryerson University and as Associate Dean at York University. Gervan has previously served as the President of Tropicana Community Services and is a member of several boards. At Brock University Dr. Fearon drafted a Strategic Plan for the University which emphasized equity, inclusion, reconciliation and decolonization. This Strategic Plan was approved by the Brock University Senate and Board. Also at Brock University, Gervan established the Office of Human Rights and Equity and supported the establishment of a new position – Vice-Provost, Indigenous Engagement. Dr. Fearon is also currently serving as co-chair for the Advisory Committee on the development of the Community Safety and Well-Being Plan for the Niagara Region and previously served as a member of the Brandon Urban Aboriginal People's Council in Manitoba. Dr. Fearon is the recipient of several awards, including the 2009 Toronto Police Service Community Award, 13th Division (presented at The British Methodist Episcopal Church); awards from Jamaican Canadian Association and Tropicana Community Services; and the Queen Elizabeth II Diamond Jubilee Medal for community service. Dr. Fearon holds a Doctor of Philosophy degree (Ph.D.) in Economics from the University of Western Ontario, Bachelor of Science (B.Sc.) and Master of Science (M.Sc.) degrees from the University of Guelph. He also holds designations from the Chartered Professional Accountants (C.P.A.) Canada and the Institute of Corporate Directors.

Dr. Carlyle Farrell is an associate professor in the Ted Rogers School of Management (T.R.S.M.) at Ryerson University where he teaches courses in international marketing and the Latin American and Caribbean business environments. He served as the Chair of the Global Management Studies Department in T.R.S.M. for eight years. Dr. Farrell has also served on the Ryerson University Senate and on several university search committees which are required to uphold the principles of equity, diversity and inclusion. He holds a B.Sc. degree from the University of the West Indies, an M.Sc. degree from the University of Guelph and a Ph.D. from the University of Manitoba. Dr. Farrell is the recipient of the Best New Scholar award from Ryerson University and is the author of two books and numerous peer reviewed journal articles. Dr. Farrell also has over 15 years of private sector experience as a management consultant. He has undertaken consulting assignments in over 20 countries around the world for a range of clients in the public and private sector including the World Bank, the United Nations, Inter-American Development Bank and the African Development Bank.

Conclusion:

There have been many changes over the past three years, both within the Toronto Police Service and within our wider community. The initiatives described within this report are a response to these changes and demonstrate a resolve to ensure that the Service achieves its vision of a modern, community-centric policing service; one that is committed to being diverse, equitable, inclusive, transparent and fair to our membership and to the communities we serve.

It is important to note that the work described in this preliminary report would not have been achievable without the investment of both financial and human resources. This investment was made possible through the committed leadership of the Service's Chief and Command, involvement from Service leaders and members, input from community, and support from the Board. Continued commitment and investment will be required to realize further outcomes from the work described within this report and to advance the Service's equity agenda.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office



Toronto Police Services Board Report

November 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Recommendation 45 - Early Intervention Program

Recommendation(s):

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

Financial Implications:

Expanding the capacity of the Professional Standards Information System (P.S.I.S.) through the add-on applications BlueTeam and EIPro (further details in the Discussion portion of this report) will supplement the existing IPro database by supporting early identification, heightened member monitoring, the inclusion of critical incident exposure, quality data input, and better work flow with respect to investigations.

CI Technologies, the vendor for P.S.I.S., provided the following cost proposals to Professional Standards Support - Analysis & Assessment (A&A) on October 15th, 2020.

BlueTeam (proposed 2021 budget purchase):

- Initial up-front purchase of licensing/one-time cost
- Total licensing and service costs for Year 1 (total with taxes) - \$86,106.00
- Recurring licensing subscription costs from Year 2 forward (total with taxes) - \$16,272.00

EIPro (proposed 2022 budget purchase):

- Initial up-front purchase of licensing/one-time cost
- Total licensing and service costs for Year 1 (total with taxes) - \$45,200.00
- Recurring licensing subscription costs from Year 2 forward (total with taxes) - \$9,040.00

Please see below for combined 2021-2022 and future annual costs. Initial up-front licensing costs will be funded by the Modernization Reserve. Any future subscription costs will be included in future year budget requests.

Pricing for IAPro - BlueTeam and EIPro (current as of 2020.10.15)				
Item	Rationale	2021 Cost	2022 Cost	Future Annual Cost (ongoing cost)
Computer Software Upgrade (Blue Team)	Updating existing IAPro software platform to include Blue Team application, which will allow for enhancements to our Early Intervention program	\$90,000 (upfront cost)	\$20,000 (license + vendor support)	\$20,000 (+ 2% increase every 2 years, per vendor)
Computer Software Upgrade (EIPro)	Updating existing IAPro software platform to include EIPro application, which will allow for enhancements to our Early Intervention program		\$46,000 (upfront cost)	\$10,000 (licence subscription cost, + 2% increase every 2 years, per vendor)
TOTAL		\$90,000	\$66,000	\$30,000

The existing Toronto Police Service (T.P.S.) contract with CI Technologies in regards to the new version of IAPro outlines a Statement of Work that commits to remote installation, configuration and training assistance, during the current upgrade and testing phases. (It should be noted that the upgrade currently underway has no financial implications) A similar statement of work has been provided by CI Technologies in the costing for both BlueTeam and EIPro with the addition of on-site training and configuration.

Background / Purpose:

At its August 2020 meeting, the Board approved 81 recommendations on police reform in Toronto aimed at addressing systemic racism, alternative community safety and crisis response models and building new confidence in public safety (Min. No. P129/20 refers).

Recommendation 45 within this report directed the Chief of Police to report to the Board by November 2020, on the means by which:

- a. the Toronto Police Service identifies police officers who are repeated subjects of conduct complaints or negative findings by the courts, or those who

- disproportionately use force, even where no specific instance amounts to allegations of misconduct;
- b. those identified officers are monitored for compliance with Toronto Police Service policy and procedure and receive additional training where necessary;
 - c. the Toronto Police Service determines what other interventions are appropriate or required for officers that are identified as part of the Service's efforts as per a. and b., above.

This report serves as a response describing the Toronto Police Service (Service)'s efforts to date.

Discussion:

Historical Review of the Professional Standards Information System & Early Intervention Program

In 1998, the Ontario Civilian Commission on Police Services (O.C.C.P.S.) investigated a concern raised by the Toronto Police Association (T.P.A.) regarding a perceived disciplinary bias against front-line officers. As a result of this investigation, in July of 1999, the O.C.C.P.S. put forth a recommendation requiring the Service to facilitate the collection and retention of complaint data. The recommendation outlined that the Service establish one comprehensive employment and personnel performance data record, in a central location, to ensure continuity and completeness of recorded information.

By 2000, an internal working group had been formed to review the recommendation and develop Terms of Reference and business requirements. Parallel to the database requirement, in 2001, Toronto Police Chief Julian Fantino commissioned Justice George Ferguson to conduct an investigation into various aspects of police misconduct. The Ferguson Report recommended that the Service develop an early warning system for identifying at-risk members. By mid-2001, the "Final Response to O.C.C.P.S.: Fact Finding Report" was forwarded to the Province, and the Board granted approval to continue with a procurement process.

In October of 2001, the Service issued a Request for Proposals (R.F.P.) in regards to a Professional Standards Information System (P.S.I.S.). At least four different corporations responded. CI Technologies (CI Tech), a Canadian-company based out of Vancouver, was the only company that could follow through on the deliverables, within the budget allotted for this acquisition. This competitive procurement process, directed by a product generic specification, established CI Technologies - IAPro software as the Service standard. A Statement of Work was drafted and a Licence Agreement was drawn between the Service and CI Tech. The IAPro application was licensed and installed onto a secure, stand-alone Service server in 2003.

IAPro is similar to the Provincial Major Case Management PowerCase software in that data is inputted, investigators are assigned to and manage their investigations within the

application and guidelines, data is extracted for investigational purposes and statistics from the database are utilized to report on trends. IAPro addressed the functionality solution with respect to the central data storage issue raised in the 1998 O.C.C.P.S. recommendation, as well as the capabilities to support the early warning requirement identified in the Ferguson Report.

Literature Review

In 2008, the Service formed a working committee to implement the recommendations and create an Early Intervention (E.I.) program. A literature review was undertaken to identify best practices across early warning and intervention systems. Literature from academia, judicial reviews and commissions were reviewed. Furthermore, extensive consultations were held with experts in the field of law enforcement, as well as numerous police agencies with E.I. programs already in place. What emerged was a common requirement and theme between theoretical and practical experiences that all emphasized a critical need for early intervention systems in policing. Best practice dictated that E.I. systems incorporate four key components:

1. A set of relevant performance indicators;
2. A process for identifying and selecting appropriate candidates for the program;
3. An intervention process with sufficient alternatives available to assist candidates in mitigating future risk (training and counselling are two common examples); and,
4. A heightened monitoring component with appropriate timelines, a clearly defined exit process and adequate monitoring requirements.

Over the span of the next two years, an extensive corporate library was established that fully supported and provided governance to building a robust and effective E.I. program. The Service's E.I. program reflected the four key components and incorporated best-practices from other law enforcement agencies currently operating an E.I. program. The first Early Intervention Report was created for Senior Command members in October of 2010.

Building on the 2008 review:

In 2018 the Analysis and Assessment Unit (A&A) initiated a new alert process that monitors Probationary Constables; this process has continued with all newly hired recruits.

- As part of this process an alert is triggered when the monitored officer is linked as the subject officer to an incident entered on the Professional Standards Information System.
- As a result, an additional 478 alerts were triggered in 2019. Similarly to E.I. alerts, the alerts are manually reviewed by A. & A., for any emerging trends, or atypical behavior. If concerns are identified, the matter is escalated to ensure appropriate strategies are employed.

In 2019, three significant changes were made to the E.I. Program; each took effect January 1, 2020:

- A new Early Intervention form was created that removed the Professional Standards crest from all correspondences. These modifications to the form reflected feedback from the Field suggesting that associations to Professional Standards implied discipline, which was contrary to the non-disciplinary intentions of the E.I. Report.
- Early Intervention Interviews between the member and their immediate Supervisor were made mandatory.
- The “Overall” alert was added as a Type of Alert. The Overall Alert includes all other Types of Alerts and has a threshold of 5. The Overall Alert captures incidents that in their totality may not have triggered an alert, but when combined and taken in the context of all other alerts, may be the beginning of a pattern of risk. The key to the Overall Alert is the time frame and frequency

Also in 2019, in addition to the standard conduct and performance review, A&A expanded performance statistics to include workload indicators, such as callback hours, court hours, and paid duties. Callback, Court and Pay Duty hours were included in the analysis in order to proactively identify officer fatigue and trends and ensure member wellness. These indicators continue to be captured and taken into consideration in terms of the overall additional hours worked by an officer, above and beyond their normally scheduled hours. A comparison analysis that examines all additional hours worked by the member and the member’s platoon is conducted. If it is determined that the member worked an excessive number of additional hours, this is noted in the Early Intervention Report as a possible factor when considering the performance indicators that gave rise to the Alert. The Early Intervention Report is intended to foster dialogue between the member and a Supervisor during which time the reasons for the excessive hours worked may be discussed.

As well, additional training was delivered to the Service’s Unit Commanders. The purpose of this training was to raise awareness of the E.I. program, emphasizing member wellness and changes to the response process. One of the changes implemented is that it is now compulsory for supervisors to have a discussion about E.I. and wellness with the member before the response form can be completed. The training also provided further direction on to how to complete a response in relation to an E.I. report and the available resources. If a supervisor identifies a potential need for wellness support, the E.I. response is then forwarded to the Wellness Unit for additional review and action.

In 2020:

- A&A once again revised the training material to incorporate statistics that substantiated the impacts and success of the E.I. process on members’ behaviour. The presentation has been delivered at the Toronto Police College (T.P.C.) to managers and supervisors, thereby strengthening the risk reduction

capacity. The revised presentation has also been delivered to community partners from Toronto Community Housing (T.C.H.C.), the Toronto Transit Commission (T.T.C), the University of Toronto Special Constables Liaison Office and Ryerson University Campus Security.

- In conjunction with Wellness, A&A created a list of internal and external mental health resources readily available to members. The handout features options for internal care, but also lists external options for peer support and comprehensive treatment programs. Finally, the handout provides a visual pictorial of the mental health continuum. Direction is given in the Early Intervention Report for supervisors to ensure members are provided with a physical copy of the resources.

The above work and findings are regularly reviewed by members of A&A to ensure that the Service's E.I. program continues to reflect best practices.

A&A regularly conducts data analysis to set thresholds which identify the number of incidents required to trigger an alert when exceeded. The E.I. program is dynamic and is continually evaluated and adjusted to reflect current trends and the Service's risk management concerns.

Improvements to the Service's E.I. program are continuously informed by reviewing academic reports from higher-level educational institutions in Canada, the United States and internationally. Numerous inquests, such as the Loku Inquest in 2017, have impacted the E.I. program; peer-reviews and consultations also inform best-practices.

A&A continues to evaluate various complementary models such as the High Risk Circumstance model currently in place within the Seattle Police Department, and findings from the U.S. based Police Foundations.

Toronto Police Service – Early Intervention Program

The E.I. program is a philosophy, process and mechanism for enhancing member wellness, as well as fostering accountability and transparency.

Early intervention is a proactive process that seeks to identify members with potential performance or conduct issues that do not warrant formal disciplinary action, but suggest potential concerns. It provides the identified members' units with comprehensive reports to assist in the development of strategies to help members. The E.I. process creates an opportunity for the member and supervisor to discuss any issues, formulate a plan if necessary, and provide support and guidance to address those issues.

Supervisors are able to provide non-disciplinary direction and training before the officer becomes a liability. Officers are encouraged to improve their performance through

counseling, training or coaching, referrals to the Employee & Family Assistance Program (E.F.A.P.), Medical Advisory Services (M.A.S.), Equity, Inclusion & Human Rights (E.I. & H.R.) and Psychological Services, heightened monitoring, and review of assignment. The process also allows for supervisors to check in on members' wellness (i.e. the stress of attending many high risk calls). The E.I. process is supported by the statistical data and functions of P.S.I.S., meaning that the process is empirical, objective, and analytical, having the capacity to identify trends and patterns.

An E.I. alert is triggered when a member exceeds a pre-set threshold for incidents monitored through P.S.I.S. Thresholds are reviewed yearly to ensure they continue to be relevant and accurate. Once an alert is triggered, the member's performance and conduct history is reviewed and a report may be generated to address potential performance or conduct issues.

Below is a chart of all the performance indicators that are captured in P.S.I.S. and factored into generating an alert. The threshold that must be met with respect to the number of incidents within a 12 month period is also included:

Incident Type (in PSIS)	Threshold (within 12 months)
Uniform External Complaint	3
Uniform Internal Complaint	3
Firearm Discharge	2
Civilian External Complaint	2
Civilian Internal Complaint	3
Use of Force	5
Firearm - Pointed at a Person	3
Pursuits	3
Civil Litigation	2
Human Rights Complaint	2
SIU Investigation	2
Service Vehicle Collisions	2 (At Fault)
Monitored Officer	1
Overall	5

- a) ***Capturing the above listed incidents types in one database that has the capacity generate alerts based on pre-determined thresholds ensures that the Toronto Police Service identifies police officers who are repeated subjects of conduct complaints or negative findings by the courts, or those***

who disproportionately use force, even when no specific instance amounts to allegations of misconduct.

The E.I. Program is key to helping to identify performance patterns that require intervention before these patterns result in misconduct or degrade a member's health and wellness. Moreover, the E.I. process identifies potential gaps in training and/or Governance and reduces risk to the Service.

Work continues in the field today from an analytical or data-driven perspective, as well as a behavioral and psychological lens with respect to the E.I. program. This work and findings are regularly reviewed by members of Analysis & Assessment (A&A) to ensure that the Service's E.I. program continues to reflect best practices.

In 2019, there were 857 alerts triggered in relation to members and 67 Early Intervention Reports generated, compared to 557 alerts triggered and 92 EI reports generated in 2018.

b) Those identified officers are monitored for compliance with Toronto Police Service policy and procedure and receive additional training where necessary.

A Master E.I. Report tracker is updated every time a report is created and forwarded to the Staff Superintendent of the member's Command for further dissemination. The tracker includes member information, alert details, the creation date, forwarded date, due date and the date that a response is received back from the Field. A response is required within 30 days from the date that the report was forwarded to the Staff Superintendent's Office. An entry in the tracker is not closed until A&A receives a response from the member's unit (standardized form with space for free text).

As an additional check and balance, the Detective assigned to A&A updates and closes the alert in P.S.I.S. with the creation date, sent date, and received date. The database is checked frequently for open, or unconcluded alerts.

The results of the meeting between the member and the unit's supervisors are captured in the tracker by keyword for every E.I. Report. Responses indicating that a member is being referred for remedial training require the date that the training is to occur. A&A has the capacity to confirm through Member Gateway if the member has been enrolled in the training and has complied with the direction to complete the training. This information is captured in the alert.

No record of participation in an E.I. program is placed in an officer's personnel file – the electronic records (report and response) are stored electronically in a secure database, only accessible to members of A&A. Retention schedules are adhered to as per the *Police Services Act*.

- c) **The Toronto Police Service determines what other interventions are appropriate or required for officers that are identified as part of the Service's efforts, as per a) and b) above.**

Formal Interventions

As stated, the E.I. program is separate from the formal disciplinary system. It is important to note that some of the incidents giving rise to the alert may be conduct issues that, upon further investigation, substantiate misconduct and could therefore, evolve into a disciplinary matter. In other words, officers identified through the E.I. program will still proceed through the E.I. process, but may also be compelled under the *Police Services Act* or *Criminal Code of Canada* to adhere to the formal discipline process (Professional Standards and/or Prosecutions) as well.

Mental Health Resources

Alerts are reviewed by a Detective in Professional Standards Support – Analysis & Assessment. To be effective in this role, the Detective requires a strong operational, investigative and analytical background. It is a further asset for this Detective to have received additional training in member support (Peer Support Volunteer and/or a member of the Critical Incident Response Team). The current Detective in this role meets these criteria, in addition to participating in Behaviour Threat Assessments in her former role with the Sex Crimes unit.

The type of alert, frequency of alerts, a member's service time and assignment, conduct and training history, as well as a peer comparison is conducted. The specific incidents giving rise to the performance indicator are also investigated. All of these criteria are weighted in an objective process and an Early Intervention Report *may* be generated. It is important to note that members may reach the threshold of a specific indicator, but the discretion to issue an Early Intervention Report is based upon a compilation of factors. The only incident type for which an Early Intervention Report is mandatory is the pointing of a firearm at a person three times within a 12 month period.

Upon completion of the Early Intervention Report, the Detective will take all factors into consideration and determine if other interventions or resources may also benefit the member, in addition to the intervention at the unit level. There are processes in place to refer the file to M.A.S., Psychological Services and the E.I.&H.R. unit.

Mandatory Early Intervention Interviews

Early Intervention interviews between the member and their immediate Supervisor are now mandatory. Previously, discussions with the member were at the discretion of the Unit Commander and Supervisory Team. In the majority of Early Interventions, the member has hit the threshold for a variety of reasons. These reasons can include the number of high risk calls for service attended by the member that justifies their use of force, or the absence of any obvious performance issues such as attendance,

deportment or rapport with colleagues. Previously in these cases, there would be no obvious external concerns or reasons for the Supervisors to counsel the member.

It is now considered best-practice to engage the member, regardless of whether they appear to be well adjusted and highly productive, or struggling and unable to perform. Trauma and stress is cumulative and the opportunity created by an Early Intervention Report may be the catalyst in the member eventually seeking help.

In conjunction with the Wellness unit, A&A has created a list of internal and external resources readily available to members. The handout features options for internal care, but also lists external options for peer support and comprehensive treatment programs. Finally, the handout provides a visual of the mental health continuum. The handout is attached to the member's Early Intervention Report package.

Supervisors receive training and information regarding mental health resources, available internally and externally to members of the Service. Supervisors are encouraged to go over the list of resources with the member during the Early Intervention meeting. Members are provided with the handout and encouraged to review it at their convenience. Unit level Supervisors may also refer the member to M.A.S., Psychological Services and E.I. & H.R.

Partnerships:

The Toronto Police Service has long been considered a leader in the field of Early Intervention Programs. The Service was one of the first law enforcement agencies in Canada to develop an EI program. The size of the service has also impacted the volume of early interventions and the types of alerts and the depth of the investigations have established the Service as an industry gold-standard in the field of early intervention programs.

A&A continues to engage with the Calgary Police Service and York Regional Police in terms of incorporating critical incidents into the evaluation and analysis of an officer's performance. Both these police services factor these types of incidents into their E.I. programs and both have acquired BlueTeam.

Recently, Ottawa Police Service and Peel Regional Police have contacted the Analysis & Assessment unit inquiring on best-practices currently employed by the Service, in order to better inform their own E.I. programs.

Going Forward:

The need for public accountability and transparency has never been more apparent or critical for fostering public trust. In early 2020, a review of units within Corporate Risk Management (C.R.M.) identified the opportunity to enhance the E.I. program through the use of technology.

In March of 2020, Analysis & Assessment began the process of upgrading the current operating version of the IAPro database to the latest version (7.5.72). The newest version will support software improvements such as advanced data entry, the ability to upload and link files within a PSIS case, investigative efficiencies and data integrity.

C.R.M. is working with staff from Information Technology Services (I.T.S.) to upgrade the software within the IAPro application. This upgrade will enhance early intervention capability within the program, and address the limitations of an out-dated IAPro version and an inefficient database. Testing and transfer of knowledge are continuing at the time of this report, and the new version will be live by the end of 2020, if not before.

The upgrade has the ability for documents to be uploaded directly to the electronic P.S.I.S. file, thereby supporting the need for transparency and ease of information-sharing between various C.R.M. stakeholders. Additionally, the current T.P.S. technological infrastructure supports this upgrade (there are no additional technological requirements). The upgrade and testing has occurred in partnership with Information Technology Services. Resources and staffing from both A&A and I.T.S. have been allotted to support this upgrade and testing.

The new version presents opportunities for to increase investigative efficiency through the storing of case documents and facilitating information-sharing between C.R.M. stakeholders, as well as fiscal savings through diminishing paper resources and the physical space needed to store files. Most significantly, the upgrade has increased data entry and reporting capabilities that will enable to Service to report accurately on matters of significance to the community.

IAPro Enhancements – BlueTeam

In addition to the upgraded P.S.I.S. platform, the Service is exploring the purchase of BlueTeam, an add-on application to the IAPro database that enables additional features, such as data entry and case management. The application will streamline the reporting and data entry process, and allow information to be securely pushed to users that do not have access to P.S.I.S., such as a Unit Complaints Coordinators (U.C.C.). This would greatly improve the efficiency of divisional-level complaint investigations by allowing the U.C.C. to continue the digital case management without compromising the integrity of P.S.I.S. In addition, BlueTeam is capable of displaying a limited view of threshold and performance indicators to field members and Supervisors.

IAPro Enhancements - EIPro

Current best-practices amongst law enforcement agencies include critical incidents in the measurement of members' wellness and performance. Literature points to Early Intervention Programs as a mechanism to facilitate defusing and/or debriefing sessions to proactively address a member's wellness, performance indicators and response to critical incidents. The impact of attending a critical incident presents differently in every person. People also respond uniquely to trauma, so the ability to know when a person

has been exposed to a higher than average number of critical incidents is crucial to early intervention methods.

EIPro is specifically designed to support heightened member monitoring by supplementing current threshold analysis with the additional statistical certainty of algorithms. With this application, supervisors at all levels are able to run a temporal query that calculates each member's exposure to a critical incident. A normal threshold range is established and then outliers (or officers) who are above or below this range are indicated. Road Sergeants and Staff Sergeants are able to monitor their immediate platoon; Senior Officers are able to monitor their entire Division or District. Corporately, A&A could monitor officers across the city and in partnership with key stakeholders, proactively intervene by conducting a wellness check.

A preliminary exploration of other Canadian law enforcement agencies that factor critical incidents into their Early Intervention Programs was undertaken in 2018 by members of the C.R.M. Command. Currently, York Regional Police Service and Calgary Police Service are leading the industry by incorporating critical incidents such as homicides, the death of children, and traffic fatalities into their Early Intervention Programs. EIPro provides opportunities to advance member wellness and foster a safer and healthier workplace.

Expanding the capacity of P.S.I.S. through BlueTeam and EIPro will support early identification, heightened member monitoring, the inclusion of critical incident exposure, quality data input and better work flow with respect to investigations. These are priority investments for the Service to continue enhancing its E.I. program going forward.

Leadership Selection and Development

The effectiveness of an Early Intervention program is influenced by leaders who are prepared for the rigours and expectations of this role in today's environment. This is an important factor in building a strong, resilient Service that delivers excellence in policing to the city of Toronto.

The Service is engaged in two key initiatives to better select and develop its leadership. First, our service recently revamped its uniform promotional process, and this process was presented to the Board at its September 2020 meeting (Min. No. P139/20 refers). This new process was built by members, for members, and involves a multi-hurdle process that focuses on developing members. It incorporates our Core Values and Competencies, and is based on the demonstrated accomplishments of all members seeking promotion.

Second, the Service has collaborated with experts in modern leadership development to create the Foundations of Leadership Development Program. This program, designed around our four competency clusters – Our Development, Our Mindset, Our Impact, and Our Connections – offers four full days of practical training on effective leadership

aligned to each theme to sergeants, staff sergeants, and civilian supervisors. This program includes training on problem solving and decision making, overcoming resistance to change, setting expectations and accountability; effective communication, feedback, and coaching conversations, as well as critical conversations, among other leadership topics. The Service currently in the process of building a program to support the next level of leaders – Inspectors, Superintendents and Managers.

The Service's leadership training is designed around the essential skills required to lead in today's environment. In designing this program, the Service worked with developers to embed competencies focusing on people in the curriculum – exploring what it means to be a leader, problem solving, developing emotional intelligence in yourself and others, building trust, critical conversations, and accountability are examples. With this focus, the Service is, and will continue to provide its leaders with the tools to meaningfully engage with their team members. A clear understanding of how organizational culture, uncertainty, power dynamics and any number of external forces can impact a member's ability to cope is imperative for today's leaders. Proficiency in these skills will enhance early detection, and equally important, early intervention.

For more information on these two initiatives, please refer to the Service's report in response to Recommendation 30 – Preliminary Report on Diversity in Human Resources, which form part of this month's Board package.

Wellness Framework

As described above, member wellness is key to effective performance, and best practice in early intervention starts with building awareness and skills, ensuring members have access to supports and resources, as well as managing exposure to trauma and critical incidents. To support members and to enhance the effectiveness of the Early Intervention program, the Service is committed to ensuring that members can operate with the confidence that health and workplace safety are organizational priorities. The Wellness unit is focused on supporting the physical, mental, emotional and spiritual health of our members as they move through the organization.

Over the past few years, the Service has made significant strides in addressing stigma and mental health and well-being, including implementing mandatory training through the Road to Mental Readiness Program. Our vision is to deliver more integrated, holistic services, and to add more proactive, preventative health promotion, so members can easily understand and access the support that they need to stay healthy.

Over the last year and a half, the Service has invested in new expertise in claims management, accommodation management, an additional corporate psychologist and new medical staff to help achieve this vision. The injection of this new talent was instrumental as we navigated our way through, and continue to respond to, the COVID-19 pandemic. During this time, the Service and the Board have also made changes to the psychological benefits available to members (\$5,000 per member, per year), removed barriers to access support (doctor's note requirement), and added resources

such as digital health provider Inkblot Therapy and online cognitive behavioural therapy platform MindBeacon. Most recently, the Service has launched a pilot MindFit Pin, which encourages all members to practice self-care, including activities such as an annual mental health check-up, and participation in mindfulness and resiliency programs.

The Service is currently developing a comprehensive and integrated wellness strategy that puts member well-being at the center. Our members need a Well-Being Strategy that addresses the following:

- **Confidence, Trust and Access:** Members will have the tools, programs and knowledge to thrive at work and in life. Members will recognize, trust and rely on resources in one safe place for them in times of need - resources that will promote growth and recovery, and aim to prevent recurrence of illness and injury.
- **Health Promotion and Illness/Injury Prevention:** Expand the focus of the health mandate from reacting to illness or injury and shift towards preventative approaches that will help optimize long term health and wellness, reducing the future incidence of illness and absence. Seek to understand data in order to identify and address hazards and factors which can influence poor individual health outcomes in the policing sector in order to design workplace action plans to prevent and mitigate risk.
- **Eco-system of Care and Support:** Members are empowered to make personal health and wellbeing choices through a technology-enabled holistic eco-system of health supports. This promotes a “no wrong door” approach to getting the right support at the right time by the right resources.
- **Culture, Behaviours and Member Experience:** All members, supervisors and leaders will support and nurture a work experience and culture of high-performance health, safety and well-being, relying in part on the services, advice and programs delivered by the Wellness Unit to ensure that all members across the Service have fair and consistent support for their individual health.

This strategy is informed by a number of audits in the areas of disability management, occupational health and safety, and guided by member input and industry best practices, including the findings of the Chief Coroner of Ontario’s expert panel on police suicide and a 2020 survey representing the views of members.

The Service is aiming to be back in front of the Board in December with a Service-wide wellness strategy that will include new technology to improve efficiency, more proactive case management that connects members with the supports they might require, and expanding the tools and resources available for members and their families.

Conclusion:

This report describes current efforts to identify police officers who are repeated subjects of conduct complaints, how these officers are monitored or provided additional training, and other holistic initiatives designed to improve the Service's Early Identification program.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*Original copy with signature on file in Board office



Toronto Police Services Board Report

October 28, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Mobile Crisis Intervention Team Expansion Plan

Recommendation:

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

Financial Implications:

There are no financial implications relating to the recommendations contained within this report. The Toronto Police Service (the Service) is undertaking to absorb from within its current budget any policing-related costs associated with the expansion of its Mobile Crisis Intervention Teams (M.C.I.T.) Program.

Background / Purpose:

The Board, at its meeting September 17, 2020, received an interim report from the Chief acknowledging that new, innovative, and collaborative methods are essential with regard to responding to mental health crisis calls for service.

The purpose of this report is to further update the Board on the progress of the Service's response to mental health crisis calls through the expansion and enhancement of the M.C.I.T. The Service is also continuing to partner with the Board and the City of Toronto as new alternative models of mental health crisis response are developed. These developments will be reported to the Board separately.

Discussion:

Description of the Service's M.C.I.T. Program

The M.C.I.T. mandate is to:

- Enhance the quality of service delivered to persons experiencing a mental health crisis;
- Provide a secondary response to incoming calls for service, follow-up, and referrals involving emotionally disturbed persons in their own environment;
- Remove the individual from situations where they may cause serious harm to themselves or others;
- Make an immediate on site clinical assessment of the person in crisis; and
- Arrange appropriate mental health treatment through referral to an appropriate agency or occasionally apprehending the person under the *M.H.A.*

M.C.I.T. pairs a specially trained mental health nurse from a partner hospital with a specially trained police officer. They provide a secondary response to calls for service involving individuals experiencing a mental health crisis. If appropriate, the M.C.I.T. attends, makes an assessment of the situation and arranges for appropriate medical treatment or community referral. If the person is apprehended under the *Mental Health Act (M.H.A.)*, the team attends the psychiatric facility where the expertise of the team's mental health nurse helps triage the patient.

One of the goals of the M.C.I.T. Program is to divert persons in crisis from both the criminal justice system and the hospital emergency room and to provide an avenue for immediate crisis intervention of community referrals for ongoing support. In the event the M.C.I.T. is not available to respond to a person in crisis, the Primary Response Unit (P.R.U.) is responsible for resolving the event.

When feasible and consistent with officer and public safety, members with M.C.I.T. training and/or additional mental health training may take the lead role in situations involving an individual experiencing a mental health crisis.

Current M.C.I.T. Operations

The M.C.I.T. operates on a daily basis, providing service and support to people in the community experiencing a mental health crisis. As noted, when a M.C.I.T. team attends a call they will: assess the person in crisis; and, connect the person to an appropriate follow-up service. M.C.I.T. will attend in response to a call from a P.R.U. involving 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.

Currently there are 10 M.C.I.T. teams that operate seven days a week, and depending on the team, are available from 1100 hours to 2100 hours (7 teams that are operational 7 days/week and 3 teams that are operational 4 days/week). Sixteen officers are assigned to the teams on a permanent basis and are part of the complement of officers from their respective home divisions. In addition, hospital partners provide over 40 full-time, part time, and casual nurses, as well as a full-time program manager. Cota Health contributes one case manager and one peer support worker. From Monday to Thursday, there are 10 operational teams. From Friday to Sunday, that number decreases to seven operational teams throughout the city. Hours of operation and team deployment are based on staffing and call volume data.

To date, the Service is currently partnered with the following hospitals for the M.C.I.T. program:

- 11/14/22 Divisions are partnered with Unity Health Toronto - 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 Scarborough Health Network;
- 51/52 Divisions are partnered with Unity Health Toronto - St. Michael's Hospital; and
- 53/54/55 Divisions are partnered with Michael Garron Hospital.

Consultation on the Expansion and Enhancement of Mobile Crisis Intervention Team (M.C.I.T.) Program

Led by Deputy Chief Yuen and supported by Staff Superintendent Carter, the M.C.I.T. Working Group has been created to implement the Board's recommendations concerning expansion and enhancement of M.C.I.T. The M.C.I.T. Working Group is composed of stakeholders within T.P.S. including the Strategy Management Unit, Analytics and Innovation Unit, M.C.I.T. and mental health program coordinators, and the M.C.I.T. project manager from Michael Garron Hospital representing the program's partner hospitals.

In addition, the Service consults on a continuous basis with the Board's Mental Health and Addiction Advisory Panel (M.H.A.A.P.) on issues related to the M.C.I.T. expansion plan. As part of the most recent consultation, the Service provided questions to the Panel for its input and expertise. The guidance provided by the membership of

M.H.A.A.P. will be integral in the development of outcomes outlined in the M.C.I.T. expansion. The Service acknowledges and recognizes the breadth of knowledge and experience of the Panel. Throughout this update, feedback from M.H.A.A.P. will be frequently referenced.

Current initiatives to expand the reach of the existing M.C.I.T. Program without additional funding

Within existing resources, the Service is taking several immediate and important steps to enhance the M.C.I.T. Program, improve the sophistication of its operations and deployment decision-making, facilitate improved outcomes for those supported by the M.C.I.T. Program with a data-based approach, and embed crisis workers into the intake function so as to provide the most appropriate response depending on the nature of the call for service. These are reviewed in more detail, below,

Immediate Expansion of M.C.I.T.

Based on the current number of M.C.I.Ts, the Service has begun the process to ensure that every division will have a 24 / 7 P.R.U. and M.C.I.T. response for calls involving persons in crisis, beginning in January 2021. This immediate expansion will pair M.C.I.T. trained officers together to focus on calls where persons are in crisis.

Program Coordination

In order to provide a more efficient first response, program coordination will evolve to include centralized administration, coordination, and management of the overall program from one central location with the teams responding out of their respective divisions. The Service's Analytics and Innovation Unit has provided dedicated analytical resources to ensure that ongoing analysis of data will facilitate deploying the teams during peak demand hours.

Real-Time Data and Decision-Making

The M.C.I.T. Working Group and the T.P.S. Analytics and Innovation Unit are working in partnership to develop a dashboard to support decision making by providing relevant and actionable information to improve effectiveness and efficiency of M.C.I.T. operations in real-time. In addition, the T.P.S. Mental Health Data Collection and Analytics Working Group will be gathering and analyzing mental health data from existing reporting processes to further support enhanced crisis response. This data will provide information on which hospitals clients have been to, any observations of behaviour and potential triggers on previous encounters, and overall trend analysis.

Combined, all these elements will result in a more tailored response to persons in crisis calls for service.

Data enhancements for M.C.I.T. include:

- Hospital wait times: Leadership of the M.C.I.T. Program will have access to current hospital attendance information to identify and address issues with partner hospitals, such as increasing officer wait times and demographic trends of individuals taken to hospital.
- Calls for service attended: Leadership of the M.C.I.T. program will have access to call volume information by police division, time of day, day of week, and location type to ensure that Officers are continuing to concentrate resources where evidence tells us the need is the greatest.
- Persons in crisis demographics and *Mental Health Act* apprehensions: M.C.I.T. officers will have up-to-date access to persons in crisis demographic information and individuals frequently apprehended under the *Mental Health Act*. Having historical and contextual client information will serve to enhance interactions between officers and clients going forward.

Additionally, and in consultation with M.H.A.A.P. other core elements of the program that will be evaluated are:

- Perspectives of individual in crisis on their experience with M.C.I.T.
- Perspectives of police and nurses on their experience with M.C.I.T.
- Feedback from other service providers in the community regarding their experience with M.C.I.T.

M.C.I.T. Officer Selection Criteria

The Service is in consultation with internal and external program stakeholders and is working to identify the specific competencies and background needed to be an effective M.C.I.T. officer. This Role Profile will be used in the selection process and evaluation of future M.C.I.T. officers, taking into account the Service's Organizational Competency Framework.

The Honourable Frank Iacobucci's report *Police Encounters with People in Crisis* and the Service's Mental Health and Addiction Strategy will be utilized as valuable reference material to build this Role Profile and further inform M.C.I.T. Program development. For example, "...to ensure that the best suited people are in these roles" *Police Encounters with People in Crisis* states in Recommendation 47 "Those who successfully complete probation should be subject to a minimum commitment of two years as part of the M.C.I.T."

Additionally, and based on the outcome of consultation with M.H.A.A.P., new officer selection criteria will include (but is not limited to):

- A proven focus on values, empathy and humanistic approach
- A proven capacity to build rapport on human level
- A demonstrated ability for anti-racist and anti-oppressive practice, commitment to human rights, and awareness of lived experience of mental health and/or addictions related issues

Lastly, the Service is currently engaged in a focused assessment of the existing pool of previously trained M.C.I.T. Officers to ascertain their current position and future availability to be deployed in an M.C.I.T. function.

911 Call Diversion

The Service will be piloting a program which will embed a crisis worker from a community agency with 911 call-takers. This pilot program will place an individual trained in mental health crisis response at the 'intake' stage of the process, to identify non-emergency and non-life-threatening mental health calls and divert them to non-emergency responders (i.e. community agencies and resources), so that a police response is reserved for appropriate situations.

Background

In 2015, the Houston Police Department (H.P.D.), developed the Crisis Call Diversion (C.C.D.) program. The program is a multi-agency collaboration between H.P.D., the Houston Emergency Center (H.E.C.) and the Harris Center for Mental Health and Intellectual and Developmental Disabilities (I.D.D.). It is designed to identify and redirect non-emergency, non-life-threatening calls for services that are mental health crisis related, away from first responder resources, including police and Emergency Medical Services (E.M.S.), and to the Harris Center for Mental Health & I.D.D. mental health professional tele-counselors located at the 9-1-1 call centre.

Since the initiation of the C.C.D. Pilot program in the spring of 2015, under the guidance of the Mental Health Division, the C.C.D. program has made great progress diverting non-emergency Crisis Intervention Team (C.I.T.) calls away from police and E.M.S. to C.C.D. counselors whereby they link the caller to needed services rather than dispatching a police unit or H.P.D. personnel.

Crisis call diversion crisis workers have helped first responders and the Houston community in such a way that in 2017, crisis workers handled 7,264 calls for service; this resulted in 17% of calls being diverted away from police response.

Most recently, York Regional Police Service, as a result of the pandemic, ran a limited pilot program involving crisis call diversions. Preliminary results have been very encouraging. The average time spent on a call was 42 minutes (as compared to approximately 2 hours for a traditional call), 138 calls were completely diverted and did not require any front line police response (as the project team was able to successfully deal with the call completely by phone), and 47 crisis calls that required front-line attendance met the criteria for a police response.

Toronto Police Pilot Program

The Service has consulted with several Toronto community social service agencies operating crisis lines to determine their capacity, training, and associated processes in triaging mental health calls into more appropriate organizations, when an emergency response is not required.

Some of the organizations that have been consulted include: Gerstein Crisis Centre, Canadian Mental Health Association (C.M.H.A.) Peel-Dufferin, C.M.H.A. Toronto, C.M.H.A. Ontario, Scarborough Health Network, and The Distress Centres of Greater Toronto.

The Service will also be participating in a collaborative working group of provincial law enforcement agencies to develop guidelines specific to call diversion.

An inquiry was made to the partnering Toronto hospitals as well as the agencies that participate in Furthering Our Community by Uniting Services (F.O.C.U.S) to ensure agencies engaged in crisis response in the City of Toronto have been consulted.

The T.P.S. Communication Services has also been engaged and has mapped out processes to integrate a crisis worker into current T.P.S. operations.

Further consultations with Houston Police Department have resulted in the sharing of their process and training documents relative to a crisis worker embedded in communications services to identify best practices and call diversion processes.

A meeting of some identified mental health crisis response stakeholders occurred, which included: Albion Neighbourhood Services, CMHA Toronto, Cota

Health, Distress Centres of Greater Toronto, Gerstein Crisis Centre, Fred Victor, Progress Place, Reconnect, Sound Times, and WoodGreen Community Services. The Service took these opportunities to continue socialization of the intended program, obtain practitioner input, and canvass interest in collaborative opportunities.

Training

A new training curriculum, which includes stakeholders from various government and social service sectors for M.C.I.T. members, is being developed and the next M.C.I.T. level 1 training course is scheduled in February, 2021. The course would see both identified officers and nurses enrolled.

In consultation with M.H.A.A.P. this new training will include a comprehensive understanding of the *Mental Health Act* (M.H.A.) and what occurs at hospital when someone is the subject of an M.H.A. form, versus what occurs when an individual is charged and brought to court. As well, numerous perspectives will be heard from officers and nurses who have been involved in the program.

New M.C.I.T. Procedure

Currently, directives for the use of M.C.I.T. are woven into existing TPS Procedure 06-04 Emotionally Disturbed Persons. The Board, M.H.A.A.P., and the Service recognize the importance of emphasizing through specific procedure the M.C.I.T. response to persons in crisis. A standalone procedure is required to provide clarity and guidance to mobilizing the M.C.I.T. response. The M.C.I.T. Working Group is working with Professional Standards Support, Governance Unit to draft a new M.C.I.T. operating procedure. This procedure will be amended as necessary, based on Service requirements and in consultation with M.H.A.A.P.

This new procedure will outline where the M.C.I.T. can safely and appropriately be the first responder, including:

- Self-harm/ attempted suicides
- Persons acting bizarre in public settings and within private dwellings
- Calls that have characteristics of bizarre behaviour, shouting/yelling, unprovoked assaults could all trigger a M.C.I.T. response.

Expansion of Case Management

A case manager contracted through Cota Health works with M.C.I.T. clients to refer them to appropriate services or reconnect them with pre-existing services to continue support. After an interaction with M.C.I.T., if a client remains in the community, they are given the option of being connected to a case manager and a peer worker who follow up with the client within 48 business hours of the encounter with the M.C.I.T. The case

manager is currently maintaining a case load of approximately 25 clients, depending on the complexity of the clients and their needs. At this time, no client referrals have been turned away from the program.

The addition of new case managers and peer support workers to support the important ongoing work required is dependent on additional funding.

M.C.I.T. Uniforms

The M.C.I.T. Program is considering changes to the uniform of the police and nurse M.C.I.T. members. Taking in to consideration feedback from various stakeholders, T.P.S. will be conducting a targeted survey to be circulated to people with lived experience, community agencies, Human Services and Justice Coordinating Committees, Furthering Our Communities Uniting Services (F.O.C.U.S.), and hospital partners. The survey will incorporate uniform options and related questions. This survey has been developed and is pending final approval. The Service has engaged an approved vendor to create drawings of several distinct uniform options. A choice of shirt, pant, and hat options are being considered and will be included in the survey.

Additionally, and based on the outcome of consultation with M.H.A.A.P., components of a new uniform will take the following into consideration:

- The perceived intimidation factor of a uniform
- The perceived barrier a uniform can present between the person behind it and a person in crisis
- The safety of responders in any interaction

Efforts with respect to expansion of the M.C.I.T. Program based on additional funding

There are two funding streams for the M.C.I.T. Program: the T.P.S. funds all policing-related costs associated with the Program from the Service's operating budget, and the Ministry of Health, via the Local Health Integration Networks (L.H.I.N.), funds the hospital portion of the partnership (i.e. the nurses). All M.C.I.T. nurses are employed by the hospitals, and their salaries are, therefore, paid through provincial health care funding allocations.

Beginning in May 2019, the M.C.I.T. Steering Committee initiated advocacy efforts directed at the provincial government for additional funds for more nurses with the goal of expanding the current M.C.I.T. Program. Advocacy efforts included submission of a briefing note communicating the need for program expansion to the Premier of Ontario, Minister of Health, and Solicitor General; production of a video about the M.C.I.T.

Program to supplement the briefing note; and, a presentation to representatives at the Solicitor General's Office to provide further elaboration and metrics to support the request.

If the partner hospitals provide additional nurses, T.P.S. has already developed operational plans to provide the required officers to establish the additional M.C.I.T.s. Additional provincial funding will allow the M.C.I.T.s to deploy more nurses, and allow for other enhancements with the addition of case managers, and peer workers. The required background investigations of new M.C.I.T. nurse candidates would be fast tracked to ensure deployment at the earliest opportunity. With respect to the policing component of an M.C.I.T. expansion, any costs associated with the need for additional police officers will be absorbed from within the Service's operating budget without a request for additional funds.

Conclusion:

The Service recognizes that persons in crisis need continued support. In response to these needs and supports, the Service is expanding the reach and sophistication of its existing M.C.I.T. Program, based on existing resources, at the direction of the Board and the Chief, as well as the learned guidance of the M.H.A.A.P.

Working groups have been tasked to develop the components of this multi-layered enhancement, which include: M.C.I.T. as first response; expansion of the number of teams and hours of operation; creation of a stand-alone M.C.I.T. procedure; revised selection and evaluation process for M.C.I.T. officers; an enhanced data and deployment strategy; uniform changes; and, 911 crisis worker diversion pilot.

The M.C.I.T. Working Group has been created to implement recommendations concerning expansion and enhancement of the M.C.I.T. and will continue to report its progress to the Board, with a further report to the Board in Q1 of 2021.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original with signature on file at Board office

Auditor General's Proposed Risk-Based Audit Plan of the Toronto Police Service

Date: November 10, 2020
To: Toronto Police Services Board
From: Auditor General
Wards: All

SUMMARY

At the request of the Toronto Police Services Board, the Auditor General completed a risk assessment of the Toronto Police Service to develop a risk-based audit plan. This plan was independently developed by the Auditor General and sets the audit priorities at the Toronto Police Service over the next five years.

Once the Toronto Police Services Board adopts the proposed risk-based audit plan, it will be used to select audit projects of the Toronto Police Service in the short-term and longer term. Each year, the Auditor General will review the projects on the audit work plan along with any new information that becomes available. Any emerging issues or new potential police audit projects, to be initiated, will be discussed with the Board.

The Auditor General undertakes a risk-based approach to audit selection for her Annual Audit Work Plan. Each year there is a review of the of the City-wide risk assessment results along with any new information when developing the Annual Audit Work Plan to present to Audit Committee. This work plan includes audits that are in process, those which have not yet started, and new proposed audits.

The Auditor General's 2021 Work Plan includes the cyber security and 911 operations audits already approved by the Toronto Police Services Board. There is also a placeholder for a third police audit project in 2021. Available resources are a major factor in determining which priority projects are included in the Annual Audit Work Plan.

RECOMMENDATIONS

The Auditor General recommends that:

1. The Toronto Police Services Board request the Auditor General, City of Toronto, to perform the audit work identified in the proposed risk-based Audit Plan of the Toronto Police Service.

FINANCIAL IMPACT

The recommendations and information provided in this report have no financial impact.

DECISION HISTORY

The Auditor General provides independent assurance on the effectiveness and efficiency of City operations. The benefits of our audit work include identifying or mitigating risks, as well as improving both accountability and management controls.

The Auditor General's mandate, powers, and responsibilities are set out in the City of Toronto Act, 2006 and Chapter 3 of the Toronto Municipal Code. The Auditor General's mandate includes all City Divisions and most of the City's agencies and corporations. For certain City entities, such as Toronto Police Services Board, the Auditor General may undertake financial (excluding attest), compliance, and performance audits, and provide recommendations to the Board, *upon request by the Board*.

The Toronto Police Services Board Chair's letter dated December 12, 2019, stated that "*on behalf of the Toronto Police Services Board, I invite you to conduct an overall risk assessment as well as a cyber security audit of the Toronto Police Service*".

City Council recommendations made at its June 29, 2020 meeting and recommendations made by the Toronto Police Services Board at its August 18, 2020 meeting, both reinforced the support for the Auditor General's audits of the Toronto Police Service. Various recommendations in both the Council and Board reports requested the Auditor General to develop an independent audit work plan in order to identify opportunities to more effectively and efficiently deliver police services in the City of Toronto.

Council's report on Changes to Policing which was considered by Council on June 29, 2020:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC22.2>

The Toronto Police Services Board's report on Policing Reform Initiatives which was considered at its Board meeting on August 18, 2020:

<https://tpsb.ca/component/jdownloads/send/32-agendas/631-august-18-2020-agenda>

The Auditor General included the Toronto Police Service within the scope of the 2020 City-wide risk and opportunities assessment. A status report describing the Auditor General's risk assessment process was considered at the Toronto Police Services Board meeting on October 22, 2020:

<https://www.tpsb.ca/component/jdownloads/send/32-agendas/637-2020-oct-22-agenda>

The Auditor General has included the two audits requested by the Board, as well as a placeholder for a third police audit, in her 2021 Audit Work Plan which will be presented to Audit Committee on November 19, 2020.

COMMENTS

Auditor General's Annual Audit Work Plan

The Auditor General undertakes a risk-based approach to audit selection. Determining which areas to audit and the appropriate allocation of resources is essential in maximizing the value of an audit function. Every five years the Auditor General performs an extensive City-wide risk assessment process to inform the audit selection process.

Each year there is a review of the results of the risk assessment and new information is considered by the Auditor General in developing the annual Audit Work Plan to present to Audit Committee. This work plan includes audits that are in process, those which have not yet started, and new proposed audits. Available resources are a major factor in determining which priority projects are included in the Audit Work Plan.

The Auditor General's 2021 Work Plan includes the Cyber Security and 911 Operations audits approved by the Toronto Police Services Board, as well as a placeholder for a third police audit in 2021.

Proposed Risk-Based Audit Work Plan for Toronto Police Service

Although the Auditor General has completed numerous audits at the request of the Toronto Police Services Board, this is the first time that the Auditor General has been invited to complete an independent risk assessment process at the Toronto Police Service. The resulting risk-based audit work plan was independently developed by the Auditor General to identify potential projects to be completed at the Toronto Police Service. The plan sets out the police audit priorities for the next five years.

The adoption of the proposed audit work plan by the Toronto Police Services Board will inform the selection process for projects in the short-term and the longer term.

We recognize that during our audit work, policing in Toronto will continue to experience significant change. We acknowledge that the Toronto Police Service is in a major transition period which includes selecting a new Chief of Police and developing a new strategic plan. For this reason, the Auditor General will review the potential projects and any new information each year as her annual Audit Work Plan is being developed. Any new emerging issues or potential police projects will be discussed with the Board.

The results of our risk assessment are based on the six command areas at the Toronto Police Service. Each command area was recognized as an audit area of interest.

We evaluated each audit area of interest using the following 10 risk factors:

- Cyber Security and Information and Technology Exposure
- Legal Exposure (incl. Environmental, Regulatory, Litigation)
- Susceptibility to Fraud, other Wrongdoing, or Waste
- Complexity and Significant Changes in Operations and Service Delivery
- Alignment of Strategic / Business / Service Planning
- Sufficient Staffing Levels & Organization Competence
- Financial Exposure (Materiality and Impact)
- Contractual Exposure
- Adequacy of Policies, Procedures, Processes and Controls
- Public and Political Interest

A status report describing the Auditor General's risk assessment process and the details of each risk factor was considered at the Toronto Police Services Board meeting on October 22, 2020:

<https://www.tpsb.ca/component/jdownloads/send/32-agendas/637-2020-oct-22-agenda>

Proposed Police Audit Projects

Performance audits help in identifying opportunities to deliver services more effectively, efficiently, and to obtain the greatest value from the use of public funds. Audits also help management and boards to continuously improve policies, controls, processes, and to strengthen accountability.

A Memorandum of Understanding will be established to formalize and guide the working relations between the Auditor General and the Toronto Police Service and the Toronto Police Services Board.

Table 1 below identifies the proposed audit projects that emerged after completing our risk assessment of the Toronto Police Service. The projects are categorized by area of command at the Toronto Police Service, as well as by the anticipated timing. Any potential audit projects are subject to available resourcing of the Auditor General's Office.

The projects are not listed in order of priority. Some of the identified high priority projects have been shown as longer-term, such as Response to Mental Health Calls, as we acknowledge that the Toronto Police Service is currently working with the City to improve certain areas.

The scope for each audit area will be defined during the planning stage of the project.

Table 1: Auditor General's Proposed Risk-Based Audit Plan of the Toronto Police Service

Audit Area of Interest	2021 Auditor General's Annual Work Plan		On the Horizon 2022-2023	Longer-term Projects
Information Technology	1. Cyber Security [Confidential]	3. Assessing Policing Responsibilities and Service Areas – to identify opportunities for improvement and potential cost savings, including delivery by alternate service providers	IT Infrastructure & Governance	IT Contract Review Business Continuity
Priority Response Unit	2. 911 Operations			Response to Mental Health Calls Court Services** Use of Body Camera Evaluation
Human Resources Command			Workforce Administration	Occupational Health & Safety Race Based Data Collection
Community Response Unit			Traffic Services Parking Enforcement*	Proactive Community Policing
Specialized Operations				Paid Duty*
Support Command			Fleet**	Police Facilities

* last audited by the Auditor General in 2011

** last audited by the Auditor General in 2008

For 2021, we have identified three audit projects. Cyber Security and 911 Operations have already been requested by the Toronto Police Services Board, and have been included in the Auditor General's 2021 Audit Work Plan. The third audit project proposed for 2021 is assessing policing responsibilities and service areas to identify opportunities for improvement and potential cost savings, including delivery by alternate service providers. A brief description for each of these three projects is provided below.

1. Cyber Security

The high priority area of cyber security is a high risk area for most organizations, and our work at the City in 2019 highlighted these risks. We have begun a cyber security audit at the request of the Board. A Memorandum of Understanding is in place regarding the cyber security audit currently in process.

This project includes IT vulnerability assessment and penetration testing of the Toronto Police network, systems, and applications. We will also use social engineering techniques to test police information technology cyber security risks.

2. 911 Operations

The Public Safety Answering Point, better known as the 911 emergency call centre, is a critical area that has never been reviewed by the Auditor General. Dialing "9-1-1" in Toronto links a caller to an emergency dispatch centre operated by the Toronto Police Service. It is intended for emergency purposes, such as fires, when someone can't breathe, a crime is happening, or there is a serious car accident. Of the 1.24 million calls for service received in 2019 by the emergency call centre, 34 per cent required a police unit to attend. The 911 emergency call centre is the gateway to reactive police services. It provides critical information for prioritizing the Toronto Police Service's response to emergency calls and impacts other important emergency response services in the City, such as fire and paramedics.

3. Assessing Policing Responsibilities and Service Areas – to identify opportunities for improvement and potential cost savings, including delivery by alternate service providers

The third proposed audit for 2021 is assessing policing responsibilities and service areas to identify opportunities for improvement and potential cost savings, including delivery by alternate service providers. Core policing services are required to be delivered by the Toronto Police Service, as defined by the Police Services Act in provincial legislation. However, there may be opportunities for improvement and potential cost savings in other policing services or the transition of services between other service providers and the Toronto Police Service. For example, life guard and crossing guard services used to be performed by the Toronto Police Service and are now performed by other service providers.

Given current financial pressures with COVID-19, this is an ideal time for this review. The Auditor General is able to provide an objective perspective and audit report for the Board's consideration that may result in potential efficiencies and cost savings for the Toronto Police Service. This proposed project is intended to provide an overarching and foundational piece of work that will guide the selection of future more in-depth audit topics.

This project is not exclusive to a specific command area but applies across the overall Toronto Police Service. The results of this project and future legislative changes may impact the police audit work plan.

Thank You to the Toronto Police Service and its Board

We would like to extend our appreciation to the Toronto Police Service and Toronto Police Services Board, for their professional courtesy and cooperation in assisting us to complete the risk assessment.

We look forward to the ongoing working relationship as we continue our work to complete police audits to benefit the City of Toronto.

CONTACT

Tara Anderson, Assistant Auditor General, Auditor General's Office
Tel: 647-461-7013

Bruna Corbesi, Senior Audit Manager, Auditor General's Office
Tel: 416-892-3421

SIGNATURE

Beverly Romeo-Beehler

Beverly Romeo-Beehler
Auditor General



Toronto Police Services Board Report

November 9, 2020

To: Board Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director & Chief of Staff

Subject: CHIEF OF POLICE SELECTION PROCESS - CONTRACT AWARD TO BESC TORONTO INC. (BOYDEN) TO DELIVER EXECUTIVE SEARCH SERVICES

Recommendation(s):

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

1. approve a contract award to BESC Toronto Inc. (Boyden) to deliver executive search services as part of the Chief of Police selection process, for a six month contract term with the option to extend on a month to month basis, and at an estimated cost of \$75,000, excluding taxes;
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; and,
3. authorize the Chair to exercise the option to extend the contract term on a month to month basis, subject to budget availability and satisfactory vendor performance.

Financial Implications:

Given the infrequent nature of the processes required to select a new Chief, the Board's operating budget has never included a specific budget allocation for the services required. The Board has estimated that the budget for executive search services for this search is approximately \$75,000. As part of a separate, but related contract award process, the Board approved an award to a public engagement firm at its October 2020 meeting, also at an estimated cost of \$75,000.

As a result, the costs for the services associated with these firms' work is estimated at approximately \$150,000. Some preliminary work will occur in 2020, but a significant

amount of this work will occur in 2021. Every effort will be made to accommodate the costs from within the Board's 2020 and 2021 budgets.

Background / Purpose:

One of the Board's most significant responsibilities is to recruit and appoint a Chief of Police.

On July 31, 2020, Chief Mark Saunders retired from the Toronto Police Service (Service). As set in out in section 31(d) of the *Police Services Act*, the Board has the statutory responsibility to "recruit and appoint the chief of police." Currently, James Ramer is serving as Chief of Police until such time as a new Chief is appointed. The Board has commenced a two-part Chief selection process, which includes robust and wide-ranging public consultation, as well as the retention of an executive search firm to provide expertise and support during the recruitment stage.

The purpose of this report is to obtain Board approval for the retention of Boyden to provide executive search services.

Discussion:

At its meeting of August 18, 2020, the Board approved 81 recommendations that put into place a roadmap for comprehensive policing reform, which included building new community safety response models, initiatives to address systemic racism and concrete steps to improve trust with our communities (Min. No. P129/20 refers). The report also specifically addressed the forthcoming Chief selection process and recommendations related to that process. In describing the process, the report stated:

The Board will soon begin the public procurement process to select firms to assist with the executive search for the next Chief, as well as for the public consultation process which will inform the executive search. The Board will receive Requests for Proposals (RFP) from interested firms, and will then follow the procedural steps of receiving, evaluating, and selecting firms to execute the executive search and public consultation processes. It is anticipated that a Board report recommending the successful firms will be brought before the Board for approval in Q4 2020. The firms will begin their work following the Board's approvals.

Competitive Procurement Process for Executive Services

A Request for Proposal (R.F.P.) for executive search services was issued on MERX on August 17, 2020 (MERX is an online system that allows firms to review tenders that have been issued, and to provide a bid in relation to proposals). The R.F.P. closed on September 22, 2020, and 25 vendors downloaded the document.

During the posting period, a question was submitted asking what the budget was for this R.F.P. The response provided indicated that the budget was approximately \$75,000.

Ultimately, seven proposals were received.

The proposals were assessed by an Evaluation Committee, where, in the spirit of the Toronto City Council Decisions that were made at its June 29 and 30, 2020 meetings, the Board Office invited senior executive representation from the City of Toronto to participate in the selection process. The Evaluation Committee consisted of the following members:

- Ryan Teschner – Executive Director & Chief of Staff, Board Office
- Danielle Dowdy – Advisor, Strategic Policy & Stakeholder Relations, Board Office
- Stacey Shepherd – Director, People & Culture, Toronto Police Service
- Waheeda Rahman White – Director, Equity, Diversity and Human Rights, City of Toronto

The proposals were assessed based on the evaluation criteria outlined in the R.F.P., which included demonstrated experience in:

- Performing executive search projects for large, complex and unionized organizations with preference to public and/or policing sector; and,
- Successfully navigating public exposure, including media attention, as a result of any high-profile projects

Proponents were also required to:

- Demonstrate experience and qualifications of proposed project team members performing executive search searches for large, complex and unionized organizations with preference to public and/or policing sector;
- Outline their proposed plan, schedule and approach; and,
- Provide sample public consultation projects in their proposal.

As part of the above evaluation criteria, proponents were also evaluated based on their relevant experience and demonstrated ability to execute a search strategy that will include significant proactive outreach to diverse law enforcement communities within Canada and internationally.

Proponent Being Recommended

Boyden scored the highest among the firms that submitted proposals, and is recommended for award. Boyden's price submission was \$75,000.

Boyden is a global leader in the executive search industry with 65 offices in over 40 countries, specializing in high level executive search, interim management and human

capital consulting across a broad spectrum of industries. Nationally, Boyden has five corporate offices in Vancouver, Calgary, Ottawa, Toronto and Montreal. Boyden has been routinely ranked by Forbes as one of the 10 best executive recruitment firms in the world.

Boyden's consultants are specialists in non-profit, public and private executive searches, with a wealth of experience in sourcing executive talent from a variety of sectors. They have conducted searches for municipal police services, municipalities, as well as for governmental agencies, commissions, and boards. Notably, they have managed many high profile executive searches of relevance to this mandate, including:

- Chief of Police, Sault Ste. Marie Police Service (2018)
- Chief of Police, Regina Police (2007, 2016)
- Chief of Police, Calgary Police Service (2007, 2015)
- Governor, Bank of Canada (2012, 2019)
- CEO, Canada Mortgage and Housing Corporation (2013, 2019)
- CEO, Waterfront Toronto
- CEO, Canada Post Corporation
- CEO, The Ottawa Hospital
- CEO, McGill University Health Centre

Upon Board approval, Boyden will be retained to:

- Work closely with Environics, who has been retained by the Board to deliver public consultation services (Min. No. P160/20 refers) for the purpose of developing a job description/role profile for Chief of Police, as well as a competency profile and selection criteria largely based on the feedback obtained from the consultations;
- Provide written details of the search/recruiting process for highly-qualified applicants and related services, including search philosophy and timelines;
- Prepare position advertisements;
- Develop the application package;
- Publicize the vacancy through solicitation locally, provincially, nationally and internationally;
- Assume responsibility for the intake and recording of submittals from prospective candidates;
- Identify and engage high-quality, diverse candidates, using a variety of position-specific search strategies, including outreach to diverse communities;
- With all search methodologies, project a professional image of the Board/Service, including demonstrating the Board/Service commitment to diversity and employment equity, and maintaining the Board/Service established standard for external advertising;
- Screen prospective candidates to produce a short-list of highly-qualified candidates to be interviewed;

- Propose a methodology/format for interviews consistent with current practices for the selection of senior executive level candidates;
- Assist with facilitating, planning, scheduling and conducting in-depth interviews in order to establish a shortlist of semi-finalists;
- Arrange and host all interviews off-site;
- Provide the necessary assessment tools, methodologies and resources to assess the short-listed candidates;
- If requested, participate in the interview process;
- Develop and implement any and all procedures to conduct multiple reference checks, and verify credentials of candidates referred to Board/Service;
- Assist the Board as required in negotiations with final candidates;
- Ensure that all services meet deadlines and are within the approved budget;
- Maintain all files/records related to search assignments for reporting and auditing purposes and in the event of Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) requests;
- Provide a final report to Board summarizing the recruitment and selection process; and,
- Provide any necessary follow-up support during the first three months following the appointment of the successful candidate.

Conclusion:

I am recommending that the Board approve a contract award to Boyden to provide executive search services for the Chief of Police selection process. Based on Boyden's submitted proposal and presentation, I am confident that the firm is very well-positioned to support a complex search process that is highly professional, objective and transparent, and will ultimately reflect well on the Board and Service. If the Board approves this report, Board Staff will work closely with Boyden at the various stages of the recruitment process.

Respectfully submitted,



Ryan Teschner
Executive Director & Chief of Staff



Toronto Police Services Board Report

November 11, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director & Chief of Staff

Subject: Board's Independent Review into Missing Persons Investigations – Request to Extend Timeline and Increase Budget

Recommendation(s):

It is recommended that, with respect to the Board's Independent Review into Missing Persons Investigations (the Review), the Board:

- 1) Approve a request to extend the timeline for the completion of the Review by not more than two months, with the Review being completed on or before March 31, 2020;
- 2) Approve a request to increase the budget of the Review in an amount not to exceed \$700,000; and
- 3) Forward a request the City of Toronto's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000, and request that such funds be made available to the Board as of the date of the request, and until the conclusion of the Review.

Financial Implications:

If the recommendations included in this report are approved, the Board will make a request to the City of Toronto's Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000.

Background / Purpose:

At its meeting of March 22, 2018, the Board approved the establishment of a working group mandated to advise the Board with respect to structural and process options for an independent external review or reviews into systemic concerns related to missing persons investigations (Min. No. P37/18 refers). At its June 21, 2018 meeting, the Board

approved the Working Group's Terms of Reference for an Independent Review as well as a recommendation that it appoint a Reviewer (Min. No P112/18 refers).

As noted in the Terms of Reference, the Review was established to examine Board policies as well as Service procedures and practices in relation to missing person investigations, particularly those involving individuals from the LGBTQ2S+, immigrant, homeless and other marginalized communities.

At the time, the Board also approved a request to the City of Toronto's Executive Committee to allocate and transfer to the Board funding for the Review in an amount not to exceed \$3.0M and that such funds be made available to the Board beginning in 2018 and until the conclusion of the Review. Subsequently, Toronto City Council, at its July 23, 2018 meeting, approved up to \$3.0M for the Review.

At its meeting on August 23, 2018, the Board appointed The Honourable Gloria Epstein, a retired justice of the Court of Appeal for Ontario, to conduct the Board's Independent Civilian Review into Missing Persons Investigations (Min. No. P157/18 refers).

At its meeting of March 26, 2019, the Board approved a recommendation that it agree to expand the scope of the Review, in the manner set out in a proposed revised Terms of Reference, to now include an examination of the specific circumstances involving the investigations into the disappearances of victims associated with Bruce McArthur. (Min. No. P46/19 refers).

The Board considered the Review again at its meeting of January 22, 2020, approving invoices for services rendered to date, and approving a request for additional funding in the amount of \$1M to be allocated to the Review's budget. (Min. No. P7/20 refers)

Discussion:

On November 9, 2020, the Board received correspondence from Mr. Mark Sandler, counsel to the Reviewer. This correspondence is attached as Appendix "A," for your information.

In this correspondence, Mr. Sandler notes that "the Review has been involved in an extensive outreach and engagement with community members and organizations that collectively represent the widest range of lived experiences and perspectives and diversity" and that "the response has been overwhelming." He states that "the Review has examined well over 80,000 pages of documents," reviewing extensive literature and many prior relevant reports. He expects, as do I, that the Review's final report will "be far-reaching, with many findings and recommendations, and "will address a range of issues of importance to the Board, the Service, the City of Toronto, our diverse communities and the public at large."

Mr. Sandler points out, that "[i]n addition to the breadth and complexity of its mandate, the Review's work is facing certain previously unforeseen challenges", including new

developments that must be taken into account, such as the 81 police reform recommendations approved by the Board in August, 2020, the ongoing Ontario Human Rights Commission inquiry, and the new policing legislation in Ontario. In addition, the “complexity of policing-related issues has increased substantially in just the last few months,” given the death of George Floyd and similar events, with “the public discourse has focused on the role the police should or should not play in activities currently within their portfolios, including missing person investigations and, more broadly, the relationship between the police and Toronto’s marginalized and vulnerable communities.” Lastly, Mr. Sandler notes that the challenges imposed by the COVID-19 pandemic has compelled the Review “to take additional measures and time to ensure that we benefit from all relevant information.”

As a result, the Review is requesting both a brief extension to complete the report of no more than two months, with the report being completed on or before March 31, 2021, and, due to the challenges identified above, an increase to the Review’s budget, of no more than \$700,000. If the Board approves this additional funding, it must subsequently request the City of Toronto’s Executive Committee to allocate and transfer to the Board additional funding for the Review in an amount not to exceed \$700,000.

Conclusion:

The Board established this Review in order to facilitate an independent examination of relevant issues that would be comprehensive. As a result of recent developments and police reform efforts, the complexity and range of issues has increased as compared to when the Review began its work. The Review has advised that the additional time and budget funding are required for its work – including its final report and recommendations – to be responsive to this evolving context.

In the end, the Board, the Service and the communities the Service serves require a report that will lead to improvements in missing persons investigations specifically, and policing in Toronto more generally. Therefore, on the basis of the Review’s request and for the reasons it has provided, I am recommending both an extension of the Review’s timeline and an increase to the Review’s budget.

Respectfully submitted,



Ryan Teschner
Executive Director & Chief of Staff

Att.

| The Independent Civilian Review into
**Missing Person
Investigations**

The Honourable Gloria J. Epstein
Independent Reviewer

Mark J. Sandler
Lead counsel

Suite #1900, 439 University Avenue
Toronto, Ontario M5G 1Y8

Telephone: 416-585-9191
Fax: 416-408-2372

E-mail: info@missingpersonsreview.ca
msandler@missingpersonsreview.ca

TO BE DELIVERED BY EMAIL

November 9, 2020
Ryan Teschner
Executive Director
Toronto Police Services Board

Dear Ryan,

I am writing on behalf of the Honourable Gloria Epstein. As you know, the Board retained Judge Epstein to conduct an Independent Civilian Review into Missing Person Investigations in Toronto. I am counsel to the Review.

For over two years now, the Review, has been involved in an extensive outreach and engagement with community members and organizations that collectively represent the widest range of lived experiences and perspectives and diversity. No one who wished to speak to Judge Epstein was turned away. The response has been overwhelming. Indeed, we continue to receive requests for meetings and written submissions, although the outreach is largely done. Community members have been involved through in-person meetings, virtual meetings once the pandemic made these necessary, virtual policy roundtables, a virtual townhall meeting, written submissions, anonymous or attributed, and a survey that was responded to by about 1000 people.

At the same time, the Review has examined well over 80,000 pages of documents, met with many who have information relevant to the specific missing person investigations we are examining, best practices in jurisdictions across Canada and internationally, those who have reported people missing to the police, and policing and other experts in the use of technology, case management tools, officer training and education, human rights and systemic discrimination, community policing, relationships between police and marginalized or vulnerable communities generally and the LGBTQ2S+ communities specifically, as well as the intersection of communities.

Of course, these meetings have included many Toronto police officers, past and present, of all ranks.

We also have a research program, headed up by Professor Kent Roach that resulted in four academic papers on relevant topics, and exchanges with many people on issues relating to the Review's Terms of Reference. Our research has prompted us to examine extensive literature and many prior reports

relevant to those Terms. As you know, our Terms of Reference are extensive, if not unprecedented in their detail.

I expect that Judge Epstein's Report will be far-reaching, with many findings and recommendations. Judge Epstein believes, as do I, that the Report will address a range of issues of importance to the Board, the Service, the City of Toronto, our diverse communities and the public at large. Judge Epstein and I are aware that our work is attracting national and even international interest.

In addition to the breadth and complexity of its mandate, the Review's work is facing certain previously unforeseen challenges.

Very recently, the Board has issued a report making 81 recommendations for change. City Council has directed the City Manager to address a wide range of issues. The Ontario Human Rights Commission has issued several reports, and is soon to issue a remedy-based report. The issues dealt with in these three developments intersect with our Review. The Community Safety and Policing Act, 2019 is not yet proclaimed, but must be taken into consideration in any discussion about the role of the Board and the Service, as well as the City of Toronto and agencies. All this to say, Judge Epstein's Report will only assist the Board if she takes into consideration all these developments, and ensures that her recommendations are not simply added on top of many other recommendations, but enable the Board and the Service to have a clear, consistent, comprehensive strategy going forward.

Second, in the aftermath of the George Floyd death and other similar events, the public discourse has focused on the role the police should or should not play in activities currently within their portfolios, including missing person investigations and, more broadly, the relationship between the police and Toronto's marginalized and vulnerable communities. In crafting her recommendations, Judge Epstein must be mindful of this public discourse, and the larger issues around the role of police. The complexity of policing-related issues has increased substantially in just the last few months.

Third, since March 2020, the Review has operated within the limitations imposed by the pandemic, compelling us to take additional measures and time to ensure that we benefit from all relevant information. This has presented additional challenges, time-consuming challenges relating to the technical demands imposed on a diverse group of people.

Judge Epstein is committed to providing the best Report possible. In order to do that, she is requesting a brief extension to the deadline for her Report. As she is confident the Report will be completed on or before March 31, 2021, she requests an extension of no more than two months.

Given the challenges identified in this letter, it is clear that the current budget will be exceeded. Our interim account for October alone shows the level of work currently needed to complete the Report. We expect that November's account will be similar, although subsequent accounts are expected to be substantially lower as the most time-consuming components of the work will have been completed.

Judge Epstein and those in my firm who are assisting her have charged on a significantly discounted basis from our/their commercial rates. Nonetheless, in order to complete the Report, and mindful of the two-month proposed extension, Judge Epstein is requesting an increase of no more than \$700,000 to the current budget, all disbursements and HST included.

We would be grateful if this request is brought to the Board and City's attention as soon as possible.

All the best.

A handwritten signature in blue ink, consisting of several overlapping loops and a trailing line.

Mark Sandler



Toronto Police Services Board Report

October 26, 2020

To: Chair and Members
Toronto Police Services Board

From: Jim Hart
Chair

Subject: Request for Special Funds –Community Partnerships for Alternative
Community Safety Response Model Consultations

Recommendation(s):

It is recommended that the Board approve an expenditure in the amount of \$22,500.00 to help fund the consultations being led by the City of Toronto regarding community partnerships for alternative community safety response models, as part of the police reform workplan.

Financial Implication

If the recommendation contained in this report is approved, the Special Fund will be reduced in the amount of \$22,500.00. The current balance of the Special Fund is approximately \$575,055.

Background / Purpose:

At its meeting of August 18, 2020, the Toronto Police Services Board approved a significant number of recommendations that will put in place a roadmap for comprehensive policing reform (Min. No. 129/20 refers). One of the most significant areas for reform was that related to the development of an Alternative Community Safety Response model, and specifically, the development of new and enhanced existing alternative models of community safety response, including mobile mental health and addictions crisis intervention. This work is being led by the City of Toronto, and involves a spectrum of stakeholders, including the Government of Ontario, community-based mental health and addictions service providers, organizations representing people with mental health and/or addictions issues and other stakeholders.

Discussion:

A major theme from the recommendations and submissions received by the Board was the need for an alternative to the current community safety response model, specifically one that does not require the presence, intervention or legal powers of police. While the Board approved recommendations to support the continued work, and, indeed, the expansion of the Mobile Crisis Intervention Team (MCIT) program, it is clear that there must be a sustained focus on working with stakeholders to develop new and enhance existing alternative models of community safety response, including mobile mental health and addictions crisis intervention. Once such alternative community safety models or other programming are identified, the aim is to identify funding or areas of funding currently allocated to policing that can potentially be re-allocated to support alternative community safety models and/or fund other City of Toronto programming and services that contribute to community safety.

The team from the City of Toronto that has been tasked with this work has created a comprehensive plan for stakeholder and community consultation. The requested funds would be used as follows:

Reach Out Response Network- \$10,000

Reach Out Response Network is a non-profit organization with a goal to integrate a civilian-led, client-centred mental health emergency service network into Toronto's municipal services and 911 dispatch. The team will be staffed by clinicians and peers from the communities they serve.

To support:

- 5 community consultations
- Develop community asset map for mental health services and programs
- Provide research, analysis and recommendations on alternative community safety models

It should be noted that the City will be matching the proposed Board contribution of \$10,000.

Community Consultations in Black Community- \$5,500

To support:

- 5 community consultations
- Partnering with Black-led and/or serving organizations
- Compiling community feedback and summaries

Gerstein Crisis Centre - \$3,500

The Gerstein Crisis Centre provides 24-hour community-based crisis services for adults 16+ in the City of Toronto who are dealing with mental health, concurrent, or substance use issues are currently in crisis. Centre includes telephone crisis team, mobile crisis team, community-based crisis beds, short-term follow-up support and referrals to other beneficial health and social services.

To support:

- 3 consultations with clients and engage on experiences of people experiencing mental health challenges and substance use
- Honoraria for clients and facilitators are built into the budget
- Submit a consultation summary with findings

7 City-led Engagements - \$3500

To support:

- City staff will be leading the following consultations with various organizations and residents from diverse communities to inform the development of a community crisis response model.
- 1 consultation with 2SLGBTQ+ organizations,
- 1 consultations with organizations serving people living in poverty and/or experiencing homelessness and housing precarity
- 1 consultation with youth
- 1 consultation with organizations addressing gender-based violence
- 1 consultation with survivor services
- 1 consultation with newcomer service organizations
- 1 consultation with community advocates

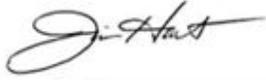
The City will provide in-kind support of facilitation and requests funds for participants.

The consultation component of this work is critical as it will allow members of the community from a variety of sectors and perspectives to add their voices into this important discussion. To be successful and effective, the recommendations that are being developed regarding an alternative community safety response model must be founded on community expectations and needs.

Conclusion:

It is, therefore, recommended that the Board approve an expenditure in the amount of \$22,500.00 to help in funding the consultations being led by the City of Toronto regarding community partnerships for alternative community safety response models, as part of the police reform workplan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jim Hart". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Jim Hart
Chair



Toronto Police Services Board Report

November 9, 2020

To: Members
Toronto Police Services Board

From: Jim Hart
Chair

Subject: REQUEST FOR SPECIAL FUNDS – CENTRE FOR YOUNG BLACK PROFESSIONALS HARDSHIP FUND

Recommendation(s):

It is recommended that the Board approve an expenditure in the amount of \$50,000 to contribute towards the Centre for Young Black Professional's (CEE) Hardship Fund.

Financial Implications:

If the Board approves the recommendation contained in this report, the Special Fund will be reduced by \$50,000. The current balance of the Special Fund is approximately \$575,055.

Background:

Operating since 2012, the CEE Centre for Young Black Professionals is a charity dedicated to addressing economic and social barriers affecting Black youth. CEE offers programs in 5 industries (technology, film, social services, trades, and hospitality). The organization's goal is to improve youths' career, education and empowerment (CEE) with programmatic approaches that are holistic, person-centred and culturally relevant.

Discussion:

CEE's work is focused on populations most impacted by gun violence

The genesis of CEE was the crisis of gun violence among Toronto's Black youth in 2005 – commonly referred to as the 'Summer of the Gun.' CEE continues to serve the populations most likely to be impacted by gun violence. CEE's mandate to reach, engage and serve Black youth furthest from the margins of society, with the aim of enhancing their social and economical standing, aligns well with the goals of the Special Fund. Many clients attending CEE's various programs have come to CEE directly from

incarceration and have done very well in their program of choice. Further, some of the programs intentionally target youth who have had contact with the criminal justice system.

CEE's Hardship Fund is integral to its ability to deliver programming to marginalized populations

CEE's Hardship Fund is a source of discretionary funds available for those who are accessing CEE's programming and who are experiencing financial difficulty such that their ability to remain successful in the programming is threatened. Of course, not successfully completing CEE's program(s) only serves to amplify the already complex mix of issues that can have significant negative impacts on an individual's overall success and well-being.

CEE seeks to provide the wrap around supports required to support youth in successfully completing their program of choice. Many youth face challenges that threaten their success and sustained engagement in programming. Their challenges are highlighted in the following statistics:

- On average, at least 90% of any given cohort experience barriers that can be mitigated or resolved through financial aid.
- In 2019 CEE served approximately 140 youth through 10 programs. As CEE expands services and programs, the expressed need also increases.
- In 2019 approximately 95 youth experienced barriers that qualified for Hardship Funds.
- The most common needs expressed in 2019 included: transportation costs, food costs, housing needs (rent, basic furniture, new place to stay etc.), storage fees for the inadequately housed, professional clothing, winter boots and jacket, child care costs, suitable computers or software (from the Digital Tech cohorts), cell phone credit, paying off or towards bills that were ruining their credit, legal help, supporting refugee processes (acquiring documentation from and of origin, proper legal services), applying for record suspensions etc.
- Of the aforementioned needs, CEE has been able to meet approximately 24% of the requests, by providing assistance with transportation (average two trips per request), one-time childminding fees, and \$50-\$100 worth of grocery cards.

While CEE receives funding from different sources, funds for CEE's Hardship Fund is undervalued, and as such, the Hardship Fund is currently underfunded. The need for the Hardship Fund has been compounded by the current and ongoing pandemic, which has placed increased financial strain on Toronto's most vulnerable populations. The requested amount of \$50,000 from the Special Fund will increase CEE's capacity to respond to crisis and/or compounded barriers that arise for youth in CEE's program, where immediate financial intervention is required to stabilize a situation and facilitate the youth's continued participation with CEE.

If approved, the Special Funds that would support CEE's Hardship Fund would serve a niche of Black youth who have had contact with the criminal justice system, but for whom programmatic interventions are helpful in creating a foundation of support that facilitates positive social outcomes. Individuals with criminal histories have a harder time obtaining employment and are therefore in more precarious situations financially than others. As CEE is intentional about serving youth holistically, CEE places emphasis on being responsive to the factors that impede Black youth's social and economic advancement.

Strengthening connections between CEE and the Service

According to the Board's Special Fund Policy, funds may be used to support community outreach initiatives in the following ways:

- a. Initiatives benefiting children and/or youth and/or their families. Initiatives must involve members of the Toronto Police Service. For example, the project must reduce the need for policing intervention or strengthen the relationship between police and the community, particularly with marginalized youth; and,
- b. Initiatives addressing violence prevention or prevention of repetition of violence or the root causes of violence. Initiatives must involve members of the Toronto Police Service.

In consulting with the Service, a review of the request was supported and deemed to be a wise investment into upstream wrap-around community services. CEE and the Community Partnerships and Engagement Unit (CPEU) have an existing relationship and will be in contact to continue exploring opportunities for further partnership, such as: presentations by CEE to the Service's Neighbourhood Community Officers to raise awareness of the programs the organization offers; exploring how Officers can make referrals to CEE; and, examining CEE's potential involvement in the FOCUS situation tables.

Conclusion:

It is recommended that the Board approve an expenditure in the amount of \$50,000 to contribute towards the Centre for Young Black Professional's (CEE) Hardship Fund.

Respectfully submitted,



Jim Hart
Chair



CEE Centre for Young Black Professionals
{Herein after referred to as CEE}

Grant application to

Toronto Police Services Board
{Herein after referred to as TPSB}

Name and Address of the organization:

CEE Centre for Young Black Professionals.

200 Consumers Rd
Suite #510
Toronto, ON
M2J 4R4

Main Contacts

1) Agapi Gessesse Executive Director
agapi@ceetoronto.com
416-554-8540

2) Adanna Phillip- Social Support Manager
adannap@ceetoronto.com
647-389-6272

Summary

Grant proposal from CEE to TPSB for \$50 000 towards hardship funds. The hardship fund is understood to be discretionary funds available for members who are experiencing financial difficulty which is a threat to their success in the program and/or overall success and well-being. In addition, this era of COVID 19 has posed additional hardships for CEE members and alumni.

About CEE

The CEE Centre For Young Black Professionals is a Toronto based charity that is dedicated to addressing the economic and social barriers that affect Black youth ages 14 and over who are not in employment, education, or training (NEET).

Our mission is to create a society and economy in which Black youth achieve financial prosperity and high quality of life for themselves and their families to contribute to the advancement of Canada.

We achieve this by collaborating with Black youth, their families, employers, and the broader community in 3 areas of work:

Career Training: To support youth workforce development in Canada, CEE offers career training in 5 labour market gaps: Tech, Trades, Film, Social Services, and Hospitality. Our programs are aimed at improving careers, education, and empowerment (CEE) from using approaches that are holistic, person-centred, trauma-informed, and culturally relevant.

Sector Growth: We work to strengthen the social service sector in Toronto by providing training through our CEE Essentials Suite. We are the project lead for the Black To The Future Community of Practice and our staff actively participates in civic engagement initiatives such as round tables, councils, and community initiatives.

Social Enterprise: We are launching two initiatives. CEE Talent will allow you to hire a CEE alumnus for creative projects or for work in the 5 labour gaps that we run programming (Launch 2020). CEE Essentials is a curriculum Second, a training We are actively testing a model that will allow you to hire or contract services from CEE Youth E-Commerce: Why not hire a youth who has graduated from a CEE program. We are testing the model and expect to launch 2020

Organizational Alignment:

CEE's mandate to reach, engage and serve Black youth furthest from the margins with the aim of enhancing their social and economical standing aligns well with the goals of the TPS and by extension the TPSB. Any given cohort may have as many as 50% of its members identify as having had some contact with the law. Members from various programs have come to CEE directly from incarceration and haven done very well in their program of choice.

The genesis of CEE was the crisis of gun violence among Toronto's Black youth in 2005-commonly referred to as the summer of the gun.

From CEE's inception, the link between low socio-economic status and increased crime rates has also been clearly established.

Statistics Canada corroborates the link between high incidents of crime and low SES neighbourhoods. Research indicates that persons born in impoverished areas are more likely to encounter and participate in criminal activities. This finding is not due to any innate tendencies, but rather lack of viable social, economic, or educational opportunities. Additionally, racialized Canadians are overrepresented in impoverished neighbourhoods and by extension the prison system.

CEE's programs and services are directed at Neighbourhood Improvement Areas, where, according to the crime maps accessed through TPSB, has high incidences of criminal activity.

As the correlation between lack of services and opportunities with high levels of crime has been demonstrated, CEE sees itself as a necessary agent of change and transformation for Black youth, their family and their neighbourhoods. CEE Seeks to mitigate barriers and lack of opportunities facing Black youth by offering them more opportunities to become established, contributing members of society.

In regards to percentage, that number refers to 25% of our members who have disclosed being in conflict with the law. We find that some members are reluctant to disclose this because of the stigma traditionally attached to it as well as the barrier to employment and opportunities it often presents. Some members are also eager to leave their past lifestyles behind them and would rather not disclose so that no affiliation will be made with who they used to be.

In addition, CEE is starting a new Violence prevention program called "Project Alchemy" where we recruit and serve only youth who have been involved in the criminal justice system or have been closely impacted by it. We will be doing intensive work with youth in the community in order to support them towards becoming community change agents. This program directly helps the community and the TPSB in the reduction of crime and violence. It is also invaluable as it is geared towards the reformation of youth who have offended which then decreases recidivism.

CEE programming supports members in conflict with the law, imagine and move towards a new identity, and alternative lifestyles. Coaching, mentorship and CEE essentials all contribute to the transformation of CEE members becoming contributing members of society. However, hardships are additional stressors during this time and can present temptations for members to resort to old habits. Having the support of the hardship funds from TSPB will help eliminate or alleviate certain needs so that members can focus on who they want to be as opposed to who they feel they need to be out of necessity. This support ultimately works for the betterment of the entire community.

An entire cohort of youth with records will certainly increase the percentage of youth related to TPSB who require additional support.

Need

What sets CEE apart, is our person-centred approach to the work. While providing technical training and enhancing soft-skills and job-readiness levels are core to what we do, so is providing one-on-one coaching, counselling and mentoring, to ensure that the members are thriving on a holistic level. Often, we have found that even the most gifted and motivated member faces overwhelming challenges that threaten their success and longevity in the program.

While CEE obtains funding for programs, funding for non-curriculum needs are overlooked, minimized and therefore insufficient.

Expressed need: On average, approximately 90% of any given cohort expressed some financial need, the majority of which CEE is currently unable to meet. To this end, the request is **\$50 000** towards hardship funds aimed at providing the necessary support for members toward their successful completion of the full-time program.

The following list comprises of most requested hardship funds and where the organization envisions it could provide assistance with more funding:

- Food Security (groceries, grocery cards, meals, dietary necessities etc.)
- Transportation (even to get to and from program, work, placement)
- Housing (inability to afford rent)
- House furniture (Basics such as a bed, pots, utensils)
- Storage fees (members who are housed in shelters and have no place to store their belongings often get stuck with unaffordable storage fees)
- Clothing (Members are often inappropriately clothed, needing winter clothing and shoes, work clothing etc.)
- Child care- members who are unable to access proper child care face barriers in even attending program
- Other dependents benefits. Many of our members are primary breadwinners and caregivers. Access to some funding to contribute to the household while in program would eliminate some of the stress and increase the chances of success
- Legal support- (the cost of gathering documentation from their home countries for a refugee claim)
- Program materials (e.g. suitable laptop)
- Union and other industry related fields applications and dues
- School registration
- Legal fees (to obtain pardons, seek legal counsel)
- Phone credit. Youth miss out on many incredible opportunities due to their lack of access to useable phones
- data sticks-with current work from home realities of COVID, youth will need access to reliable wifi in order to connect to program, placement (if done remotely) and work(if done remotely)



Toronto Police Services Board Report

November 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Renewal of Licensing, Maintenance and Support for Planview Enterprise Electronic Project and Portfolio Management Solution Software

Recommendation(s):

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

- 1) approve a one year renewal for Planview Enterprise software application maintenance, licensing, software upgrades, bug fixes and support from Planview, Inc. at a cost of approximately \$42,700 for the period of January 1, 2021 to December 31, 2021;
- 2) authorize the Chief of Police to approve future annual renewals of the Planview software from Planview, Inc. for Information Technology (I.T.) portfolio project planning, subject to funding availability in the annual Toronto Police Service's (Service) operating budget; and
- 3) authorize the Chief to execute all required renewal agreements and related documents on the behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The cumulative costs to implement license and maintain the Planview Enterprise (Planview) software since December 2005 and including the 2021 renewal, will be approximately \$1.1 Million (M). This includes the initial cost of \$477,000 to purchase and install the software.

The cost to renew for 2021 will be approximately \$42,700, and will be funded from the Service's annual operating budget.

Background / Purpose:

In December 2005, Request for Proposal (R.F.P.) #1062101-05 was issued for Electronic Project and Portfolio Management Solution Software, which resulted in a contract being awarded to Planview, Inc. with an initial contract term of three (3) years renewable on successive terms.

Planview is a proprietary software that is exclusively distributed by Planview, Inc.

The cumulative acquisition, licensing, maintenance and support costs since the inception of the contract, with the renewal for 2021, will exceed \$1M and therefore requires Board approval.

Discussion:

The Planview software application is used to plan, track and manage all Information Technology Services (I.T.S.) project work, including operational work and support services. Specifically, it is used to track resource effort, project plans, programs, resource roles and skills, and provides valuable metrics and reporting for project governance and resource capacity planning.

The Planview application is the source of all project portfolio reporting, issue and risk tracking, and stores major project artefacts.

Conclusion:

This report requests Board approval for the ongoing renewal of Planview Enterprise application maintenance, licensing, software upgrades, bug fixes and support annually from Planview, Inc., subject to budget availability, satisfactory vendor performance and other considerations.

Mr. Colin Stairs, Chief Information Officer and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to respond to any questions from the Board.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

November 13, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Contract Extensions with OnX Enterprise Solutions Ltd. and IBM Canada Ltd. - Server and Storage Hardware and Software Acquisition and Maintenance Services

Recommendation(s):

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

- (1) approve an extension to the current contract with OnX Enterprise Solutions Ltd. (O.n.X.) for the period of January 1, 2021 to December 31, 2021 for:
 - Computer server and storage hardware and software for lifecycle replacement at an estimated cost of \$6.7 Million (M) (excluding taxes), plus \$500,000 for provisional items for various projects and possible grant requirements;
 - Software maintenance and upgrade protection for the installed server and storage hardware, and technical services, at an estimated cost of \$3.6M (excluding taxes); and
 - VMware software maintenance, upgrade protection and technical services, at an estimated cost of \$1.1M (excluding taxes);
- (2) approve an extension to the current contract with IBM Canada Ltd. (I.B.M.) for the provision of hardware maintenance, training and services, for the period of January 1, 2021 to December 31, 2021, at an estimated cost of \$1.3M (excluding taxes); and
- (3) authorize the Chief to execute all required contract extensions and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The estimated maintenance cost of software and hardware for the current inventory of installed equipment and associated software for the five-year period beginning January

1, 2016 to December 31, 2020 is \$20.8M, and has been provided for in the Service's annual operating budget.

The estimated cost of the current computer servers and storage hardware and software included in the Information Technology (I.T.) lifecycle replacement and business resumption projects from January 1, 2016 to December 31, 2020 is \$22.5M and has been funded from the Vehicle and Equipment Reserve in the approved Service's Capital Program.

The recommended contract extension provided by O.n.X. and I.B.M. has an estimated value of \$13.2M in 2021 and is broken down as follows:

- I.B.M. software maintenance and upgrade protection for the installed server and storage hardware and technical services provided by O.n.X. at an estimated cost of \$3.6M. These funds are provided for in the Service's 2021 operating budget request.
- VMware software maintenance, upgrade protection and technical services provided by O.n.X. at an estimated cost of \$1.1M. These funds are provided for in the Service's 2021 operating budget request.
- Hardware maintenance, training and services to be provided by I.B.M. in 2021 at an estimated cost of \$1.3M. These funds are provided for in the Service's operating budget request.
- Computer server and storage hardware and software provided by O.n.X. is included in the Service's current server lifecycle replacement and business resumption projects at an estimated cost of \$6.7M in 2021, and is funded from the Vehicle and Equipment Reserve in the Service's approved 2020-2029 Capital Program (Min. No. P237/19 refers).
- Provisional pricing for additional computer server and storage hardware and software at an estimated cost of \$500,000 in order to meet future ad hoc requirements that cannot be estimated at this time. These requirements are dependent on unanticipated needs for various projects and any grant requirements during the contract term. However, any additional purchases would be subject to operational requirements and the availability of funds.

It is important to note that the spending for these items varies year-to-year based on implementation dates and lifecycle durations. As a result a five-year average cannot be used as an estimate.

Background / Purpose

At its meeting on October 19, 2015, the Board approved IBM as the vendor of record (V.O.R.) for the provision of hardware maintenance, training and technical services, for the period of January 1, 2016 to December 31, 2020 (Min. No. P264/15 refers).

Also, during the same meeting, the Board approved O.n.X. as the V.O.R. for the supply of computer server and storage hardware and software, software maintenance and upgrade protection for the installed server and storage hardware, and technical services, for the period of January 1, 2016 to December 31, 2020.

The purpose of this report is to request the extension of the current V.O.R. contracts for a one-year period.

Discussion:

The contract extensions will allow the Service time to issue a Request for Proposal (R.F.P) to select a vendor(s) for the acquisition and maintenance of I.B.M. P-Series servers, Unix-A.I.X. based servers, Lenovo X-Series Intel based servers, related server hardware and software and technical consulting and training in support of the Service's information systems technology strategy.

Certain software licenses such as the VMware licenses can only be renewed for a minimum period of one year.

The extensions will enable the Service to assess the impact of the Service's I.T. rationalization strategy, which includes a complete review of the Service's computer hardware and software inventory to see if there are any opportunities to reduce these costs.

The R.F.P. will be issued in 2021 to procure the required hardware, software, maintenance, training and technical services through a competitive process.

Conclusion:

This report requests approval for a one-year extension to the current V.O.R. contracts for the acquisition of required computer server and storage hardware and software, as well as hardware and software maintenance, including VMware maintenance and professional services.

Mr. Colin Stairs, Chief Information Officer and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to respond to any questions from the Board.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

November 3, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Contract Award to Softchoice Canada as the Microsoft Licensing Solutions Provider for Microsoft Enterprise Agreement

Recommendation(s):

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

- (1) approve Softchoice Canada Incorporated (Softchoice) as the Microsoft Licensing Solutions vendor to provide Microsoft Enterprise Agreement software volume licensing and professional services at an estimated cost of \$13 Million (M) (excluding taxes) over a three-year period commencing April 1, 2021 and ending March 31, 2024; 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:

The maintenance cost of the Microsoft Enterprise Agreement (E.A.) is estimated at \$12M (excluding taxes) for a three-year period, April 1, 2021 to March 31, 2024, or \$4M annually. The estimate is based on the inventory of licenses at the present time. This cost will change based on actual licenses owned by the Toronto Police Service (Service) at the time of the renewal and the licensing model implemented.

Funding to cover the estimated costs of the 2021 portion of the maintenance contract has been included in the 2021 operating budget request. The 2022, 2023, and 2024 operating budget requests will include the requisite funding for this requirement.

During the life of the agreement, it is anticipated that additional Microsoft licenses will be purchased to meet future ad hoc requirements that cannot be estimated at this time.

These requirements are dependent on additional quantity, frequency, and nature of any additional Microsoft software required during the contract term. A provisional amount of \$1M over the three-year term of the contract has been included, increasing the total contract value to approximately \$13M. However, any additional purchases would be subject to operational requirements and the availability of funds.

Funding for net new licenses will be included in either the Service's annual operating budget request or capital budgets.

Background / Purpose:

Information Technology Services (I.T.S.) has established strategies to maintain a standard software environment to centrally control software licenses and costs across the information technology (I.T.) infrastructures.

Microsoft software is the standard used throughout the Service on all desktop, laptop, mobile computers and servers. In addition, a number of major Service applications and services are based on Microsoft software. Some applications and services include; electronic mail, web sites, login and security mechanisms, personal file storage systems, virus and malware detection, desktop productivity tools, mobile solutions, application development tools, databases and print services.

The Service is currently enrolled in a Microsoft E.A., through Softchoice, which expires on March 31, 2021 (Min. No. P251/17 refers).

The purpose of this report is to establish a Microsoft Licensing Solutions Provider (L.S.P.) for a period of three years that is authorized by Microsoft as a Licensing Solutions Partner. The L.S.P. is to provide Microsoft E.A. software volume licensing services for the following;

- licensing acquisitions, which include Microsoft software renewals and purchase of additional licences;
- discounted pricing to support cost reduction initiatives;
- detailed reporting on software asset management for the E.A.;
- on-going communication and I.T.S. relationships throughout the lifecycle of the E.A.;
- actively engage with I.T.S. to understand E.A. benefits;
- ensure that the Service receives a Software Asset Management assessment;
- process licence reconciliation orders;
- an experienced and dedicated account team including access to Microsoft solution architects;
- licencing and technology review engagements to ensure an appropriate utilization of licences; and

- assist with Microsoft licensing questions, placing orders, fulfilment, and Microsoft Volume Licensing Centre portal website access including the utilization and consumption of Microsoft Office 365 where needed.

Discussion:

The Service is utilizing a negotiated pricing arrangement established by the Ontario Education Collaborative Marketplace (O.E.C.M.) which conducted a competitive procurement process for Microsoft products. The O.E.C.M. is a not-for-profit collaborative sourcing partner for Ontario's education sector, broader public sector, and other publicly funded organizations, including the Service. O.E.C.M.'s sourcing process is compliant with the Broader Public Service Procurement Directive (issued by the Management Board of Cabinet), and sets out procurement rules in the purchase of goods and services, by Broader Public Service organizations in Ontario, using public funds. This arrangement provides opportunities to minimize costs, and generate savings and efficiencies on products and services available through O.E.C.M. Marketplace.

Conclusion:

Through the O.E.C.M.'s open and transparent competitive procurement process, Softchoice was the selected proponent. Based on this process and award, it is recommended that Softchoice be approved as the Service's Microsoft Licensing Solutions Provider for Microsoft Enterprise Agreement software volume licensing and professional services for the period April 1, 2021 to March 31, 2024.

Purchasing Services and City Legal have reviewed the O.E.C.M.'s Request for Proposal and Client Supplier Agreement and found them to be acceptable to the Service.

Mr. Colin Stairs, Chief Information Officer and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original with signature on file at Board office



Toronto Police Services Board Report

October 7, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Collision Reporting Centre Contract Extension

Recommendations:

It is recommended that the Toronto Police Services Board (Board) exercise its option to renew the contract with;

1. North York Accident Support Services Ltd. for an additional five years commencing on January 4, 2021, until January 3, 2026, for the operation of the North Collision Reporting Centre (N.C.R.C.); and
2. East Accident Support Services Ltd. for an additional five years commencing on January 4, 2021, until January 3, 2026, for the operation of the East Collision Reporting Centre (E.C.R.C.).

Financial Implications:

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

Background / Purpose:

The Collision Reporting Centre (C.R.C.) concept was developed in order to establish a method for the public to report a reportable property damage/minor injury collision that was more economical and efficient and safer than police attendance at the scene. When directed to attend a C.R.C., motorists are provided with a safe and comfortable environment in which to report a collision to the police and may also immediately receive advice and assistance from his or her insurance company. This process is facilitated by the C.R.C. operator, who provides the facility in which the program operates. The C.R.C. operator facilitates the contact between the insurer and motorists for the provision of insurance-related services following a collision. There is no cost to the police or the public for the program or the services offered. With the exception of

police personnel and equipment, the cost to operate the facility is entirely borne by the C.R.C. operator who benefits from the participation of the insurance industry through fees paid for services. Utilization of insurance industry services at the C.R.C. is entirely at the choice of motorists reporting a collision. When compared with police attendance at the scene of a collision, the C.R.C. process permits a quicker restoration of traffic flow, reduces the potential for secondary collisions and allows for effective and efficient use of policing resources.

In 2019, the two (2) C.R.C.s combined for a total of 107,351 persons reporting collisions. This number represented 71,560 collisions or approximately 87% of the total reported collisions in the City of Toronto. This has allowed front line uniform officers to be allocated to higher priority calls.

Collisions	2017		2018		2019	
	Number	% of Total	Number	% of Total	Number	% of Total
CRC	61,596	82.8%	68,464	85.9%	71,560	86.9%
TSV At Scene	12,046	16.2%	10,804	13.6%	10,366	12.6%
Other Units	714	1.0%	402	0.5%	421	0.5%
Total	74,355		79,670		82,347	

Additionally, over the past year the C.R.C.s have been working with the Service to pilot an alternate method of reporting for cyclists and pedestrians via a mobile app and physical kiosk at Traffic Services (T.S.V.).

Discussion:

History of the Current Agreements

Since 1992, the Toronto Police Service (Service) has participated in the C.R.C. program through various phases of implementation.

At its meeting on May 6, 1993, the Board approved a six month C.R.C. pilot project involving the Service, private enterprise and the insurance industry, which commenced in March 1994 (Min. No. P265/93 refers).

At its meeting on December 15, 1994, the Board received a report from the Service summarizing the success of the pilot project. This report highlighted the history, rationale, results and cost savings of the C.R.C. program. The Board approved recommendations in this report to enter into an agreement with North York Accident Support Services Ltd. (N.Y.A.S.S.) to operate the North C.R.C. (N.C.R.C.) and to issue a request for proposal for two additional C.R.C.s. (Min. No. P573/94 refers). The agreement to operate the N.C.R.C. for ten years was made effective January 3, 1995, with an option for a further five (5) years, to be exercised at the sole discretion of the Board.

After a public tendering process and evaluation of qualified bids, the Service made recommendations to the Board to enter into agreements with Toronto East Accident Support Services Ltd. (T.E.A.S.S), and Toronto West Accident Support Services Ltd. (T.W.A.S.S.), to operate the East and West C.R.C.s, respectively. Agreements were approved for a period of ten years, beginning on September 5, 1995, with options for a further five years, to be exercised at the sole discretion of the Board.

At its meeting held on November 8, 2004, the Board received a report from the Chief of Police regarding the option to renew all three C.R.C. contracts for the term of five years. As a matter of convenience to the Board, in order to facilitate exercising the option for renewal and the issuance of a Request for Proposal (R.F.P.) at the end of the option period, all three contracts were renewed until January 3, 2010. The Board approved this recommendation at its meeting held on December 16, 2004 (Min. No. P402/04 refers).

Due to the numerous provincial highways that run through City of Toronto boundaries, the Ontario Provincial Police (O.P.P.) entered into similar agreements with the operators of the E.C.R.C. and W.C.R.C. and shared the C.R.C. facilities with the Service. In early 2009 members of T.S.V. and the O.P.P entered into discussions on issues relating to each Service's contract renewal. At that time the O.P.P. advised that it was working towards a sole source solution. Upon consultation Purchasing Support Services (P.U.R.) agreed that, subject to Board approval, this might be an acceptable solution for the Service as well.

In late October 2009, members of T.S.V. were advised that the O.P.P. position had changed. The O.P.P. had elected to extend its contract on a month-by-month basis, while engaging in a procurement process for a C.R.C. Operator which would involve the issuance of a new request for proposal. Implementation of the O.P.P. procurement process was targeted for the 2010-2011 fiscal year.

At its meeting of December 17, 2009, the Board received and approved recommendations to extend its current three C.R.C. agreements for one year to permit the Service an opportunity to conduct a thorough procurement process for operation of C.R.C.s in the future (Min. No. P358/2009 refers).

At its September 19, 2010 meeting, the Board received and approved the recommendations to enter into a new 10 year contract with N.Y.A.S.S. and T.E.A.S.S. to operate the NCRC and ECRC respectively. This agreement contained a five (5) year renewal clause that could be exercised by the Board at their sole discretion. (Min. No. P300/2010 refers).

On September 1, 2020, the O.P.P withdrew from their participation in the C.R.C.s and are now operating their own reporting centres from local O.P.P. detachments.

Conclusion:

The C.R.C.s have become an integral part of the collision reporting process within the City of Toronto for both the public and the Service. The public relies upon the C.R.C. as a practical method to use for the reporting of collisions. Also, insurance companies rely on the C.R.C. for accurate and timely information to process claims for their clients.

The Service continues to realize operational and economic efficiencies through the use of this reporting process. By diverting property damage and minor injury collisions to the C.R.C.s, the Service has been able to utilize front line resources for higher priority events. Furthermore, by updating processes and introducing new technologies, the Service has been able to streamline the staffing at the C.R.C.s while maintaining service standards in line with the modernization plan.

It is recommended that the Board approve the extension of the current contract with N.Y.A.S.S. and T.E.A.S.S. for an additional 5 years commencing on January 4, 2021, until January 3, 2026.

Deputy Chief Shawna Coxon, Communities and Neighbourhoods Command and Superintendent Scott Baptist will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

October 27, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: City of Toronto Traffic Agent Special Constable Appointments – November 2020

Recommendation:

It is recommended that the Board approve the appointments of the individuals listed in this report as special constables for the City of Toronto (City), subject to the approval of the Ministry of the Solicitor General (Ministry).

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*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has agreements with the University of Toronto, Toronto Community Housing Corporation, Toronto Transit Commission and the City governing the administration of special constables (Min. Nos. P571/94, P41/98, P289/13 and P158/19 refer).

The Service received a request from the City to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Request	Expiry
City	Teighan Mittal-Mercer	New Appointment	5 Years
City	Fernando Gadelha	New Appointment	5 Years
City	Yusuf Manjra	New Appointment	5 Years
City	Dean Caspi	New Appointment	5 Years
City	Matthew Edward	New Appointment	5 Years
City	Wasseem Shaikh	New Appointment	5 Years
City	Deepankar Sharma	New Appointment	5 Years
City	Joshua Camucho	New Appointment	5 Years
City	Garry Sharma	New Appointment	5 Years

Agency	Name	Status Request	Expiry
City	Jerome Miller	New Appointment	5 Years

Discussion:

City Traffic Agent special constables will be appointed to enforce select sections of the *Highway Traffic Act (H.T.A.)* to relieve traffic congestion at identified intersections within the City of Toronto.

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

The City advised the Service that the above individuals are currently in training which is set to be completed on October 18, 2020. At the Board’s October 22, 2020 meeting, the Chief of Police will confirm the names of the individuals who successfully completed their required training; this will then satisfy all of the appointment criteria as set out in their agreement with the Board. The City’s approved strength and current complement are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

Agency	Approved Complement	Current Complement
City	16	6

Conclusion:

The Service continues to work together in partnership with the City to identify individuals to be appointed as special constables who will contribute positively to the safety and well-being of drivers, cyclists, pedestrians and transit riders on roadways within the City of Toronto.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office



Toronto Police Services Board Report

October 20, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Special Constable Appointments and Re-Appointment –
November 2020**

Recommendation:

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

Financial Implications:

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

Background / Purpose:

Under Section 53 of the *Police Services Act*, the Toronto Police Services Board (Board) is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has agreements with T.C.H.C. and T.T.C. governing the administration of special constables (Min. Nos. P41/98 and P289/13 refer).

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

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Expiry
T.C.H.C.	Jason Josephs	Re-Appointment	February 6, 2021
T.C.H.C.	Adam Jankiewicz	Appointment	N/A
T.C.H.C.	Asaad Hamza	Appointment	N/A
T.C.H.C.	Brendan Bell	Appointment	N/A
T.C.H.C.	Courtney Harcus	Appointment	N/A
T.C.H.C.	Garad Mahdi	Appointment	N/A
T.C.H.C.	Matthew Holub	Appointment	N/A
T.C.H.C.	Patrick Rose	Appointment	N/A
T.C.H.C.	Sahildeep Panesar	Appointment	N/A

T.T.C.	Yvette Natalizio	Appointment	N/A
T.T.C.	Angela Currins	Appointment	N/A
T.T.C.	Mohammad Hashaam	Appointment	N/A
T.T.C.	Sarah Suongas	Appointment	N/A
T.T.C.	Anthony Maraj	Appointment	N/A
T.T.C.	Alex Piccolo	Appointment	N/A
T.T.C.	Michael Williams	Appointment	N/A
T.T.C.	Petar Milenkovic	Appointment	N/A
T.T.C.	Rochelle Findley-Wynter	Appointment	N/A
T.T.C.	Zeddie Valerio	Appointment	N/A
T.T.C.	Sultan Saif	Appointment	N/A
T.T.C.	Domineco Prochilo	Appointment	N/A
T.T.C.	Robert Prelich	Appointment	N/A
T.T.C.	Matthew Vieira	Appointment	N/A
T.T.C.	Kinga Fronczak	Appointment	N/A
T.T.C.	Joseph Alexander	Appointment	N/A
T.T.C.	Sinansi Kaya	Appointment	N/A
T.T.C.	Jessica Hurlbut	Appointment	N/A
T.T.C.	Christopher Johnson	Appointment	N/A
T.T.C.	Gariba Ibrahim	Appointment	N/A

Discussion:

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

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

The agencies have advised the Service that the above individuals satisfy all of the appointment and re-appointment criteria as set out in their agreements with the Board. The T.C.H.C. and T.T.C.’s approved strengths and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

Agency	Approved Complement	Current Complement
T.C.H.C.	300	163
T.T.C.	N/A	75

Conclusion:

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

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

Respectfully submitted,

James Ramer, M.O.M.

Chief of Police

*copy with original signature on file at Board Office



Toronto Police Services Board Report

October 1, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Semi-Annual Report: Publication of Expenses – January to June 2020

Recommendation:

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

Financial Implications:

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

Background / Purpose:

The Board, at its meeting on February 16, 2012, passed a motion requiring that the expenses of Board Members, the Chief, the Deputy Chiefs and Chief Administrative Officer (C.A.O.), excluded members at the level of X40 and above and Toronto Police Service (Service) members at the level of Staff Superintendent and Director, be reported to the Board on a semi-annual basis. The expenses to be published are in three areas:

- business travel;
- conferences and training; and
- hospitality and protocol (Min. No. P18/12 refers).

The purpose of this report is to advise the Board of the expenses incurred by Board and Service members during the period January 1, 2020 to June 30, 2020.

Discussion:

Attached to this report as Appendix A are the expenses, for the first half of 2020 for the applicable Service and Board members. The attachment shows the total for each member as well as a breakdown based on the three categories of expenses. The publication of this information will be available on the Board and Service's internet sites.

The expenses of 26 members are included in this report, in alphabetical order, and total \$23,707.59.

Conclusion:

This report contains details for the three categories of expenses incurred by Board and Service members, for the period January 1, 2020 to June 30, 2020.

It should be noted that in certain cases expenditures were incurred before COVID-19, for conferences that were to be held post-COVID. Refunds were obtained for registration fees and accommodations, but air fare costs were not refundable. These instances have been footnoted in the respective Service member's report.

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

Respectfully submitted,

James Ramer M.O.M.
Chief of Police

*original with signature on file at Board Office

Appendix A

Toronto Police Service and Toronto Police Services Board
Expense Publication Summary
Period: January 1 to June 30, 2020

Member	Expenses Reported
Barkley, Mark	\$65.20
Campbell, Donald	\$0.00
Carter, Randolph	\$366.97
Chandrasekera, Uppala	\$0.00
Cornish, James	\$0.00
Coxon, Shawna	\$7,410.86
Demkiw, Myron	\$7.29
Dhaliwal, Svina	\$0.00
Ford, Michael	\$0.00
Hart, Jim	\$0.00
McLean, Barbara	\$387.58
Moliner, Marie	\$0.00
Morgan, Ainsworth	\$0.00
Nunziata, Frances	\$0.00
Ramer, James	\$4,447.06
Saunders, Mark	\$3,947.25
Shepherd, Stacey	\$714.13
Sparkes, Allison	\$0.00
Stairs, Colin	\$0.00
Teschner, Ryan	\$0.00
Tory, John	\$0.00
Veneziano, Tony	\$0.00
White, Deidra	\$3,781.29
Wright, Marianne	\$2,114.00
Yeandle, Kimberly	\$140.50
Yuen, Peter	\$325.46
Total Expenditures Reported	<u>\$23,707.59</u>



**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: West Field Command
Member: Barkley, Mark
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period.	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conferences and training expenses for this period.	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 12	Toronto Police Service (T.P.S.) Quarterly Divisional Command Meeting in Toronto, Ontario (Refreshments)	\$65.20
		\$65.20

Member Total	\$65.20
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**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Public Safety Operations
Member: Carter, Randolph
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period.	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 13 - 14	Ontario Association of Chiefs of Police (O.A.C.P.) Labour Conference in Toronto, Ontario	\$366.97
		\$366.97

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period.	\$0.00
		\$0.00

Member Total	\$366.97
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**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Communities & Neighbourhoods Command
Member: Coxon, Shawna
Job Title/Rank: Deputy Chief of Police

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 17 - 19	4th Annual StarterHacks Hackathon Conference Guest Speaker in Waterloo, Ontario	\$616.73
January 28- February 3	Global Government Defence and Security Network (G.G.D.S.N.) Meeting in Frankfurt, Germany and London, Ontario	\$3,889.72
February 19	Public Services Health and Safety Association (P.S.H.S.A.) Meeting in Toronto, Ontario (Parking)	\$4.50
February 23 - 24	Canadian Association of Chiefs of Police (C.A.C.P.) Information and Communications Technology (I.C.T.) Committee Summit, Guest Speaker in Vancouver, British Columbia	\$1,639.53
February 25	Toronto Police Services Board (T.P.S.B.) Meeting in Toronto, Ontario (Parking)	\$14.41
		\$6,164.89

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 2 - 6	Major Cities Chiefs Association (M.C.C.A.) Police Executive Leadership Institute (P.E.L.I.) Training Session in Washington, D.C.	\$1,163.52
March 23 - 26	Leadership in Counter Terrorism Alumni Association (L.in.C.T.A.A.) Artificial Intelligence and Counter Terrorism Strategic Knowledge Exchange in London, United Kingdom (Per Diem Returned - Difference in Exchange Rate)	\$19.93
April 13 - 17	International Association of Chiefs of Police (I.A.C.P.) Women's Leadership Institute (W.L.I.) Training Program in Orillia, Ontario	-\$33.34
		\$1,150.11

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 7	York Regional Police Luncheon Meeting in Toronto, Ontario	\$65.86
March 8	56th Annual Toronto Police Service (T.P.S.) Communion Breakfast in Toronto, Ontario	\$30.00
		\$95.86

Member Total	\$7,410.86
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**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Corporate Risk Management
Member: Demkiw, Myron
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period.	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 5 - 9	Leadership in Counter Terrorism Alumni Association (L.in.C.T.A.A.) International Counter Terrorism Conference in Las Vegas, Nevada	-\$10.72
		-\$10.72

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 9	Toronto Police Service (T.P.S.) Annual Chaplains Appreciation Dinner in Toronto, Ontario (Parking)	\$18.01
		\$18.01

Member Total	\$7.29
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Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020

Unit: Human Resources Command
Member: Mclean, Barbara
Job Title/Rank: Deputy Chief of Police

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 30 - April 2	Canadian Association of Chiefs of Police (C.A.C.P.) Human Resources and Learning Committee Meeting in Ottawa, Ontario	\$376.77
		\$376.77

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conferences and training expenses for this period.	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 24	Toronto Police Service (T.P.S.) Gender Diversity and Trans Inclusion (G.D.T.I.) Community Town Hall in Toronto, Ontario (Parking)	\$10.81
		\$10.81

Member Total	\$387.58
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**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Specialized Operations Command
Member: Ramer, James
Job Title/Rank: Deputy Chief of Police

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 10 - 14	Canadian Association of Chiefs of Police (C.A.C.P.) Organized Crime Committee (O.C.C.) and Canadian Integrated Response to Organized Crime (C.I.R.O.C.) Meetings in Vancouver, British Columbia	\$1,967.87
March 1 - 6	Department for International Trade (D.I.T.) Home Office Security and Policing Event in Farnborough, Hampshire, United Kingdom	\$1,721.23
May 19	Toronto Police Services Board (T.P.S.B.) Meeting in Toronto, Ontario (Parking)	\$12.61
		\$3,701.71

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 5 - 9	Leadership in Counter Terrorism Alumni Association (L.in.C.T.A.A.) International Counter Terrorism Conference in Las Vegas, Nevada	\$745.35
		\$745.35

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period.	\$0.00
		\$0.00

Member Total	\$4,447.06
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* Due to the COVID-19 pandemic, the Leadership in Counter Terrorism Alumni Association (L.in.C.T.A.A.) International Counter Terrorism Conference was cancelled. Registration and accommodation costs were fully refunded. However, the airfare cost was non-refundable.



**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Chief's Office
Member: Saunders, Mark
Job Title/Rank: Chief of Police

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 7 - 9	Major Cities Chiefs Association (M.C.C.A.) Joint Winter Meeting in Houston, Texas	\$2,685.17
March 3 - 4	Major Cities Chiefs Association (M.C.C.A.) Police Executive Leadership Institute (P.E.L.I.) Training Session Guest Speaker in Washington, D.C.	\$260.25
March 18 - 19	New York Police Department (N.Y.P.D.) Meeting in New York City, New York	\$411.66
		\$3,357.08

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
May 5 - 9	Leadership in Counter Terrorism Alumni Association (L.in.C.T.A.A.) International Counter Terrorism Conference in Las Vegas, Nevada Conference has been postponed to November 2020	\$590.17
		\$590.17

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period.	\$0.00
		\$0.00

Member Total	\$3,947.25
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* Due to the COVID-19 pandemic, the Leadership in Counter Terrorism Alumni Association (L.in.C.T.A.A.) International Counter Terrorism Conference was cancelled. Registration and accommodation costs were fully refunded. However, the airfare cost was non-refundable.



**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: People & Culture
Member: Shepherd, Stacey
Job Title/Rank: Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 9	Ontario Association of Chiefs of Police (O.A.C.P.) Human Resources Committee Meeting in Mississauga, Ontario (Mileage)	\$21.07
February 20	City of Toronto, Agencies and Corporations Human Resources Meeting in Toronto, Ontario (Parking and Mileage)	\$16.44
February 25	Toronto Police Services Board (T.P.S.B.) Meeting in Toronto, Ontario (Mileage)	\$10.94
		\$48.45

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 9 - 10	Institute of Public Administration of Canada (I.P.A.C.) National Leadership Conference in Toronto, Ontario	\$661.63
		\$661.63

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 31	Toronto Police Service (T.P.S.) Recruitment Graduation Ceremony in Toronto, Ontario (Mileage)	\$4.05
		\$4.05

Member Total	\$714.13
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Senior Staff Expenses
For the period of January 1 to June 30, 2020

Unit: Information Technology Services
Member: White, Deidra
Job Title/Rank: Acting Director

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 27 - 28	Canadian Association of Chiefs of Police (C.A.C.P.) Information and Communications Technology (I.C.T.) Committee Meetings in Vancouver, British Columbia	\$654.36
		\$654.36

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 23 - 26	C.A.C.P. & I.C.T. Committee Summit in Vancouver, British Columbia	\$2,699.54
		\$2,699.54

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 10	Ontario Association of Chiefs of Police (O.A.C.P.) Information Technology Committee (I.T.C.) Meeting in Toronto, Ontario	\$427.39
		\$427.39

Member Total	\$3,781.29
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**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Legal Services
Member: Wright, Marianne
Job Title/Rank: General Counsel

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period.	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
January 30 - February 1	York University International Data Protection and Cybersecurity Law Course in Toronto, Ontario	\$1,755.04
February 5	Ontario Bar Association (O.B.A.) Women Lawyers Forum in Toronto, Ontario	\$178.08
April 1	Canadian Bar Association (C.B.A.) Privacy Challenges Webinar in Toronto, Ontario	\$50.88
June 18 - 20	York University Crime in the Digital Age Course in Toronto, Ontario	\$130.00
		\$2,114.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period.	\$0.00
		\$0.00

Member Total	\$2,114.00
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Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020

Unit: East Field Command
Member: Yeandle, Kimberly
Job Title/Rank: Staff Superintendent

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No business travel expenses for this period.	\$0.00
		\$0.00

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conferences and training expenses for this period.	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
March 13	Toronto Police Service (T.P.S.) COVID-19 Planning Strategy Meeting in Toronto, Ontario	\$140.50
		\$140.50

Member Total	\$140.50
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**Toronto Police Service
Senior Staff Expenses
For the period of January 1 to June 30, 2020**

Unit: Priority Response Command
Member: Yuen, Peter
Job Title/Rank: Deputy Chief of Police

Business Travel

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
February 9 - 11	Ontario Association of Chiefs of Police (O.A.C.P.) Board of Directors Meeting in Kingston, Ontario	\$302.96
February 25	Toronto Police Services Board (T.P.S.B.) Meeting in Toronto, Ontario (Parking)	\$22.50
		\$325.46

Conferences & Training

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No conferences and training expenses for this period.	\$0.00
		\$0.00

Hospitality & Protocol

Dates	Purpose, Description & Location	Total Expenses (Net of HST Rebate)
	No hospitality and protocol expenses for this period.	\$0.00
		\$0.00

Member Total	\$325.46
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Toronto Police Services Board Report

November 1, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2020 Operating Budget Variance for the Toronto Police Service, Period Ending September 30, 2020

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer, for information and inclusion in the City's overall variance report to the City's Budget Committee.

Financial Implications:

At its December 16, 2019 meeting, the Board approved the Toronto Police Service's (Service) budget request at \$1,076.2M (Min. No. P237/19 refers), a 3.9% increase over the 2019 approved operating budget.

Subsequently, City Council, at its February 19, 2020 meeting, approved the Service's 2020 operating budget at the same amount.

Background / Purpose:

The purpose of this report is to provide the Board with the Service's 2020 projected year-end variance as at September 30, 2020.

Discussion:

As at September 30, 2020, the Service is projecting a favourable variance of \$2.2M. However, it is important to note that the COVID-19 pandemic continues to have operational and financial impacts that are difficult to predict as they are for the most part without precedent. The Service is evaluating spending plans and opportunities to continue to manage this risk to stay within budget, including reviewing the timing and pace of hiring, premium pay spending and non-salary expenditures. For planning purposes, the projections below assume that COVID-19 will continue to impact the City

and the Service to varying degrees to the end of the year.

COVID-19:

Since mid-March, the COVID-19 pandemic has greatly impacted how the Service conducts its operations and has altered demands for service. Specifically:

- Service facilities have been closed to the public;
- most courts were shut down;
- special events have been cancelled;
- members have been in self-isolation for periods of time;
- personal protective equipment purchases have increased substantially;
- new social distancing rules have been created that require enforcement; and
- workplace adjustments to prevent COVID-19 spread have been and continue to be made.

Despite the foregoing, the Service must still provide responsive public safety services to the communities we serve. This has resulted in both service delivery challenges and financial impacts.

As at September 30, 2020, the Service is projecting a net favourable financial impact of approximately \$8.6M due to COVID-19, by year-end. This is mainly due to premium pay costs savings as a result of courts being closed and reduced medical/dental costs due to service providers being closed during portions of the pandemic.

As best as can be projected, the above pandemic impacts include:

- an increase in the lieu banks of members taking less time off, causing a financial pressure;
- additional vacation pay liability that may occur at year end due to greater vacation carry-forwards;
- the on-going need for personal protective equipment, sanitizer, decontamination supplies, enhanced cleaning services, etc.; and
- changes that may be required to some work and public spaces to protect the health and safety of our members and the public.

These potential financial impacts and Service's response to them are discussed below in more detail.

Financial Controls Already Implemented:

In the Service's COVID-19 response, several steps have been taken to ensure that cost containment measures are put in place, balancing operational need with fiscal discipline:

- *Incident Command Model* – as part of an incident command system model, the Service's Emergency Management and Public Order (E.M.P.O.) unit in the COVID-19 Command Centre oversees all COVID-19 related non-salary purchases. This ensures that the Service has a coordinated approach to approving and securing the supplies, equipment and services necessary for our response and that all purchases are operationally necessary and in line with the Service's response strategy.
- *Emergency Purchases Justification Form* – a form was developed by the Finance & Business Management for emergency purchases (non-competitive purchases greater than \$5,000 and competitive purchases greater than \$25,000). This form is completed by the Incident Command Centre and has multi-purposes:
 - ensures all steps have been taken to identify synergies or the availability of required items within the Service first before purchasing them;
 - outlines why the item is urgent and operationally necessary at this time for the purposes of addressing public and member health and safety;
 - addresses where the item will be used, if applicable, after the COVID-19 response;
 - justifies, if applicable, why a non-competitive purchase was necessary; and
 - ensures all appropriate reviews and approvals for the purchases.
- *Civilian Hiring* – All vacant civilian positions are being reviewed before starting the hiring process, to determine if filling the position can be put on hold or deferred. Only those positions that are deemed critical from a service, risk mitigation, cost savings or legislated perspective will be posted. The impact of the COVID-19 pandemic on the position will also be considered in terms of the immediate need to fill the position.

Some mass hiring classes have been put on hold such as Auxiliaries and the Youth In Policing Initiative (Y.I.P.I.), and other classes have been deferred to later in the year (e.g. District Special Constables) to better balance resources with service demands.

- *Vacation* – In an effort to address wellness and contain costs, the Command team has encouraged all members to use their vacation time where operationally feasible. Members have been instructed to meet with supervisors to discuss the use of both 2020 vacation and carry-over time from 2019. The Senior Management Team and Unit Commanders will continue to review the use of vacation time over the course of the year.

- *Travel* - All non-essential travel has been put on hold.
- *Training* - is being limited to where it is required for policing or to maintain required designations and certifications.

Possible Additional Controls and Offset Measures:

Other measures currently being considered to control expenditures and offset costs for 2020 and potentially into 2021 include:

- The need for new or continued contract resources
- Potential reductions/deferrals in the Service’s capital program,
- Review of accounts to determine whether any spending can be reduced or deferred without creating risks or service implications

The following chart summarizes the variance by expenditure and revenue category, and provides the COVID-19 impact for each category. Details regarding these categories are discussed in the section that follows.

Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Salaries	\$807.7	\$589.1	\$802.5	\$5.2	\$3.1	\$8.3
Premium Pay	\$49.6	\$35.1	\$66.3	(\$16.7)	\$8.6	(\$8.1)
Benefits	\$224.8	\$159.7	\$224.7	\$0.1	\$5.5	\$5.6
Non Salary	\$83.6	\$60.3	\$84.1	(\$0.5)	(\$0.4)	(\$0.9)
Contributions to / (Draws from) Reserves	\$19.4	\$0.0	\$19.4	\$0.0	\$0.0	\$0.0
Revenue	(\$109.0)	(\$53.1)	(\$111.6)	\$2.6	(\$8.2)	(\$5.6)
Total Net Before Grants	\$1,076.1	\$791.1	\$1,085.4	(\$9.3)	\$8.6	(\$0.7)
Net Impact of Grants	\$0.1	(\$10.5)	(\$2.8)	\$2.9	\$0.0	\$2.9
Total	\$1,076.2	\$780.6	\$1,082.6	(\$6.4)	\$8.6	\$2.2

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in-year grant funding and the revenues from the grant funding offset any related expenditures.

Salaries:

A favourable variance of \$8.3M is projected in the salaries category, including the COVID-19 impact.

Expenditure Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Uniform	\$598.6	\$440.3	\$598.8	(\$0.2)	\$0.6	\$0.4
Civilian	\$209.1	\$148.8	\$203.7	\$5.4	\$2.5	\$7.9
Total Salaries	\$807.7	\$589.1	\$802.5	\$5.2	\$3.1	\$8.3

Uniform Officers - The 2020 approved budget includes funding for 341 uniform hires and assumed that there would be 230 uniform officer separations during the year. To September 30, 2020, 151 officers have separated from the Service, as compared to 187 that was assumed in the budget over the same time period. As a result, the year-end projected separations has been lowered to 185. With the reduced number of separations, the Service has reduced the size of the August class to 78, from its budget of 126 cadets. Should separations trend higher, adjustments will be made to increase the December class in order to maintain adequate staffing levels into 2021. The unfavourable variance from the reduced number of separations has been largely offset by a greater than budgeted number of members on unpaid leaves.

COVID-19 Impact - The Service budget includes ten lateral hires from other police services in May 2020. Due to COVID-19, these police services have not been able to provide the necessary background information to the Service that is required to process the applications for these lateral hires. As a result, these lateral hires were replaced with cadets in the August class, with a net savings of \$0.6M.

Civilians - The 2020 approved budget includes funding to continue the hiring of Special Constables, Communications Operators and Bookers to approved staffing levels. In addition, funding was included to backfill civilian vacancies such as Court Officers and information technology staff and to continue hiring in support of transformation initiatives. While the Service has been hiring to fill critical positions, many of the positions have been filled through internal promotions thereby creating other vacancies. In addition, a greater than anticipated number of civilians were successful in obtaining cadet positions in the December 2019 and April 2020 recruit classes. While the Service significantly ramped up its hiring capacity in the weeks before COVID-19, it is still taking longer than anticipated to staff some positions and to backfill current year separations and internal movements. Therefore, the Service is projecting a significant savings (\$5.4M) in civilian salaries. The longer than anticipated hiring timelines have, however, resulted in civilian premium pay pressures (pre-pandemic) as described below. In addition, deferring the filling of positions to help mitigate the financial pressure on the Service and not being able to fill key vacancies in a timely manner, has resulted in

operational service pressures and increased risk in those areas where the vacancies reside, and has impacted work on some projects/initiatives. While overtime has been approved to ensure key services continue to be provided, this is not a sustainable solution from a financial and employee wellness perspective.

COVID-19 Impact - The Service has limited hiring to priority vacancies in order to contain costs and not add to the budget pressures at the City. However, due to the past hiring freeze, the Service has a high vacancy rate and must continue to fill required positions to continue to effectively operate and support the delivery of core public safety services. With social distancing, personal contact has been greatly reduced or eliminated and therefore the Service has had to conduct interviews and background assessments over the phone or through video conference. This process is taking longer and the timing of hires has been delayed. As a result of the foregoing, the Service is projected to have an additional favourable variance of \$2.5M in civilian salaries as a result of the pandemic.

Premium Pay:

An unfavourable variance of \$8.1M is projected in the premium pay category.

Expenditure Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Uniform	\$44.4	\$30.0	\$56.5	(\$12.1)	\$8.0	(\$4.1)
Civilian	\$5.2	\$5.1	\$9.8	(\$4.6)	\$0.6	(\$4.0)
Total Premium Pay	\$49.6	\$35.1	\$66.3	(\$16.7)	\$8.6	(\$8.1)

Premium pay is incurred when staff are required to work beyond their normal assigned hours for extended tours of duty (e.g., when officers are involved in an arrest at the time their shift ends), court attendance scheduled for when the officer is off-duty, or call-backs (e.g. when an officer is required to work additional shifts to ensure appropriate staffing levels are maintained or for specific initiatives). The Service’s ability to deal with and absorb the impact of major unplanned events (e.g. demonstrations, emergency events, and homicide / missing persons) relies on the utilization of off-duty officers which results in premium pay costs.

The 2020 operating budget includes an opening premium pay pressure of approximately \$20M, as the Service experienced an unfavourable premium pay variance of \$14.1M in 2019 and the Service’s approved 2020 operating budget includes a \$6.0M decrease to the premium pay budget. While it is anticipated that moving to new shift schedules and filling more vacancies will help reduce the requirement for premium pay, the 2019 level of premium pay expenditure is not sustainable from a financial, operational and member well-being perspective. It should also be noted that there is a risk that the reduced premium pay budget is premised on certain assumptions, such as the timing of new hires and what the anticipated levels of service demand will be, including unanticipated events. If these assumptions change, there

may be a need to rely on premium pay more than anticipated. The Service will monitor and take steps to control premium pay, as best possible, and will keep the Board advised accordingly through the variance report process.

The Service has implemented alternative work schedules by realigning staffing hours to better reflect demand. The objective is to help reduce response times and to increase proactive community safety and engagement activities by Priority Response officers.

The implementation of the new shift schedules, along with an increase in divisional staffing levels as compared to 2019 at this same point in time, has contributed to a reduction in divisional callbacks, resulting in premium pay savings as compared to 2019. However, these savings have been partially offset by increases in premium pay spending in investigative units to conduct criminal investigations.

Additional premium pay is also incurred as units address critical workload issues resulting from a significant number of civilian staff vacancies across the Service. Civilian overtime and callbacks are authorized when required to ensure deadlines are met, key service levels maintained, and tasks completed in order to ensure risks are mitigated and additional hard dollar costs are avoided. Civilian premium pay is projecting unfavourable at this time. The projected higher than budgeted civilian premium pay expenditures have been fully offset by savings in civilian salaries.

COVID-19 Impact - Due to court closures for part of the year and reduced special events, the Service is projecting savings in premium pay. It is unknown how long current conditions will continue. Given this unpredictability, the impacts cannot be determined with any degree of certainty. These savings have been partially offset by costs associated with the enforcement of social distancing requirements.

While premium pay spending since the start of the pandemic is lower, it is difficult to accurately project the full impact COVID-19 may have on premium pay. For example, while premium pay spending is down, members have been taking less time off when compared to last year. This has resulted in an increase in members' lieu bank balances, which can be cashed out or represent a liability at year-end. In addition, while the Command is encouraging members to take vacation where operationally feasible, COVID-19 could significantly impact on members' ability to take vacation, resulting in significant balances at year-end that would have to be set up as liabilities. The level of gun and gang violence and the Service's actions to address it, has also impacted premium pay. The Service continues to assess impacts as more information becomes available.

Benefits:

A favourable variance of \$5.6M is projected in this category.

Expenditure Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Medical / Dental	\$44.5	\$26.8	\$44.5	\$0.0	\$5.3	\$5.3
O.M.E.R.S. / C.P.P. / E.I. / E.H.T.	\$139.4	\$109.3	\$138.1	\$1.3	\$0.2	\$1.5
Sick Pay Gratuity /C.S.B./L.T.D.	\$21.5	\$9.8	\$21.5	\$0.0	\$0.0	\$0.0
Other (e.g., W.S.I.B., life insurance)	\$19.4	\$13.8	\$20.6	(\$1.2)	\$0.0	(\$1.2)
Total Benefits	\$224.8	\$159.7	\$224.7	\$0.1	\$5.5	\$5.6

Favourable variances in the O.M.E.R.S. /C.P.P. /E.I. /E.H.T. category is a result of reduced civilian staffing levels. Year to date costs for W.S.I.B. cost are trending unfavourable and an unfavourable variance is projected.

COVID-19 Impact - The Service has seen a reduction in group benefit costs associated with physiotherapy, chiropractor, massages, and non-emergency dental services as social distancing has resulted in the reduction or closure of many of these services. The amount of savings is difficult to predict, because of not only the unknown timing of the pandemic, but also the extent to which members may catch up on services when they become available again.

Non-Salary:

An unfavourable variance of \$0.9M is projected in this category.

Non Salary	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Vehicles (e.g. gas, parts)	\$13.3	\$11.5	\$12.5	\$0.8	(\$0.4)	\$0.4
Information Technology	\$28.7	\$26.8	\$29.6	(\$0.9)	(\$0.5)	(\$1.4)
Contracted Services	\$12.5	\$6.1	\$13.1	(\$0.6)	\$0.0	(\$0.6)
Uniforms and outfitting	\$9.4	\$7.1	\$10.2	(\$0.8)	\$0.0	(\$0.8)
Other	\$19.7	\$8.8	\$18.7	\$1.0	\$0.5	\$1.5
Total Non-Salary	\$83.6	\$60.3	\$84.1	(\$0.5)	(\$0.4)	(\$0.9)

The projected favourable variance in Vehicles is mainly a result of lower than budgeted

gasoline costs. The unfavourable variances in Information Technology, Contracted Services and Other categories are offset from recoveries and fees. The offsetting favourable variances can be found in the Revenues section below. The projected unfavourable variance in uniforms is to reduce budget pressures in 2021 by adding to inventory in 2020, with funds coming from savings in the 'Other' category.

COVID-19 Impact - The Service needs to ensure its members have the equipment and supplies to keep them and the community safe as they do their work. As a result, there has been an on-going need to purchase gloves, masks, sanitizer and other supplies, equipment and services to keep our members, their workspace, their vehicles and equipment, free from contamination. All of these measures will require funds that were not budgeted for and which will therefore cause a pressure for the Service.

In order to enhance health and safety in the workplace, other actions to protect our members and enable physical distancing have been taken. These measures have required the installation protective barriers and the reconfiguration of the workspace in some areas, as well as the expanded use of one-person patrol vehicles. These measures are not included in the Service's budget and would therefore cause a COVID-19 related financial pressure.

Contributions to / (Draws from) Reserves:

A net zero variance is projected in this category.

Reserves Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Contribution to Reserves:						
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health	\$17.1	\$0.0	\$17.1	\$0.0	\$0.0	\$0.0
Legal	\$0.9	\$0.0	\$0.9	\$0.0	\$0.0	\$0.0
Insurance	\$10.2	\$0.0	\$10.2	\$0.0	\$0.0	\$0.0
Vehicle & Equipment	\$22.3	\$0.0	\$22.3	\$0.0	\$0.0	\$0.0
Contribution to Reserves	\$50.5	\$0.0	\$50.5	\$0.0	\$0.0	\$0.0
Draws from Reserves:						
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health	(\$22.9)	\$0.0	(\$22.9)	\$0.0	\$0.0	\$0.0
Legal & Modernization	(\$8.2)	\$0.0	(\$8.2)	\$0.0	\$0.0	\$0.0
Draws from Reserves	(\$31.1)	\$0.0	(\$31.1)	\$0.0	\$0.0	\$0.0

Contributions to / (Draws from) Reserves	\$19.4	\$0.0	\$19.4	\$0.0	\$0.0	\$0.0
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As part of the annual operating budget process, the Board and Council approve contributions to and expenditures from reserves. The various reserves are established to provide funding for anticipated expenditures to be incurred by the Service, and to avoid large swings in costs from year to year. The Service contributes to and/or draws from the following reserves: City Sick Pay Gratuity; City Insurance; Vehicle and Equipment; Central Sick; Post-Retirement Health; and Legal.

The adequacy of reserves is reviewed annually, based on the Service's estimated spending and asset replacement strategies. Contributions are made and expensed to the operating budget accordingly. At this time, no variance is anticipated.

Revenue:

An unfavourable variance of \$5.6M is projected in this category.

Revenue Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Provincial Recoveries	(\$52.3)	(\$20.2)	(\$53.3)	\$1.0	\$0.0	\$1.0
Fees and Recoveries (e.g., paid duty, secondments, reference checks.)	(\$31.3)	(\$15.8)	(\$32.5)	\$1.2	(\$8.2)	(\$7.0)
Paid Duty - Officer Portion	(\$24.7)	(\$16.3)	(\$24.7)	\$0.0	\$0.0	\$0.0
Miscellaneous Revenue	(\$0.7)	(\$0.8)	(\$1.1)	\$0.4	\$0.0	\$0.4
Total Revenues	(\$109.0)	(\$53.1)	(\$111.6)	\$2.6	(\$8.2)	(\$5.6)

Year to date recoveries to mid-March for the paid duty administrative fees and reference checks were greater than expected. As a result, the Service is projecting a favourable variance to year-end in fees and recoveries prior to COVID-19. Favourable variances in provincial recoveries and other recoveries are to fund specific associated expenditures.

COVID-19 Impact – A large portion of the unfavourable variance, \$3.9M, is associated with recoverable premium pay for officer off-duty attendance at Provincial Offenses Act courts, which are currently closed. The loss of this recovery results in a net zero variance as premium pay spending is favourable by the same amount. The remaining unfavourable variance (\$4.3M) is from other items such as criminal reference checks and paid duty administrative fees, as there is less demand for paid duties and vulnerable sector screenings.

Grants:

A favourable variance of \$2.9M is projected in this category.

Grants	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Expenses:						
Guns & Gangs	\$5.0	\$1.0	\$3.7	\$1.3	\$0.0	\$1.3
Community Safety & Policing	\$0.0	\$6.3	\$15.5	(\$15.5)	\$0.0	(\$15.5)
Other	\$0.0	\$1.2	\$1.9	(\$1.9)	\$0.0	(\$1.9)
Total Expenses	\$5.0	\$8.5	\$21.1	(\$16.1)	\$0.0	(\$16.1)
Revenues:						
Guns & Gangs	(\$4.9)	(\$4.1)	(\$6.5)	\$1.6	\$0.0	\$1.6
Community Safety & Policing	\$0.0	(\$13.0)	(\$15.5)	\$15.5	\$0.0	\$15.5
Other	\$0.0	(\$1.9)	(\$1.9)	\$1.9	\$0.0	\$1.9
Total Revenues	(\$4.9)	(\$19.0)	(\$23.9)	\$19.0	\$0.0	\$19.0
Net Impact From Grants	\$0.1	(\$10.5)	(\$2.8)	\$2.9	\$0.0	\$2.9

Grant funding generally results in a net zero variance, as funds are provided for expenditures to achieve specific purposes. However, a net favourable variance is projected in this category as a portion of the grant funding is going towards funded positions that are assigned to provincially supported programs.

The Service is sometimes aware of grant opportunities prior to budget approval; however, revenue and expenditure budgets cannot be set up if the grant contracts are not approved. In addition, as the provincial fiscal year ends on March 31, versus December 31 for the Service, unspent provincial grant funding from 2019 is carried forward into the first quarter of 2020. The amounts being carried forward are not finalized until well after year-end. As a result, the base budgets for grants are often zero and the grants are reflected as in year funding, unless they are multi-year grants with assured funding and can be budgeted yearly.

COVID-19 Impact - The Service has not been notified of any changes in grant funding due to COVID-19.

Conclusion:

As at September 30, 2020, the Service is projecting a favourable variance of \$2.2M. The financial impacts of COVID-19, currently estimated at an \$8.6M favourable

variance, are difficult to accurately predict as this pandemic is without precedent and the length of the pandemic is unknown. The Service continues to evaluate spending plans and opportunities to manage this risk in order to continue to stay within budget, recognizing that unanticipated events as well as gun and gang violence could require increased action and response to keep our communities safe. The Service is also looking at actions that can be taken this year to reduce budget pressures in 2021.

The Board will be kept apprised through the variance reporting process or ad hoc reports, as necessary and appropriate.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

October 29, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending September 30, 2020

Recommendations:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer for information and inclusion in the City's overall variance report to the City's Budget Committee.

Financial Implications:

At its December 16, 2019 meeting, the Board approved the Toronto Police Service Parking Enforcement Unit (P.E.U.) operating budget request at \$49.2 Million (M) (Min. No. P237/19 refers), a 4.1% increase over the 2019 approved budget.

Subsequently, City Council, at its February 19, 2020 meeting, approved the P.E.U.'s 2020 operating budget at the same amount.

As at September 30, 2020, the Service is currently projecting a \$1.9M favourable variance for the P.E.U.

Background / Purpose:

The P.E.U. operating budget is not part of the Toronto Police Service (Service) operating budget. While the P.E.U. is managed by the Service, the P.E.U.'s budget is maintained separately in the City's non-program budget. In addition, revenues from the collection of parking tags issued accrue to the City, not the Service.

The purpose of this report is to provide information on the P.E.U.'s 2020-projected year-end variance as at September 30, 2020.

Discussion:

While the Service is currently projecting a favourable variance of \$1.9M for the P.E.U. budget, we will continue to review spending plans to ensure the P.E.U. stays within budget. This includes reviewing the timing and pace of hiring, premium pay spending and non-salary expenditures. For planning purposes, the projections below assume that COVID-19 will continue to impact the City and the Service to varying degrees to the end of the year.

COVID-19:

Year to date P.E.U. expenditures associated with COVID-19 are approximately \$20,000 and have been limited to cleaning supplies and services. Personal protective equipment is currently being supplied from the Service's inventory.

The impact of the pandemic has resulted in reduced parking tag enforcement activity. As a result, premium pay spending has been reduced and the P.E.U. is projecting premium pay savings attributed to COVID-19 of approximately \$1.2M. In addition, there is a projected salary savings of \$0.3M as a result of savings from deferred hiring. Parking tag issuance is monitored by the City on a weekly basis and the City considers the reductions in tags and associated revenues when projecting the City's overall financial position due to COVID-19.

The following chart summarizes the variance by category of expenditure, followed by information on the variance for both salary and non-salary related expenses. The impact of COVID-19 is also shown.

Category	2020 Budget (\$Ms)	Actual to Sep 30/20 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav/ (Unfav) (\$Ms)	COVID-19 (Unfav) (\$Ms)	Total Fav / (Unfav) (\$Ms)
Salaries	\$32.9	\$23.7	\$32.6	\$0.3	\$0.3	\$0.6
Benefits	\$8.0	\$4.4	\$7.9	\$0.1	\$0.0	\$0.1
Total Salaries & Benefits	\$40.9	\$28.1	\$40.5	\$0.4	\$0.3	\$0.7
Premium Pay	\$2.4	\$0.5	\$2.2	\$0.2	\$1.2	\$1.4
Materials & Equipment	\$1.7	\$0.6	\$1.7	\$0.0	\$0.0	\$0.0
Services	\$5.7	\$2.1	\$5.7	\$0.0	\$0.0	\$0.0
Total Non-Salary	\$7.4	\$2.7	\$7.4	\$0.0	\$0.0	\$0.0
Revenue (e.g. TTC, towing recoveries)	(\$1.5)	(\$0.5)	(\$1.6)	\$0.1	(\$0.3)	(\$0.2)

Total Net	\$49.2	\$30.8	\$48.5	\$0.7	\$1.2	\$1.9
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It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, expected future commitments and spending patterns.

Salaries and Benefits:

A favourable variance of \$0.4M is projected in salaries and benefits. The P.E.U. budget assumed hiring would take place at a sufficient pace to fully staff parking enforcement and support staff positions. Three recruit classes were budgeted for this year. However, in addition to regular parking enforcement attrition, several parking enforcement staff have been successful in obtaining other positions within the Service (e.g. police officers and special constables). As a result, the P.E.U. is projected to be slightly below its funded strength of parking enforcement officers, on average, during the year.

COVID-19 Impact – The P.E.U. budget includes funding for three Parking Enforcement Officer (P.E.O.) classes in 2020. The first class has already been hired, and the second class, which was scheduled for July, has been deferred to November and will be merged with the December class, resulting in projected savings of \$0.3M. It is important to note that the continuing impacts of the pandemic are difficult to predict and it takes several weeks of training before a newly hired P.E.O. is independently issuing tickets.

Premium Pay:

Historically, nearly all premium pay at the P.E.U. is related to enforcement activities, such as special events or directed enforcement activities. Directed enforcement activities are instituted to address specific problems. All premium pay expenditures are approved by supervisory staff and carefully controlled. A favourable variance of \$0.2M is projected in premium pay at this time, excluding the COVID-19 impacts noted below.

COVID-19 Impact – Due to reduced enforcement during the pandemic, premium pay spending has been reduced and the P.E.U. is projecting additional premium pay savings of \$1.2M. The level of spending / savings is directly related to the timing of when enforcement levels return to historical pre COVID-19 levels.

Non-salary Expenditures:

No variance is anticipated in the non-salary accounts at this time.

COVID-19 Impact – Year to date expenditures associated with COVID-19 are approximately \$20,000 and have been limited to cleaning supplies and services. Ongoing costs are expected to be under \$5,000 per month. However, these are expected to be offset by reduced expenditures associated with a reduction in issuance

of parking tags (e.g., tag rolls, gasoline). Personal protective equipment is currently being supplied by the Service.

Revenue:

Revenues include towing recoveries, contributions from reserves, and recoveries from the Toronto Transit Commission (T.T.C.). The recoveries from the T.T.C. are for premium pay expenditures that are incurred to enforce parking by-laws on T.T.C. right of ways, which are necessitated by the continuing weekend subway closures for signal replacement maintenance. A favourable variance of \$0.1M is projected for these recoveries. However, the net impact is zero, as they are a direct reimbursement of billed premium pay expenditures.

COVID-19 Impact – As a result of COVID-19, the requirement to enforce the T.T.C. right of ways was reduced. However, this will result in a net zero variance as there is an offsetting reduction in premium pay costs.

The P.E.U. recovers costs associated with administering the pounds operations from towing operators. With the onset of COVID-19, the number of vehicles impounded has decreased significantly. As a result, a revenue loss of \$0.3M is projected to year-end.

Conclusion:

As at September 30, 2020, the P.E.U. operating budget is projected to be \$1.9M under spent at year-end. The financial impacts of COVID-19, currently estimated at a \$1.2M favourable variance and included in the \$1.9M variance, are difficult to accurately predict, as this pandemic is without precedent and its duration is not known. The P.E.U. is continually reviewing its spending plans to manage this risk in order to continue to stay within budget.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

November 02, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Capital Budget Variance Report for the Toronto Police Service -
Period Ending September 30, 2020**

Recommendations:

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

- (1) approve a permanent transfer of \$131,500 from the Livescan project to the Workstation, Laptop, Printer lifecycle project;
- (2) approve a transfer of \$348,000 from the Automatic Vehicle Locator (A.V.L.) project to the Workstation, Laptop, and Printer lifecycle project, to enable an advancement of funding to the Workstation project; and
- (3) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for consideration of Recommendations 1 and 2, as part of the City's overall capital variance report to the City's Budget Committee.

Financial Implications:

Toronto City Council (Council), at its meeting of February 19, 2020, approved the Toronto Police Service's (Service) 2020-2029 capital program at a net amount of \$21.7M and gross amount of \$50.3M for 2020 (excluding carry forwards), and a 10-year total of \$202.9M net and \$587.2M gross. Please see Attachment A for more details.

Table 1 – Summary of 2020 Expenditures

Category	2020 Gross (M's)	2020 Net (M's)
2020 approved program excluding carry forward	\$50.3	\$21.7
2019 carry forwards	\$29.9	\$14.8
Total 2020 available funding	\$80.3	\$36.5
2020 Projection	\$58.3	\$21.2
Variance to available funding	\$22.0	\$15.3
Carry forward to 2021	\$15.7	\$9.1
Spending rate	73%	58%

Note: due to rounding, numbers presented may not add up precisely

The 2020-estimated gross spending rate is 73%. From the estimated 2020 gross under-expenditure of \$22M, \$15.7M will be carried forward to 2021. From the remaining balance of \$6.3M, \$6.1M are permanent reductions and will be returned to the City due to:

- the reduction of Capital from Current (C.F.C.) funding for the State-of-Good-Repair (S.O.G.R.) project, as per City's direction to find offsetting savings from C.F.C. projects to address the City-wide pressures from the COVID-19 pandemic (\$1.4M);
- the Automated Fingerprint Identification System project coming in under budget (\$1.5M);
- the cancellation of the 12 Division facility project (\$0.4M);
- the Peer to Peer Site project being delivered below budget (\$0.3M); and
- the cancellation of the 32 Division facility project (\$2.5M).

In addition, \$0.2M will be returned to the Vehicle and Equipment reserve for the Connected Officer lifecycle project.

Background / Purpose:

The purpose of this report is to provide the Board with the status of the Service's capital projects as at September 30, 2020.

COVID-19 Impact on Capital projects:

In an effort to offset the City's financial pressures stemming from decreased revenues and increased costs from COVID-19, City Finance staff have requested that all Agencies, Boards, Commissions and Departments (A.B.C.D.s) review their capital programs for potential deferral of non-essential projects and cancellation of projects without a firm economic justification, and if contractually possible.

To this end, and as a result of COVID-19 and other developments, the Service is reviewing all of the projects in our current capital program, to determine if they are still required and whether they should be revised, deferred or cancelled. Savings that can be identified so far, to help manage the City's pressures, are identified in the variance report.

Discussion:

Attachment A provides the Service's approved 2020-2029 capital program.

Attachment B provides the Service's variance report as at September 30, 2020 with a status summary of the ongoing projects from 2019 as well as project description and status for projects that started in 2020.

Key Highlights / Issues:

As part of its project management framework, the Service tracks the project risk and issues to determine the status and health (i.e. Green, Yellow, and Red) of capital projects. The overall health of each capital project is based on budget, schedule and scope considerations. The colour codes are defined as follows:

- Green - on target to meet project goals (scope/functionality), on budget and schedule and no corrective action is required;
- Yellow - at risk of not meeting certain goals, some scope, budget and/or schedule issues, and minimal corrective action is required; and
- Red - high risk of not meeting goals, significant scope, budget and/or schedule issues, and extensive corrective action is required.

Table 2 - 2020 Capital Budget Variance Report as at September 30, 2020 (\$000s)

Project Name	2020 Cash Flow		Variance (Over)/ Under	Spending Rate	Carry Forward to 2021	Overall Project Health
	Available to Spend	Projected Actuals				
Debt - Funded Projects						
Facility Projects:						
54/55 Divisions Amalgamation	1,000.0	0.0	1,000.0	0%	1,000.0	Red
41 Division	2,404.0	717.5	1,686.5	30%	1,686.5	Red
32 Division Renovation	2,500.0	23.1	2,476.9	1%	0.0	Cancelled
12 Division	375.0	0.0	375.0	0%	0.0	Cancelled
Communication Center Consulting	500.0	25.0	475.0	5%	475.0	Yellow
Peer to Peer Site	285.1	10.0	275.1	4%	0.0	Green
District Policing Program - District Model	2,326.6	1,645.3	681.3	71%	681.3	Red
Information Technology Modernization Projects:						
Transforming Corporate Support	1,717.6	341.4	1,376.3	20%	1,376.3	Red
ANCOE (Enterprise Business Intelligence and Global Search)	1,861.7	1,802.7	59.0	97%	59.0	Green
Connected Officer	288.4	288.4	0.0	100%	0.0	Green
Body Worn Camera - Phase II	2,250.0	1,626.6	623.4	72%	623.4	Green
Next Generation (N.G.) 9-1-1	5,028.1	900.0	4,128.1	18%	4,128.1	Green
Replacements/ Maintenance/ Equipment Projects:						
State-of-Good-Repair	5,715.3	3,262.9	2,452.4	57%	1,102.4	Green
Radio Replacement	4,640.2	4,640.2	0.0	100%	0.0	Green
Additional Vehicles	6,750.0	6,620.6	129.4	98%	0.0	Green
TPS Archiving	163.4	126.0	37.4	77%	0.0	Green
Property & Evidence Warehouse Racking	40.0	29.8	10.2	75%	0.0	Green
Automated Fingerprint Identification System (A.F.I.S.) Replacement	3,053.0	1,106.6	1,946.4	36%	474.4	Yellow
Total Debt - Funded Projects	40,898	23,166	17,732	57%	11,606	
Lifecycle Projects (Vehicle & Equipment Reserve)						
Vehicle Replacement	7,872.4	7,872.4	0.0	100%	0.0	
IT- Related Replacements	15,653.6	14,046.7	1,606.9	90%	1,606.9	
Other Equipment	15,836.1	13,198.4	2,637.7	83%	2,442.1	
Total Lifecycle Projects	39,362.1	35,117.5	4,244.6	89%	4,049.0	
Total Gross Expenditures	80,260.5	58,283.5	21,977.0	73%	15,655.4	
Less other-than-debt Funding						
Funding from Developmental Charges	(4,437.4)	(1,971.5)	(2,465.9)	44%	(2,465.9)	
Vehicle & Equipment Reserve	(39,362.1)	(35,117.5)	(4,244.6)	89%	(4,049.0)	
Total Other-than-debt Funding	(43,799.5)	(37,089.0)	(6,710.5)	85%	(6,514.9)	
Total Net Expenditures	36,461.0	21,194.5	15,266.5	58%	9,140.5	

The subsequent section provides project updates for key, on-going projects and includes high-level project descriptions for new projects within the 2020-2029 program.

Facility Projects:

Due to COVID-19, there has been delays in planned construction schedules, including labour and critical supply chain disruptions, delays to obtain required permits as well as possible funding shortfalls from the City of Toronto. These factors played a significant role in the progress of the Service's facility related projects. Projections will be updated as more information becomes available, and as previously indicated, the Service is conducting a review of the projects in its current capital program to determine if any should be revised, deferred or cancelled.

54/55 Divisions Amalgamation (Red):

- The process of rezoning, environmental assessment of site and soil conditions are complete;
- The Request for Proposal (R.F.P.) to secure construction management services is indefinitely on hold. Building design documentation is also on hold. Schedule to be updated pending direction from Command;
- The status of the project remains Red, as the Service is re-evaluating this project and exploring alternative options.

41 Division (Red):

- The construction management services contract for the new 41 Division was approved by the Board at its May 2020 meeting (Min. No. P54/20 refers);
- Based on budget estimates received from the architectural consultant and construction manager, the total construction cost is now estimated to be significantly higher than the approved capital funding of \$38.9M (Min. No. P58/18 refers). This is due to the complexity of the construction phasing that involves the demolition of a significant portion of the existing 41 Division facility and constructing a new building while continuing to operate as a fully functional division; and significantly higher construction costs from when the original estimate was prepared. The higher cost estimate for this project will be reflected in the Service's 2021-2030 capital program;
- Numerous Value Engineering sessions (cost saving efforts) have been held with the construction manager and consultants, and some cost reductions have been achieved. However, the total construction cost is still much higher than originally estimated;
- The overall status of the project is Red as project timelines are behind schedule and the total construction cost will be higher than currently budgeted.

32 Division Renovation (Cancelled)

- The schematic design was approved and the construction tender documents were to be developed after the pandemic. However, given the current funding pressures, the project is now cancelled;
- The Service is in the process of re-evaluating this project and exploring other alternative options. The remaining funds of \$2.5M are being returned to the City.

Communication Centre Consulting (Yellow)

- This project provides funding to acquire external expertise to assist the Service with a comprehensive review of all the requirements for a new Communication Centre, taking into account the impact of Next Generation (N.G.) 9-1-1 and other key considerations;
- The existing location for Communications Services (C.O.M.) has reached the maximum capacity for personnel, workspace and technology. The current facility cannot accommodate the anticipated expansion that will be required as a result of N.G. 9-1-1;
- The estimated cost for a new Communication Centre facility is not included in the Service's 2020-2029 capital program, as the Service felt it is prudent to engage external expertise as an important first step to moving this project forward. The external expert would conduct a comprehensive analysis of the impact of technological changes from N.G. 9-1-1, population growth, shifts in calling behaviour (text vs. voice, videos), staffing requirements, location, size, backup site;
- The status of this project is Yellow. A Request for Proposal (R.F.P.) for consulting services is planned to be issued in the fourth quarter. The feasibility and design will commence when a contract is awarded to the successful consultant, expected to be late this year or early in 2021.

District Policing Program – District Model (Red)

- A pilot project was launched for the use of remote video equipment for bail hearings from 14 and 23 Divisions in collaboration with the Ministry of the Attorney General (M.A.G.) and other external agencies. The planning for the rollout of this pilot is now underway. This initiative includes focusing on integration of processes with M.A.G. and other involved agencies;
- The review of operational processes continues to focus on opportunities to improve service delivery. This work includes system enhancements for shift schedule-related activities, the investigative review processes, charge processing processes, the standardization of non-emergency event processes, etc. All these efforts allow the front-line officers to more efficiently respond to

higher priority emergency calls, as well as proactively engage the community and support policing initiatives that promote community safety;

- Preparations for the new version release of the Service's records management system in 2021 continues, as well as the incorporation of service delivery process improvements and the testing of the new Court Services module that is essential to prepare for the introduction of the new Toronto Courthouse and Regional Bail Centre;
- The new shift schedules implemented January 2020 include longer working shifts. To ensure the wellbeing of front-line police officers, wellness rooms have been renovated and updated with new equipment to meet the needs of the members. The renovation and updating of the wellness rooms has been completed at most locations and a few are still under way;
- The status of this project is Red as the Board and the Service are about to embark on numerous Police Reform initiatives and the implementation of new Service boundaries has been deferred.

Information Technology Modernization Projects:

Transforming Corporate Support (Human Resource Management System (H.R.M.S.) and Time Resource Management System (T.R.M.S.) (Red)

- Stabilization and continuous improvements to the H.R.M.S. functionality, reports and processes will continue in 2020 to increase system adoption, address gaps and increase process maturity;
- Due to ongoing resource challenges and project delays, the Service reviewed the Phase III Time and Labour implementation scope, plan and solution options in order to determine the best, least risky and most cost efficient way to move forward;
- Options included upgrading the Service's current time and labour system or moving to the Oracle time and labour module - upgrading the existing time and labour system is the option selected;
- The status of this project will remain Red until the go-forward plan, project charter and scope is complete. The Board will be advised accordingly as part of future capital variance reports.

Analytics Centre of Excellence (A.N.C.O.E.) program; Enterprise Business Intelligence (E.B.I.) and Global Search (Green)

E.B.I.

- Streamlined Service processes that will make data and analytics products available to front-line members, management, and the public are in the process

of being developed, as well as an enhanced reporting database and data marts for existing Service requirements from various operational data sources by the end of 2020;

- Analytical reporting environments for internal members are being established using new Power B.I., geospatial and reporting technology;
- During the fourth quarter of 2020, the project will focus on the development of Situational Awareness solution, approval and building of the proposed redesigned Geographic Information System (G.I.S.) platform, A.V.L. program development and completion of the E.B.I requirements with new dashboards, reports and G.I.S. mapping solutions.

Global Search

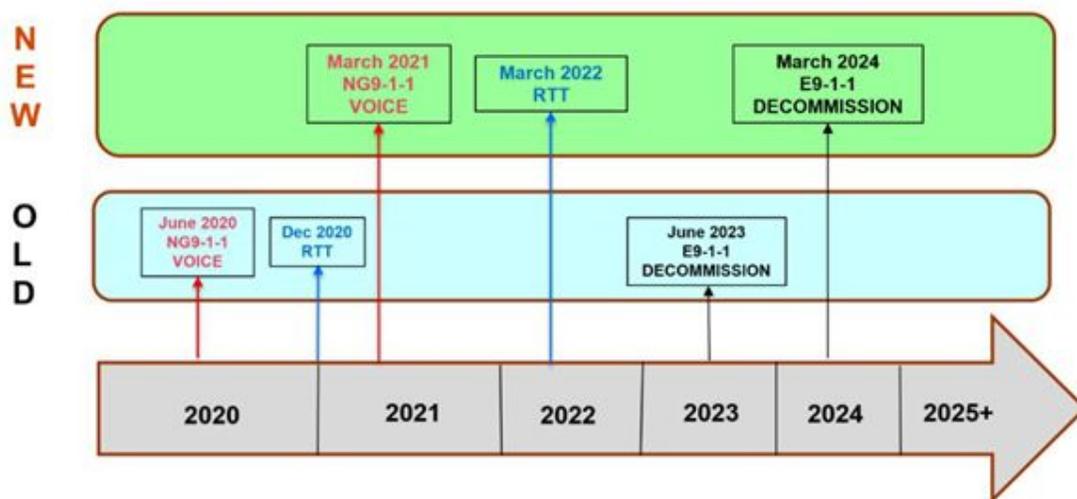
- The Service's Records Management System (R.M.S.) was changed on November 5, 2013, from e.C.O.P.S. to Versadex. Since that time, users have not been able to concurrently perform an integrated search of the current Versadex R.M.S. and the legacy databases through a single interface;
- With the production implementation of this platform, members of the Service will be able to conduct searches of internal systems more quickly and comprehensively and retrieve critical operational information;
- The A.N.C.O.E. program will deliver the pilot phase of Global Search for search capabilities in several units across the Service and is estimated to be completed by the end of 2020;
- Subsequent to the completion of the pilot phase, full implementation will commence in late 2020 and will be completed in 2023;
- The project will deliver ongoing enhancements to the search platform based on member feedback and user experience best practices.

Body Worn Cameras (B.W.C.) (Green)

- A non-binding R.F.P. was issued in April 2019, for a cloud-based solution. Vendor selection has completed and contract negotiations have recently been concluded;
- The procurement process for a B.W.C. solution included the project team engaging with internal as well as external stakeholders such as City Legal, M.A.G., Special Investigations Unit (S.I.U.), Privacy and Human Rights Commissioners, among others;
- The contract award for this project was approved by the Board at its August 2020 meeting (Min. No. P129/20 refers) and implementation of the solution commenced in 23 Division immediately thereafter;
- Starting the week of October 26, 2020, front-line police officers in 11 Division, 22 Division, and those assigned to the Community Response Unit at 52 Division will start to use body-worn camera technology during interactions with the public.

Next Generation (N.G.) 9-1-1 (Green)

- As per the Canadian Radio-television and Telecommunications Commission (C.R.T.C.) mandate, Canadian telecommunications service providers will be upgrading their infrastructure to N.G. 9-1-1 Voice and Text Capable Networks; However, due to the COVID-19 pandemic and the resulting measures taken to contain it, the Commission understands that the maintenance of current networks, including current 9-1-1 networks, is being prioritized over work relating to the deployment of N.G. 9-1-1 networks;
- The original and revised N.G. 9-1-1 deadlines are as follows:



- The new N.G. 9-1-1 solution, as proposed by Comtech Solacom (Solacom), was approved by the Board at its September 2020 meeting (Min. No. P133/20 refers);
- The R.F.P., as originally issued on December 13, 2019, will constitute the basis for the legal contract with Solacom;
- A third party law firm has been retained to review the Software Licenses Agreement (S.L.A.) that Solacom has submitted to the Service as a part of their R.F.P. bid;
 - as a result of the review, the third party law firm has drafted an additional Commercial Agreement which will amend Solacom's S.L.A. and will serve as a supplementary body to the original R.F.P.'s Terms and Conditions;
- Once the new Commercial Agreement is reviewed and agreed upon, a Purchase Order will be issued and the project will formally commence;
- Pending any COVID-related delays or unplanned interruptions, it is anticipated that the solution will be implemented by early 2022 and will go live shortly thereafter.

Replacements/ Maintenance/ Equipment Projects:

All projects in this category are on budget and on time except for the replacement of the Automated Fingerprint Identification System. No other significant variance to report. Please refer to Attachment B for the list of projects.

Automated Fingerprint Identification System (A.F.I.S.) (Yellow)

- The current A.F.I.S. is a 2011 model first deployed in January 2013, and will reach end of life as of December 31, 2020;
- The new contract award to IDEMIA was approved by the Board Delegates on April 28, 2020;
- The status of this project is Yellow as project timing is behind the schedule based on the original timeline. It is expected that the implementation of the new A.F.I.S. will take over 8 months;
- This project will have significant funding savings as the cost is \$1.6M and the budget is \$3.1M. The surplus of \$1.5M will be returned to the City.

Lifecycle Projects (Vehicle and Equipment Reserve):

Table 3 – Summary of vehicle and equipment lifecycle replacement (\$000s)

Project Name	Carry Forward from 2019	2020 Budget	Available to Spend	Year End Actuals	YE Variance (Over)/ Under	Carry Forward to 2021	Total Project Cost		Overall Project Health
							Budget	Life to Date	
Vehicle Replacement	428.4	7,444.0	7,872.4	7,872.4	0.0	0.0	On-going	On-going	
IT- Related Replacements	3,620.6	12,033.0	15,653.6	14,046.7	1,606.9	1,606.9	On-going	On-going	
Other Equipment	9,812.1	6,024.0	15,836.1	13,198.4	2,637.7	2,442.1	On-going	On-going	
Total Lifecycle Projects	13,861.1	25,501.0	39,362.1	35,117.5	4,244.6	4,049.0			

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement operating budgets. The Reserve has no impact on the capital program at this time, as it does not require debt funding. Items funded through this reserve include the regular replacement of vehicles and information technology equipment, based on the deemed lifecycle for the various vehicles and equipment.

It is important to note that as the Service modernizes, new systems that have been implemented over the years (e.g. In-Car Camera program, data and analytics initiatives) and increasing storage requirements (e.g. to accommodate video), have put significant pressure on this Reserve, as the amount of equipment with maintenance and

replacement requirements continues to increase year over year. This in turn puts pressure on the operating budget, as increased annual contributions are required to ensure the Reserve can adequately meet the Service's vehicle and equipment requirements.

While the Service has taken steps to create efficiencies, the amount of equipment that must be replaced continues to increase. The Service will continue to review all projects' planned expenditures to address the future pressures, including additional contributions that may be required. The Service is also exploring other options (e.g. cloud) for more efficient and potentially less costly data storage.

Significant variances resulting in carry forwards of funding are:

- \$0.4M – Furniture Lifecycle – Provincial contract is not being extended. Developing R.F.P. to secure a new vendor. A large number of furniture replacement requests are currently on hold due to COVID-19.
- \$0.5M – Servers Lifecycle – Procurement of some equipment deferred to 2021 due to resource constraints.
- \$0.6M – IT Business Resumption – Procurement of some equipment deferred to 2021 due to resource constraints.
- \$1.0M - Mobile Workstations – there have been delays in the procurement process for workstations and mounting solutions. A Request for Quotation (R.F.Q.) has been completed and the contract award was approved at the Board's October 2020 meeting.
- \$0.5M – Digital Video Asset Management (D.V.A.M.) I, II – there have been delays in the planned lifecycle replacement of equipment in some divisions due to COVID-19.
- \$0.4M - A.V.L. – Installation costs for equipment deferred to 2021;

Workstation, Laptop, Printer Lifecycle

The COVID-19 pandemic necessitated greater ability for the Service to adopt working from home options. The Service had to quickly make adjustments to modernize its processes and technology in order to facilitate working from home arrangements. The purchase of laptops is one aspect of these modernization efforts. In order to continue the virtualization and mobility efforts of our members, the Customer Service Unit (C.S.U.) in the Information Technology Command requested to convert more workstations to laptops as part of the regular lifecycle program. This request advanced the purchase of laptops planned for 2021 to 2020, while keeping the inventory level the same in 2021.

The total cost of the advancement of 2021 cash flow to 2020 is \$480,000, which is accommodated by the:

- transfer of \$348,000 from the A.V.L. project since installation of equipment is delayed to 2021. This is an advancement of funding and both projects will be adjusted accordingly as part of the 2021-2030 capital program;
- permanent transfer of \$131,500 from the Livescan project to the Workstation, Laptop, Printer lifecycle project. The Livescan project actual cost came below budget and the funding is therefore not required.

Conclusion:

The 2020-estimated gross spending rate is 73%. The majority of the spending variance is attributed to COVID-19 related delays faced by the facilities related projects. From the estimated 2020 gross under-expenditure of \$22M, \$15.7M will be carried forward to 2021. From the remaining balance of \$6.3M, \$6.1M will be returned to the City due to reduction in budget for the State-of-Good-Repair project (\$1.4M), cost savings from the Automated Fingerprint Identification System project (\$1.5M), the cancellation of the 12 Division project (\$0.4M), underspending in the Peer to Peer Site project (\$0.3M) and the cancellation of the 32 Division project (\$2.5M). Also, \$0.2M will be returned to the Vehicle and Equipment Reserve for the Connected Officer lifecycle project.

Resourcing constraints that still exist from the hiring moratorium, competing operational priorities and the impact of the current COVID-19 pandemic situation will have an ongoing impact on planned future activities. Projects will continue to be monitored on an ongoing basis and known issues are being actively addressed. The Board will be kept apprised of any major issues as projects progress as well as proposed capital program changes.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

APPROVED 2020-2029 Capital Program Request (\$000s)

Attachment A

Project Name	Plan						Total 2020-2024 Request	2025	2026	2027	2028	2029	Total 2025-2029 Forecast	Total 2020-2029 Program	Total Project Cost
	to end of 2019	2020	2021	2022	2023	2024									
Work in Progress															
State-of-Good-Repair - Police		2,500	4,400	4,400	4,400	4,400	20,100	4,400	4,400	4,400	4,400	4,400	22,000	42,100	42,100
Transforming Corporate Support (HRMS, TRMS)	7,744	500	500				1,000		0	0	0	0	0	1,000	8,744
District Policing Program - 54/55 Amalgamation	1,184	0	5,019	6,508	11,296	10,375	33,198	4,843	0	0	0	0	4,843	38,041	39,225
District Policing Program - 32 Renovation	4,990	1,000	4,950	0	0	0	5,950	0	0	0	0	0	0	5,950	10,940
District Policing Program - 41 Division	2,956	0	12,723	12,800	10,449	0	35,972	0	0	0	0	0	0	35,972	38,928
District Policing Process Improvement	2,900	1,322	3,041	1,707	0	0	6,070	0	0	0	0	0	0	6,070	8,970
ANCOE (Enterprise Business Intelligence, Global Search)	10,842	585	485	485	485	0	2,040	0	0	0	0	0	0	2,040	12,882
Radio Replacement	25,176	4,509	5,074	3,292	0	0	12,875	0	0	14,141	4,250	6,025	24,416	37,291	62,467
Automated Fingerprint Identification System (A.F.I.S.) Replacement	3,053	0	0	0	0	0	0	3,053	0	0	0	0	3,053	3,053	6,106
Next Generation (N.G.) 9-1-1	500	4,750	5,700	0	0	0	10,450	0	0	0	0	0	0	10,450	10,950
Body Worn Camera - Phase II	1,032	2,250	1,500	0	0	0	3,750	0	0	0	0	0	0	3,750	4,782
TPS Archiving	510	140					140	0	0	0	0	0	0	140	650
Total, Work In Progress	60,886	17,556	43,392	29,192	26,630	14,775	131,545	12,296	4,400	18,541	8,650	10,425	54,312	185,857	246,743
Upcoming Projects															
District Policing Program - 13/53 Amalgamation New Build		0	400	6,316	16,596	12,896	36,208	4,164	0	0	0	0	4,164	40,372	40,372
District Policing Program - 22 Division New Build		0	0	0	0	0	0	400	6,316	15,396	12,996	5,292	40,400	40,400	40,400
District Policing Program - 51 Division Major Expansion		0	0	0	0	0	0	0	1,300	3,240	1,460	0	6,000	6,000	6,000
Additional Vehicles		6,750	0	0	0	0	6,750	0	0	0	0	0	0	6,750	6,750
Communication Centre - New Facility Assessment	0	500	0	0	0	0	500	0	0	0	0	0	0	500	500
Property & Evidence Warehouse Racking	0	40	0	0	1,000	0	1,040	0	0	0	0	0	0	1,040	1,040
Total, Upcoming Capital Projects:	0	7,290	400	6,316	17,596	12,896	44,498	4,564	7,616	18,636	14,456	5,292	50,564	95,062	95,062
Other than debt expenditure (Draw from Reserve) for Life Cycle Replacement															
Vehicle and Equipment	70,786	7,444	7,484	7,453	7,300	7,351	37,032	7,047	10,537	6,937	6,937	6,937	38,395	75,427	146,213
Remote Operated Vehicle (ROV) Marine unit	409	0	0	0	0	0	0	110	0	0	0	0	110	410	219
Workstation, Laptop, Printer- Lifecycle plan	38,815	3,800	3,287	4,233	1,970	5,496	18,786	5,095	4,493	2,770	3,674	6,183	22,215	41,001	79,816
Servers - Lifecycle Plan	43,749	2,941	4,384	3,075	4,113	6,512	21,025	4,678	3,825	3,825	3,825	3,825	19,978	41,003	84,752
IT Business Resumption	20,846	787	2,297	660	2,716	2,163	8,623	831	2,824	2,824	2,824	2,824	9,144	12,127	20,756
Mobile Workstations	24,696	500	500	0	300	10,044	11,344	1,000	0	0	0	0	300	10,444	46,484
Network Equipment	19,056	2,900	1,750	2,250	3,750	4,350	15,000	0	5,750	8,300	2,350	2,350	18,750	33,750	52,806
Locker Replacement	3,561	0	540	540	540	540	2,160	540	540	540	540	540	2,700	4,860	8,421
Furniture Replacement	9,660	0	500	500	500	500	2,000	500	500	475	500	500	2,475	4,475	14,135
Automatic Vehicle Locator (A.V.L.)	1,422	1,750	0	0	0	0	1,750	1,750	0	0	0	0	1,750	3,500	4,922
In - Car Camera	4,263	0	500	2,750	3,025	0	6,275	0	0	0	0	0	0	6,275	10,538
Voice Logging	1,481	0	0	0	0	500	500	0	0	0	0	0	0	500	1,981
Electronic Surveillance	2,255	0	0	0	0	1,090	1,090	0	105	0	205	0	310	1,400	3,655
Digital Photography	758	314	316	0	0	0	630	314	316	0	0	0	630	1,260	2,018
Digital Video Asset Management (D.V.A.M. I & II)	4,137	1,060	1,890	685	855	385	4,855	326	1,825	650	650	650	4,101	8,956	13,093
Property & Evidence Scanners	63	0	0	0	0	0	0	43	0	0	0	0	43	43	106
Divisional Parking Lot Network (D.P.L.N.)	499	1,500	0	0	0	0	1,500	0	1,700	0	0	0	1,700	3,200	3,699
Small Equipment (e.g. telephone handset)	1,220	750	750	0	0	0	1,500	0	750	750	0	0	1,500	3,000	4,220
Small Equipment - test analyzers	866	0	580	580	0	0	1,160	0	0	0	0	0	0	1,160	2,026
Small Equipment - In Car Camera (I.C.C.) Microphones	314	150					150						0	150	464
Small Equipment - Video Recording Equipment	866	20	70	64	78	40	272	72	82	70	58	60	342	614	1,480
Small Equipment - Video Recording Property & Video Evidence Management	6	47	30	17	0	47	141	30	17	30	17		94	235	241
Small Equipment - Auditorium Audio and Visual Equipment	0	0	0	500	0	0	500	0	0	0	500	0	500	1,000	1,000
Radar Unit Replacement	936	9	15	12	195	79	310	178	52	231	99	0	560	870	1,806
Livescan Machines	540	0	0	0	0	0	0	540	0	0	0	0	540	540	1,080
Wireless Parking System	3,738	0	0	5,023	0	0	5,023	0	0	5,023	0	0	5,023	10,046	13,784
Closed Circuit Television (C.C.T.V.)	701	275	275	0	0	0	550	300	300	0	0	0	600	1,150	1,851
Automated External Defibrillator (A.E.D.s.)	23	118	3	12	3	31	167	3	14	3	14	3	37	204	227
Conducted Energy Weapon (CEW)	1,302	675	675	0	1,210	0	2,560	1,350	0	0	1,210	0	2,560	5,120	6,422
Marine Vessel Electronics	481	0	0	785	0	0	785	0	0	600	0	0	600	1,385	1,866
Connected/Mobile Officer	0	461	824	1,551	1,236	1,570	5,642	1,236	1,588	1,236	1,607	1,236	6,903	12,545	12,545
Total Reserve Projects:	257,129	25,501	26,670	30,670	27,791	40,698	151,330	25,943	35,218	34,264	25,310	34,252	154,987	306,317	563,446
Total Gross Projects	318,015	50,347	70,462	66,178	72,017	68,369	327,373	42,803	47,234	71,441	48,416	49,969	259,863	587,236	905,251
Funding Sources:															
Vehicle and Equipment Reserve	(257,129)	(25,501)	(26,670)	(30,670)	(27,791)	(40,698)	(151,330)	(25,943)	(35,218)	(34,264)	(25,310)	(34,252)	(154,987)	(306,317)	(563,446)
DC and Grant funding applicable to Connected officer	(2,632)						0	1,029	75	1,491	1,236	3,831	1,199		
Development charges Funding	(30,610)	(3,149)	(16,185)	(14,531)	(12,332)	(6,776)	(52,973)	(6,790)	(6,368)	(6,430)	(6,558)	(2,719)	(28,865)	(81,838)	(112,448)
Total Funding Sources:	(290,371)	(28,650)	(42,855)	(45,201)	(40,124)	(47,474)	(204,303)	(32,733)	(40,557)	(40,819)	(30,377)	(35,735)	(180,021)	(384,324)	(674,695)
Total Reserve Projects:	(257,129)	(25,501)	(26,670)	(30,670)	(27,791)	(40,698)	(151,330)	(25,943)	(34,189)	(34,189)	(23,819)	(33,016)	(151,156)	(302,486)	(559,615)
Total Net Debt-Funding Request:		21,697	27,607	20,977	31,894	20,895	123,070	10,070	6,677	30,822	18,039	14,234	79,842	202,912	230,556

2020 Capital Budget Variance Report as at September 30, 2020 (\$000s)

Project Name	Carry Forward from 2019	2020 Cash Flow			Variance (Over)/ Under	Last Funding/ Return to Reserve	Spending Rate	Carry Forward to 2021	Total Project Cost		Status	Start Date	End Date		Overall Project Health	Comments
		Budget	Available to Spend	Projected Actuals					Budget	Life to Date			Planned	Revised		
Debt - Funded Projects																
<i>Facility Projects:</i>																
54/55 Divisions Amalgamation	1,000.0	0.0	1,000.0	0.0	1,000.0	0.0	0%	1,000.0	39,224.8	183.8	Delayed	Jan-17	Dec-24	Dec-25	Red	Please refer to the body of the report
41 Division	2,404.0	0.0	2,404.0	717.5	1,686.5	0.0	30%	1,686.5	38,928.0	935.4	Delayed	Jan-18	Dec-22	Dec-23	Red	Please refer to the body of the report
32 Division Renovation	1,500.0	1,000.0	2,500.0	23.1	2,476.9	2,476.9	1%	0.0	10,940.0	358.3	Delayed	Jan-19	Dec-21	Dec-21	Cancelled	Please refer to the body of the report
12 Division	375.0	0.0	375.0	0.0	375.0	375.0	0%	0.0	9,000.0	0.0	Not Required	Jan-19	Dec-21	Dec-21	Cancelled	This project is cancelled and is no longer required. Funding will be returned to the City
Communication Center Consulting	0.0	500.0	500.0	25.0	475.0	0.0	5%	475.0	500.0	0.0	On Time	Jan-20	Dec-20	Jun-21	Yellow	Please refer to the body of the report
Peer to Peer Site	285.1	0.0	285.1	10.0	275.1	275.1	4%	0.0	19,646.2	19,632.3	Completed	Jan-14	Dec-19	Dec-19	Green	This project is completed below budget and the surplus funding will be returned to the City
District Policing Program - District Model	1,004.6	1,322.0	2,326.6	1,645.3	681.3	0.0	71%	681.3	8,970.0	1,508.7	Delayed	Jan-18	Dec-23	Dec-22	Red	Please refer to the body of the report
<i>Information Technology Modernization Projects:</i>																
Transforming Corporate Support	1,217.6	500.0	1,717.6	341.4	1,376.3	0.0	20%	1,376.3	8,742.5	6,558.3	Delayed	Jan-14	Dec-20	Dec-21	Red	Please refer to the body of the report
ANCOE (Enterprise Business Intelligence and Global Search)	1,276.7	585.0	1,861.7	1,802.7	59.0	0.0	97%	59.0	12,881.6	10,390.3	On Time	Jan-15	Dec-18	Dec-23	Green	Please refer to the body of the report
Connected Officer	288.4	0.0	288.4	288.4	0.0	0.0	100%	0.0	2,980.8	2,817.4	On Time	Jan-17	Dec-20	Dec-20	Green	Project is on time and on budget
Body Worn Camera - Phase II	0.0	2,250.0	2,250.0	1,626.6	623.4	0.0	72%	623.4	4,782.0	1,244.3	Delayed	Jan-17	Dec-20	Dec-21	Green	Please refer to the body of the report
Next Generation (N.G.) 9-1-1	278.1	4,750.0	5,028.1	900.0	4,128.1	0.0	18%	4,128.1	10,950.0	639.7	On Time	Jan-19	Dec-21	Dec-21	Green	Please refer to the body of the report
<i>Replacements/ Maintenance/ Equipment Projects:</i>																
State-of-Good-Repair	3,215.3	2,500.0	5,715.3	3,262.9	2,452.4	1,350.0	57%	1,102.4	on-going	on-going	On Time	on-going	on-going	on-going	Green	This is to maintain the safety, condition and customer requirements of existing buildings as well as technology upgrade. The Service has developed a work-plan to use these funds to optimize service delivery and enhance efficiencies for both buildings and technology improvements. The Service continues to work on SOGR priority projects and programs
Radio Replacement	131.2	4,509.0	4,640.2	4,640.2	0.0	0.0	100%	0.0	38,050.5	29,125.3	On Time	Jan-16	on-going	on-going	Green	This is for lifecycle replacement of radios and is on time and on budget
Additional Vehicles	0.0	6,750.0	6,750.0	6,620.6	129.4	129.4	98%	0.0	6,750.0	6,620.6	On Time	Jan-20	Dec-20	Dec-20	Green	This project provides for 90 additional cars for the revised shift schedule as well as to meet the needs of district special constables. The cost includes the vehicle cost as well as the cost of various operational systems, such as in-car cameras, automated vehicle location system, mobile workstations, etc. This project is on time and on budget
TPS Archiving	23.4	140.0	163.4	126.0	37.4	37.4	77%	0.0	650.0	612.6	On Time	Jan-18	Dec-18	Dec-20	Green	The new high-density mobile storage unit for the Property and Video Evidence Management Unit has been installed and is operational.
Property & Evidence Warehouse Racking	0.0	40.0	40.0	29.8	10.2	10.2	75%	0.0	1,040.0	29.8	On Time	Jan-20	Dec-20	Dec-20	Green	This project provides for high density and pushback racking. This project is on time and on budget
Automated Fingerprint Identification System (A.F.I.S.) Replacement	3,053.0	0.0	3,053.0	1,106.6	1,946.4	1,472.0	36%	474.4	6,106.0	2,704.1	Delayed	Jan-19	Dec-20	Dec-20	Yellow	Please refer to the body of the report
Total Debt - Funded Projects	16,052	24,846	40,898	23,166	17,732	6,126	57%	11,606	220,142	83,361						
<i>Lifecycle Projects (Vehicle & Equipment Reserve)</i>																
Vehicle Replacement	428.4	7,444.0	7,872.4	7,872.4	0.0	0.0	100%	0.0	On-going	On-going	On-going					
IT- Related Replacements	3,620.6	12,033.0	15,653.6	14,046.7	1,606.9	0.0	90%	1,606.9	On-going	On-going	On-going					
Other Equipment	9,812.1	6,024.0	15,836.1	13,198.4	2,637.7	195.6	83%	2,442.1	On-going	On-going	On-going					
Total Lifecycle Projects	13,861.1	25,501.0	39,362.1	35,117.5	4,244.6	195.6	89%	4,049.0								
Total Gross Expenditures	29,913.5	50,347.0	80,260.5	58,283.5	21,977.0	6,321.6	73%	15,655.4								
Less other-than-debt Funding																
Funding from Developmental Charges	(1,288.4)	(3,149.0)	(4,437.4)	(1,971.5)	(2,465.9)	0.0	44%	(2,465.9)								
Vehicle & Equipment Reserve	(13,861.1)	(25,501.0)	(39,362.1)	(35,117.5)	(4,244.6)	(195.6)	89%	(4,049.0)								
Total Other-than-debt Funding	(15,149.5)	(28,650.0)	(43,799.5)	(37,089.0)	(6,710.5)	(195.6)	85%	(6,514.9)								
Total Net Expenditures	14,764.0	21,697.0	36,461.0	21,194.5	15,266.5	6,126.0	58%	9,140.5								



Toronto Police Services Board Report

November 9, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director & Chief of Staff

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

Recommendation(s):

It is recommended that the Board receive the following invoices for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP:

1. Invoice dated August 31, 2020 in the amount of \$139,836.73;
2. Invoice dated September 30, 2020 in the amount of \$164,434.81; and
3. Invoice dated October 30, 2020 in the amount of \$298,688.41.

Financial Implications:

The total invoiced to date, including the above invoices, is \$3,646,450.89.

Background / Purpose:

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

The City has agreed to provide funding to the Board to pay for the cost of the Review (Min.P112/18 refers). In addition, the City approved the increase of additional funding for \$1.0 million as recommended by the Board at its January 22, 2020 Board meeting (Min. P7/20).

At its meeting on September 19, 2019 (Min. P189/19 refers), the Board delegated to the Chair the authority to approve payment of all future invoices from the Honourable Gloria

Epstein and Cooper, Sandler, Shime and Bergman LLP, not to exceed an amount of \$4.0M (including the additional funding from the City, as stated above).

Discussion:

The Chair has approved the accounts referenced in these reports, pursuant to the delegated authority the Board has provided him.

I have attached a copy of the Review's account approved for services rendered, up to and including August 31, 2020 in the amount of \$139,836.73, September 30, 2020 in the amount of \$164,434.81, and October 30, 2020 in the amount of \$298,688.41. Detailed statements are included on the in-camera agenda for information.

Conclusion:

It is, therefore, recommended that the Board receive the following invoices for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP:

1. Invoice dated August 31, 2020 in the amount of \$139,836.73;
2. Invoice dated September 30, 2020 in the amount of \$164,434.81; and
3. Invoice dated October 30, 2020 in the amount of \$298,688.41.

Respectfully submitted,



Ryan Teschner
Executive Director & Chief of Staff

ATT.

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IN ACCOUNT WITH

COOPER, SANDLER
SHIME & BERGMAN LLP
BARRISTERS & SOLICITORS

SUITE 1900
439 University Avenue
Toronto, Ontario
M5G 1Y8

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

August 31, 2020

Minute No: P189/19 & Minute No:P7/20

PRIVATE AND CONFIDENTIAL

Contract No: 47021797

CRO # 9338950

GR # 5000156843

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

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

FOR SERVICES RENDERED: From July 30, 2020 to August 31, 2020

Total Fees	\$88,397.10	
HST on Fees (13%)	11,491.62	
Total Fees & HST		\$99,888.72
Disbursements Sub-total	\$35,526.80	(\$34,009.31 + 13% \$4421.21)
HST on Disbursements (13%)	4,421.21	+\$1,517.49 (no tax)
Total Disbursements & HST		\$39,948.01
TOTAL FEES AND DISBURSEMENTS		\$139,836.73

for this account dated August 31, 2020

BALANCE OWING \$139,836.73

Approved By: 
Ryan Teschner (83693)
Executive Director & Chief of Staff

Approved By: 
Jim Hart (84312)
Chair

THIS IS OUR ACCOUNT HEREIN

Cooper Sandler Shine & Bergman LLP



Mark J. Sandler

E. & O.E.

Total HST \$15,912.83

HST #:122552227

IN ACCOUNT WITH

COOPER, SANDLER
SHIME & BERGMAN LLP
BARRISTERS & SOLICITORS

SUITE 1900
439 University Avenue
Toronto, Ontario
M5G 1Y8

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

September 30, 2020

Minute No: P189/19 & Minute No:P7/20

PRIVATE AND CONFIDENTIAL

Contract No: 47021797

CRO # 9342665

GR # 5000165663

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

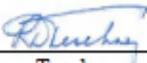
Re: The Independent Civilian Review into Missing Persons Investigations – Our File
#CTinv001

FOR SERVICES RENDERED: From August 24, 2020 to September 30, 2020

Total Fees	\$85,696.30	
HST on Fees (13%)	11,140.52	
Total Fees & HST		\$96,836.82
Disbursements Sub-total	\$60,568.38	\$54,073.92
HST on Disbursements (13%)	7,029.61	+ 13% HST \$7,029.61
Non-Taxable Amount	6,494.49	+ \$6,494.46 (no tax)
Total Disbursements & HST		\$67,597.99
TOTAL FEES AND DISBURSEMENTS		\$164,434.81

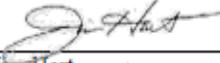
for this account dated September 30, 2020

Approved By



Ryan Teschner
Executive Director & Chief of Staff
Toronto Police Services Board

Approved By:



Jim Hart
Chair, Toronto Police Services Board

OUTSTANDING BALANCE \$139,836.73
(August 31, 2020 Invoice)

BALANCE OWING \$304,271.54

THIS IS OUR ACCOUNT HEREIN

Cooper Sandler Shime & Bergman LLP



Mark J. Sandler

E. & O.E.

Total HST \$18,170.13
HST #:122552227

IN ACCOUNT WITH

COOPER, SANDLER
SHIME & BERGMAN LLP
BARRISTERS & SOLICITORS

SUITE 1900
439 University Avenue
Toronto, Ontario
M5G 1Y8

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

October 30, 2020

PRIVATE AND CONFIDENTIAL

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

Minute No: P189/19 & Minute No:P7/20
Contract No: 47021797
CRO # 9348036
GR # 5000181891

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

FOR SERVICES RENDERED: From September 2, 2020 to October 29, 2020

Total Fees	\$191,174.50	
HST on Fees (13%)	24,852.69	
Total Fees & HST		\$216,027.19
Disbursements Sub-total	\$74,310.95	\$64,232.85 +
HST on Disbursements (13%)	8,350.27	13% HST \$8,350.27 =
Non-Taxable Amount	10,078.10	\$72,583.12
Total Disbursements & HST		\$82,661.22
TOTAL FEES AND DISBURSEMENTS		\$298,688.41

for this account dated October 30, 2020

BALANCE OWING

\$298,688.41

THIS IS OUR ACCOUNT HEREIN

Cooper Sandler Shime & Bergman LLP



Mark J. Sandler

E. & O.E.

Total HST \$33,202.96
HST #:122552227

Approved By: 

Ryan Teschner (83693)
Executive Director & Chief of Staff
Toronto Police Services Board

Date: 2020.11.05

Approved By: 

Jim Hart (84312)
Chair
Toronto Police Services Board

Date: 2020.11.05



Central Joint Health and Safety Committee

PUBLIC MINUTES

**August 24, 2020 at 10:00AM
via teleconference**

Meeting No. 71

Members Present:

Jim Hart, Chair Toronto Police Service Board & Co-Chair, Central Joint Health & Safety Committee (CJHSC)

Jon Reid, Director, Toronto Police Association (TPA) & Co-Chair, CJHSC

Members Absent:

Brian Callanan, TPA & Executive Representative

Deputy Chief Barbara McLean, Toronto Police Service (TPS), Command Representative

Also Present:

Ivy Nanayakkara, Manager, TPS, Wellness Unit

Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit

Stacey Shepherd, A/Director, TPS, People & Culture

Rebecca Vukicevic, TPA

Sheri Chapman, TPSB

Chair for this Meeting: Jon Reid, Director, TPA, and
Co-Chair, CJHSC

Opening of the Meeting:

1. Co-Chair, Jon Reid, welcomed the group to the meeting and called the meeting to order.

2. The Committee approved the public Minutes from the meeting that was held on May 4, 2020.

The Committee considered the following matters:

3. FULL BODY SCANNERS

Mr. Duncan advised the Committee that the full body scanner project has been placed on a temporary hold until the Service completes its review of search practices.

Status	Ongoing
Action	Mr. Duncan to provide update at the next meeting

4. RESPIRATORY PROTECTION MASKS

Mr. Duncan advised the Committee that the Service will continue to hold off on N95 testing for frontline members to conserve PPE for health care professionals.

Mr. Duncan said that the fit testing will continue for the Public Order Unit and FIS, working in collaboration with the Wellness Unit Safety Section and the Emergency Management & Public Order Unit (E.M.P.O).

Mr. Reid asked whether the Service has selected a vendor. Mr. Duncan responded and said that the Service selected SPI Health and Safety. Mr. Duncan said that SPI Health & Safety can conduct the fit testing service-wide; however, the timeline solely depends on the Pandemic. Mr. Duncan explained that if the Service sees positive progress and are satisfied that the healthcare sector and paramedics do not have concerns with their own supply, then we can move forward.

Mr. Duncan said that the Service's participation in City's PPE working group has provided a better understanding into the stockpiles around the city and with emergency services.

Status	Ongoing
Action	Mr. Duncan to provide an update at the next meeting

5. BOOTLEG PROTECTORS

Mr. Duncan advised the Committee that he has been in contact with the Planner at 55 Division and confirmed that usage is low and that there has been no request to replenish inventory in scout cars.

Co-Chair Hart asked whether we are confident that Members are wearing the equipment properly in order to ensure proper protection. Mr. Duncan said that he has not received any feedback from Members and asked whether Mr. Reid could reach out to Members for feedback.

Co-Chair Hart asked whether the lack of feedback from Members could mean that the requirement may be less. Mr. Duncan responded and said that it is possible but more information would be required.

Status	Ongoing
Action	Jon Reid to provide an update at the next meeting

Next Meeting:

Date: November 18, 2020

Time: 11:00AM

Location: WebEx

Members of the Central Joint Health and Safety Committee:

Jim Hart, Co-Chair Toronto Police Services Board	Jon Reid, Co-Chair Toronto Police Association
Barbara McLean, Command Representative, Toronto Police Service	Brian Callanan, Executive Member Toronto Police Association



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injuries to Complainants 2018.76 and 2018.76A

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On December 25, 2018, at approximately 2129 hours, a uniformed Police Constable from 55 Division was operating a marked police vehicle, Fleet 5541. The officer had another officer as an escort. The two officers were assigned to a neighbour dispute call and were making their way to the call travelling northbound on Woodbine Avenue.

While on route, the officers diverted from their original dispute call to attend a request for backup from another police officer. The officer who was driving turned from Woodbine Avenue to westbound Cosburn Avenue and turned on the police vehicle’s emergency lights, which in turn activated the vehicle’s In-Car Camera System (I.C.C.S.).

Two blocks east of Woodbine Avenue, Cosburn Avenue intersects with Woodmount Avenue. At this intersection Cosburn Avenue runs east and west and Woodmount Avenue runs north and south. Both roads are single lane in each direction. Vehicles in both directions on Woodmount Avenue have a stop sign governing their movement at the intersection of Cosburn Avenue. Vehicles on Cosburn Avenue do not have to stop at the intersection and are therefore considered to have the right of way.

As the police vehicle approached the intersection of Cosburn Avenue and Woodmount Avenue traffic that was eastbound on Cosburn Avenue, seeing the police vehicle’s emergency lights, were pulling over to the side of the road to yield right of way. At the same time, a 2003 Acura being driven by Complainant 2018.76 with three other passengers was approaching this intersection southbound on Woodmount Avenue.

The officer observed the Acura approaching the stop sign on Woodmount Avenue from the north and activated the police vehicle siren. It is unclear if 2018.76 simply slowed the car or stopped very briefly at the stop sign, but 2018.76 proceeded into the path of police vehicle without properly yielding. The police vehicle did have right of way at this intersection as there was no requirement for east/west traffic to stop.

The officer, seeing the Acura now entering into the path of the police vehicle braked heavily and swerved to the left in an attempt to avoid a collision. The front of the police

vehicle collided with the driver side of the Acura in the intersection. The impact caused both vehicles to veer toward the southwest corner of the intersection. The Acura came to a stop on the road and the police vehicle continued over the boulevard and came to rest after colliding with the front end of an unoccupied G.M.C. Sierra pick-up truck parked in the driveway of the house on the southwest corner.

Immediately following the collision the officers notified Communications Services of the collision. The officers exited the police vehicle and checked on the condition of the people in the Acura.

Additional police officers attended the scene, assisted with traffic control, scene preservation and investigation. Toronto Paramedic Services (Paramedics) were notified and attended to the injured parties. Both officers in the involved police vehicle were transported to hospital with injuries that were later diagnosed as not serious. 2018.76 was transported to hospital and later diagnosed and treated for a fractured left pelvic bone. Complainant 2018.76A was the front seat passenger of the Acura and was transported to hospital and later diagnosed and treated for a left fractured pelvic bone.

Once serious injuries were identified and confirmed, the S.I.U. was notified and invoked its mandate.

The entire sequence of events was captured on the police vehicle's I.C.C.S. and greatly assisted in the determination of fault in the collision.

The S.I.U. designated one Police Constable as the subject officer; four other officers were designated as witness officers.

The S.I.U. published a media release on December 26, 2018, and is available at: https://www.siu.on.ca/en/news_template.php?nrid=4554

In a letter to the Service dated October 16, 2019, Interim Director Joseph Martino of the S.I.U. advised that the investigation was complete and no further action was contemplated. Interim Director Martino excluded the subject officer of any criminality.

The S.I.U. published a media release on October 21, 2019. The media release is available at: https://www.siu.on.ca/en/news_template.php?nrid=5264

The Director's Report of Investigation is published on the link; https://www.siu.on.ca/en/directors_report_details.php?drid=513

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) and Traffic Services Unit (T.S.V.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

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

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

- Procedure 07-01 (Transportation Collisions)
- Procedure 07-05 (Service Vehicle Collisions)
- Procedure 08-03 (Injured On Duty Reporting)
- Procedure 08-04 (Members Involved in a Traumatic Critical Incident)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-02 (Injury / Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. and T.S.V. investigation also reviewed the following legislation:

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

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

The conduct of the designated subject officer and witness officers were in compliance with applicable provincial legislation and applicable T.P.S. procedures.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2018.37

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On July 3, 2018, at approximately 1748 hours, an officer was operating a fully marked, camera equipped, Toronto Police Service (T.P.S.) vehicle southbound on Kipling Avenue at Prince George Drive. At that time, the officer was stopped at the signalized traffic light and positioned behind a sedan that was also waiting for the light.

While the officer was still stopped at the light, complainant 2018.37, operating a 2004 Honda CBR motorcycle with no license plate attached and travelling southbound on Kipling Avenue, passed the officer. 2018.37 was wearing a full helmet which prevented identification.

The officer remained stationary in traffic as 2018.37 passed by, straddling traffic in the passing lanes between cars. This allowed 2018.37 to move to the front of the southbound traffic and gain considerable distance from the officer who had not yet moved forward within the pack of cars traveling southbound.

Kipling Avenue is comprised of two lanes north, two lanes south and a center left turn lane that serves both north and southbound traffic. The straddling of traffic between cars occurred over the course of just seconds. At 1748 hours, the officer moved into the dual left turn lane (northbound and southbound) and tried to catch up to the motorcycle to initiate a *Highway Traffic Act* vehicle stop.

Both the police vehicle and the motorcycle were travelling southbound. The officer, in an attempt to catch up to 2018.37, increased his speed above that of other traffic on the road. While alternating between the center lane and the southbound driving lane, the officer passed three vehicles in what could be described as heavy traffic. While travelling on Kipling Avenue, the police vehicle’s lights were activated; the siren was not used. The In-Car Camera System (I.C.C.S.) footage shows that no other vehicle on the road was required to take evasive measures to avoid colliding with the officer or 2018.37.

2018.37 then turned right to westbound Rathburn Road. The officer, still at a distance, followed. Both the officer and 2018.37 made the right turn from the center lane which

required them to travel across two southbound lanes in order to continue westbound on Rathburn Road. All of the preceding events took place over the course of 60 seconds. The officer now believed that 2018.37 was operating the motorcycle in manner that suggested they were failing to stop for him. At 1748 hours, the officer was now engaged in a Suspect Apprehension Pursuit with 2018.37.

Rathburn Road is a single lane eastbound and a single lane westbound. The traffic at this time was heavy and the officer had to overtake vehicles in his continued attempt to have the motorcycle operated by 2018.37 stop.

Approximately 1.75 kilometers west of Kipling Avenue, 2018.37 turned right from westbound Rathburn Road to northbound on The East Mall.

The officer followed, activating his siren intermittently in addition to his already activated emergency lighting.

2018.37 travelled approximately 400 meters north on The East Mall where he was met with a curve in the road. 2018.37 could be seen dropping the left leg to the ground in what appeared to be an effort to lean into a turn. 2018.37 could not negotiate the turn, struck the curb, was ejected and struck a small tree.

2018.37 was arrested by the officer and transported to hospital for medical treatment.

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

The S.I.U. designated one officer, as a subject officer; 6 other officers were designated as witness officers.

In a letter to the T.P.S. dated August 21, 2019, Interim Director Joseph Martino of the S.I.U. advised that their investigation had been closed and no further action is to be contemplated.

In his report, Special Investigations Unit Interim Director Joseph Martino stated;

“He pursued a motorcyclist over some distance for what was a traffic infraction and continued with the pursuit even after seeing the Complainant perform several risky passing maneuvers and make a right turn from a left turn lane.”

Interim Director Martino, however, acknowledged the following as it related to this specific incident and the facts and circumstances involved.

“On the other hand, the SO drove at speeds at or moderately above the speed limits and appeared to have never actually imperiled other motorists on the roadway. He made use of his lights and siren, giving the traveling public some notice of the pursuit ongoing in the area. It is also worth noting that the weather was clear, and the roads were dry and in good condition.”

Special Investigations Unit Interim Director Joseph Martino concluded;

“I am not satisfied on this record that any want of care on the part of the subject officer was such as to transgress the limits of care prescribed by the criminal law. Accordingly, there being no reasonable grounds to proceed with charges, the file is closed.”

The actions of the officer were the subject of an internal investigation into his compliance with Service and provincial procedures related to suspect apprehension pursuits.

The investigating supervisor determined that the officer was in compliance with T.P.S. procedure 15-10 “Suspect Apprehension Pursuits”.

The investigating supervisor substantiated misconduct against the officer in relation to compliance with T.P.S. procedure 15-17 “In-Car Camera System”.

The S.I.U. public Report of Investigation can be found at the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=399

On July 5, 2018, the S.I.U. issued a news release seeking witnesses to this incident. The news release can be found at the following link:

https://www.siu.on.ca/en/news_template.php?nrid=4045

On August 23, 2019, the S.I.U. issued a news release exonerating the subject officer. The news release can be found at the following link:

https://www.siu.on.ca/en/news_template.php?nrid=5100

Summary of the Toronto Police Service's Investigation:

Traffic Services (T.S.V.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

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

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

- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

The T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 266/10 (Ontario Suspect Apprehension Pursuits)

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

The conduct of the involved officers complied with applicable provincial legislation and T.P.S. procedures, except for T.P.S. procedure 15-17 "In-Car Camera System". The involved officer was not compliant with this procedure.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation: Alleged Sexual Assault of Sexual Assault Complainant 2019.03

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On November 8, 2018, at approximately 2041 hours uniformed officers responded to a missing vulnerable persons call at The Hospital for Sick Children at 555 University Avenue.

The officers received information that a child, Sexual Assault Complainant 2019.03, who was 12 years of age, had been brought to the hospital by their mother for diagnosis and treatment of an injury to their hand. While awaiting treatment, 2019.03 and the mother became involved in an argument and 2019.03 left the hospital without the mother and without receiving treatment.

An investigation followed in which officers from 33 Division were dispatched to the address of 1244 York Mills Road, apartment #108 which was near the mother’s address. This was the address of a person known to police, an older party known as B.M. Officers spoke to B.M.’s mother and determined that they might be at another nearby address in the company of other friends.

The uniformed officers, from 33 Division went to a nearby address and as they approached, observed 2019.03 in the company of three older persons. One of those people, B.M. is known to the Toronto Police Service (T.P.S.) as the result of drug and weapons offences.

Based upon the information that these officers had received and were aware of, at 0007 hours on November 9, 2018, they apprehended 2019.03 and took them into custody as a child in need of protection under the *Child, Youth and Family Services Act*.

2019.03 was placed into the rear of the marked police vehicle, the In-Car Camera System (I.C.C.S.) activated and they were transported to The Hospital for Sick Children. Upon their arrival at the hospital, 2019.03 was turned over to the custody of 52 Division officers, who returned them to the hospital for examination of their previously reported hand injury and an assessment of their mental health. C.A.S. was notified of their location and arrangements were made for their transition to another group home upon their release from the hospital.

On January 30, 2019, a Detective from the Sex Crimes Unit – Child and Youth Advocacy Centre was investigating a matter related to 2019.03 and was interviewing their mother. She advised the Detective that on November 16, 2018, 2019.03 alleged to her that they were sexually assaulted by the officers that apprehended them on November 9, 2018. The alleged sexual assault was reported to have taken place while 2019.03 was being apprehended and being placed in the rear of the marked police vehicle and an unwanted touching occurred between 2019.03 and the designated subject officer.

The Detective directly contacted the Chief's on Call S.I.U. Designate to report the circumstances since this falls within the mandate of the S.I.U.

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

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

In a letter to the T.P.S. dated August 14, 2019, Interim Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file had been closed and no further action was contemplated.

The Director of the S.I.U. did not publish any media releases in this investigation.

Summary of the Toronto Police Service's Investigation:

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

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

The *Police Services Act*, section 95 requires a police service to keep confidential the conduct issues in relation to its members, except in specific circumstances. The public release of this document does not fall within one of those exemptions.

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

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 04-05 (Missing Persons)
- Procedure 05-05 (Sexual Assault)
- Procedure 06-04 (Emotionally Disturbed Persons)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)

- Procedure 15-01 (Use of Force)
- Procedure 15-17 (In-Car Camera System)

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

- *Police Services Act* Section 113 (Special Investigations)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)
- *Child, Youth and Family Services Act* 83(4) Bringing Children to a Place of Safety

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

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Death of Complainant 2019.19 and Vehicle Injury of Complainant 2019.19a

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On Saturday, June 22, 2019, at 1905 hours, officers from 43 Division were on general patrol operating a marked police vehicle in the area of Markham Road and Lawrence Avenue East.

The officers observed a silver Honda Civic being operated by a male, travelling south bound on Markham Road and observed a passenger in this Honda not wearing a complete seat belt assembly. A third passenger was seated in the rear of the vehicle. The officers kept the Honda within view as they conducted a Canadian Police Information Centre (C.P.I.C.) query on the licence plate. While this was taking place, the driver of the Honda made a U-turn from southbound Markham Road to northbound Markham Road. The Honda then drove northbound on Markham Road and turned eastbound on Lawrence Avenue East. As the Honda drove east on Lawrence Avenue East it made several un-signalled lane changes. The C.P.I.C. query on the vehicle was negative; however, it was later learned the vehicle had been stolen but not yet reported to police.

The officers followed the Honda eastbound on Lawrence Avenue East and into a plaza parking lot located at Susan Street and Lawrence Avenue East. The officers pulled up behind the vehicle and activated their emergency lights. The officers were going to investigate the driver and passenger for *Highway Traffic Act* (H.T.A.) infractions and to confirm the ownership of the vehicle. The driver stopped his vehicle and just as the officers exited their scout car, he accelerated and turned left onto Susan Street then left again onto Lawrence Avenue East. The driver then travelled westbound on Lawrence Avenue East at a high rate of speed.

The officers activated the emergency lights and siren, cautiously manoeuvred through traffic on Lawrence Avenue East and then headed westbound on Lawrence Avenue East. The officers observed that the silver Honda was travelling at a high rate of speed,

had proceeded through the red light at the signalized intersection at Mossbank Drive and Lawrence Avenue East and was now heading toward Scarborough Golf Club Road.

The officers continued to follow the Honda westbound and radioed to their dispatcher that the Honda had failed to stop for them. The officers had discontinued their pursuit, turned off their emergency equipment and continued to drive westbound on Lawrence Avenue East at speeds only moderately above the posted 60 km/hr speed limit on Lawrence Avenue East. Seconds later, the officers observed smoke at the intersection of Scarborough Golf Club Road. The officers turned their emergency equipment back on and proceeded to the intersection. When they arrived, they observed that the Honda they had been following had entered the intersection on a red light and had collided with a Chevrolet Malibu which had been travelling southbound on Scarborough Golf Club Road.

The driver of the Honda exited the vehicle and fled south bound on Scarborough Golf Club Road on foot while the other two occupants exited the vehicle and remained on scene. The officers attended to the Chevrolet Malibu where they located an elderly couple suffering from serious injuries. Toronto Paramedic Services attended the scene and the driver of the Chevrolet Malibu was pronounced dead at the scene. The passenger of the Chevrolet Malibu and the two passengers from the Honda were all transported to hospital. The driver of the Honda was located nearby and arrested. The two passengers of the Honda were treated in hospital for minor injuries and released into the custody of the T.P.S. that same day. The passenger from the Chevrolet Malibu was admitted to hospital and treated for serious injuries, including a broken hip. All three occupants of the Honda were charged with criminal offences and held pending a show cause hearing.

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

The S.I.U. designated one officer as the subject officer; three other officers were designated as witness officers.

In a letter to the T.P.S. dated 2019.12.31, Interim Director Joseph Martino of the S.I.U. stated that, *“there were no grounds in the evidence to proceed with criminal charges against the subject officer”*

In his report to the Attorney General, Interim Director Martin stated in part, *“Having observed the front passenger inside the Honda without a seatbelt on, the SO and WO #1 were within their rights in seeking to stop the vehicle to investigate a potential violation of the Highway Traffic Act. When the Honda accelerated away from the officers in the plaza parking lot, the SO pursued the vehicle for a short period but quickly disengaged, reasonably in my view, deactivating the cruiser’s emergency lights and siren. Given the circumstances, a full-blown police pursuit was unwarranted: there was plenty of traffic on the roadway, the subject offence was non-criminal in nature, and the Honda was well ahead of the cruiser. With respect to the cruiser’s speed, the SO was*

only moderately about (sic) the 60 km/h speed limit on Lawrence Avenue East, having reached a top speed of 78 km/h as he accelerated to the scene following the collision.

Regrettably, though the Honda driver had every opportunity to moderate his reckless driving, he chose to drive into an intersection on a red light causing death and serious injury to a husband and wife, respectively. On this record, in the context of an extremely brief engagement between the cruiser and the Honda – under 30 seconds and about one kilometer – I am satisfied on reasonable grounds that the manner in which the SO operated the police cruiser fell well within the limits of care prescribed by the criminal law.

In the result, as the SO neither caused nor contributed to the collision between the Honda and the Complainants' vehicle in any manner that might attract criminal sanction, there is no basis for proceeding with charges in this case and the file is closed."

Summary of the Toronto Police Service's Investigation:

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

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

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

- Procedure 07-01 (Transportation Collisions)
- Procedure 07-03 (Life Threatening Injury/Fatal Collisions)
- Procedure 08-02 (Sickness Reporting)
- Procedure 08-03 (Injured on Duty Reporting)
- Procedure 08-04 (Members involved in a Traumatic Critical Incident)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

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

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 266/10 (Suspect Apprehension Pursuits)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit).

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the vehicle death were found to be lawful, in keeping with current

legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

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

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Firearm Injury to Complainant 2018.65

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On November 21, 2018, at approximately 2300 hours, members from 31 Division Major Crime Unit (M.C.U.) and the West Command Gun Violence Suppression Unit (W.C.G.V.S.U.) were in the area of 44 Willowridge Road. Information was received that Complainant 2018.65 was in possession of an illegal handgun. The officers attended for the purposes of executing a *Criminal Code* search warrant on 2018.65’s residence at 44 Willowridge and his vehicle.

The Emergency Task Force (E.T.F.) had been consulted by the investigating officers, prior to officers attending the area. Given the safety concerns posed by 2018.65, a takedown plan was developed that would allow for the arrest of 2018.65.

The officers were working in a plainclothes capacity, wearing their Service issued body armour that had “Police” in reflective letters written on the front. The officers were conducting static surveillance on the parking lot when 2018.65 arrived in his vehicle. 2018.65 entered the parking lot of 44 Willowridge Road and proceeded through the driveway. A high-risk takedown was conducted and 2018.65’s vehicle was blocked in with unmarked vehicles in the front and the rear. Once stopped, three officers including the discharging officer, exited their vehicle and moved towards 2018.65’s vehicle from the front. The officers were readily identifiable as police officers from the word “Police” written on the front of their issued body armour, and the police challenge was provided; “Police don’t move”.

2018.65, while still seated in his vehicle, immediately discharged his Ruger .380 semi-automatic pistol at the three officers to his front. The discharging officer, using his C8 rifle, returned fire towards 2018.65. 2018.65 then fired a second volley and the discharging officer once again returned fire. This exchange of gunfire occurred over a short period and resulted in a total of four (4) rounds being discharged by 2018.65 in two volleys, and 28 C8 rounds being discharged by one officer in response. It is unclear exactly how many rounds were fired during each exchange.

The discharging officer struck 2018.65’s vehicle 25 times with one round striking 2018.65 in both hands. Shrapnel also struck 2018.65 in the hands and face.

The firearm discharge was effective at stopping the threat and 2018.65 was arrested after a brief struggle as he exited his vehicle. A loaded Ruger .380 semi-automatic pistol was observed on the driver's seat of 2018.65's vehicle.

Two officers attended to 2018.65 and provided first aid. Toronto Paramedic Services then transported 2018.65 to Sunnybrook Health Sciences Centre where he was treated for non-life-threatening gunshot wounds and lacerations to his face and hands. The P.S.S. investigation also reviewed the following legislation:

A Detective on scene took charge of the incident. The Detective identified the involved officers and secured the scene using the responding officers from the 23 Division Primary Response Unit. The scene was protected and the pistol belonging to 2018.65 remained in the vehicle for S.I.U. investigators. The discharging officer did not receive any physical injuries and was transported to Humber River Hospital. His Colt C8, with 2 loaded magazines, and his Glock 27, with 3 loaded magazines, were secured in the trunk of another officer's police vehicle.

The discharging officer was the only officer who discharged his firearm during this incident.

The Special Investigations Unit (S.I.U) was notified and invoked its mandate.

No officers sustained any physical injuries in this event.

The police vehicles involved with the takedown were all unmarked vehicles that were not equipped with In-Car Camera Systems; however, video from the surrounding buildings captured the event, and showed two flashes from the vehicle operated by 2018.65. This is consistent with witness statements that 2018.65 fired on the officers prior to Constable Broad discharging his rifle.

The S.I.U. recovered a Ruger .380 semi-automatic pistol from the driver's seat of 2018.65's vehicle. Further, the S.I.U. recovered 4 spent casings from the Ruger pistol.

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

In a letter to the T.P.S. dated October 8, 2019, Interim Director Joseph Martino of the S.I.U. advised that their investigation had been closed and no further action was to be contemplated. The S.I.U. report of investigation stated in part,

"In the final analysis, confronted by an individual armed with a gun and firing it in his direction, the subject officer was legally justified under section 25(3) and 34 of the Criminal Code in firing back in the reasonable belief that doing so was necessary to protect himself and his colleagues from a lethal threat. Consequently, there are no grounds to proceed with charges in this case."

The S.I.U. report continued,

“While the number of bullets fired in the direction of the Complainant undoubtedly constituted a significant level of lethal force, they would have occurred over a span of seconds, during which time, the evidence indicates, the Complainant fired at least one additional shot beyond his initial volley. Moreover, though the Complainant was injured as the result of the officer’s gunfire, the fact he was able to reverse his vehicle and then exit from it after it was over indicates he was not incapacitated by the Subject Officers discharges; that is to say, he remained a legitimate danger as long as he had access to the firearm. In light of these consideration, I am unable to reasonably concluded that the threat faced by the Subject Officer through the exchange of gunfire materially differed from his first shot to the last.”

The S.I.U. public Report of Investigation can be found at the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=485

On November 22, 2018, the S.I.U. issued a news release seeking witnesses to the incident. The news release can be found at the following link:

https://www.siu.on.ca/en/news_template.php?nrid=4439

On October 9, 2019, the S.I.U. issued a news release to notify the public that the file had been closed. The news release can be found at the following link:

https://www.siu.on.ca/en/news_results.php

The investigating officer has found as a result of the S.I.U. report, witness statements, and video, that the discharging officer’s use of force was necessary and justifiable given the circumstances.

Once the threat had stopped, the officer unloaded both his C8 rifle and Glock pistol. The firearms were then turned over to another officer and secured for the S.I.U. This was a breach of procedure 13-16, “Special Investigations Unit”. A supervisor should have secured these firearms, without unloading them. This misconduct was referred to the member’s Unit Commander for resolution.

Summary of the Toronto Police Service’s Investigation:

The Professional Standards Unit (P.R.S.) and Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11 and Section 12.

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

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

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 08-03 (Injured on Duty Reporting)
- Procedure 08-04 (Members Involved in a Traumatic Critical Incident)
- Procedure 10-05 (Incidents Requiring the Emergency Task Force)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-03 (Service Firearms)
- Procedure 15-04 (C-8 Rifle)
- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 s.14(3) (Use of Force Qualifications)
- Ontario Regulation 926 (9) (Discharge Firearm)

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

The conduct of the involved officers complied with applicable provincial legislation and applicable T.P.S. procedures except for Procedure 13-16 Special Investigations Unit. The discharging officer unloaded his firearms and turned them over to another officer. These firearms should have been secured in their current state and secured by a supervisor. This misconduct was referred to the unit for discipline.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injuries 2019.34

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On September 18, 2019, a detective from a plainclothes investigative unit was operating an unmarked T.P.S. vehicle, a 2016 Ford Fusion.

At approximately 1751 hours, they were stopped westbound on Dewbourne Avenue at the stop sign posted at the intersection of Bathurst Street. Bathurst Street runs north and south at this location and there is no control for the traffic on Bathurst Street. Bathurst Street is an unposted 50 kilometer per hour zone at this location, with two lanes northbound and two lanes southbound. The weather on that date was clear and the road conditions were dry.

Traffic on northbound Bathurst Street at this time of day was heavy, and northbound traffic had stopped leaving room for motor vehicles to exit from Dewbourne Avenue. Southbound traffic was freely flowing. The detective proceeded onto Bathurst Street at a slow speed, while first looking to the stopped northbound traffic, then to the southbound traffic on Bathurst Avenue. The detective proceeded to cross the southbound lanes of Bathurst Avenue in an attempt to continue west along Dewbourne Avenue. As the police vehicle crossed into the southbound lanes, the passenger side of was struck by a southbound motor vehicle in Lane 1. Both motor vehicles sustained substantial damage because of the collision.

The southbound motor vehicle, a 2018 Honda Civic, was being operated by a male later identified as Vehicle Injury Complainant 2019.34. As a result of the collision, 2019.34 was taken to Toronto Western Hospital by Toronto Paramedic Services (Paramedics) where he was diagnosed and treated for a fractured right wrist. The detective reported soreness to his neck, right arm, and shoulder.

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

The S.I.U. designated one detective as the subject officer. No other members of the T.P.S. were designated as witness officers.

In a letter to the Service dated April 30, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was complete and no further action was contemplated.

The S.I.U. published a media release on May 4, 2020. The media release is available at: https://www.siu.on.ca/en/news_template.php?nrid=5628

The Director's Report of Investigation is published on the link; https://www.siu.on.ca/en/directors_report_details.php?drid=711

Summary of the Toronto Police Service's Investigation:

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

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

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

- Procedure 07-01 (Transportation Collisions)
- Procedure 07-05 (Service Vehicle Collisions)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)

The P.S.S. and T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- *Highway Traffic Act Section* 136(1)(b) Fail to Yield to Traffic on a Through Highway

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

The conduct of the designated subject officer was not in compliance with applicable provincial legislation and applicable T.P.S. procedures. This misconduct was dealt with at the unit level.

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2018.50

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

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

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

Section 11(2) of the Regulation states:

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

Section 11(4) of the Regulation states:

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

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

Discussion:

On August 25, 2018, at approximately 2350 hours, a male party, later identified as 2018.50, became involved in a violent argument with his female partner. He dragged her into the stairwell of an apartment building located at 171 East Liberty Street and began to slap her in the face and then punch her in the head.

The female broke free and ran into the street and had visible facial injuries and was bleeding. A passerby noticed her plight and called the T.P.S. Communications Services (Communications). Several uniformed officers from 14 Division Primary response Unit (P.R.U.) attended to the area in response to the call for the assault.

2018.50 fled the scene on foot but was located a short distance away by responding officers who had obtained a description of 2018.50 and his last direction of travel.

Two uniformed officers placed 2018.50 under arrest for the assault. 2018.50 resisted the arrest, struggled violently; he was then subdued by being taken to the ground. 2018.50 continued to struggle and two other officers had to assist with handcuffing and applying leg restraints to 2018.50.

2018.50 was transported to 14 Division for investigation and processing on criminal charges. 2018.50 suffered a bleeding nose during the arrest but refused medical examination or treatment. He was held for a show cause hearing and prior to his transport to court, complained to the Officer-in-Charge of the station at about 0630 hours that he was suffering headaches.

2018.50 was transported to the Toronto Western Hospital and diagnosed and treated for a fractured right maxillary bone and a fractured nasal bone.

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

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

In a letter to the T.P.S. dated September 6, 2019, Interim Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated.

The S.I.U. published a press release dated September 9, 2019.

https://www.siu.on.ca/en/news_template.php?nrid=5132

The link to the S.I.U. Interim Director's public report of investigation is below.

https://www.siu.on.ca/en/directors_report_details.php?drid=431

Summary of the Toronto Police Service's Investigation:

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

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

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

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

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

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

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

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

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

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

**Toronto Police Services Board
Virtual Public Meeting
November 24, 2020**

**** Speakers' List ****

Opening of the Meeting

3. Service's Reform with Respect to Search of Persons

Deputations: John Sewell ([written submission included](#))
Derek Moran ([written submission included](#))

Monika Lemke ([written submission only](#))

4. Proposed Body-Worn Cameras Policy

Deputation: Patricia Kosseim
Information and Privacy Commissioner of Ontario

5. Police Reform in Toronto: Toronto Police Service Ongoing Initiatives

Deputations: John Sewell ([written submission included](#))
Derek Moran ([written submission included](#))
Jennifer Chambers ([written submission included](#))

Hamlin Grange ([written submission only](#))
Nicole Corrado ([written submission only](#))

**8. Board's Independent Review into Missing Persons Investigations –
Request to Extend Timeline and Increase Budget**

Deputation: Nicole Corrado ([written submission only](#))

9. Request for Special Funds –Community Partnerships for Alternative Community Safety Response Model Consultations

Deputation: Nicole Corrado ([written submission only](#))

22. Public Minutes of Meeting No. 71 held on August 24, 2020

Deputation: Derek Moran ([written submission included](#))

Toronto Police Accountability Coalition
www.tpac.ca. info@tpac.ca

November 19, 2020.

Toronto Police Services Board

Subject: New search of persons policy, Item 3, November 24

The best way for us to put it is this: Better late than never.

Nineteen years after the Supreme Court of Canada outlined what the Toronto Police Service should do, the service has finally done it.

Nineteen months after the Office of the Independent Police Review Director said it was unconscionable that the Toronto Police Service strip searched 40 per cent of those arrested while other large police forces in Ontario strip searched only 1 per cent of those arrested, the service decided to act on its report.

Some 40 court cases involving strip searches by Toronto police since the Supreme Court ruling in 2001 showed that the courts had continuing problems with concluded with the searches by Toronto police. The Police Services Board refused to take those court decisions as a sign that some leadership was required.

TPAC raised the issue in 2004, pushing the Board to release the number of strip searches, which Chief Bill Blair finally did in 2006. It showed the Toronto Police Service was then strip searching one third of those arrested. We deputed to the Board asking that number to be reduced so that it would, happen 'rarely' as requested by the Supreme Court of Canada. The Board refused to act.

TPAC has raised the issue at the Board every year since 2006 when the strip search statistics were presented, asking for the police to first do a level two search - a frisk - justifying why a strip search was necessary as

determined by the Supreme Court. Every year the Board refused to take action and show leadership.

Yes, the new policy should, be adopted. Chief Ramer and his staff should be congratulated for doing something which other chiefs and the Board have refused to do.

One issue that should also be addressed is the number of strip searches that take place in public. The annual report about searches should include data on this.

We believe the Board should apologize to the many many people who have been needlessly strip searched during the past 19 years.

Yours very truly,

John Sewell for
Toronto Police Accountability Coalition .

1. I just wanna say by me speaking at this meeting this shall not be deemed to be in any way my consent express or implied and doing so is fraud God Bless Her Majesty the Queen and long live Her Majesty the Queen, and let the record show as "PERSON" is defined as a CORPORATION in the Legislation Act of Ontario if I have ever led the Toronto Police Services and/or this Board to believe in any way that i am the PERSON then that would be a mistake and that i ask all of you to please FORGIVE ME?

2. **TAKE NOTICE** this is what the Alberta Court of Appeal had to say in regards to all persons being legally bound to take notice of the laws of the country where they are:

[Neilson v. Underwood](#), 1933 CanLII 476 (AB CA)

Court of Appeal — Alberta

1933-07-24 | 39 pages | cited by 3 documents

solemnization of marriage — ceremony — marriage — marriage of minors — contract

[...] **All persons are legally bound to take notice of the laws of the country where they are domiciled.**

3. **TAKE NOTICE** what the Supreme Court of Canada ("SCC") had to say in regards to – "on pain of sanction":

[R. v. Big M Drug Mart Ltd.](#), 1985 CanLII 69 (SCC), [1985] 1 SCR 295

1985-04-24 | 79 pages | cited by 1,771 documents

religious — observance — freedom of conscience — legislation — secular

[...] 95. **Freedom can primarily be characterized by the absence of coercion or constraint.** [...] If a person is compelled by the state or the will of another to a course of action or inaction which he would not otherwise have chosen, he is not acting of his own volition and he cannot be said to be truly free. [...] **Coercion includes not only such blatant forms of compulsion as direct commands to act or refrain from acting on pain of sanction, coercion includes indirect forms of control which determine or limit alternative courses of conduct available to others.** [...]

This item is titled – "Service's Reform with Respect to Search of Persons." This has to do with unlawful or illegal searches in the past.

4. **TAKE NOTICE** what the ("SCC") had to say in regards to the description of what is "UNLAWFUL" or "ILLEGAL":

[Nepean Hydro Electric Commission v. Ontario Hydro](#), 1982 CanLII 42 (SCC), [1982] 1 SCR 347

1982-03-02 | 74 pages | cited by 64 documents

pari delicto — recovery of moneys paid — municipalities — statute — power

[...] **There appear to be three categories of actions or events which are contrary to the law and which sometimes fall into the descriptions 'unlawful' or 'illegal'.** [...] (a) offences against statutes prohibiting defined conduct; (b) actions which are without legal consequence in the sense of creating enforceable rights, such as gaming contracts; [...] (c) actions taken by statutory bodies outside the limits of authority granted or established in the statute. [...]

5. **TAKE NOTICE** what the Ontario Court of Appeal ("ONCA") had to say in a case resulting from an unlawful/illegal search:

[Figueiras v. Toronto \(Police Services Board\)](#), 2015 ONCA 208

Court of Appeal for Ontario — Ontario

2015-03-30 | 54 pages | cited by 27 documents

police — demonstrators — liberty — officers — freedom of expression

[...] (3) The impugned government action has either the purpose or the effect of **restricting freedom of expression.** [...] Indeed, this court has held that "the **right to protest** government action lies at **the very core** of the guarantee of **freedom of expression**": *Ontario Teachers' Federation v. Ontario (Attorney General)* (2000), 2000 CanLII 14733 (ON CA), 49 O.R. (3d) 257, at para. 34. [...] [76] In his affidavit, Sgt. Charlebois claimed that he did not intend to violate **freedom of expression.** [...]

6. And speaking of protest - again I want to commend Chief Ramer and his officers for making sure our common law right to liberty and our freedom of association was upheld on Halloween at the Yonge-Dundas Square march put on by The Line and Chris Sky, who speak out about how this fake pandemic is being used to trample our rights-and-freedoms

over a virus that Long-Term-Care Minister Merrilee Fullerton referred to as being basically - comparable to 'a bad flu year.'

7. TAKE NOTICE what the ONCA had to say in regards to, what the only legal person known to our law is:

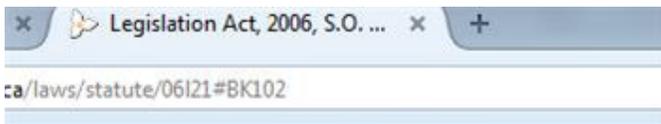
[Re Cummings and Ontario Minor Hockey Association, 1979 CanLII 1984 \(ON CA\)](#)

1979-08-30 | 10 pages | cited by 8 documents

unincorporated — person — radium — corporation — club

[...] **The only legal person known to our law is the corporation** -- the body corporate.

8. TAKE NOTICE what the definition for "PERSON" is in the Ontario Legislation Act:



"person" includes a **corporation**; ("personne")

9. TAKE NOTICE what the definition for "PERSON" is in the federal Interpretation Act:

[Interpretation Act, RSC 1985, c I-21](#)

Consolidated Statutes of Canada — Canada (Federal)

[...] **person, or any word or expression descriptive of a person, includes a corporation; (personne)**

10. TAKE NOTICE what the definition for "PERSON" is in the Criminal Code:



every one, person and owner, and similar expressions, include **Her Majesty and an organization**; (*quiconque, individu, personne et propriétaire*)

11. TAKE NOTICE what the Ontario Attorney General had to say in regards to the problem with the word "INCLUDES":

[Cochrane v. Ontario \(Attorney General\), 2007 CanLII 29973 \(ON SC\)](#)

2007-07-27 | 24 pages

pit bull terrier — dogs — pit bulls — dog — breeds

[...] While the Attorney General agrees that, as a result of my decision, the definition of "pit bull" should be limited to the three specified breeds and those dogs substantially similar to those three breeds, **the Attorney General submits that the list is exhaustive even with the word "includes"**. [...] [39] **The Attorney General suggests**, in the alternative, that the problem could be addressed by either adding the word "only" such that the definition reads **"includes only"** or **replacing the word "includes" with the word "means"**. [...] The **appropriate** remedy is to read in **"means" to replace the word "includes"** in "pit bull includes" in s. [43] **The better course is to read in the word "means" to replace the word "includes"**. [...]

12. TAKE NOTICE what the SCC had to say in regards to the public's right to know the law and understand its application:

[Endean v. British Columbia](#), 2016 SCC 42 (CanLII), [2016] 2 SCR 162

2016-10-20 | 42 pages | cited by [58 documents](#)

[video link](#) — [open court principle](#) — [superior](#) — [inherent jurisdiction](#) — [outside](#)

[...] It must be understood as an “ensemble of practices” and principles that are called upon in various contexts to serve our society’s democratic ideals, one of which being **the public’s “right to know the law and to understand its application”**: E. Cunliffe, “Open Justice: Concepts and Judicial Approaches” (2012), 40 Fed. L. [...]

November 23, 2020

Deputation for Toronto Police Service Board Meeting on November 24, 2020

Item 3: Service's Reform with Respect to Search of Persons

To the members of the Toronto Police Service Board:

The new Search of Persons policy has made strides in record-keeping and internal oversight for arrest-based searches, but other aspects of 'search of persons' need to be addressed. In particular, search of persons policy in relation to the prospective Full Body Scanner technology is yet undefined and deserves to be addressed thoroughly before the technology is acquired.

1. Show Cause, incident to arrest, and other strip search incidents

As the OIPRD's *Breaking the Golden Rule: A Review of Police Strip Searches in Ontario* report and recommendations indicate, there are other, non-arrest contexts where searches take place. "Strip search incident to arrest", the primary subject of *R. v. Golden* 2001 SCC 83, is only one circumstance where police strip searches are potentially justifiable.

The OIPRD's *Summary of Ontario Jurisprudence Involving Strip Searches Post R. v. Golden*, a supplement to its report, usefully provides summaries of Ontario jurisprudence regarding Charter violations related to strip search, both in arrest and non-arrest contexts. Typical non-arrest strip search contexts include when people are held in detention for Show Cause (bail) hearings, transferred between TPS facilities, transferred to other institutions such as correctional institutions, and performed on persons in police custody subsequent to initial arrest and booking. See the OIPRD's summaries of TBS-based Show Cause-related strip searches (*R v. A.(Z)* 2012 ONCJ 541, *R v. McGee* 2012 ONCJ 63, *R. v. McKay* 2013 ONCJ 298) and TBS-based strip searches related to group detention (*R. v Muthuthamby* 2010 ONCJ 435, *R. v. Carrion-Munoz* 2012 ONCJ 539, *R v. Melo* 2013 ONSC 4338, *R. v. Bruce* 2018 ONCJ 135).

In these non-arrest strip search contexts, jurisprudence is clear that strip searches cannot be performed routinely, but courts note that there is a lower threshold the grounds required by these case-by-case analyses than in those of "search incident to arrest" contexts.

Currently, it is unclear how policy distinguishes between the many occasions for police strip search that take place within everyday police operations. Policy should clarify how non-arrest strip search decision-making and record-keeping is differentiated from that of "incident to arrest"-based search procedures, and how the reporting of strip search-related data reflects these differences in context.

The TPS should also incorporate lessons learned from these cases, particularly those cases pertaining to decision-making and record-keeping related to non-arrest strip searches. The materials contained within this agenda item mention only three post-Golden 2001 SCC 83 cases,

R. v. Tonkin, 2020 ONSC 5206, *R. v. McGuffie*, 2016 ONCA 365, and MacPherson 2017 ONCJ 615, none of which reflect non-arrest-based strip searches.

2. Using templates to reduce the decision-making burden on officers and supervisors

Strip search decision-making and authorization procedures with respect to non-“incident to arrest” ought to be clarified in light of the new search of persons policy.

On page 15 and 16 of Appendix A chart ‘Quarter 4 – November 2020 update status of the recommendations directed to the TPS’, the mention of the September 2015 Routine Order regarding Recommendations 19 and 20 is highly relevant: “Level 3 searches shall not be conducted on persons brought into custody by Toronto police officers based solely on grounds that the person may come into contact with other persons in custody.” This Routine Order offers guidance to officers in non-arrest strip search decision-making contexts, but its inclusion suggests that officers and supervisors falter when it comes to assessing whether a non-arrest-related strip search is justified in a particular case.

How has the new search of persons policy and its templates enhanced processes that guide officers and supervisors through the decision to conduct invasive searches and articulate the requisite grounds for that decision?

3. Strip searches conducted by Court Services

In terms of apply “Search of Persons” as a service-wide policy, it is worth addressing how Court Services’ interacts with the new search of persons policy.

In *R. v. Madray*, 2013 ONSC 5364, a routine strip search was ordered on a defendant each and every day for a week-long trial. I encourage the Board to take a look at the decision for the case and the summary provided by the OIPRD.

What kind of policy is in place for search of persons and specifically strip searches at Court Services? Is the policy “CRT 01-02 Search of Persons” still in effect? Clarification about the search of persons capacities of Special Constables in general, but especially Court Services, should be included in the search of persons policy.

4. Full Body Scanner searches and strip searches

On the subject of the potential rollout of Full Body Scanner (F.B.S.) technology in relation to the new search of persons policy, there is room to consider how the technology stands to impact the grounds for conducting strip searches and cavity searches.

In a past TPSB meeting on June 19, 2014, the report from the Chief of Police noted that Full Body Scanners have an affinity with both frisk searches (formerly Level 2/pat down searches) and strip searches (formerly Level 3). The report supported the MCSCS’s classification of the F.B.S. search as equivalent to a frisk search and identified it as commonly flowing from an officer’s common law authority to conduct a strip search incident to arrest, among other sources of authority. In spite of the ‘frisk search’-like qualities, the F.B.S. is better understood as a component of strip search procedure.

In the update on the Full Body Scanner Pilot Project at the November 19, 2019 TPSB meeting stated that the F.B.S. was authorized for use only on persons for whom a Level 3 search (strip search) had been authorized, which means that grounds were articulated as if a strip search were to be conducted. This approach ought to be preserved in F.B.S. technology policy going forward, but it should be articulated formally in Board policy.

To reiterate, the procedural requirement to seek authorization for an F.B.S. search as if it were a strip search is an important element, because it helps safeguard against effectively “routine” strip searches. If F.B.S. were to be used to construct grounds for a strip search prior to strip search authorization in advance, the Service-wide strip search rate would likely increase, not decrease.

Given the potential for F.B.S. technology to generate false positives, there is a risk that the technology could distort the process of articulating grounds for strip or cavity searches, if policy does not commit to case-by-case articulation of grounds and pursuit of authorization in every F.B.S. search. The June 2014 TPSB report noted that “A German study which found a 54% false positivity rate and that the technology could be fooled by “folds in clothing, buttons and even a drop of sweat.” In effect, a Level 3 search would be conducted for over half of all persons scanned without actually finding an identified threat.”

I call on the Board to continue to ensure that the use of F.B.S. technology continues to opt for a case-by-case articulation of grounds for F.B.S. searches and by defining and clarifying the place of F.B.S. searches in search of persons policy.

The topics presented here reflect complexities of the policy that deserve careful consideration by the Board and the Chief. For all that the courts and consultation with the OIPRD and the SIU reveal, police governance on the search of persons is improved by understanding the complexities of the Service’s day-to-day operations.

Signed,

Monika Lemke

PhD Candidate, York University

Toronto Police Accountability Coalition
www.tpac.ca. info@tpac.ca

November 19, 2020.

Toronto Police Services Board

Subject: Mobile Community Intervention Team report, Item 5D, November 24

There are things we like about this report.

1. MCITs will be expanded to provide 24/7 service throughout the city.
2. A crisis worker from a community agency will assist in the 911 centre regarding diversion of calls for service involving those who seem in mental crisis.
3. MCITs will be first responders in cases involving self harm/attempted suicide and people acting in a bizarre manner.
4. Uniforms will be reconsidered given their negative impact on those in mental crisis.

The report says these changes and the new staffing will be funded from existing resources - that is, no new funding will be requested for the expanded MCITs.

City Council decided in June it wishes to see responses to calls about those in mental crisis to be handled by civilian agencies, not the police. Yet here the proposal is that the police should remain in charge of this expanded service.

We believe it makes more sense for the police service to transfer the money for the existing MCITs and the proposed expansion to community agencies so that they can provide this service as decided by Toronto City Council. We believe that community agencies can have a civilian service up and running as quickly as the Toronto police service could expand the MCIT service if those funds are made available to them.

Recommendation:

That the Board agree that rather than expanding the MCIT service as proposed, that the funds for the existing MCIT service and the funds needed for the expanded MCIT service be made available from the police operating budget for a civilian response to mental crisis cases as is now being established in Toronto.

Yours very truly,

John. Sewell for
Toronto Police Accountability Coalition.

1. At the core of “POLICE REFORM,” should be the idea that the public has confidence in the police to UPHOLD their rights-and-freedoms, rather than worry about whether the police are trying to find a way to circumvent that and try to violate their rights-and-freedoms.

2. **TAKE NOTICE** what the Supreme Court of Canada (“SCC”) had to say in regards to the right of bodily autonomy:

[Dobson \(Litigation Guardian of\) v. Dobson](#), 1999 CanLII 698 (SCC), [1999] 2 SCR 753

Supreme Court of Canada — Canada (Federal)

1999-07-09 | 70 pages | cited by 74 documents

pregnant woman — foetus — prenatal — born alive — duty of care

[...] However, in [Stallman v. Youngquist](#), 531 N.E.2d 355 (1988), the Supreme Court of Illinois declined to recognize a cause of action by a foetus, subsequently born alive, against his or her mother for the unintentional infliction of prenatal injuries caused by her negligent driving. [...] Holding a mother liable for the unintentional infliction of prenatal injuries subjects to State scrutiny all the decisions a woman must make in attempting to carry a pregnancy to term, and infringes on her right to privacy and bodily autonomy. [...]

3. In a recent decision, dated November 11, 2020, a Portuguese appeal court ruled against the Azores Regional Health Authority concerning a lower court decision to declare unlawful the quarantining of four persons. “A medical diagnosis is a medical act that only a physician is legally qualified to undertake and for which such physician will be solely and entirely responsible. No other person or institution, including government agencies or the courts, has such an authority. It is not up to the Azores Regional Health Authority to declare someone ill, or a health hazard. Only a physician can do that. No one can be declared ill or a health hazard by decree or law, nor as the automatic, administrative consequence of the outcome of a laboratory test, no matter which.”

4. In the BMJ (British Medical Journal): “Politicisation of science was enthusiastically deployed by some of history’s worst autocrats and dictators, and it is now regrettably commonplace in democracies.²⁰ The medical-political complex tends towards suppression of science to aggrandise and enrich those in power. And, as the powerful become more successful, richer, and further intoxicated with power, the inconvenient truths of science are suppressed. When good science is suppressed, people die. The stakes are high for politicians, scientific advisers, and government appointees. Their careers and bank balances may hinge on the decisions that they make. But they have a higher responsibility and duty to the public.”

https://www.bmj.com/content/371/bmj.m4425?cfchljschltk=0646f64125df248148077f128d15695fa8a32792-1605737393-0-Af410DKlwEJ1lnlqjNlBtptg0lgdYVyxrMiMPYFjhDBo_o3fj8rzix2-rlclYi8X2o8-N-1gTJAFefyPPkE4eflHZS1gpgG0ZoWo9aI22d1CTwxtmWY81uNwQlJcP91XR8fSvNILBJzhqEmEGqPRIBdrOkMQ5PdiKfSJ-9nKNsXq89VrVVMgRC8-esb5Atli6FVsUFic8DLrZ9xaHwaY3YBmRWt8MjE_zEqMYivg5pQlI2qqo6xe-wQle_vFy7XWQcKDoYp9WC_wvCedw4eVmYdIC-SRqSVN4Oph-sN_uKXw4LpmkTe1z1J_knehaeiFaO6G42dQ1Gg7KZQvgZypY

5. **TAKE NOTICE** from Black’s Law Dictionary 9th-edition (“Black’s Law”) the definition for “LOCKDOWN”:

lockdown. (1977) The temporary confinement of prisoners in their cells during a state of heightened alert caused by an escape, riot, or other emergency. [Cases: Prisons ↻ 233.]

6. **TAKE NOTICE** what the SCC had to say in regards to the guaranteed right to be presumed innocent:

[R. v. Goldfinch](#), 2019 SCC 38 (CanLII)

Supreme Court of Canada — Canada (Federal)

2019-06-28 | 95 pages | cited by 89 documents

Supreme Court of Canada — Canada (Federal)

sexual activity evidence — friends with benefits — jury — relationship — twin myths

[...] [29] Section 11 (d) of the Canadian Charter of Rights and Freedoms guarantees the right “to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal”. [...]

7. TAKE NOTICE what the SCC had to say in regards to the government's sole claim to exercise lawful authority:

Reference re Secession of Quebec, 1998 CanLII 793 (SCC), [1998] 2 SCR 217

1998-08-20 | 93 pages | cited by 609 documents

constitutional — political — unilateral secession — self-determination — peoples

[...] The Constitution binds all governments, both federal and provincial, including the executive branch (Operation Dismantle Inc. v. The Queen, 1985 CanLII 74 (SCC), [1985] 1 S.C.R. 441, at p. 455). [...] They may not transgress its provisions: indeed, their sole claim to exercise lawful authority rests in the powers allocated to them under the Constitution, and can come from no other source. [...]

8. TAKE NOTICE what the Proclamation of the Constitution Act 1982 signed by the Queen, said in regards to section 59:



And Whereas section 58 of the Constitution Act, 1982, set out in Schedule B to the Canada Act, provides that the Constitution Act, 1982 shall, subject to section 59 thereof, come into force on a day to be fixed by proclamation issued under the Great Seal of Canada.

Now Know You that We, by and with the advice Our Privy Council for Canada, do by this Our Proclamation, declare that the Constitution Act, 1982 shall, subject to section 59 thereof, come into force on the seventeenth day of April in the Year of Our Lord One Thousand Nine Hundred and Eighty-two.

Of All Which Our Loving Subjects and all other whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

9. TAKE NOTICE from Black's Law the definition for "JOKER":

joker. (1904) 1. An ambiguous clause inserted in a legislative bill to render it inoperative or uncertain in some respect without arousing opposition at the time of passage. 2. A rider or amendment that is extraneous to the subject of the bill.

10. There can be no police reform until section 59 of the Constitution Act 1982 comes into force.

11. In the online Oxford Dictionary, "USEFUL IDIOT" is defined as: a citizen of a non-communist country sympathetic to communism who is regarded (by communists) as naive and susceptible to manipulation for propaganda or other purposes; (more widely) any person similarly manipulable for political purposes.

MCIT Expansion

Since June, MHAAP has had in depth discussions about developing a made in Toronto non police crisis response. At the June, August and September TPS board meetings we indicated that we supported expansion of MCIT but recommended that expansion should be funded from the TPS budget and not compete with funding proposals to develop a community- based non police crisis response.

In the current report before the board on page 9 the service indicates that it will fund expansion of police members from within TPS resources, but outlined the advocacy it has undertaken with LHINs, Ministry of the Solicitor General.

In the event that Ontario government funding is made available to expand police crisis services in Toronto we recommend the following:

- 1) Funds be used to coordinate or partner with the Gerstein Centre and other community mental health providers to fund services that will reduce dependence on TPS crisis response. This could include increased capacity to divert or publicise an alternative to 911 calls, instead routing or offering direct lines to community services such as the Gerstein Centre.
- 2) Funds be used to fund increased community capacity to provide follow up support to MCIT and PRU response calls
- 3) TPS find funds within its operating budget to expand clinical and police MCIT capacity.
- 4) Funds be used to improve anonymized data mining capacity for TPS crisis calls including call origin, presenting issues and disposition, as well as evaluating non police crisis response in partnership with the community.

Community - based crisis services, not hospital and police - based crisis services, have been identified by people who have been in crisis as their model of choice. Unfortunately, funding has flowed preferentially to more coercive models in recent years, while community - based crisis services have been reduced (such that west end Toronto lacks them altogether). Best evidence supports the effectiveness of meeting the self defined needs of people with mental health issues. Gerstein Centre, the Toronto exemplar of such a model, consistently has a greater demand on its services than it is able to meet, and the expansion and development of such services should be the Toronto priority. People's inability to access such desired services when needed can result in crises for which police are called (most often by someone other than the individual).

It is important to ensure that MHAAP recommendations be respected regarding the need for significant involvement of community members, particularly organizations representing people with lived experience of mental health and substance use issues, as well as community - based crisis services with a substantial component of expertise by experience (service delivery by peers). This should result in a significant presence in MCIT decision-making bodies, and training development and delivery.

Finally, MCIT development must take place in concert with the TPS Mental Health and Addiction Strategy.

Jennifer Chambers, Steve Lurie

Community Co-Chairs TPSB MHAAP

Toronto Police Services Board Virtual Public Meeting, November 24, 2020

Agenda Item #5

Response to Police Reform Recommendation #74: The Intercultural Development Inventory

**From: Hamlin Grange, Principal Consultant, DiversiPro Inc.
Qualified Administrator of the Intercultural Development Inventory
Co-author of the TPS IDI Assessment Project (2014-2015)**

Thank you for the opportunity to respond to the recommendation by the manager of the Equity and Inclusion and Human Rights Unit to discontinue the Intercultural Competence Development program recommended in a baseline assessment of the service – uniformed officers and civilians – conducted in 2014.

I tender this written submission for no other purpose than to clear up significant misrepresentations of the effectiveness of the Intercultural Development Inventory and to assist the Board in its oversight responsibilities by providing appropriate context for why the program faced challenges in implementation within the Toronto Police Service.

The manager of EI&HR suggests there are “several shortcomings” to the Intercultural Development Inventory and recommends the program be discontinued and replaced by an Inclusion Lead to support ongoing development, education, coaching of members across the service on a wide variety of topics and issues.

Background and Context

It is important to note that the TPS invested substantial financial and human resources in 2014 to have a baseline assessment of how service members were “making sense of cultural differences” – in effect, their level of intercultural competence. The researchers interviewed numerous individuals, held focus groups in all Divisions and administered the IDI to nearly 1,000 Service Members - uniformed and civilians. In 2019, the Service arranged for 23 uniformed and civilian members to become Qualified Administrators (QAs) of the IDI. Throughout all of our engagement and work with the Service, the feedback we've received has been very positive from an end-user perspective.

The result of the IDI assessment in 2014 revealed that in general, TPS Members were not effectively engaging with cultural differences. In other words, they lacked the capacity and sophistication to engage effectively with members of the public from culturally diverse communities.

Unfortunately, the Service did not fully implement the vast majority of the recommendations from the 2015 report. If those recommendations had been implemented, Service Members would be in a much better place interculturally than they are today, and the public would be receiving more effective “interculturally competent policing.” In fact, the Service did not implement the recommendation to certify Service members as Qualified Administrators until nearly 4 years after the original baseline assessment. By then, significant momentum had been lost.

In short, for whatever reason, the Service did not put in place systems and accountability measures to allow for a successful rollout of the IDI recommendations.

Report Findings

In conducting the IDI baseline assessment in 2014, we (Dr. Mitch Hammer, developer of the IDI and I) identified a number of barriers within the Service that needed to be addressed in order to gain the greatest benefit of the IDI.

First and foremost, we identified a lack of trust among many TPS members about how diversity-related efforts may be used by TPS vis-à-vis Members: “Under these conditions of mistrust, gaining the involvement of Members in their own development of intercultural competence may be problematic, with Members too easily dismissing such efforts as manipulative, disingenuous, or unnecessary.”

The report also identified systemic barriers within the TPS. For example, there was no coordinating group that was intentionally facilitating the effort to increase intercultural competence within the Service. At the time, the Toronto Police College, for example, may have been able to devote some of its limited resources towards diversity and inclusion training, but it did not possess the financial resources or the content expertise to design a more comprehensive, developmentally grounded learning process around intercultural competence.

The report urged “sustainable commitment” by the TPS to an intercultural, diversity and inclusion agenda. That commitment should have included the following:

- (Make it) visible and transparent
- Incorporate benchmarks of accountability
- Comprehensive and integrated throughout TPS
- Involve outside intercultural experts and community resources
- Support Member goals for developing intercultural competence
- Support two-way communication with culturally diverse communities.

Equity, Inclusion & Human Rights Manager’s Perspective of the IDI

Although the EI&HR Manger has taken the IDI Qualified Administrator training, she demonstrates limited experience and a lack of understanding of this standardized and highly validated psychometric tool and how to implement it across the TPS.

In recommending the discontinuation of the IDI Program within the Service, the EI&HR Manager says the following about the IDI:

- “...it did not provide an adequate framework for a comprehensive understanding of equity diversity and inclusion and human rights...”
- “...it fell short in adequately identifying how an individual who may hold certain beliefs or values towards “in group vs out group” dynamics, may progress from one category to the next.”
- “...it did not identify whether the participant had issues or needed further development in the areas of bias, race, gender, sexual orientation etc. therefore not leading to any specifics on the necessary area of growth.”
- “...it did not provide a mechanism for ongoing coaching and development...”
- “Depth of understanding of issues, opportunity for further education and engagement, explanation of impact on others and organization, accountability, consistent communication, evaluation of change – are all components of behaviour change...which unfortunately the IDI program did not have.”
- “As such, [she] recommended that the program be discontinued. But be replaced by an Inclusion Lead position to support the ongoing development, education, coaching of our members across

the Service on a wide variety of topics and issues and to customize supports for individuals, platoons, units, leaders etc. that is tailored to their specific issue or growth area.”

- “This would be coupled with an overarching Equity Strategy which would also state our guiding principles as an organization in how we approach equity, diversity, inclusion and human rights work as a Service with metrics to measure our success.”

Application of the IDI

Properly implemented, an individual’s IDI Profile, accompanied with appropriate feedback/coaching and a comprehensive intercultural development plan, allows that person to have a deeper understanding of how they and others are making sense of cultural differences in order to more effectively shift their perspectives and change their behaviours. The individual is then better able to overcome personal biases and to understand the impact of racism and other grounds that fall under the Ontario Human Rights Code.

While it is true that the IDI is based on a culture-general developmental model, the IDI is effective in addressing specific social identity markers and related biases against race, gender and sexual identity and other forms of oppression.

The IDI has been used successfully with a wide range of organizations and sectors across Canada and around the world, including with Fortune 500 companies, law enforcement, the judiciary, media, post-secondary institutions and social service agencies. In the current social justice movement, many organizations are using the IDI as part of a holistic effort to make transformative systemic change to dismantle systemic racism and discrimination.

Marginalization stemming from culture-specific identities is an important focus when using the IDI to address social justice concerns. Individuals seeking to dismantle systemic racism and discrimination choose various approaches, some of which are more effective than others. Many serve as advocates and use disruptive techniques to bring awareness to and challenge organizations to address these vexing issues. In contrast, the IDI typically takes on a developmental approach. While having the same end-goal of dismantling systemic racism and discrimination, the IDI takes the stance, "Wherever you are, I will meet, challenge, and support you."

Since race and racism are social constructs, individuals may have multiple ways in which they make meaning and experience people whose racial identities are different from their own. Some of these meanings and experiences are more complex than others and may be mapped along the Intercultural Developmental Continuum – from Denial, Polarization, Minimization, Acceptance and Adaptation.

The IDI approach focuses on the construction of worldviews and behaviours an individual or organization is capable of generating at the particular developmental stages and then provides optimal levels of challenge and individualized support and coaching that allows for more targeted effective developmental learning.

The EI&HR manager proposes to do the following:

- Establish a new Project Champion Team (PCT).
 - o We agree this should be done but the new PCT must be composed of individuals from across the TPS, both uniform and civilians and at different ranks and functions.
- Selecting 20 key service members to be licensed QA's
 - o What happened to the 23 recently trained QA's?
 - o The Service was to develop a Governance Framework to utilize these QA's. Was that Framework ever implemented? What is the status of that Governance Framework?
- Making the Toronto Police College the “business custodian” of the new IDP.
 - o We agree with this; it was recommended in the 2015 report. But this must be accompanied by the necessary resources, expertise and commitment from the Senior Command of the TPS.

The EI&HR unit says it currently provides cultural and identity specific training and coaching for TPS members.

- What is the content of that training and how is success being developed and measured?

The Manager of EI&HR further states that an Intercultural Development Program will be developed in the unit by an Inclusion Lead.

- What is the timeframe for this new program?
- How will it include rigorous scientific and academic validation comparable to that of the IDI?
- There is no indication what the new program will be, when it will be delivered, what resources will be deployed or how success will be measured.

The 2015 IDI Assessment Report urged that a significant commitment by TPS to intercultural learning be made; the researchers believed it was “doable over a three-year period of time.” The report also stated that success and improvement could be documented by administering the IDI again to a sample of Members (pre-test/post-test comparison) after, a three-year period. However, for this kind of improvement to be achieved, any learning activities must be designed based on the Developmental Orientation of each learner or there will be little gain in intercultural capability.

In Closing

I recommend that Service members who originally took the IDI assessment and the recently trained licensed QA's be surveyed to better understand their feedback and experience with the IDI.

I also recommend that the Board revisit and review the 2015 IDI Assessment and Report for further insights in the program, and the necessary commitments and resources that were required for the program's success. The board should also consider the substantial financial and human resources that have already gone into the IDI.

I further recommend the Board ask the Service for a status update of the recommendations that were made in the original IDI Assessment Report.

The 2015 IDI Assessment and Report made 16 recommendations:

Recommendation #1: Individual IDI Profile feedback is offered to any TPS member who completed the IDI as part of this Assessment Project.

Recommendation #2: For identified TPS members, in addition to the one-hour individual profile debrief session, up to three follow-up intercultural coaching sessions should be offered.

These coaching sessions would be real-world focused, confidential, conducted by IDI Qualified Administrators, and involve a coaching process oriented toward the achievement of identified cross-cultural outcomes. By adding additional intercultural coaching, individual development of intercultural competence is accelerated.

The following TPS Members should undergo intercultural competence development as a necessary part of their duties and training as TPS Members:

- Senior officers and civilians of the Toronto Police Service take the Intercultural Developmental Inventory (IDI) and associated feedback in addition to three coaching sessions as part of their professional development.

Recommendation #3: After being accepted as a recruit into the TPS, new members should be required to complete the IDI and receive the necessary ongoing coaching and development of their intercultural competence.

Recommendation #4: Identified TPS members should be required to participate in three, one-day intercultural competence development workshops (alternatively, six ½-day workshops) over the course of one year.

We recommend this training be designed and delivered with substantial assistance from outside intercultural experts.

Recommendation #5: Community immersion activities should be facilitated by community resources and intercultural experts.

Gaining facilitated experience within diverse communities can provide insights on values and practices in the community vis-à-vis policing efforts. Having these immersion activities guided by community resources or intercultural experts will help ensure the immersion experience is useful and beneficial.

Recommendation #6: Culturally diverse peer mentoring groups to help Members address issues or problems that involve cultural differences should be established.

Recommendation #7: Diversity, inclusion, and intercultural competence development should be assigned to a Senior Executive Officer (SEO).

Recommendation #8: Two to four Intercultural Experts should be hired to work within TPS under the Senior Executive Officer (SEO) of Diversity, Inclusion, and Intercultural Competence.

Recommendation #9: TPS should incorporate cultural resources.

TPS needs to incorporate cultural resources (individuals from specific cultural communities). These cultural resources should provide consultation and information to Members relevant to culture specific communities. These resources should be coordinated through the Senior Executive Officer of Diversity, Inclusion and Intercultural Competence.

Recommendation #10: TPS should develop a database of external cross-cultural professionals.

Recommendation #11: TPS should establish an intercultural “hot line” for Members to call to get situational insights around navigating cultural differences from the database of external cross-cultural professionals.

Recommendation #12: Review and revise TPS policies and procedures related to specific job functions to ensure they are inclusive when working in diverse communities.

Policies and procedures must support culturally responsive policing in ways that do not compromise the mission of law enforcement or the safety of Members, bystanders or subjects.

Recommendation #13: Specific individuals at the Toronto Police College should become certified Qualified Administrators of the IDI to be able to administer the IDI and to give appropriate feedback and coaching when necessary or requested by TPS Members.

Recommendation #14: A permanent internal cross-functional group composed of members of the TPS – including senior officers, police association members and civilian members – should be established and adequately resourced to actively promote the goals of the Intercultural Development Program within the Service. This group would report directly to the Senior Executive Officer of Diversity, Inclusion and Intercultural Competence.

Recommendation #15: The Intercultural Development Program (IDP) should be promoted by the Service more actively and intentionally as a professional development opportunity for TPS Members rather than a remedial or corrective measure for Members.

Recommendation #16: TPS should re-administer the IDI as a post-test in 2018.

I am also concerned about the collection of sensitive medical data by police. All data collected by the TPS Mental Health Data Collection, Analytics, and Innovation Unit, and any other TPS unit, must be anonymized, unless the police get full consent from the person being assisted by the MCIT.

I like that the TPS will ask for fully consented, voluntary customer/consumer feedback from persons who have had mental health crises and have experience being assisted by the MCIT unit. All aspects of MCIT, including the MCIT Working Group and MHAAP, need to include persons who have experienced mental illness or a mental health crisis.

The new curriculum for the MCIT unit must include conversation with persons who have experienced a mental health crisis, and input from neurodivergent communities.

Due to the twin pandemics of COVID 19 and mental health challenges, there is a desperate need for an increase into emergency health care. Expanding the MCIT unit to a city wide, 24/7 program could help, but having two trained officers, rather than having a nurse present, should only be a temporary measure to avoid a service gap. The eventual goal should be to eliminate Toronto's two tiered emergency health program (EMS, consisting of paramedics, and MCIT, which is run by police). All health issues should eventually be solely handled by medical professionals.

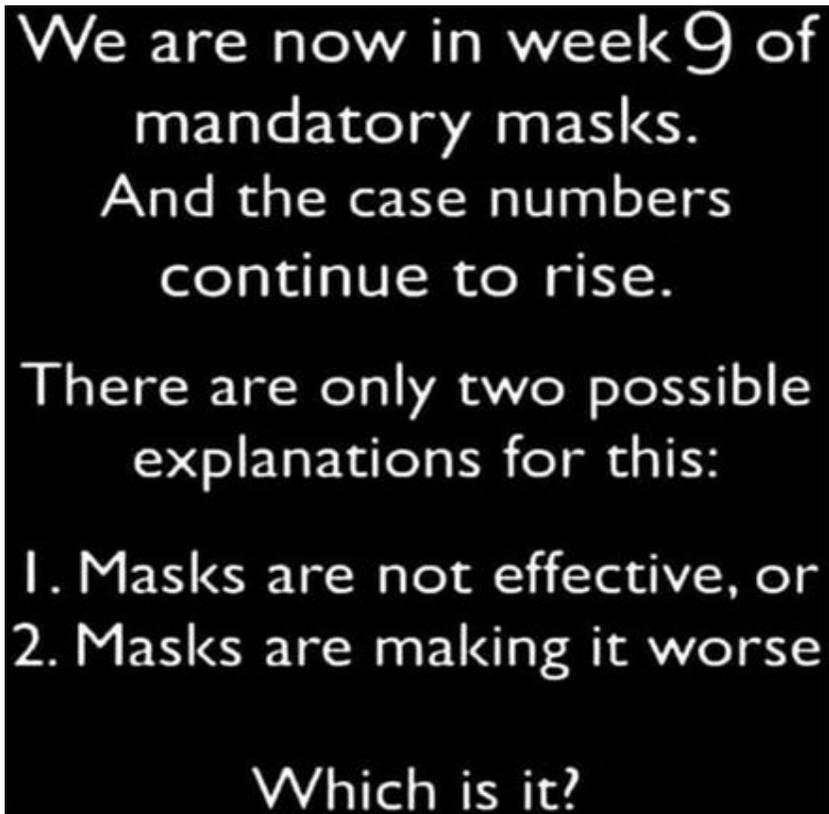
I really like the 911 Diversion Model/Houston Model of training phone operators to divert calls that do not require immediate medical emergency response to a mental health phoneline or crisis line. These crisis lines are really effective in deescalating a situation to avoid the need for a more intensive response.

Please accept Mark Sandler's request to extend the timeline of, and increase the budget of the Independent Review into Missing Persons Investigation. This review could help reform the way that the TPS handle missing persons cases. I also support the Independent Review's plan to move beyond missing persons cases to look into all police interactions with people of many diverse communities.

Please support the creation of an Alternative Community Safety Model. Please also support the budget increase into Gerstien Centre. I really like that the Alternative Community Safety Model consultations will include persons who are neurodivergent or who have experienced a mental health problem. |

THIS IS NOTICE THAT WEARING A MASK CAN SPREAD VIRUS, BECOME A SOURCE OF INFECTION AND ACTUALLY LEAD TO INFECTION

1. So in this report it mentions about – “Respiratory Protection Masks.”



2. Councillor Joe Cressy: "...you are recommending the requirement for masks in indoor public settings. How has the EVIDENCE evolved in recent months to suggest that this is the best course of action today, in your opinion"

Dr. Eileen de Villa: "...we know increasingly that people who MAY be infected with the virus that causes covid-19 MAY not actually show symptoms or have very very mild symptoms, and we've seen over time that the use of a cloth-mask actually prevents the transmission of those germs from people who for example MAY have the infection and not know it."

<https://youtu.be/utZrrbZkAdo?t=19796>

3. In the Canadian Oxford Dictionary MAY is defined as “expressing possibility.”

4. Dr. Theresa Tam: “Putting a mask on a asymptomatic person, it’s not beneficial obviously if you’re not infected...what we worry about actually is the potential negative aspects of wearing masks...it increases the touching of your face if you think about it, if you got a mask around your face sometimes you can’t help it because you’re just touching parts of your face – the other thing is the outside of the mask could be contaminated as well...when you’re removing a mask, and numerous infectious diseases even in a hospital setting, we find its removing personal-protective-equipment that can actually lead to infection.”

https://www.youtube.com/watch?v=rLn_yoS-YY&feature=emb_logo&fbclid=IwAR0Wj1qhSDncNILB_ho_0nQ0q03Sr83CDUOb0hycgICPfoP6CiTyNab-c

5. IPAC - Infection Prevention and Control Canada: <https://ipac-canada.org/pandemic-h1n1-resources.php#IPC>

N1 Resources (Archived) | IP X H1N1 Resources (Archived) | IP X +

https://ipac-canada.org/pandemic-h1n1-resources.php#IPC

Home About Us Conferences / Education Membership Inside IPAC Canada Resour

There is **no evidence** to suggest that wearing masks will prevent the spread H1N1 influenza A transmission in the general population. **Improper use of masks** may in fact **increase** the risk of infection. Masks **do not** act as an effective barrier against disease when they are worn for extended periods of time. In addition, **removing** your mask incorrectly can **spread virus** to your hands and face.

6. file:///F:/Covid%20-%20PHO%20mask%20factsheet.pdf



Coronavirus Disease 2019 (COVID-19)

When and How to Wear a Mask

Recommendations for the General Public

Wearing a mask can help to prevent the spread of some respiratory illnesses, **but** it can also become **a source of infection** if not worn or discarded properly. If you need to wear a mask, you should also be sure to clean your hands frequently with soap and water or alcohol-based hand sanitizer.

Wear a mask if:

- You have symptoms of COVID-19 (i.e., fever, cough, difficulty breathing, sore throat, runny nose or sneezing) and are around other people.
- You are caring for someone who has COVID-19.
- Unless you have symptoms of COVID-19, **there is no clear evidence that wearing a mask will protect you** from the virus, however wearing a mask may help protect others around you if you are sick.



7. This is from the New England Journal of Medicine:

<https://www.nejm.org/doi/full/10.1056/NEJMp2006372?fbclid=IwAR3Cqpm0lvkZU3-F1ajGbj0bCwMqhHTQbtyVtXJ2tR0962jzMkX6kYwU-GE>

Universal Masking in Hospitals X +
https://www.nejm.org/doi/full/10.1056/NEJMp2006372?fbclid=IwAR3Cqpm0lvkZU3-F1aj

We know that wearing a mask outside health care facilities offers little, if any, protection from infection. Public health authorities define a significant exposure to Covid-19 as face-to-face contact within 6 feet with a patient with symptomatic Covid-19 that is sustained for at least a few minutes (and some say more than 10 minutes or even 30 minutes). The chance of catching Covid-19 from a passing interaction in a public space is therefore minimal. In many cases, the desire for widespread masking is a reflexive reaction to anxiety over the pandemic.

8. https://www.who.int/emergencies/diseases/novel-coronavirus-2019/question-and-answers-hub/q-a-detail/q-a-on-covid-19-and-masks?fbclid=IwAR0QxHfux05U7UIDJQ4WV1j_xDfaTkPrnx90dncQ0NxHdQ5j50fmNoMIPAM

Q&A: Masks and COVID-19 X +
https://www.who.int/emergencies/diseases/novel-coronavirus-
World Health Organization Health Countries Newsroom Topics

Non-medical, fabric masks are being used by many people in public areas, but there has been limited evidence on their effectiveness and WHO does not recommend their widespread use among the public for control of COVID-19. However, for areas of widespread transmission, with limited capacity for implementing control measures and especially in settings where physical distancing of at least 1 metre is not possible – such as on public transport, in shops or in other confined or crowded environments – WHO advises governments to encourage the general public to use non-medical fabric masks.

9. Dr. Maria Van Kerkhove, Technical Lead Covid-19, WHO Health Emergencies Program:
<https://youtu.be/NQTBlbx1Xjs?t=174>

