

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **FEBRUARY 28, 2002** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Norman Gardner, Chairman
Councillor Gloria Lindsay Luby, Vice Chair
A. Milliken Heisey, Q.C., Member
Mayor Mel Lastman, Member
Benson Lau, M.D., Member

ALSO PRESENT:

Julian Fantino, Chief of Police
Albert Cohen, Legal Services, City of Toronto
Deirdre Williams, Board Administrator

#P27. The Minutes of the Meeting held on **JANUARY 24, 2002** were approved.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P28. MOMENT OF SILENCE

A moment of silence was held in memory of Police Constable Laura Ellis (7538) who died, while on duty, on Monday, February 18, 2002.

Chairman Gardner and the Board members also extended their thoughts to Constable Ronald Tait who remains in hospital with serious injuries.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P29. PRESENTATION: COMMUNITY DONATION TO THE MOUNTED
UNIT**

Ms. Dorothy Keith was honoured by the Board during a brief presentation in recognition of her recent generous donation to the Toronto Police Service which led to the purchase of a new police horse for the Mounted Unit (Min. No. P8/02 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P30. UPDATE ON THE TORONTO POLICE SERVICE 2002 OPERATING
BUDGET AND 2002-2006 CAPITAL BUDGET**

The Board was in receipt of the following report FEBRUARY 26, 2002 from Julian Fantino, Chief of Police:

Subject: UPDATE ON TORONTO POLICE SERVICE 2002 OPERATING BUDGET
AND 2002-2006 CAPITAL BUDGET

Recommendation:

It is recommended that:

1. the Board approve the revised 2002 Toronto Police Service Operating Budget at a net amount of \$587.2 million (M);
2. the Board approve the revised World Youth Days budget of \$2.8M included in the City's Corporate Budget;
3. the Board approve the 43 Division Capital project, to begin in 2002 with a \$3.09M allocation from the City Reserve fund, assuming funding for the entire project will also be included in the City Reserve fund;
4. the Board ratify the Chairman's position to reinstate the Service's request of \$2.0M in 2002 for the Intelligence Gathering Unit (the Service's portion of the Emergency Management Preparedness Plan); and
5. the Board forward this report to City Council for its meeting of March 4 – 8, 2002.

Background:

This letter provides a further update on meetings with the City's Budget Advisory Committee (BAC) and Policy and Finance Committee (P&F) on the 2002 Operating and 2002 – 2006 Capital budgets.

As indicated in a previous update (Board Minute #P22/02 refers), Chairman Gardner, Mr. Frank Chen (CAO), staff and I attended the first BAC meeting on January 11, 2002. At that time, we reviewed the highlights of the Board's operating budget submission, and the Toronto Police Service's Operating and Capital Submissions. The presentation to BAC indicated that our overall approach was to minimise costs where possible, by reducing or deferring expenditures, and including all potential revenue.

The BAC requested informal responses to several questions. These responses were forwarded prior to the next meeting with BAC, on February 7, 2002. TPS staff also attended a separate meeting with Councillors Chow and Soknacki, who were tasked by BAC to review TPS' requests in more detail. The Councillors requested additional details, and these, too, were provided prior to the February 7, 2002 meeting.

The questions and clarifications requested focused on the Service's Human Resources strategy, the Information Technology (IT) lease agreement entered into in 2001, and the need to obtain funding from outside sources. The minutes from BAC are provided in attachment A. Responses provided to BAC and to Councillors Soknacki and Chow are on file in the Board office.

A final BAC meeting was held on February 12, 2002. The Policy & Finance Committee reviewed and provided its recommendations on all Operating and Capital budgets on February 21, 2002. The following provides updated information on the Operating and Capital budgets as a result of the BAC and P&F meetings.

2002 Operating Budget Update

The Service's 2002 Operating Budget request in the amount of \$592.4M (comprised of \$586.7M for the base budget, and \$5.7M for service enhancements) was provided to City staff in October, 2001. The City's Executive Management Team (EMT) provided a recommendation to BAC for the base budget, in the amount of \$584.2M, with the understanding that all service enhancements would be examined on an individual basis. The difference between our base budget submission and EMT's recommendation was \$2.5M, and represented the IT annualization costs for leases entered into in 2001.

After much deliberation, BAC recommended that the \$2.5M be added back to the Service's base. However, BAC, in consultation with TPS staff, recommended that other base IT costs be adjusted downward by \$0.3M. With respect to service enhancements, only two were recommended for inclusion: the Anti-Gang unit (with \$0.7M for 2002) and the Provincial Offences Act court initiative (with a gross cost of \$0.3M for 2002, and an offsetting revenue from the City, resulting in a net impact of \$0.0M). Thus, the final BAC-recommended operating budget for TPS is \$587.2M:

Base budget as requested by TPS:	\$586.73M
Adjustment for 2001 IT annualization	(\$0.3M)
Anti-Gang Unit	\$0.73M
POA initiative	---
Final BAC-Recommended Budget	\$587.2M

The final budget, as recommended by BAC at the net amount of \$587.2M, was forwarded to Policy and Finance Committee. The Service can operate within this revised budget amount and deliver the same level of service as in 2001, and initiate a new Anti-Gang Unit. P&F approved the BAC recommendations as presented.

There were also three initiatives for which funding was not requested in the Service's budget: World Youth Days, Anti-Terrorism (Intelligence Gathering) and Woodbine Slots. These were to be funded corporately by the City. BAC and P&F have approved a budget for World Youth Days; however, neither Intelligence Gathering nor the Woodbine Slots were approved. Comments on each of the above initiatives are provided below. Also, given recent issues I feel it is appropriate to comment on the Computer Crime initiative (which was included in the Service's 2002 Operating budget request but not approved by BAC and P&F).

World Youth Days

During the development of the 2002 Operating Budget, the City CAO indicated that World Youth Days be submitted separate from the Service budget. A realistic budget was prepared taking into consideration the expected attendance (estimated at 750,000) and the necessary security measures for all involved in these events. Our estimates factored the heightened safety and security requirements since the recent terrorist threat. The requested funding of \$2.9M was part of the combined City's World Youth Days Secretariat total budget.

BAC and P&F has reviewed the World Youth Days Secretariat budget and approved the request with an overall decrease of 5%. This results in the Service's portion being reduced by \$0.15M from the original request. TPS has accepted this reduction, and will be revising its plans to accommodate this change.

Intelligence Gathering Unit

Terrorism is a real threat to the City of Toronto, and not merely a perceived one. The attack on New York City has shown that there are substantial risks of terrorism to all major cities, and the possible loss of life, property and economic damage could prove devastating to Toronto.

I cannot stress enough my concerns if we wait to establish the Intelligence Gathering Unit. Potential criminal activity will go unaddressed and this will place our citizens at risk. Since undergoing investigations of potential terrorist activity from the September 11 attacks, our officers have uncovered interconnections of known terrorists residing in the City of Toronto. We need to monitor and conduct surveillance on these individuals to thwart criminal activity. The Toronto Police Service has the responsibility to safeguard the citizens of the City of Toronto. To properly protect the City from terrorists and associated criminal activity the Service must have an intelligence capability. At present we are under-equipped with necessary resources to provide the investigative and intelligence functions required to safeguard our City against terrorist activity.

During our discussions with City representatives, it was indicated that initial funding would come from the City in response to the recent terrorist attacks. The City would in turn seek Provincial and Federal funding to expand the program. However, the City has failed to provide funding for this component of the Emergency Preparedness Plan and no funding has been identified by the Provincial and Federal governments.

Given these concerns, I wrote to the Chairman on this item, requesting that he put this initiative forward to P&F at their February 21, 2002 meeting. Attachment B provides a copy of my letter to the Chairman, which outlines my concern for the Intelligence Gathering Unit. The Chairman agreed with my concerns, and forwarded this letter to P&F for their February 21, 2002 meeting (the Chairman's letter is included in Attachment B). P&F referred the Chairman's request to the Board for discussion at the February 28, 2002 meeting.

Woodbine Slots

Since the installation of the slot machines at the Woodbine Race Tracks there has been an increase in criminal activity in the community surrounding the race track area. The Service has identified the need to increase uniform staff to meet the increased service requirements. These additional staff would address loan sharking, extortion and illegal gaming issues.

Under an agreement with Ontario Gaming and Lottery Corporation, the City receives a portion of the revenue generated from these slot machines. The City has retained this revenue in corporate accounts even though a portion of these funds was intended to address the increased criminal activity normally associated with gambling. The Service has requested a portion of this revenue to fund the hiring of additional officers to serve this community.

The funding requested is separate from the Service Operating budget and will have no net impact on our budget. BAC and P&F have for the second year failed to support this initiative. Although I feel increased policing support is warranted in 23 Division, lack of funding from the City precludes this.

Computer Crime Unit

The advent of the Internet has set off a new criminal element: the silent voice talking from cyber space. This voice reaches our most vulnerable citizens, who continue to face exploitation unless these computer crimes can be addressed. Areas of concern regarding computer crime include the dissemination of child pornography and increased opportunities to commit fraud. The Internet can also be used as a tool for terrorism. This type of crime knows no boundaries and targets our youth.

Targeting these criminals requires specially trained officers able to conduct the necessary forensic examination of computer equipment to compile the evidence for arrest and conviction. It is essential to equip these officers with specialized equipment. The criminals are hidden from our streets but accessible to anyone searching the Internet. I am alarmed with the increased use of the Internet by adults to disseminate child pornography. If we do not undertake action to deter these silent acts of violence, we risk further increases in this new criminal activity. A priority of the Service is to increase enforcement of criminal activity which exploits our youth.

Given these concerns, I wrote to the Chairman on this item, requesting that he put this initiative forward to P&F at their February 21, 2002 meeting. Attachment B provides a copy of my letter to the Chairman, which outlines my concern for the Computer Crime Section. The Chairman agreed with my concerns, and forwarded this letter to P&F for their February 21, 2002 meeting (the Chairman's letter is included in Attachment B). P&F referred the Chairman's request to the Board for discussion at the February 28, 2002 meeting. Although this is a very important issue, given the funding constraints I am prepared to defer this request until 2003.

2002-2006 Capital Budget Update

The (revised) 2002 – 2006 Capital Budget request was approved at the December 13, 2001 Board meeting in the amount of \$22.387M for 2002 and \$162.8M over the five years, including cashflow carryforward and land acquisition costs. Funding has only been provided for projects beginning in 2002. This revised request includes deferrals of projects, in an attempt to meet a 40% reduction target from the original Board approved budget (Board Minute P275/01 refers), set by the City CAO.

After much deliberation by the BAC, the Service's Capital Submission was approved with two changes – the deferral of the Boat Replacement project from 2002 to 2003, and the reinstatement of 43 Division (albeit with funding separate and apart from the Service's capital budget). The Service's Capital budget, with the above changes, was approved by P&F on February 21, 2002.

Boat Replacement Project

The deferral of the Boat Replacement project has significant impact on the Service's ability to conduct patrols on Lake Ontario. The boats used by the Marine Unit must be reliable, safe and fast for the officers using the boats, as well as for the public relying on rescue by the Marine Unit. Currently, 3 of our 5 patrol vessels are not seaworthy enough to be used beyond the City's inner harbour. In response to this recommendation, the Chairman submitted a report (see attachment C) to the City Policy and Finance Committee, requesting the reinstatement of funding in 2002. P&F did not support the Chairman's request. Given the City's funding capability for capital I am prepared to defer the replacement of the boat until 2003.

43 Division Project

BAC and P&F have approved that funding of \$3.09M be allocated from the City Reserve fund to commence the 43 Division Capital project. However, I must note that funding in the Corporate account for 43 Division is not sufficient for the entire project, and it will be incumbent on City staff and City Council to ensure that the Corporate account for 43 Division has sufficient funds in future years to cover the entire project cost currently estimated at \$11.3M. This cost does not include the land acquisition costs of \$1.6M, which BAC and P&F have both approved at zero net cost to the Service. Also, the current total cost of \$11.3M does not include inflationary impacts that may be incurred, recent cost recovery of management fees to City Corporate Services and the impact of adding a central lock-up to the facility. These amounts are being gathered and will be reflected in the 2003-2007 capital program.

Waterfront Revitalization

Current plans for the Front Street Extension Project portion of the Waterfront Revitalization project will displace Traffic Services and the central Garage facility. The costs of moving these facilities has been identified in our 2002 – 2006 Capital Budget Submission, but not included in the funding request.

It is the Service's position that any costs related to this move should be funded through the Waterfront Revitalization project. However, based on discussions with City representatives, the City is recommending that only funding for the replacement value of the land and building will be provided. This level of funding will be insufficient to cover replacement of the land and construction costs.

Discussions are continuing with City staff on this issue, and TPS staff are actively pursuing a commitment that required funding will be provided, separate from the Capital budget.

Summary:

The TPS budget includes essential funding for maintaining services at 2001 levels plus service enhancements reflective of the changing community and world issues. Although the Service can operate with the level of funding provided by BAC and P&F, it is imperative that the outstanding issue regarding Intelligence Gathering be addressed by City Council, to ensure that proper police services can be provided to the citizens of Toronto. I am prepared to defer the request for the establishment of a Computer Crime section and Boat Replacement until 2003; however, I believe these are issues that we must address.

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

The Board was advised that the following additional recommendation should have been included on the first page of this report:

THAT the Board approve a revised capital program for 2002 in the amount of \$22.087M.

The Board approved the following with respect to the recommendations contained in the foregoing report:

- **recommendations no. 1, 2, 3 and 5 were approved;**
- **recommendation no. 4 was approved subject to federal and provincial funding being available; and**
- **the additional recommendation with respect to the revised capital budget noted above was also approved.**

Excerpt from BAC Recommendations

2002 Capital Budget

Budget Advisory Committee Recommendations

Adopted, as amended

The Budget Advisory Committee recommends the adoption of the 2002 Capital Budget for the Toronto Police Services, subject to:

- (1) the City's land for 43 Division being provided to the Police at a '0' net cost; and
- (2) \$3.09 million allocation being placed in the Reserve Fund to be used for 43 Division.

Amendment – February 12, 2002

The deferral of the purchase of a boat for the Marine Unit until 2003 resulting in savings of \$300,000.00 in 2002.

2002 Operating Budget

Budget Advisory Committee Recommendations

Adopted

The Budget Advisory Committee recommends the adoption of the 2002 Operating Budget of the Toronto Police Services, subject to:

- (1) the 2002 EMT Recommended Budget being increased by \$2.2 million thus bringing the base budget to \$587.7 million;
- (2) adding \$700,000.00 gross and \$700,000.00 net for the Youth Gang Initiative; and
- (3) adding \$300,000.00 gross and '0' net for the impacts of Previous City/City Council Decisions – Provincial Offences Act.

The Budget Advisory Committee reports having

- (a) requested the Chair, Toronto Police Services Board to:
 - (i) present and calculate the human resource numbers according to City of Toronto format, especially on the gapping percentage;
 - (ii) report back prior to the 2003 budget process on possible base budget reductions which may be required as a result of labour negotiations;
 - (iii) request the Province of Ontario to fund additional costs incurred by the City of Toronto caused by provincial legislation, i.e., adequacy standards equipment costs (\$700,000) (*corrected from \$1.8M*), increased court hours and locations (\$400,000), Campbell (Major Case) report (\$400,000), super jail initiatives (\$300,000); and

- (iv) **contact the heads of financial institutions and computer companies in the Greater Toronto Area to determine their interest in donating funds for computer crime prevention.**

Emergency Planning Initiatives

Emergency Planning Initiatives – 2002 Capital and Operating Budget

Budget Advisory Committee Recommendation *Adopted*

The Budget Advisory Committee recommends the adoption of the 2002 Capital and Operating Budgets for the Emergency Management Projects (Capital \$1,047 million net and Operating \$2.149 million) as follows:

- (1) **the adoption of the following programs, subject to conditional upon receipt of Federal and Provincial cost-sharing funding to be used to further reduce the net cost to the City:**

	Capital	Operating
(a) Chemical Biolog.Radiolog.Nuclear (CBRN)	\$560,000.00	\$700,000.00
(b) Health Response/Preparedness	\$100,000.00	\$551,000.00
(c) Heavy Urban Search & Rescue	\$117,000.00	\$500,000.00
(d) Health Care EOC	\$270,000.00	\$120,000.00
(e) Emergency Operating Planning	\$0.00	\$600,000.00

- (4) **the following projects be deferred:**
 - (a) **Traffic and Crowd Control Equipment**
 - (b) **Security Escalation Plan;**
 - (c) **Public Communications;**
 - (d) **Emergency Shelter Equipment; and**
 - (e) **Training of Enquiry Staff**

The Budget Advisory Committee reports having requested the Chief Administrative Officer to report to the Budget Advisory Committee for its meeting of February 19, 2002 on the Intelligence Gathering aspect of the Emergency Planning Initiative.

Waterfront Revitalization Initiatives

Budget Advisory Committee Recommendations *Adopted*

The Budget Advisory Committee recommends the adoption of the 2002 EMT Recommended Capital Budget for the Waterfront Revitalization Initiative, as recommended by the Planning and Transportation Committee, subject to:

- (2) **requesting the Commissioner of Urban Development Services to report to the Waterfront Revitalization Committee and the Planning and Transportation Committee on the relocation of the Toronto Police Central Garage/Traffic Services and Eva's Place;**
- (3) **adoption of the report (February 11, 2002) from the Commissioner of Urban Development Services, entitled "The Relocation of Eva's Phoenix and Police Services Facilities as a Result of the Front Street Extension".**

World Youth Day Secretariat

Budget Advisory Committee Recommendations

Adopted, as amended

Reviewed the 2002 Operating Budget for the World Youth Day Secretariat of \$6.371 million, on a one time basis.

Amendment – February 12, 2002

The Commissioner of Economic Development, Culture and Tourism be requested to report to the February 19, 2002 Budget Advisory Committee meeting on decreasing the budget by 5 percent (\$3185.5 thousand).

February 20, 2002

To: Policy and Finance Committee

From: Chairman
Toronto Police Services Board

Subject: Intelligence Gathering Unit and Computer Crime Section for the Toronto Police Service

Purpose:

This report is to advise the City of Toronto Policy and Finance Committee of the impact of the City Budget Advisory Committee (BAC) recommendations, and BAC's failure to approve funding for an Intelligence Gathering Unit and Computer Crime Section for the Toronto Police Service.

Financial Implications:

Approval of the following recommendations would result in an Operating budget increase of \$2.4 million (M) for 2002 from the BAC recommendation.

Recommendations:

It is recommended that:

1. Policy and Finance Committee reinstate the Service's request of \$2.0M in 2002 for the Intelligence Gathering Unit (our portion of the Emergency Management Preparedness Plan); and
2. Policy and Finance Committee reinstate the Service's request of \$0.4M for 2002 for a Computer Crime Section.

Background:

Final deliberations of the Budget Advisory Committee (BAC) have been completed, and BAC has not supported two significant initiatives identified by the Toronto Police Service. These initiatives are of paramount importance: Intelligence Gathering requirements for the Emergency Management Preparedness Plan, and a Computer Crime Section.

Conclusions:

Based on the attached letter from Chief Fantino, I request the Policy and Finance Committee to reconsider the position of the BAC and support the recommendations indicated above.

Attachment B
2002 Operating Budget

Contact Name:

Staff Superintendent Emory Gilbert
Operational Support
Phone: (416) 808-7747 Fax (416) 808-7742
E-mail: emory.gilbert@torontopolice.on.ca

Norman Gardner
Chairman, Toronto Police Services Board
February 20, 2002

Norman Gardner
Chairman
Toronto Police Services Board
40 College Street, 7th floor
Toronto, ON M5G 2J3

Dear Chairman Gardner:

RE: Intelligence Gathering Unit and Computer Crime Section for the Toronto Police Service

The City of Toronto's Budget Advisory Committee (BAC) has been reviewing the Toronto Police Service's 2002 Operating Budget. We have attended several meetings, offered additional information and details as requested, and identified budget reductions where possible. However, BAC has not supported two very important initiatives for which we require funding.

I am seeking your support, as Chairman of the Toronto Police Services Board, in pursuing funding for these initiatives, and ask that you recommend to the Policy and Finance Committee that the Committee:

1. Reinstate the Service's request of \$2.0M in 2002 for the Intelligence Gathering Unit (our portion of the Emergency Management Preparedness Plan); and
2. Reinstate the Service's request of \$0.4M for 2002 for a Computer Crime Section.

Background:

Final deliberations of the Budget Advisory Committee (BAC) have been completed, and BAC has not supported two significant initiatives identified by the Toronto Police Service. These initiatives are of paramount importance: Intelligence Gathering requirements for the Emergency Management Preparedness Plan, and a Computer Crime Section.

Intelligence Gathering Portion of the Emergency Management Preparedness Plan:

At its meeting of February 12, 2002, BAC did not recommend funding for the Intelligence Gathering portion of the Emergency Management Preparedness Plan. I have grave concerns with this decision. Terrorism is a real threat to the City of Toronto and not merely a perceived threat. The attack on New York City has shown that there are substantial risks of terrorism to all major metropolitan cities everywhere. The possible loss of life, property and economic damage could prove even more devastating to our City.

If a similar occurrence as the attack in New York happens in the City of Toronto, even one on a much smaller scale, it will be the responsibility of the Toronto Police Service, the Toronto Fire Service and the Department of Ambulance Service that will respond. It is the responsibility of

the City to ensure there are adequate resources available to address the initial response and to maintain whatever presence is required thereafter.

The ability to respond to these types of catastrophes is paramount. However, there needs to be ongoing intelligence activity to detect the presence of those who would perform these atrocious acts and to disrupt their plans and prevent the execution of any terrorist plots.

Intelligence gathering is a lengthy, painstaking endeavour that when successful produces no measurable results, because usually, good intelligence work prevents these catastrophic events from occurring. It is difficult to quantify the effect of good intelligence. However, the effect of lack of intelligence is devastating.

Toronto is a “world class city” which, unfortunately, brings with it “world class” attention and problems. The Toronto Police Service must have our own, local intelligence gathering capability to ensure that our communities can enjoy the benefits of a “world class city” in safety.

We have currently been tracking and monitoring individuals living and working within the City of Toronto who can be linked directly to terrorists, and terrorist activities. Investigations stemming from the September 11, 2001 attacks have proven that this type of monitoring is necessary. In many instances, we have had no prior knowledge of some of these individuals and groups. Their actions and behaviours fit the profile of “sleeper” cells: we have discovered that up until now we had no knowledge of their presence or activities within our communities.

To combat this threat we have requested within the Emergency Management Preparedness Plan for 2002, the addition of twenty uniform and 13 civilian staff members to administer the intelligence gathering activities. We have also included in the 2002 request the required intelligence equipment to support this unit. The total cost of this program is \$2.0 M in 2002 and \$1.9 M in 2003.

Our current efforts are insufficient. I urge you to support the Service’s requirement to establish a dedicated investigative / analytical unit. This unit is required if the Toronto Police Service is to take a proactive approach to fighting terrorism. This unit must have in-depth knowledge and an understanding of the City of Toronto and the communities within it. It is the responsibility of the Toronto Police Service to ensure the safety and security of our citizens. Although we work in conjunction with other police services such the OPP and RCMP, the first group responding to terrorist threats will be the Toronto Police Service. We must prepare and equip ourselves with accurate and timely intelligence information to understand the situation we are responding to.

Computer Crime

Increasingly, the Internet has been used in the furtherance of many criminal activities and police agencies continue to contend with increasingly sophisticated crimes involving technology. The Internet has been used:

- to obtain and disseminate child pornography;
- by adults who pose as adolescents in order to meet and befriend adolescents, for the purpose of exploitation;
- to commit fraud;
- to facilitate terrorist activities.

Recent news reports highlight the importance of the Service having the ability to address computer crime. As an example, a well-respected teacher at an exclusive Toronto all-boys school has been charged with child pornography offences. The Service has only 2 trained Computer Crime officers capable of forensically retrieving evidence from computers, and they are working on more than 200 Internet porn cases alone. These same officers are presently assisting several units with Homicide, Drug and other matters. There is a significant backlog in the number of cases being dealt with. We are not adequately staffed to deal with the high volume of these crimes. Furthermore, we do not have the available officer strength to transfer officers from elsewhere.

In 2002, we have requested the addition of six uniform staff to administer the computer crime activities. We have also included in the 2002 request specialised computer equipment required to support this unit. The total cost is \$0.4 M in 2002 and \$0.4 M in 2003.

I urge you to support the Service's requirement to establish this Computer Crime Section. The proposed Section would consist of 8 officers dedicated to a planned approach to computer crime issues, allowing the Service to keep up-to-date with technology and computer crime issues, and providing increased and consistent support for field investigators. This will result in earlier identification and apprehension of those involved in computer-related crimes.

Conclusion:

The Toronto Police Service has, during this and previous years' processes, adhered to financial targets, co-operated with the City and responded to reduction requests. We have advised the City CAO and Budget Division of our submissions on a timely basis and with the mandatory level of detail. Any additional requests for information were provided.

Attachment B
2002 Operating Budget

TPS has reviewed the budget submissions to reallocate costs in existing base budget funding, to cover financial pressures (e.g. the amalgamation). Expenditures have been deferred, and efficiencies have been realised, wherever possible. TPS has requested increases only in those areas where the need is greatest and funding could not be found. We are bound by legislation to provide necessary police services and programs for which funding is deemed necessary.

It is imperative that the Policy and Finance Committee reconsider the current position of the Budget Advisory Committee on the issue of Intelligence Gathering portion of the Emergency Management Plan, and on the issue of a new Computer Crime Section. Thank you for your efforts in furthering this matter.

Respectfully submitted,

Julian Fantino
Chief of Police

February 20, 2002

To: Policy and Finance Committee

From: Chairman and Board Members
Toronto Police Services Board

Subject: Impact of Budget Advisory Committee Recommendations for Toronto Police Service's 2002 Capital Budget Request

Purpose:

This report is to advise the City of Toronto Policy and Finance Committee of the impact of the City Budget Advisory Committee (BAC) recommendations of February 12, 2002 regarding the deferral of the Boat Replacement Capital Project.

Financial Implications:

Approval of the following recommendation would result in a Capital budget increase of \$300,000 for 2002 from the BAC recommendation.

Recommendations:

It is recommended that:

1. The Policy and Finance Committee approve the Service's request to reinstate \$300,000 in the 2002 Capital Budget for the Boat Replacement project.

Background:

The Toronto Police Services Board approved the Toronto Police Service (TPS) Capital Budget submission for 2002-2006 at its October 2001 meeting, in the amount of \$25.9M (excluding cash flow carryforwards from 2001).

In response to the City's CAO request to reduce the Capital submission, the Toronto Police Services Board approved a revised budget in the amount of \$22.4M (including cashflow carryforward and land acquisition costs). This revised budget is \$1.5M short of the City's target.

The revised Capital budget was presented to the BAC on January 11, 2002. During final deliberations on February 12, 2002, BAC reopened the approved capital budget and recommended (among other recommendations) to defer the Capital Budget request for Boat Replacement of \$300,000 from 2002 to 2003.

Capital Budget Request – Boat Replacement

The boats used by the Marine Unit are tasked in the worst possible weather conditions. The fleet must be reliable, safe and fast for the officers using the boats, as well as for the public relying on rescue by the Marine Unit. The Marine Unit regular patrol area includes boundaries of the City of Toronto extending southward to the international border between Canada and the United States. The vastness of this area requires the use of reliable, safe and fast patrol boats. The impact of September 11th has increased our awareness for the requirement of thorough patrols.

The Toronto Police Service has a fleet of eighteen boats, of which five are categorised as patrol boats. A patrol boat, much the same as a police patrol car, is used for tour of duty activities conducted within our patrol area on Lake Ontario. The status of the five patrol boats currently operated by TPS is summarized below:

- MU20, the newest member of the fleet, was replaced as part of the 2001-2005 Capital program;
- MU21 is scheduled for replacement in 2002;
- MU22 and MU23 are scheduled for replacement in 2004.

The remaining patrol boat, MU7, remains in acceptable condition and is not scheduled for replacement within the next five years.

The boats' lifecycle replacement plan is based on the assessed structural integrity of each boat, determined by an independent survey conducted in 1997 by Harris, Harding & Bickers Ltd. Insurance Adjusters & Marine Surveyors. The plan uses the boats' mechanical strength, age, condition and mechanical fitness to determine a replacement date. The survey determined that the patrol boats were in serious condition, and that continued use would risk both officer and passenger safety.

The survey results for MU21 (the boat scheduled for replacement in 2002, and deferred by BAC to 2003) indicated that without extensive repairs to deck edges, reinforcing of the hull and deck join, and further reinforcing within the cabin, a major deck failure is bound to occur. The survey goes on to recommend "that major repairs and reinforcing be carried out before this vessel is used for full service." Although this boat has undergone extensive repairs, many of the repairs recommended in the survey have not been carried out, since they are costly and not guaranteed to fully resolve the problems, and since MU21 has been targeted for replacement since 1999. At present this boat is out of service, as one of the engines is undergoing repairs. The engine is no longer manufactured and replacement parts are no longer available, thus requiring TPS staff to manufacture replacement parts.

It should be noted that three of the five patrol boats (MU21, MU22 and MU23) are currently not seaworthy enough to patrol beyond the inner harbour. The current plan for 2002 is to utilize the two patrol boats that are in good condition, as well as the newly-acquired Command boat. However, the Command boat is more expensive to operate, and may be pulled away from patrol at any time. This significantly impairs the Service's ability to respond to calls for service. If an

emergency call is received and no other boats are available, the Service will be forced to utilize the patrol boats that are in poor condition.

The recommendation to defer the funding for the replacement of boat MU21 will result in continuing risk to our officers and the public when this vessel is utilized.

Conclusions:

The Toronto Police Service has, during this year's budget process, adhered to financial targets and responded to reduction requests. We have advised the City CAO and Budget Division of our submissions on a timely basis and with the mandatory level of detail. Any additional requests for information were provided.

TPS has reviewed the budget submissions to reallocate costs in existing base budget funding, to cover financial pressures. Expenditures have been deferred, and efficiencies have been realised, wherever possible. TPS has requested increases only in those areas where the need is greatest and funding could not be found. We are bound by legislation to provide necessary police services and programs for which funding is deemed necessary. It is therefore recommended that funding for boat replacement be provided for in 2002.

Contact Name :

Staff Superintendent Emory Gilbert
Operational Support
Phone: (416) 808-7747 Fax (416) 808-7742
E-mail: emory.gilbert@torontopolice.on.ca

Staff Inspector Ed Hegney
Marine Unit
Phone: (416) 808-5813, Fax (416) 808-5802

Norman Gardner
Chairman, Toronto Police Services Board

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P31. COMMUNITY-BASED POLICING TRAINING PROJECT IN
LITHUANIAN**

The Board was in receipt of the following report JANUARY 31, 2002 from Julian Fantino, Chief of Police:

Subject: COMMUNITY-BASED POLICING TRAINING PROJECT IN LITHUANIA

Recommendation:

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

Background :

At its meeting of April 19, 2001 the Board approved the Services' participation in a project to provide community-based policing training to the Lithuanian Police. (Board Minute P132 refers). The twelve member training team, comprised of Toronto and OPP Police Services officers, were led by Staff Superintendent William Blair, Central Field, and retired Superintendent Hetherington Price. The project was separated into four stages to be completed in 2002. The team travelled to Lithuania in September/October 2001 to facilitate training to over 150 Lithuanian police leaders and completed the first and second stages.

Stage three of this project involves members of the Lithuanian Police attending Canada and participating in training and practical activities. Fifteen members of the Lithuanian Police Force have been identified, and have been authorized to attend through the Embassy. Their Commissioner General, Vytautas Grigaravicius, will lead the senior police officials to Canada to further develop their knowledge and skills, to ensure that community-based policing initiatives can be introduced and sustained following this project. Stage three will commence on February 22, 2002 ending March 11, 2002.

Their knowledge, skills and abilities will be further enhanced through comprehensive training and attendance at validated programs and activities in existence within the Toronto Police and surrounding police agencies. Stages one and two provided the background information from which these officers can further develop their strategies. They can apply the skills and knowledge developed to address their community policing issues and problems.

Stage three is being designed and developed around that process, to ensure that each participant has a personal learning itinerary supporting problem solving initiatives.

To this end, the Toronto Police Service will incur only the cost of participating members' salaries for the two-week period. Ontario Provincial Police, RCMP and other agencies are also participating to support this initiative with similar costs. CIDA has approved funding to support stage three.

The participants will diagnose a real-life community problem or issue and draw from these stages to implement a solution. The members will report their progress during stage four, which is to take place in Lithuania later in 2002. Those presentations will involve reporting to community partners, facilitators and the rest of the Lithuanian police leaders.

Participation in this initiative continues to represent an excellent opportunity for the Service to demonstrate its commitment to Community Policing in an international and local context. For the members that participated to date, the opportunity to share knowledge with these police leaders has proven to be very valuable. The opportunities to have the Board publicly recognize these international police leaders will only strengthen the Boards commitment to those same values. It is therefore requested that the Board receives this report, and presentation of the attending members of the Lithuanian community involved in this initiative.

Deputy Chief Steven Reesor, Policing Operations Command, will be present to answer any questions if required.

The Lithuanian members of the community-based training project were in attendance and introduced to the Board. Retired Superintendent Ted Price was also in attendance and commended by Chairman Gardner for his involvement with this project.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P32. OUTSTANDING REPORTS - PUBLIC

The Board was in receipt of the following report FEBRUARY 12, 2002 from Norman Gardner, Chairman:

Subject: OUTSTANDING REPORTS - PUBLIC

Recommendations:

It is recommended that:

- (1) the Board request the Chief of Police to provide the Board with the reasons for the delay in submitting each report requested from the Service and that he also provide new submission dates for each report.

Background:

At its meeting held on March 27, 2000 the Board agreed to review the list of outstanding reports on a monthly basis (Min. No. 113/00 refers). In accordance with that decision, I have attached the most recent list of outstanding public reports that were previously requested by the Board.

Chairman Gardner noted that the two reports pertaining to Parking Enforcement issues were submitted following the preparation of the foregoing report and were placed on the supplementary agenda for consideration.

The Board approved the foregoing.

Reports that were expected for the February 28, 2002 meeting:

Board Reference	Issue - Pending Reports	Report Status	Recommendation Action Required
Memo – July 30/01 & P293/01	<p>Proposed Amendments to <i>Municipal Act</i></p> <ul style="list-style-type: none"> • <u>Issues:</u> review issues concerning drug-related problems and identify where the Board can propose amendments to the <i>Municipal Act</i> 	<p>Report Due: Feb. 28/02 Extension Req's'd: Extension Granted: Revised Due Date: Status:.....Outstanding</p>	Chief of Police
#P394/00 #P229/01 #P334/01	<p>Parking Enforcement Unit – Absenteeism</p> <ul style="list-style-type: none"> • <u>Issue:</u> semi-annual statistics on absenteeism requested by the City of Toronto Policy & Finance Committee • reports should include actual numbers in addition to percentages • also include, if possible, absenteeism data providing comparison with other Service units & City outside workers • also include the average # of sick days per officer 	<p>Next report Due: Feb. 28/02 Extension Req's'd: Extension Granted: Revised Due Date: Status:.....Outstanding</p>	Chief of Police
	<p>Parking Tag Issuance</p> <ul style="list-style-type: none"> • <u>Issue:</u> annual parking tag issuance statistics 	<p>Next Report Due: Feb. 28/02 Extension Req's'd: Extension Granted: Revised Due Date Status:.....Outstanding</p>	Chief of Police

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P33. REVIEW OF THE SUPREME COURT OF CANADA DECISION –
COMPLETE SEARCHES (SEARCHES OF THE PERSON)**

The Board was in receipt of the following report JANUARY 18, 2002 from Julian Fantino, Chief of Police:

Subject: REVIEW OF THE SUPREME COURT RULING IN THE MATTER OF R. V.
GOLDEN

Recommendation:

It is recommended that:

- (1) the Board receive the following report; and
- (2) the Board request legislative changes to provide clear and unambiguous rules governing strip searches.

Background :

At its meeting on December 13, 2001, the Board requested that I review all Service procedures pertaining to searches of the person, and report back to the Board with respect to the Service's compliance with the December 6, 2001 Supreme Court of Canada decision of R. V. Golden (Board Minute # P363/2001 refers).

On January 18, 1997, Mr. Golden was arrested in a sandwich shop for drug trafficking by the Toronto Police Service. Subsequent to his arrest, the police conducted a search of his person, which included a visual inspection of the accused's underwear and buttocks by pulling back his pants. During this time the officer observed a clear plastic wrap protruding from between his buttocks. The accused was subsequently strip searched, and while being restrained, the item was retrieved and found to contain a quantity of crack cocaine. He was subsequently charged with several offences including Trafficking in a Narcotic.

The accused attempted to have the evidence against him excluded under section 8 of the Charter, on the grounds of an unreasonable search. The trial judge rejected his argument and convicted the accused at trial. The Court of Appeal dismissed the appeal and upheld the conviction.

The accused appealed to the Supreme Court of Canada where, in a 5-4 decision, the appeal was allowed and the conviction overturned.

In their decision, the Court ruled that the common law authority to search an individual incident to a lawful arrest includes the power to strip search, subject to a number of limitations.

The Court also held that a set of guidelines in the form of legislation would greatly assist both the police and the courts in determining where, when and how strip searches should be conducted.

The Toronto Police Service Procedure 01 – 02, entitled Search of Persons, deals with strip search, and is compliant with the majority of this ruling. Our procedure already sets out guidelines that officers must follow when conducting strip searches to ensure that the dignity and privacy rights of an individual are protected.

The decision will, however, have an affect in two areas. The first is the practice of conducting strip searches of those who are detained in police facilities. While acknowledging that there is a greater need to ensure that persons entering the prison population are not concealing weapons or drugs on their person, the Supreme Court goes on to say that this does not justify routine strip searches of individuals who are detained briefly in police cells. It would appear therefore, that the practice of routinely strip searching prisoners before lodging them in police cells, or perhaps even interview rooms, can no longer be condoned.

The second area that the decision will affect is the strip search incident to arrest. The Court has ruled that in order to conduct a strip search incident to arrest not only must the officers have reasonable grounds to make the arrest, they must also have reasonable “and probable” grounds for concluding that a strip search is necessary. A Routine Order (attached) has been issued to reflect this change.

The Supreme Court in its ruling specifically urged that legislation be enacted to give police clear guidelines regarding strip searches. It is, therefore, recommended that the Board urge the Government of Canada to make the necessary amendments to the Criminal Code to provide police with clear and unambiguous rules to govern police in conducting strip searches.

With respect to routine strip searches of persons being detained in police facilities, it can be demonstrated that it is impossible to predict which prisoners may have something secreted on their person which could be a danger to themselves, other prisoners, police officers or other persons. The liability for injury or death caused by an unsearched prisoner is obvious. This reality is recognized in the Corrections field. As a result, specific search powers are given to correctional workers by virtue of Regulation 778 of the Ministry of Correctional Services Act (attached).

It is, therefore, recommended that the Board request that the Government of Ontario amend the Police Services Act to provide police officers and Court Services officers with the same power to search prisoners as those given to Correctional Services officers. Given the potential risks to police and court officers, prisoners and other members of the public, this issue should be given the highest priority.

Conclusion:

It is recommended that the Board receive this report and that the Board request the legislative changes described above.

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

Sergeant Scott Weidmark and Court Officer Peter Skrivanos, Officer Safety Section, Training and Education, were in attendance and demonstrated how searches of persons are conducted by Toronto police officers and court officers. They also explained the purpose for conducting searches, circumstances that justify a search and the environmental conditions that must be considered prior to commencing searches.

Several weapons previously seized by Toronto officers during complete searches were shown to the Board. Sergeant Weidmark also identified the areas where these weapons and drugs could easily be concealed in clothing and on the person.

Sergeant Weidmark advised the Board that following the December 6, 2001 release of the Supreme Court of Canada decision in the matter involving R. v. Golden there has been a lot of confusion understanding when searches are now authorized.

Chief Fantino emphasized that this confusion has led to serious officer safety issues and safety concerns for persons in custody.

Mr. John Sewell, Toronto Police Accountability Coalition, was in attendance and made a deputation to the Board. A copy of a written submission (dated February 21, 2002) provided by Mr. Sewell is on file in the Board office.

The Board approved the following Motions:

- 1. THAT the Board receive Mr. Sewell's deputation and his written submission;**
- 2. THAT, with respect to the foregoing report from Chief Fantino, recommendation no. 2 be replaced with the following recommendations and approved as amended:**
 - (a) THAT the Board write to the Federal Minister of Justice requesting that, in light of the suggestion by the Supreme Court of Canada that Parliament should enact legislation which would provide clear and unequivocal rules to police officers with respect to when, where and how "strip searches" incident to arrest should be conducted, the Minister enact such legislation; and**

- (b) **THAT the Board, because of the ambiguous state of the law and potential liability regarding “strip searches” of persons being detained in police facilities, write to the Solicitor General of Ontario requesting that police officers, court officers and custodial officers (matrons) be given the same powers of search when detaining a person as have been given to correctional service officers when detaining a prisoner;**
- 3. THAT the Chief of Police provide a report to the Board recommending a protocol and/or interim guidelines or policy that complies with the Supreme Court of Canada decision in the matter involving of R. v. Golden pending passage of appropriate search rules in federal and/or provincial legislation;**
- 4. THAT the report noted in Motion No. 3 also include whether the British search rules referenced in the R. v. Golden decision and the rules in other jurisdictions and the possible application of the legislative model in other jurisdictions in Toronto, satisfy the requirements of the Supreme Court of Canada;**
- 5. THAT all future references to searches of the person used by the Service in reports, routine orders and policies be identified as *complete searches* or *searches of the person* rather than *strip searches*;**
- 6. THAT the Board send copies of this Minute to the Ontario Association of Police Services Board and the Canadian Association of Police Boards along with a request that they support the Board’s recommendations noted in Motion No. 2 and that they send similar recommendations to the federal and provincial governments.**

SEARCH OF PERSONS

On December 6, 2001, the Supreme Court of Canada released their decision in the case of R. v. Golden, a case involving the strip search in the field of a person who had been arrested by Toronto police officers for the offence of Drug Trafficking.

In Golden, the Supreme Court ruled that strip searches are only valid where they are conducted incident to a lawful arrest for the purpose of; firstly, discovering and seizing weapons to ensure the safety of the police or the detainee or other persons, or, secondly, for the purpose of discovering and preserving evidence. In order to justify such a search, the police must be able to articulate the reasonable and probable grounds for conducting the search.

In addition, the court held that strip searches should normally be conducted at a police station. Strip searches in the field may only be conducted where there are exigent circumstances which require the detainee be searched prior to being transported to a police station. The person conducting the search must be able to articulate the nature of the exigent circumstances.

The Court also held that there is no authority for the proposition that persons being detained by police in police facilities may be automatically or routinely strip searched. Again, the person conducting the search must be able to articulate the reasonable and probable grounds for the necessity of the search.

Unit commanders shall ensure that all members under their command are aware of this decision and are able to articulate their grounds for conducting strip searches where applicable.

Per: Professional Standards - Legal Services

Current to Ontario Gazette December 15, 2001

Ministry of Correctional Services Act

GENERAL

R.R.O. 1990, Reg. 778

Amended to O. Reg. 305/01

1. In this Regulation,

"employee" means an employee of the Ministry or of a contractor; ("employé")

"clinic" or "hospital" means that part of an institution set aside for the care and treatment of inmates who are physically or mentally ill; ("clinique", "hôpital")

"contraband" means unauthorized property in the possession of an inmate; ("objet détenu illégalement")

"health care professional" means a legally qualified medical practitioner or a registered nurse who holds a certificate under the Health Disciplines Act; ("professionnel de la santé")

"officer" means an employee who is directly involved in the care, health, discipline, safety and custody of an inmate and includes a bailiff appointed under the Act; ("agent")

"Superintendent" includes a Director of a correctional institution. ("chef d'établissement")

**** Quicklaw Table ****

For changes prior to February 2001, please see the Ontario Gazette for in force information.

Provision	Changed by	Effective	Gazette Date
"employee"	O. Reg. 305/01 s1	2001 Jul 27	2001 Aug 11

R.R.O. 1990, Reg. 778, s. 1; O. Reg. 305/01, s. 1.

PART I

CORRECTIONAL INSTITUTIONS

Duties of Superintendent,

Health Care Professionals, Employees

2. (1) The Superintendent of a correctional institution is responsible for the management of the institution and for the care, health, discipline, safety and custody of the inmates under the Superintendent's authority, and, without limiting the generality of the foregoing, the Superintendent shall,

QUICKLAW

- (a) supervise the admission and release of each inmate from the institution;
- (b) supervise the recording, guarding and disposition of inmate property;
- (c) conduct reviews in discipline cases;
- (d) supervise the admission and conduct of persons visiting the institution; and
- (e) supervise the searches conducted on inmates and employees.

(2) The Superintendent shall,

- (a) administer the institution in accordance with the Act, the regulations and any instructions issued from time to time by the Minister to the Superintendent;
- (b) issue to the employees of the institution such directions as may be necessary to fulfil the responsibilities of a Superintendent;
- (c) establish administrative procedures to be followed on the admission, discharge, escape, illness or death of an inmate and on the assignment of employees' and inmates' duties; and
- (d) ensure that inmates are informed of their duties and privileges while in the care and custody of the Superintendent.

(3) The Superintendent shall forward immediately to the proper authority an application of an inmate for,

- (a) appeal;
- (b) a writ of habeas corpus or an order in the nature of mandamus ;
- (c) parole; or
- (d) a transfer under the Transfer of Offenders Act (Canada).

R.R.O. 1990, Reg. 778, s. 2.

3. Any power, duty or function conferred or imposed upon or exercised by a Superintendent under the Act or this Regulation may be delegated by the Superintendent to any person or persons to act as designated representative of the Superintendent for the purpose of the effective administration of the Act and the delegation shall be subject to such limitations, restrictions, conditions and requirements as the Superintendent considers necessary for the purpose.

R.R.O. 1990, Reg. 778, s. 3.

4. (1) There shall be one or more health care professionals in each institution to be responsible for the provision of health care services within the institution and to control and direct the medical and surgical treatment of all inmates.

(2) The health care professional shall ensure that every inmate receives a medical examination as soon as possible after admission to the institution.

(3) The health care professional shall immediately report to the Superintendent whenever the health care professional determines that an inmate is seriously ill.

QUICKLAW

(4) When an inmate is injured, a health care professional shall,

- (a) examine the inmate's injuries;
- (b) ensure such treatment as seems advisable; and
- (c) make a written report to the Superintendent concerning the nature of the injury and the treatment provided.

(5) When an inmate claims to be unable to work by reason of illness or disability, a health care professional shall examine the inmate and if, in his or her opinion, the inmate is unfit to work or the work should be changed, the health care professional shall immediately report the fact in writing to the Superintendent whereupon the inmate shall be relieved of work duties or have his or her work changed or be admitted to hospital or elsewhere for medical treatment as directed.

R.R.O. 1990, Reg. 778, s. 4.

5. If an inmate becomes seriously ill, the Superintendent shall notify the inmate's close relatives and a minister of religion, preferably of the denomination to which the inmate belongs, and may notify any other person or persons that the inmate requests be notified of the illness.

R.R.O. 1990, Reg. 778, s. 5.

6. If an inmate dies while confined in an institution, the Superintendent shall immediately make a report concerning the death to the Minister and the report shall include,

- (a) the name of the inmate;
- (b) the names of the close relatives of the inmate; and
- (c) the cause of death and the surrounding circumstances.

R.R.O. 1990, Reg. 778, s. 6.

7. (1) No employee shall use force against an inmate unless force is required in order to,

- (a) enforce discipline and maintain order within the institution;
- (b) defend the employee or another employee or inmate from assault;
- (c) control a rebellious or disturbed inmate; or
- (d) conduct a search.

(2) When an employee uses force against an inmate, the amount of force used shall be reasonable and not excessive having regard to the nature of the threat posed by the inmate and all other circumstances of the case.

(3) Where an employee uses force against an inmate, the employee shall file a written report with the Superintendent indicating the nature of the threat posed by the inmate and all other circumstances of the case.

R.R.O. 1990, Reg. 778, s. 7.

Admission to Institution

8. (1) The Superintendent shall not admit any person into custody at an institution except under the authority of a warrant of committal, an order for remand or other judicial document constituting authority for detention of the person therein.

(2) Despite subsection (1), a Superintendent shall admit a person into custody at an institution without a warrant of committal, an order for remand or other judicial document where,

- (a) the person is delivered to the institution by a provincial bailiff for temporary detention in the institution;
- (b) the person is delivered to the institution after being apprehended under section 39 of the Act;
- (c) the person is delivered to the institution after being apprehended for an alleged breach of a temporary absence permit; or
- (d) the institution is designated as a lock-up.

(3) Despite clause (2) (d), the Superintendent of a lock-up shall not admit into custody at the lock-up any person who is in need of immediate medical attention.

R.R.O. 1990, Reg. 778, s. 8.

9. When a person is admitted into custody at an institution, the person becomes an inmate of the institution and the Superintendent shall ensure that each inmate is searched, bathed and clothed in the proper manner.

R.R.O. 1990, Reg. 778, s. 9.

Inmate Property

10. (1) The Superintendent shall cause a complete record to be made of all the property, including money and personal belongings, in the possession of the inmate at the time of admission to the institution.

(2) The non-perishable property that the inmate is not permitted to retain in his or her possession shall be deposited with the Superintendent.

(3) The perishable property that the inmate is not permitted to retain in his or her possession shall be dealt with as the inmate may reasonably direct or else be destroyed by the Superintendent.

R.R.O. 1990, Reg. 778, s. 10.

11. (1) When an inmate is paroled, discharged or transferred to a community resource centre, the Superintendent shall notify the inmate in writing regarding,

- (a) the place where the inmate's property may be claimed;
- (b) the period during which the property will be held by the Superintendent for the inmate after parole or discharge; and
- (c) the proposed disposition of the property in the event that it is not claimed by the inmate.

(2) An inmate receives sufficient notice under subsection (1) if the notice is delivered personally to the inmate or sent by registered mail to the inmate's forwarding address.

(3) The Superintendent is not required to give notice under subsection (1) in respect of money in an inmate's trust account amounting to less than \$5, and if that money remains unclaimed for ninety days after the inmate is paroled, discharged or transferred to a community resource centre, it shall be deposited in the Consolidated Revenue Fund.

(4) Any property of an inmate that remains unclaimed for ninety days after the notice has been delivered or mailed to the inmate may be disposed of by the Superintendent in the following manner:

1. In the case of property having significant resale value, by forwarding the property to the Minister.
2. In the case of useful property that does not have any significant resale value, by donating the property to any person or organization that undertakes to use it for a charitable purpose.
3. In the case of any other property, by destroying it.

(5) Unclaimed property that has been forwarded to the Minister may be disposed of in any manner that the Minister considers appropriate.

(6) Any money belonging to an inmate that is not claimed and all proceeds from the disposition of unclaimed property shall be deposited in the Consolidated Revenue Fund.

R.R.O. 1990, Reg. 778, s. 11.

12. (1) Where an inmate becomes absent without authority from an institution, all property in the institution belonging to the inmate, except perishable property, shall be retained by the Superintendent, and if the property has not been claimed by the inmate within twelve months following the date that the inmate became absent, the property may be disposed of pursuant to section 11.

(2) All perishable property belonging to an inmate who becomes absent without authority from the institution may be immediately disposed of by the Superintendent in any manner that the Superintendent considers appropriate.

(3) The Superintendent shall keep a record of all unclaimed property of an inmate that is disposed of under this Regulation and the record shall include,

- (a) the name of the inmate who owned the property;
- (b) a description of the property disposed of;
- (c) the person or organization in receipt of the property; and
- (d) the proceeds of the disposition, if any.

R.R.O. 1990, Reg. 778, s. 12.

Visiting Privileges

13. No person, including a visitor and any person accompanying a visitor, shall be present on the premises of an institution without the approval of the Superintendent and the Superintendent may impose such conditions and limitations upon the person while on the premises of the institution as the Superintendent considers necessary to ensure the safety of employees and inmates and the security of the institution.

R.R.O. 1990, Reg. 778, s. 13.

QUICKLAW

14. (1) An inmate shall be permitted visits during reasonable hours from a minister of religion, a probation officer, a parole officer, a volunteer or the inmate's solicitor.

(2) In addition to the visits permitted under subsection (1), an inmate serving a sentence of imprisonment shall be permitted at least one visit each week.

(3) In addition to the visits permitted under subsection (1), an inmate not serving a sentence of imprisonment shall be permitted at least two visits each week.

(4) No child under the age of sixteen years shall be permitted access to an institution to visit an inmate unless,

(a) the child is accompanied by an adult; or

(b) permission is granted by the Superintendent for the child to visit the inmate unaccompanied.

(5) Despite subsections (1), (2), (3) and (4), a Superintendent may suspend all visiting privileges if the Superintendent is of the opinion that a state of emergency exists at the institution.

R.R.O. 1990, Reg. 778, s. 14.

15. No visitor to an institution shall without the approval of the Superintendent,

(a) communicate with an inmate;

(b) sketch or take photographs; or

(c) receive, give, trade or sell any article to or from an inmate.

R.R.O. 1990, Reg. 778, s. 15.

Correspondence Privileges

16. An inmate shall be permitted to send one letter upon admission to an institution and at least two letters each week thereafter and, where the inmate has not been awarded a weekly incentive allowance, the inmate shall be given sufficient stationery and postage in order to send the letters.

R.R.O. 1990, Reg. 778, s. 16.

17. (1) All letters and parcels sent to or from an inmate may be read or inspected by the Superintendent or by an employee designated by the Superintendent for that purpose, and the Superintendent may refuse to forward any letter or parcel or may delete part of a letter if, in the opinion of the Superintendent, the contents are prejudicial to the best interests of the recipient or are prejudicial to the public safety or the security of the institution.

(2) Subsection (1) does not apply to a letter sent by an inmate to, or to an inmate from,

(a) the inmate's solicitor;

(b) a member of the Legislative Assembly of Ontario;

(c) a member of the Parliament of Canada;

(d) the Deputy Minister of Correctional Services;

(e) the Ombudsman or the Correctional Investigator of Canada.

(3) A letter referred to in clause (2) (a),

- (a) shall not be opened by the Superintendent or the Superintendent's designate unless the inmate and a staff witness are present;
- (b) may be inspected for contraband; and
- (c) shall not be read by the Superintendent or the Superintendent's designate unless there are reasonable and probable grounds to believe that it contains material that is not privileged as a solicitor-client communication.

(4) A letter referred to in clause (2) (b), (c) or (d) may be opened, read and inspected for contraband by the Superintendent or the Superintendent's designate.

(5) A letter referred to in clause (2) (e) shall not be opened, read or inspected for contraband by the Superintendent or the Superintendent's designate.

R.R.O. 1990, Reg. 778, s. 17.

Inmate Employment

18. (1) Every inmate shall perform work in the institution and participate in any institutional program to which the inmate is assigned unless the inmate is medically exempt from performing the work or participating in the program.

(2) The Superintendent of an institution shall keep a record, on a daily basis, of the work and conduct of each sentenced inmate.

R.R.O. 1990, Reg. 778, s. 18.

Canteen Privileges

19. (1) Subject to subsection (3), an inmate or a young person may purchase items from the institutional canteen using money held in trust for him or her by the Superintendent.

(2) Subject to subsection (3), an inmate or a young person may also purchase items from the institutional canteen using the credits accumulated before October 1, 1997 and remaining in his or her canteen allowance account.

(3) No inmate or young person shall purchase more than \$40 worth of items from the institutional canteen in one week without the Superintendent's permission.

O. Reg. 364/97, s. 2.

20. The Superintendent shall pay to an inmate or a young person upon his or her release or discharge from an institution an amount equal to the credits accumulated before October 1, 1997 and remaining in his or her canteen allowance account.

O. Reg. 364/97, s. 2.

Money Earned While in Custody

21. (1) Every inmate while in custody at an institution shall forward or cause to be forwarded to the
QUICKLAW

Superintendent all money earned by the inmate from work performed and the Superintendent shall hold the money in trust for the inmate during the period that the inmate is in custody at the institution.

R.R.O. 1990, Reg. 778, s. 21 (1).

(2) The Superintendent shall not disburse or deduct any amount from the money held in trust for an inmate except,

- (a) the fee to be paid to the Ministry, as set by the Minister, unless the Minister waives the fee, as partial reimbursement for the cost of food, lodging and clothing supplied to the inmate by the institution;
- (b) the amount of any deduction or payment required by law; or
- (c) an amount in accordance with a request made by the inmate and approved by the Superintendent.

R.R.O. 1990, Reg. 778, s. 21 (2); O. Reg. 260/99, s. 1.

(3) Where an inmate has dependants, the inmate, in consultation with the Superintendent, shall determine an amount to be deducted from the money held in trust for the inmate as support payments to the inmate's dependants.

(4) The Superintendent shall deposit all money received by him or her under subsection (1) into a trust account at a Province of Ontario Savings Office or an Ontario branch of a bank listed in Schedule I or II to the Bank Act (Canada), or a corporation registered under the Loan and Trust Corporations Act and authorized by law to accept deposits.

(5) If the amount held in trust for an inmate exceeds \$100 throughout a quarter, the inmate shall be credited with simple interest on the amount at the end of the quarter.

(6) The interest rate used for the purposes of subsection (5) is the average rate of interest earned on the trust account during the preceding quarter.

(7) The three month periods ending on the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December are quarters.

(8) All interest earned on the trust account that is not credited to inmates under subsection (5) shall be devoted to inmate recreation programs.

(9) When an inmate is paroled, discharged or transferred to a community resource centre, the Superintendent shall, subject to subsection 11 (3), pay to the inmate all money held in trust for the inmate less any disbursements or deductions authorized under subsection (2).

R.R.O. 1990, Reg. 778, s. 21 (3-9).

Searches

22. (1) The Superintendent may authorize a search, at any time, of,

- (a) the institution or any part of the institution;
- (b) the person of an inmate;

- (c) the property of an inmate; or
- (d) any vehicle located on the premises of the institution.

(2) Where the Superintendent has reasonable cause to believe that an employee is bringing or attempting to bring contraband into or out of the institution, the Superintendent may authorize a search of the person or any property of the employee that is located on the premises of the institution.

(3) An officer may conduct an immediate search without the authorization of the Superintendent where the officer has reasonable cause to believe that the inmate will destroy or dispose of contraband during the delay necessary to obtain the authorization.

R.R.O. 1990, Reg. 778, s. 22.

23. No inmate shall be searched by a person of the opposite sex unless,

- (a) the person is a health care professional; or
- (b) the person is an officer who has reasonable cause to believe that an immediate search is necessary because the inmate is concealing contraband that is dangerous or harmful.

R.R.O. 1990, Reg. 778, s. 23.

24. (1) Any person conducting a search during which an inmate is required to undress shall conduct the search in a place and manner such that the inmate is not subject to embarrassment or humiliation.

(2) Every manual search of an inmate's rectal or vaginal areas shall be conducted by a health care professional.

R.R.O. 1990, Reg. 778, s. 24.

25. (1) The Superintendent shall ensure that a written record is made of every inmate search and the record shall include,

- (a) the name of the inmate searched;
- (b) the reason for the search; and
- (c) a description of any property seized or damaged in the search.

(2) The Superintendent shall inform an inmate of any seizure or damage to property belonging to the inmate arising from a search conducted without the knowledge of the inmate.

R.R.O. 1990, Reg. 778, s. 25.

26. An inmate who refuses to be searched or resists a search may be placed in segregation until the inmate submits to the search or until there is no longer a need to search the inmate.

R.R.O. 1990, Reg. 778, s. 26.

27. (1) The Superintendent may seize contraband found during a search described in section 22.

(2) Subject to subsection (3), contraband seized under subsection (1) is forfeit to the Crown.

(3) If the Superintendent determines that the forfeiture of contraband belonging to an inmate would cause undue hardship to the inmate, the Superintendent shall hold the contraband in trust for the inmate until the inmate's release or discharge from the institution.

(4) The Superintendent shall dispose of contraband that is forfeit to the Crown under subsection (2),

- (a) if the contraband is money, by depositing it in the Consolidated Revenue Fund;
- (b) if the contraband has significant resale value, by forwarding it to the Minister who may dispose of it in a manner that the Minister considers appropriate;
- (c) if the contraband is useful property that does not have significant resale value, by donating it to a person or an organization that undertakes to use it for a charitable purpose; and
- (d) if the contraband is not described in clause (a), (b) or (c), by destroying it.

R.R.O. 1990, Reg. 778, s. 27.

Inmate Complaints

28. Where an inmate alleges that the inmate's privileges have been infringed or otherwise has a complaint against another inmate or employee, the inmate may make a complaint in writing to the Superintendent.

R.R.O. 1990, Reg. 778, s. 28.

Inmate Misconduct

29. (1) An inmate commits a misconduct if the inmate,

- (a) wilfully disobeys a lawful order of an officer;
- (b) commits or threatens to commit an assault upon another person;
- (c) makes a gross insult, by gesture, use of abusive language, or other act, directed at any person;
- (d) takes or converts to the inmate's own use or to the use of another person any property without the consent of the rightful owner of the property;
- (e) damages any property that is not owned by the inmate;
- (f) has contraband in his or her possession or attempts to or participates in an attempt to bring contraband in or take contraband out of the institution;
- (g) creates or incites a disturbance likely to endanger the security of the institution;
- (h) escapes, attempts to escape or is unlawfully at large from an institution;
- (i) leaves a cell, place of work or other appointed place without proper authority;
- (j) gives or offers a bribe or reward to an employee of the institution;
- (k) counsels, aids or abets another inmate to do an act in contravention of the Act and regulations;

- (l) refuses to pay a fee or charge that the inmate is required to pay under the Act or regulations;
- (m) obstructs an investigation conducted or authorized by the Superintendent;
- (n) wilfully breaches or attempts to breach any other regulation or a written rule, of which the inmate has received notice, governing the conduct of inmates; or
- (o) wilfully breaches or attempts to breach any term or condition of a temporary absence.

(2) An inmate shall be deemed to have received notice of a regulation or rule governing the conduct of inmates when the regulation or rule is included in the handbook provided to the inmate or posted in a conspicuous place in the institution.

(3) No inmate shall be disciplined for any breach of the written rules governing the conduct of inmates except by the Superintendent.

R.R.O. 1990, Reg. 778, s. 29.

30. (1) Where an inmate is alleged to have committed a misconduct that also constitutes an indictable offence under an Act of Parliament, the Superintendent shall consult with the local Crown Attorney to determine whether the case should be dealt with by the Crown Attorney under the criminal law or by the Superintendent as a matter of internal discipline.

(2) Where a prosecution is commenced against an inmate by the Crown Attorney, all internal disciplinary action against the inmate relating to the alleged misconduct shall be discontinued.

R.R.O. 1990, Reg. 778, s. 30.

31. (1) Where an inmate is alleged to have committed a misconduct, the Superintendent shall decide, as soon as possible, whether or not the inmate committed the misconduct.

(2) Before making a decision under subsection (1), the Superintendent shall ensure that the inmate is notified of the allegation and is given an opportunity for an interview, which shall be held not later than ten days after the day on which the alleged offence became known to the Superintendent, to discuss the allegation with the Superintendent.

(3) At the interview with the Superintendent, the inmate is entitled to present arguments and explanations to dispute the allegation and to question the person or persons making the allegation as well as any other witnesses to the incident.

(4) The Superintendent may permit any person, including an interpreter, to attend the interview and assist in any manner that the Superintendent considers appropriate.

(5) The Superintendent may, during an interview held under subsection (2), adjourn the interview, but no such adjournment shall be for more than three clear days, except with the consent of the inmate.

(6) The Superintendent shall inform the inmate within two days after the day of the interview concerning the Superintendent's decision, the reasons for the decision and the penalty imposed, if any.

(7) Where the inmate does not notify the Superintendent within one day of receiving notification of the allegation under subsection (2) that the inmate wishes an interview with the Superintendent, the Superintendent may decide the matter and shall inform the inmate of the decision, the reasons for the decision and the penalty imposed,

if any.

(8) After making the decision under subsection (6) or (7), the Superintendent shall make a record of the case noting the nature of the allegation, the arguments and explanations presented by the inmate, if any, and the decision, reasons and penalty imposed by the Superintendent in the case.

(9) Where an inmate who is alleged to have committed a misconduct is absent from the institution, a reasonable attempt to notify the inmate shall constitute sufficient notice for the purpose of this section.

R.R.O. 1990, Reg. 778, s. 31.

32. (1) Where the Superintendent determines that an inmate has committed a misconduct, the Superintendent may impose one or more of the following penalties:

1. Loss of all or some privileges for a period not greater than 120 days including the privilege of purchasing items from the institutional canteen.
2. A change of program or work activity.
3. A change of security status.
4. A reprimand.
5. Revocation of a temporary absence permit.

R.R.O. 1990, Reg. 778, s. 32 (1); O. Reg. 364/97, s. 3 (1).

(2) Where the Superintendent determines that an inmate has committed a misconduct of a serious nature, the Superintendent may impose, in addition to any of the penalties imposed in subsection (1), one of the following penalties:

1. Close confinement for a definite period not greater than thirty days on a regular diet.
2. Close confinement for an indefinite period not greater than thirty days on a regular diet.
3. Close confinement for an indefinite period not greater than ten days on a special diet that fulfills basic nutritional requirements.
4. Forfeiture of a portion or all of the remission that stands to the inmate's credit but no such forfeiture shall exceed fifteen days without the Minister's approval.
5. Subject to the approval of the Minister, suspension of the eligibility of an inmate to earn remission for a period of two months.
6. Forfeiture of a portion or all of the credits accumulated before October 1, 1997 and remaining in the inmate's canteen allowance account, up to a maximum amount of \$100, as compensation payable for damage to or destruction of property.

R.R.O. 1990, Reg. 778, s. 32 (2); O. Reg. 364/97, s. 3 (2).

33. (1) The Minister, when requested by an inmate, may review a decision of the Superintendent where,

- (a) the inmate alleges that the Superintendent did not make the decision in accordance with the

procedures set out in this Regulation; or

- (b) the inmate has been disciplined by having a portion or the whole of his or her remission forfeited or by receiving a suspension from eligibility to earn remission.

(2) The Superintendent, upon being notified of the Minister's review, shall immediately provide the Minister with a copy of his or her record of the inmate's case.

(3) Upon completion of the review, the Minister may confirm or vary the decision of the Superintendent or direct the Superintendent to reconsider the case, and the Minister shall forthwith notify the inmate and the Superintendent of the decision and the reasons therefor.

(4) The decision of the Minister is final.

R.R.O. 1990, Reg. 778, s. 33.

Segregation

34. (1) The Superintendent may place an inmate in segregation if,

- (a) in the opinion of the Superintendent, the inmate is in need of protection;
- (b) in the opinion of the Superintendent, the inmate must be segregated to protect the security of the institution or the safety of other inmates;
- (c) the inmate is alleged to have committed a misconduct of a serious nature; or
- (d) the inmate requests to be placed in segregation.

(2) When an inmate is placed in segregation under clause (1) (c), the Superintendent shall conduct a preliminary review of the inmate's case within twenty-four hours after the inmate has been placed in segregation and where the Superintendent is of the opinion that the continued segregation of the inmate is not warranted, the Superintendent shall release the inmate from segregation.

(3) The Superintendent shall review the circumstances of each inmate who is placed in segregation at least once in every five-day period to determine whether the continued segregation of the inmate is warranted.

(4) An inmate who is placed in segregation under this section retains, as far as practicable, the same benefits and privileges as if the inmate were not placed in segregation.

(5) Where an inmate is placed in segregation for a continuous period of thirty days, the Superintendent shall report to the Minister the reasons for the continued segregation of the inmate.

R.R.O. 1990, Reg. 778, s. 34.

Temporary Absence

35. Every Superintendent is hereby designated as an officer under the Act for the purpose of authorizing the temporary absence of an inmate from a correctional institution.

R.R.O. 1990, Reg. 778, s. 35.

36. (1) Every inmate is eligible to be lawfully absent from an institution during the inmate's term of

imprisonment under the authority of a temporary absence permit issued by the Superintendent in accordance with the Act, regulations and any instructions issued from time to time by the Minister.

(2) Every temporary absence granted to an inmate is a privilege conferred upon the inmate for a specific purpose and the Superintendent may cancel a temporary absence permit where the purpose for which the permit was issued has been fulfilled or where the purpose has been presented in such a manner that it cannot be fulfilled.

R.R.O. 1990, Reg. 778, s. 36.

37. Every request by an inmate for a temporary absence permit shall be submitted in writing to the Superintendent of the institution in which the inmate is confined and shall set out the reasons for the request.

R.R.O. 1990, Reg. 778, s. 37.

38. (1) The Superintendent shall appoint a committee, to be known as the Temporary Absence Committee, comprised of not fewer than three persons to advise the Superintendent concerning applications for temporary absence permits that are referred to the Committee.

(2) Every request for a temporary absence permit shall be referred to the Temporary Absence Committee by the Superintendent if the request would authorize an inmate to be absent from an institution,

- (a) for a period greater than fifteen days; or
- (b) to become a resident in a community resource centre.

(3) A request referred to the Committee shall be reviewed by the Committee as soon as possible and, in any case, not later than fifteen days after the Committee has received the request.

(4) An inmate is entitled to attend before the Committee to make oral representations in support of the request and the Superintendent may permit any other person, including an interpreter, to attend before the Committee for the purpose of assisting the Committee in its review.

(5) As soon as possible and, in any case, not later than seven days after the completion of the review, the Committee shall submit to the Superintendent a report containing,

- (a) a copy of the inmate's written request;
- (b) a summary of the inmate's representations;
- (c) a recommendation whether the request should be accepted, rejected or modified; and
- (d) reasons for the recommendation.

(6) After considering the request for a temporary absence permit and, where the Committee has reviewed the request, the report of the Committee, the Superintendent may,

- (a) authorize the temporary absence with or without conditions;
- (b) deny the request for a temporary absence; or
- (c) defer the decision.

(7) The Superintendent shall give written notice to the inmate of his or her decision and the reasons for the

decision as soon as possible and, in any case, not later than seven days after making the decision.

(8) Where the Superintendent believes on reasonable and probable grounds that an inmate has breached or attempted to breach a term or condition of the temporary absence, the Superintendent may order the inmate to return immediately to the correctional institution for the purpose of determining whether the misconduct has been committed and whether the temporary absence permit should be revoked.

R.R.O. 1990, Reg. 778, s. 38.

39. (1) Where an inmate's request for a temporary absence has been referred to the Temporary Absence Committee under subsection 38 (2) and has been denied by the Superintendent, the inmate may apply to the Minister in writing to conduct a further review of the inmate's request for a temporary absence permit and the inmate shall set out the reasons for the application and any new information or submissions in support of the request for a temporary absence.

(2) Where an inmate applies to the Minister for a further review under subsection (1), the Superintendent, upon being notified of the inmate's application, shall immediately provide the Minister with a copy of,

- (a) the report of the Temporary Absence Committee; and
 - (b) the Superintendent's decision and reasons.
- (3) Upon completion of the review, the Minister may,
- (a) authorize the temporary absence with or without conditions;
 - (b) deny the request for a temporary absence; or
 - (c) defer the decision,

and the Minister shall forthwith notify the Superintendent and the inmate of the decision and the reasons for the decision.

(4) The decision of the Minister is final.

R.R.O. 1990, Reg. 778, s. 39.

Assistance Upon Release or Discharge

40. The Minister may give a gratuity or such other assistance to an inmate or a young person upon his or her release or discharge from an institution as the Minister considers will aid the rehabilitation of the inmate or young person.

R.R.O. 1990, Reg. 778, s. 40.

PART II

PAROLE

41. (1) The portion of the term of imprisonment that an inmate must serve before parole may be granted is one-third of the total term of imprisonment imposed upon the inmate.

(2) Despite subsection (1), the Board may parole an inmate at any time where, in the opinion of the Board,

QUICKLAW

compelling or exceptional circumstances exist that warrant the inmate's parole.

(3) Every inmate sentenced to imprisonment in an institution shall be notified in writing by the Ministry of the inmate's parole eligibility date no later than two months after the date on which the inmate was sentenced.

R.R.O. 1990, Reg. 778, s. 41.

42. (1) Where an inmate is serving a term of imprisonment of less than six months, the inmate may apply to the Board for parole at any time.

(2) An inmate referred to in subsection (1) is not entitled to a hearing before the Board.

R.R.O. 1990, Reg. 778, s. 42.

43. (1) Where an inmate is serving a term of imprisonment of six months or more, the Board shall consider the inmate for parole before the parole eligibility date, whether or not the inmate has applied for parole.

(2) An inmate referred to in subsection (1) is entitled to a hearing before the Board unless the inmate in writing waives the right to the hearing, but if the inmate withdraws the waiver before the Board makes a decision regarding the parole, the Board shall proceed to conduct a hearing of the matter.

R.R.O. 1990, Reg. 778, s. 43.

44. (1) Where the Board is considering whether or not an inmate is a suitable inmate to be granted parole the Board may obtain and consider any information that the Board considers useful and relevant regarding the character, abilities and prospects of the inmate, and in particular the Board may obtain and consider,

- (a) particulars of the inmate's trial, conviction and sentence;
- (b) particulars of the inmate's criminal record;
- (c) information from persons knowledgeable about the inmate's background and living conditions before the inmate was confined in the institution;
- (d) a report from the Superintendent of the institution assessing the progress made by the inmate towards rehabilitation; and
- (e) a report from a health care professional concerning the inmate's physical condition and mental health.

(2) Where the Board conducts a hearing to determine whether or not an inmate is a suitable inmate to be granted parole,

- (a) the inmate shall be given at least forty-eight hours notice of the hearing;
- (b) the inmate shall be given an opportunity to attend before the Board and present arguments and submissions on his or her own behalf;
- (c) the Board may permit any person, including an interpreter, to assist in any manner that the Board considers appropriate; and
- (d) the Board shall, in the form and manner that it considers appropriate, inform the inmate of any information in the Board's possession that may affect its decision.

(3) Upon consideration of the matters referred to in subsection (1) and the arguments and submissions of the inmate, the Board may,

- (a) grant parole upon such terms and conditions as it considers necessary;
- (b) defer its decision; or
- (c) refuse to grant parole,

and the Board shall notify the inmate in writing of its decision and the reasons for the decision.

R.R.O. 1990, Reg. 778, s. 44.

45. (1) An inmate whose parole is reviewed under subsection 39 (2) of the Act is entitled to a hearing before the Board unless the inmate in writing waives the right to the hearing, but if the inmate withdraws the waiver before the Board makes a decision regarding the parole, the Board shall proceed to conduct a hearing of the matter.

(2) Where the Board conducts a review of parole under subsection 39 (2) of the Act, the Board may obtain and consider any information that the Board considers useful and relevant, including any records relating to the decision to grant the inmate parole and information about the inmate's conduct while on parole.

(3) Where the Board conducts a hearing in the course of a review of parole under subsection 39 (2) of the Act, subsection 44 (2) applies to the hearing with necessary modifications.

(4) Upon consideration of the matters referred to in subsection (2) and the arguments and submissions, if any, of the inmate, the Board may,

- (a) allow the inmate to continue on parole; or
- (b) revoke parole,

and the Board shall notify the inmate in writing of its decision and the reasons for the decision.

R.R.O. 1990, Reg. 778, s. 45.

46. (1) An inmate who is aggrieved by a decision of the Board may request in writing that the chair of the Board review the decision.

(2) Upon receiving a request under subsection (1), the chair or the chair's delegate shall review the decision and shall,

- (a) order a new hearing; or
- (b) uphold the original decision of the Board,

and shall forthwith notify the inmate in writing of the results of the review with reasons.

R.R.O. 1990, Reg. 778, s. 46.

47. (1) An inmate who has received parole shall not be allowed to begin parole without signing a certificate of parole setting out the conditions of the parole.

(2) Despite subsection (1), the Board may authorize an inmate to be allowed to begin parole before the

certificate of parole has been completed and signed where the Board is of the opinion that compelling or exceptional circumstances warrant the authorization.

R.R.O. 1990, Reg. 778, s. 47.

48. It is a condition of every grant of parole, unless the Board orders otherwise, that the parolee shall,

- (a) remain within the jurisdiction of the Board;
- (b) keep the peace and be of good behaviour;
- (c) obtain the consent of the Board or the parole supervisor for any change of residence or employment;
- (d) report as required to the parole supervisor and the local police force; and
- (e) refrain from associating with any person who is engaged in criminal activity or, unless approved by the parole supervisor, with any person who has a criminal record.

R.R.O. 1990, Reg. 778, s. 48.

49. A parolee shall on the first day of every month until the expiry of the parolee's full sentence provide the parole supervisor with a written report setting out,

- (a) the parolee's address;
- (b) where the parolee is employed, the nature of the parolee's employment, the amount earned and the employer's name and address;
- (c) where the parolee is unemployed, an explanation of the failure to find employment;
- (d) details of any arrests or convictions of the parolee that have occurred since the last preceding monthly report; and
- (e) details of any difficulties the parolee is experiencing.

R.R.O. 1990, Reg. 778, s. 49.

50. REVOKED: O. Reg. 260/99, s. 2.

51. Where the Board has granted parole to an inmate to permit the deportation of the inmate, the Board may remit any remaining portion of the inmate's term of imprisonment.

R.R.O. 1990, Reg. 778, s. 51.

PART III

COMMUNITY RESOURCE CENTRES

52. (1) The director of a community resource centre is responsible for the management of the centre and for the care, health, discipline, safety and custody of the inmates under the director's authority, and, without limiting the generality of the foregoing, the director shall,

- (a) supervise the admission and release of each inmate from the centre;

QUICKLAW

- (b) supervise the disposition of inmate property; and
 - (c) supervise the admission and conduct of persons visiting the centre.
- (2) The director shall,
- (a) administer the community resource centre in accordance with the Act, the regulations, the agreement between the centre and the Ministry, and any instructions issued from time to time by the Minister to the director; and
 - (b) ensure that inmates are informed of their duties and privileges while in custody at the community resource centre.

R.R.O. 1990, Reg. 778, s. 52.

53. The provisions of this Regulation governing the disposition of inmate property apply, with necessary modifications, to the property of an inmate who is admitted to a community resource centre.

R.R.O. 1990, Reg. 778, s. 53.

54. The provisions of this Regulation governing the management of money earned by an inmate while in custody at a correctional institution apply, with necessary modifications, to the management of money earned by an inmate while in custody at a community resource centre.

R.R.O. 1990, Reg. 778, s. 54.

55. There shall be an inspection or investigation by the Ministry of every community resource centre from time to time and, in any event, at least once in each year and each director shall provide access and assist an inspector from the Ministry as fully as possible in the conduct of an inspection or investigation.

R.R.O. 1990, Reg. 778, s. 55.

PART IV

CUSTODY REVIEW BOARD

56. (1) The Custody Review Board established under section 51 of the Act shall consist of not more than fifteen full-time and part-time members.

(2) A member of the Board may be appointed for a term of six months, one year, two years or three years.

(3) One member of the Board constitutes a quorum.

(4) A Vice-Chair designated by the Chair has the jurisdiction and shall exercise the power of the Chair,

(a) in the absence of the Chair; or

(b) if the Chair is unable to act or the office of the Chair is vacant.

(5) The Chair shall from time to time assign various members of the Board to its various hearings and reviews.

R.R.O. 1990, Reg. 778, s. 56.

QUICKLAW

57. (1) In addition to the duties of the Board set out in section 52 of the Act (Application to Board), the Board shall review the placement of probationers who are ordered by the youth court under paragraph 23 (2) (f) of the Young Offenders Act (Canada) to reside at a place specified by a provincial director where the place specified is a place designated by the Minister as a place of open custody under subsection 24 (1) of that Act.

(2) An application by a young person for a review under subsection (1) shall be made within thirty days of the placement at the place specified by the provincial director.

(3) Subsections 52 (2), (3) and (4) (Duties of Board) of the Act apply with necessary modification to a review by the Board in respect of an application under subsection (2).

(4) After conducting a review, the Board may,

(a) where the Board is of the opinion that the place where the young person resides is not appropriate to meet the young person's needs, recommend to the provincial director that the young person be transferred to another place; or

(b) confirm the placement.

R.R.O. 1990, Reg. 778, s. 57.

58. (1) Where the Board holds a hearing under section 52 of the Act a young person may be represented at the hearing by a parent or other advocate of his or her choice.

(2) The Board shall conduct reviews and hearings in an informal manner and in the absence of the public.

(3) The provincial director shall co-operate with the Board in the conduct of reviews and shall provide the Board with documents and other information with respect to reviews when requested by the Board to do so.

(4) Recommendations by the Board to the provincial director under subsection 52 (5) of the Act shall be in writing.

(5) The Board shall provide a copy of its written recommendations under subsection 52 (5) of the Act to the young person and his or her representative.

R.R.O. 1990, Reg. 778, s. 58.

PART V

DISCLOSURE OF PERSONAL INFORMATION

59. In this Part, an individual shall be deemed to be charged with an offence if he or she,

(a) is arrested and released in accordance with Part XVI of the Criminal Code (Canada); or

(b) is served with a summons under Part III of the Provincial Offences Act in relation to an offence for which an individual may be arrested, even if an information has not been laid at the time the summons is served.

O. Reg. 266/98, s. 1.

60. (1) A superintendent of a correctional institution, an area manager of a probation and parole office, a member of a Correctional Services Division operations directorate or a Correctional Services Division

communications manager may disclose personal information about an individual to a chief of police or his or her designate if,

- (a) the individual has been convicted or found guilty of an offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any other federal or provincial Act;
- (b) the person who would disclose the personal information reasonably believes that the individual poses a significant risk of harm to other persons or property; and
- (c) the person who would disclose the personal information reasonably believes that the disclosure will reduce that risk.

(2) If subsection (1) applies, the person authorized by that subsection to disclose personal information may disclose any personal information about the individual that the authorized person reasonably believes will reduce the risk posed by the individual.

O. Reg. 266/98, s. 1.

61. (1) The chair of the Board of Parole, a superintendent of an institution, area manager of a probation and parole office, member of a Correctional Services Division operations directorate or Correctional Services Division communications manager may disclose personal information, as described in subsection (2), about an individual to any person if the individual has been charged with, convicted or found guilty of an offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any other federal or provincial Act.

(2) If subsection (1) applies, the following information may be disclosed:

1. The individual's name, date of birth and address.
2. The offence described in subsection (1) with which he or she has been charged or of which he or she has been convicted or found guilty and the sentence, if any, imposed for that offence.
3. The outcome of all significant judicial proceedings relevant to the offence described in subsection (1).
4. The procedural stage of the criminal justice process to which the prosecution of the offence described in subsection (1) has progressed and the physical status of the individual in that process (for example, whether the individual is in custody, or the terms, if any, upon which he or she has been released from custody).
5. The date of the release or impending release of the individual from custody for the offence described in subsection (1), including any release on parole or temporary absence.

O. Reg. 266/98, s. 1.

62. (1) In this section,

"victim" means a person who, as a result of the commission of any offence under the Criminal Code (Canada) by another, suffers emotional or physical harm, loss of or damage to property or economic harm and, if the commission of the offence results in the death of the person, includes,

- (a) a spouse or same-sex partner of the person, within the meaning of section 2 of the Police Services Act ,
- (b) a child or parent of the person, within the meaning of section 1 of the Family Law Act , and
- (c) a dependant of the person within the meaning of section 29 of the Family Law Act ,

but does not include a spouse, same-sex partner, child, parent or dependant who is charged with or has been convicted of committing the offence.

O. Reg. 44/00, s. 1.

(2) The chair of the Board of Parole, a superintendent of an institution, an area manager of a probation and parole office, a member of a Correctional Services Division operations directorate or a Correctional Services Division communications manager may disclose to a victim the following information about the individual who committed the offence if the victim requests the information:

1. The progress of investigations that relate to the offence.
2. The charges laid with respect to the offence and, if no charges are laid, the reasons why no charges are laid.
3. The dates and places of all significant proceedings that relate to the prosecution.
4. The outcome of all significant proceedings, including any proceedings on appeal.
5. Any pretrial arrangements that are made that relate to a plea that may be entered by the accused at trial.
6. The interim release and, in the event of conviction, the sentencing of an accused.
7. Any disposition made under section 672.54 or 672.58 of the Criminal Code (Canada) in respect of an accused who is found unfit to stand trial or who is found not criminally responsible on account of mental disorder.
8. Any application for release or any impending release of the individual convicted of the offence, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence pass.
9. Any escape from custody of the individual convicted of the offence.
10. If the individual accused of committing the offence is found unfit to stand trial or is found not criminally responsible on account of mental disorder,
 - i. any hearing held with respect to the accused by the Review Board established or designated for Ontario pursuant to subsection 672.38 (1) of the Criminal Code (Canada),
 - ii. any order of the Review Board directing the absolute or conditional discharge of the accused, and
 - iii. any escape of the accused from custody.

O. Reg. 266/98, s. 1.

63. (1) The chair of the Board of Parole, a superintendent of an institution, an area manager of a probation and parole office, a member of a Correctional Services Division operations directorate or a Correctional Services Division communications manager may disclose any personal information about an individual in the circumstances described in subsection (2) to,

- (a) any police force in Canada;
- (b) any correctional or parole authority in Canada; or
- (c) any person or agency engaged in the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program.

(2) Subsection (1) applies if the individual is under investigation of, is charged with, or is convicted or found guilty of an offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any other federal or provincial Act and if the circumstances are such that disclosure is required for the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program.

(3) The procedures to be followed in disclosing personal information under this section to an agency that is not engaged in the protection of the public or the administration of justice shall be in accordance with a memorandum of understanding entered into between the agency and the chair of the Board of Parole, superintendent of an institution, area manager of a probation and parole office, member of a Correctional Services Division operations directorate or Correctional Services Division communications manager, as the case may be.

O. Reg. 266/98, s. 1.

64. In deciding whether or not to disclose personal information under this Part, the person who is authorized to disclose the information shall consider the availability of resources and information, what is reasonable in the circumstances of the case, what is consistent with the law and the public interest and what is necessary to ensure that the resolution of criminal proceedings is not delayed.

O. Reg. 266/98, s. 1.

Form 1 REVOKED: O. Reg. 260/99, s. 3.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P34. BILL 46 – PUBLIC SECTOR ACCOUNTABILITY ACT, 2001

The Board was in receipt of the following report FEBRUARY 06, 2002 from Albert H. Cohen, Toronto Legal Services:

Subject: Bill 46 – *Public Sector Accountability Act, 2001*

Recommendation:

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

Background:

At its meeting held on January 24, 2002, the Board deferred consideration of a report from Board Chair Norman Gardner respecting the impact of Bill 46, the *Public Sector Accountability Act, 2001* (the “Bill”) to its meeting scheduled for February 28, 2002 (Minute No. P6/02 refers).

In addition, the Board requested me to report to the Board on whether the proposed legislation, if enacted, would automatically replace the current legislation and practices governing the Board that were identified in the deferred report.

Discussion:

A review of the Bill in its current form indicates that the obligation and practices that would be imposed on the Board under the Bill would not replace the Board’s current similar obligations under the *Police Services Act*. The Board would be required to comply with the proposed obligations in addition to its current obligations unless there was a clear conflict between the performance of those two sets of obligations. In my opinion, given the current form of the Bill, the Board could perform both its current obligations and the obligations imposed by the Bill without overt conflict.

The Board was also in receipt of the following report DECEMBER 21, 2001 from Norman Gardner, Chairman:

Subject: BILL 46 - THE PUBLIC SECTOR ACCOUNTABILITY ACT, 2001

cont...d

Recommendations :

It is recommended that:

- (1) the Board request the Province of Ontario to exempt the Toronto Police Services Board from The Public Sector Accountability Act, and further that
- (2) the Toronto Police Services Board forward this report to the Ontario Association of Police Services Boards and the Big 12 Police Boards for their information and any action they deem necessary.

Background :

On May 9th 2001, the Ontario Minister of Finance introduced Bill 46, The Public Sector Accountability Act. This Bill seeks to increase the accountability of public sector organizations. It has received first reading and is not yet law. If enacted, the Bill would require all public sector organizations, including the Toronto Police Services Board, to fulfil a number of requirements.

There are many definitions of *public sector organization* within the Act that identify the persons and entities to which the Act applies. The Toronto Police Services Board meets the following criteria;

Every local board as defined in the Municipal Affairs Act and every authority, board, commission, corporation, office or organization of persons some or all of whose members, directors or officers are appointed or chosen by or under the authority of the council of the corporation of a municipality in Ontario.

The purpose of the Act is for public sector organizations to initiate best practices by measuring their performance against their established goals, to improve program effectiveness and accountability to the public, to improve the delivery of service by preparing a business plan, to improve decision-making by ensuring that relevant information is made available to the public about its objectives and about the effectiveness and efficiency of its activities, and to improve fiscal responsibility by requiring them to prepare a balanced budget.

The proposed Act has the potential to add a layer of bureaucracy to the existing structures in place. Current legislation within the Police Services Act and existing practices of the Toronto Police Service provide a framework for the budgeting process, annual report and business plan. The proposed Act would add a separate governing body, the Minister of Finance, in addition to the Solicitor General. As proposed, the legislation is in conflict with the Police Services Act.

cont...d

The following section contrasts the proposed legislation with existing legislation.

Proposed Legislation

Every public sector organization shall;

- prepare a business plan every year, and the contents of the plan are specified in the Bill.
- The governing body of the organization must approve the business plan.
- plan for a balanced budget every year.
- prepare an annual report, and shall do so within six months after the end of the applicable fiscal year.
- One or more persons licensed as auditors under the Public Accountancy Act must audit the financial statements.
- The governing body of the organization must approve the annual report.
- make available to the public each annual report it prepares under this Act and shall do so within six months after the end of the fiscal year to which it relates.
- Give a copy of its annual report to the Ministry of Finance and to every other ministry of the Crown from which the organization receives funding, directly or indirectly, during the year.

Current Legislation or Practice

- A business plan is prepared at least once every three years. The requirements of the plan are captured under the Police Services Act and its regulations.
- By virtue of the requirement to prepare a business plan, the Board approves the plan.
- The budget process and approvals are adequately covered under the Police Services Act.
- The Chief is required to prepare an annual report for the Board relating to the activities of the police service during the previous fiscal year.
- The audit of the Toronto Police Service's financial accounts is part of the overall annual audit of the City of Toronto's financial statements.
- The Chief is required to prepare an annual report for the Board's approval.
- Boards are required to enter into a protocol with municipal councils to make public a business plan and an annual report, the dates by which the report should be made public is determined by the protocol.
- By regulation, the Board must enter into a protocol with its municipal council that addresses the dates by which the business plan and annual report shall be provided to municipal council and to the public

Proposed Legislation

- The Minister of Finance may require the organization to review its financial management, business practices and operating practices if such a review is in the public interest.
- The Minister of Finance may review the organization's financial management, business practices and operating practices if such a review is in the public interest.

Current Legislation or Practice

- The Police Services Act currently (i) allows the Solicitor General to monitor police forces to ensure adequate and effective police service is provided and (2) gives OCCOPS authority to direct boards and police services.
- Same as above.

Within the proposed Act, Section 14 governs the collection, use and disclosure of personal information by the Minister of Finance. It provides for the Minister of Finance to collect the personal information of members of the public held by the Service. Although certain restrictions are set out, there are no provisions in the Bill that outline the circumstances under which the collection of this data would be necessary other than for the 'administering and enforcement of the Act'.

Conclusion

As outlined above, Bill 46, The Public Sector Accountability Act, is in direct conflict with the legislation and existing practices followed by the Toronto Police Services Board. However, Section 3(2) of the proposed Act states, *This Act does not apply to such persons and entities as may be prescribed by regulation, despite section 2.* It is therefore recommended that the Board forward a copy of this report to the provincial legislature and request that The Toronto Police Services Board is granted an exemption from the Act.

A copy of Bill 46, The Public Sector Accountability Act, is on file in the Board office for review.

The Board received the foregoing reports.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P35. TORONTO POLICE SERVICE RESPONSE TO YOUTH ISSUES

The Board was in receipt of the following reports:

- January 3, 2002 from Julian Fantino, Chief of Police, with respect to the Toronto Police Service Youth Strategy
- October 18, 2001 from Julian Fantino, Chief of Police, with respect to the progress of the implementation of the recommendations of the Toronto Police Service Youth Advisory Group and Youth and Police Action Committee
- February 4, 2002 from Julian Fantino, Chief of Police, with respect to meetings held with Councillors Olivia Chow and Sherene Shaw
- February 15, 2002 from Julian Fantino, Chief of Police, containing additional information regarding the meetings with Councillors Olivia Chow and Sherene Shaw
- written submission by Councillor Sherene Shaw in response to the Chief's report of October 18, 2001.

The Board was also in receipt of correspondence, dated February 25, 2002, from Councillor and Board Member Bas Balkissoon requesting the foregoing reports be deferred to the March 27, 2002 meeting for consideration. A copy of Councillor Balkissoon's correspondence is on file in the Board office.

The Board approved Councillor Balkissoon's request to defer the foregoing reports.

THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002

#P36. TORONTO POLICE SERVICE RESPONSE TO COMMUNITY SAFETY INITIATIVES & THE INTER-DEPARTMENTAL ROUND TABLE ON YOUTH VIOLENCE

The Board was in receipt of the following report JANUARY 18, 2002 from Julian Fantino, Chief of Police:

Subject: REPLY TO THE CITY OF TORONTO POLICY AND FINANCE COMMITTEE REGARDING COMMUNITY SAFETY INITIATIVES

Recommendation:

It is recommended that:

- (1) the Board receive this report for information,
- (2) the Board forward a copy of this report to the City of Toronto Budget Advisory Committee.

Background:

The City of Toronto Policy and Finance Committee, at its meeting on October 25, 2001, requested a report from the Toronto Police Services Board commenting on issues related to funding options for supporting Community Safety Initiatives and the Inter-Departmental Round Table on Youth Violence.

After careful review of the reports provided, it is clear that great consideration is being given by the City's Task Force on Community Safety (Task Force) to make communities within this city safer for all. To ensure this occurs, the City has suggested different models of coordination to help the police and the community address community safety. The Service well recognizes that effectively addressing community safety and crime prevention issues cannot be done in isolation; coordinated efforts and dedicated personnel are the key to the successful implementation of community safety initiatives.

The community and the Service would benefit should the City adopt the recommendation referred to as "Option 2" in the report from the Task Force (August 16, 2001). This recommendation states, in part:

“enable the Task Force to broaden its range of activities beyond monitoring the implementation of Task Force recommendations to also include the organization of community forums to facilitate dialogue on safety issues affecting Toronto's residents (e.g. youth, seniors) and information exchange between communities

on best practices and crime prevention initiatives. The Task Force would also play a more proactive role in establishing linkages and explore opportunities for joint initiatives with other jurisdictions, the private sector, service clubs and/or academic institutions.”

“Option 2” concludes by stating that:

“This model increases the level of activities to be provided by the Task Force and provides greater secretariat support, providing some relief to staff in operating Departments, but it does not address the issue with respect to the capacity of the Task Force to address emerging and high-profile safety issues within Toronto’s communities. This would require a dedicated team of staff, outlined in Option 3.”

The Service supports the aim and benefits of establishing a dedicated staff, as is stated in “Option 3” in the August 16, 2001, Task Force report, as follows:

“Establishing an Urban Safety Secretariat (USS) within the City would strengthen the capacity of the Task Force and the City to meet these expanded roles. The USS would be clearly identifiable by elected officials, community organizations and Toronto’s citizens to ensure immediate access to appropriate information and resources. This unit would effectively take on the functions of co-ordination, advocacy, community development, and evaluation.

USS would be located within the Social Development and Administration Division of the Community and Neighbourhood Services Department and would report through the Task Force on Community Safety. It would provide direct support to the Task Force and Mayor’s office on community safety issues; establish a sound working relationship with Toronto Police Services; and work in partnership with Toronto’s communities, to demonstrate dedicated action on community safety within the city.”

The intended goals of an Urban Safety Secretariat, ‘sound working relationships’ and ‘dedicated action on community safety’ (as stated above), are very desirable and would be beneficial to all.

The Report of the Diversity Advocate’s Inter-Departmental Round Table on Youth Violence (August 23, 2001) identifies the need of coordination of programs and responses regarding youth violence. The report included input from City Departments, the Task Force, the Toronto Youth Cabinet, and the Service’s Community Policing Support – Community Relations Section.

The Round Table made the following comments regarding the variety of programs and outreach available at the time, as follows:

“The discussion concluded that there is a need for more targeted programs, better communications, improved outreach and a mechanism for departmental co-ordination.”

The report continued by suggesting important 'next steps', as follows:

“Compile an inventory of municipal youth programs and community based programs.
Implement a communications strategy that promotes awareness and benefits of existing programs.
Target city grants to programs that engage in additional outreach to youth serving agencies and projects aimed at hard to serve youth.
Review existing programs to address the service gaps identified during the roundtable.”

The Inter-departmental Round Table on Youth Violence report identifies the same need for a coordinated approach to community safety and crime prevention, as does the report by the Task Force on Community Safety.

Addressing Youth Crime and Youth Violence continues to be a Service Priority. With a limited budget and difficult personnel deployment decisions to be made, the Service needs the assistance of other organizations and City departments to properly address community safety issues.

Since August 2001, the Service has been engaged in community consultation and outreach to address violence, use of guns by criminals, and youth crime and youth violence in all areas of the city. The following are examples of some of the community consultation, outreach and partnering the Service has undertaken in the past six months to address issues of youth violence.

United Mothers Opposing Violence Everywhere (U.M.O.V.E.)

Thirty community leaders attended a forum hosted by the Chief to address issues of violence, unsolved homicides, the prevalence of illegal guns in the community, and the lack of cooperation from the community with regard to bringing criminals to justice. This forum identified that these issues were not just the responsibility of the Toronto Police Service. It was recognized that there is a responsibility on community members, social agencies and governments to assist in attempting to rid communities of violence.

This forum was the catalyst for a group of community members who oppose the violence that resulted in the death of loved ones. With the assistance of the Service, this group held a large public vigil at Nathan Phillips Square in October of 2001. Group members have expressed thanks to the Service for the opportunity to come together in this manner. The group is moving ahead with new initiatives and is less reliant on Service members. The group continues to meet weekly at Police headquarters.

Town Hall Forums

In addition to the previously mentioned forum, Service members attended four town hall meetings in Divisions that were most afflicted with youth violence. A variety of community groups hosted these forums. These forums were held between September and November 2001, at the following community centres:

Rexdale

Lawrence Heights

Regent Park

Malvern (Scarborough)

Corporate Youth Initiatives

The Service has developed a Youth Violence Strategy, which will be articulated in a presentation and report by Detective Sergeant D. Saunders, the Service's Youth Crime Coordinator, at the Police Service's Board meeting on February 28, 2002.

Youth and Police Conference

The Service has organized and will host a Youth and Police conference on January 26, 2002. This conference will bring together 100 invited youth and members from various areas of the Service to discuss issues including race relations and youth violence.

Community Consultation

Community Police Liaison Committees (CPLC's)

For over five years the Service has formally consulted with communities across the city by way of the local CPLC's. This is an excellent forum by which policing issues can be raised and addressed at the divisional level. The CPLC's are mandated to be inclusive of the local communities and stimulate community interest and awareness of safety issues and crime concerns. By employing problem-solving models, the CPLC's assist in reducing crime in targeted areas.

Chief's Consultative Committees

These consultative committees are intended to allow consultation, and sometimes immediate access, by the Chief, to leaders of various communities, including: South and West Asian, Gay Lesbian Bi-Sexual Transgender Transsexual, French, Black, Chinese and Aboriginal.

Corporate Partners

Crimestoppers

The community, in partnership with the media and police, assists the Service in bringing criminals to justice by anonymously providing tips on the identity and activities of criminals. This highly successful program is funded by corporate sponsors and private citizens through a variety of fundraising activities. During the past year, Crime Stoppers has engaged in the promotion of a community awareness strategy. This strategy involves the holding of public awareness forums in areas that were particularly affected by violence. Some examples of these forums are as follows:

A Regent Park Media Conference, attended by Solicitor General David Turnbull, in response to a high number of fatal shootings.

The Flemington Park media conference, attended by Premier Harris, in response to numerous gun related incidents.

Enhanced activities in Toronto schools.

The result was a noticeable rise in tips, specifically regarding the areas where the community awareness forums were held.

ProAction

ProAction is a non profit organization that is funded by corporate sponsors and is independent of the Service. The mandate of the organization is to *"Help Cops Help Kids"*. ProAction selects initiatives proposed by Service members that address helping youth at risk. This program is of great assistance to the Service in areas of outreach and initiatives that the operating budget does not support.

Conclusion

The Service is eager to partner with other stakeholders in supporting Community Safety Initiatives. Any assistance that can be found from the City with regard to identifying community safety issues, and thereby allowing the police to more accurately deploy personnel and resources, is desirable. The Service will support whichever option the City may adopt. In conjunction with other stakeholders and with corporately sponsored programs, the Service will continue to address youth violence and community safety as priorities for 2002.

It is therefore recommended that the Board receive this report for information, and that the Board forward a copy of this report to the City of Toronto Budget Advisory Committee. Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to respond to the questions of Board members.

The Board received the foregoing and agreed to forward a copy to the Budget Advisory Committee.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P37. REQUEST FOR REVIEW OF A COMPLAINT ABOUT POLICE
SERVICE (TPS FILE #2001-0457) – GAY PRIDE PARADE**

The Board was in receipt of the following report FEBRUARY 04, 2002 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR REVIEW OF A COMPLAINT ABOUT POLICE SERVICE
(COMPLAINT # 2001-EXT-0457)

Recommendations:

It is recommended that:

- (1) The Board determine whether to concur with the decision that no further action be taken with respect to the complaint.
- (2) The complainant be notified of the outcome of the Board's review.

Background:

Legislative Requirements:

Section 61 of the PSA deals specifically with complaints about the policies of, or services provided by a municipal police force. Subsection 61(7) allows for a complainant to request a review of the investigation into the policy complaint by the Board.

Nature of the Complaint

On Sunday, June 24, 2001 the Gay Pride Parade was held in the City of Toronto. During this parade some participants displayed varying levels of nudity.

The complaint alleges a failure on the Toronto Police Service's part to enforce the provisions in the Criminal Code dealing with public nudity and indecent exhibitions in public places during the Gay Pride Parade.

Nature of the Chief's Decision:

The Service complaint was investigated by the Corporate Planning Unit, and the findings were reported to the Chief and the complainant.

The following information summarizes my decision:

The police are in attendance at the Gay Pride Parade for two reasons, the first being to conduct crowd control and ensure public safety. The second reason is to prevent crime and enforce the laws. Officers were assigned very specific duties during the Gay Pride Parade. Uniform officers detailed to the parade route were responsible for the safety of all participants and spectators within their assigned sections. Their responsibilities included, but were not limited to, crowd control, preventing violent behaviour and assisting with medical concerns, when required. Plainclothes officers were assigned to monitor the activities at the parade and take any enforcement action required.

In preparing for this year's parade, clear direction was given within the operational plan that genitalia nudity would not be tolerated. Officers were given direction with regard to their specific duties and it is my understanding that their actions at this event were consistent with their assigned duties and responsibilities.

Given the complexity and scale of this event, I believe that an appropriate Service response was given at the Gay Pride Parade held on June 24, 2001.

Conclusion:

It is recommended that the Board review the Service complaint summarized in this report and determine whether to concur with my decision that no further action be taken with respect to the complaint. It is further recommended that the complainant be notified of the outcome of the Board's review.

Mr. Frank Chen, Chief Administrative Officer – Policing, Corporate Support Command, will be in attendance to answer any questions concerning this report.

The Board concurred with the decision of Chief Fantino that no further action be taken with respect to this complaint and agreed to notify the complainant of the outcome of the Board's review.

The Board also approved the following Motion:

THAT Chief Fantino provide a report to the Board on how police services in other jurisdictions deal with similar events.

A copy of the Service's letter to the complainant which contains the Chief's decision and the Report of Investigation was provided to the Board during the in-camera meeting (Min. No. C41/02 refers).

THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002

#P38. REVENUE CONTROLS REVIEW – TORONTO POLICE SERVICE

The Board was in receipt of the following report JANUARY 08, 2002 from Jeffrey Griffiths, City Auditor, City of Toronto:

Purpose:

To report on the adequacy of revenue controls at the Toronto Police Service.

Financial Implications and Impact Statement :

While there are no direct financial implications resulting from the adoption of this report, the implementation of the recommendations will help protect certain revenues from loss or theft.

Recommendations:

It is recommended that:

- (1) the City Auditor's recommendations included in Appendix I of this report be adopted;
- (2) the Chief of Police report to the May 2002 meeting of the Toronto Police Services Board on the corrective action taken to address the observations and recommendations in the report; and
- (3) this report be forwarded to the City's Audit Committee for information.

Background :

Audit Services' work plan included a review of controls relating to revenue and receivables at the Toronto Police Service. Revenues generated from various sources at the Toronto Police Service were budgeted at \$20.6 million in 2000 and \$20 million in 2001. The main sources of revenue are generated from the sale of accident and occurrence reports, paid duty administration fees, alarm fees, secondments, police record and criminal reference checks, life guard cost recoveries and application fees.

Comments:

The Toronto Police Service generates and handles numerous sources of revenue through various divisional units. For the majority of transactions, divisional units forward an internal communication with supporting information to accounts receivable staff at head office, who prepare and forward an invoice to the client. Cash and credit card transactions are received for services provided by the Employment Unit - Human Resource Services and from sales made by

the Gift Shop. These receipts are forwarded daily with documentation to the accounts receivable area for deposit and recording of the sales in the financial system by a clerk, who is independent from the billing function. Corporate Information Services - Information Access provides various services, including criminal reference checks, clearance letters and accident and occurrence reports. These services to the general public are purchased by cash, credit or debit card. The cashier processes cheques and all cash received daily and forwards these and the daily cash report to the accounts receivable control clerk/cashier, who prepares and makes the deposit. An independent clerk prepares a journal entry to record billing and receipt transactions after review and approval by a supervisor and/or manager.

In conducting this review, our objective was to review systems and processes over revenues, to determine if internal controls were effective and appropriate in the areas of billings, collections, depositing, recording and reporting of revenue.

The scope of our review entailed a random selection of billing invoices and cash receipts throughout the year from various revenue sources. My staff conducted interviews with both accounting and service personnel to observe and document procedures in those areas where cash is handled and revenue is recorded. The cashier operation was reviewed to assess controls over cash and evaluate the adequacy of imprest accounts. A review of accounts receivable was conducted to determine the adequacy of the billing and collection process.

Conclusions:

Our review has determined that procedures and controls over the Toronto Police Service revenues and cash receipts are generally adequate. However, there are areas where current controls can be improved. These opportunities for improvement, along with our recommendations and the Chief of Police's comments, are summarized in Appendix I of this report. The results of our review have been discussed with the Chief Administrative Officer - Policing and his staff, who generally concur with our findings.

Contact:

Tony Veneziano, Director, Audit Services
Tel: (416) 392-8353, Fax: (416) 392-3754
E-mail: Tvenezia@city.toronto.on.ca

Steve Harris, Senior Audit Manager
Tel: (416) 392-8460, Fax: (416) 392-3754
E-mail: Sharris@city.toronto.on.ca

List of Attachments:

Appendix 1: City of Toronto Audit Services-Revenue Controls Review-Toronto Police Service

The Board approved the foregoing.

**City of Toronto Audit Services
Revenue Controls Review - Toronto Police Service
Summary of Conclusions, Recommendations and Management Comments**

Observation/Conclusion	City Auditor's Recommendation	Chief of Police's Comments
<p>(1) Outstanding Account Receivable</p> <ul style="list-style-type: none"> - The overall monitoring and collection of receivables is not timely and efficient as 50 percent of the \$5.2 million balance is over 90 days and approximately \$600,000 is several years old. - The high volume of outstanding paid duty administration fees outstanding contributes to the inability of staff to follow-up outstanding accounts. This problem is compounded by a reluctance of Unit Commanders to use the delinquent list to limit service that is provided to those unpaid problem accounts. - The uncollectable accounts are provided for annually, but there is no regular process in place to obtain approval for the write-off of older uncollectable balances that continue to build up in accounts receivable. 	<p>(1) That the Chief of Police implement more stringent monitoring and collection processes over accounts receivable that remain outstanding 90 days and older, including that:</p> <ul style="list-style-type: none"> (a) paid duty small event customers be required to make advance payment to the Toronto Police Credit Union and/or secure payments by credit card authorization for administration fees, equipment rental and taxes, and that Unit Commanders be directed to withhold services until an outstanding account is settled; (b) an annual procedure be implemented to obtain the appropriate approval required under the existing by-law to write-off older uncollectable accounts, including obtaining the recommendation from City Legal to authorize the write-off of uncollectable accounts; and (c) a systematic process be established for the issuance of progressively stronger worded warning and collection letters for overdue accounts. 	<p>A report to the May 2002 meeting of the Toronto Police Services Board will outline the corrective action taken to address the City Auditor's observations and recommendations.</p>

**City of Toronto Audit Services
Revenue Controls Review -Toronto Police Service
Summary of Conclusions, Recommendations and Management Comments**

Observation/Conclusion	City Auditor's Recommendation	Chief of Police's Comments
<p>(2) Cashiers Operation</p> <ul style="list-style-type: none"> - The Accident and Occurrence Section held several cheques for accident reconstructions for extended time periods to avoid potential refunds. - Divisional and travel advance fund balances are maintained at levels considerably above peak period usage and above daily reimbursement process totals. - The daily cash form is manually prepared by the cashier on a spreadsheet file, as the database has not been programmed to include debit card transactions in the system generated report. 	<p>(2) That the Chief of Police:</p> <ul style="list-style-type: none"> (a) ensure that staff deposit all cheques immediately upon receipt; (b) review imprest accounts and adjust the size of each fund appropriately to accommodate both peak daily requirements and an allowance for the average time required to receive reimbursement from the City; and (c) modify the cashier's database program to facilitate inclusion of debit card receipts in the daily cash report that is system generated. 	<p>A report to the May 2002 meeting of the Toronto Police Services Board will outline the corrective action taken to address the City Auditor's observations and recommendations.</p>

City of Toronto Audit Services
Revenue Controls Review -Toronto Police Service
Summary of Conclusions, Recommendations and Management Comments

Observation/Conclusion	City Auditor's Recommendation	Chief of Police's Comments
<p>(3) Completeness of Billing Process</p> <p>Divisional units initiate fees for certain services and receive the cheque payment from the client, without advance preparation of an accounting invoice. This creates an opportunity for abuse, as unrecorded receipts are susceptible to loss or theft.</p>	<p>(3) That the Chief of Police issue a notice to all divisional units that all billable services provided to customers require the issuance of an invoice by Financial Management, and that authorized supporting detail for the preparation of each invoice must be received by accounts receivable staff within 15 days of the completion of the service.</p>	<p>A report to the May 2002 meeting of the Toronto Police Services Board will outline the corrective action taken to address the City Auditor's observations and recommendations.</p>
<p>(4) Dishonoured Cheques</p> <p>Staff have commented that there have been significant delays in receiving "not sufficient funds" (NSF) cheques from City of Toronto Finance. The delays in the receipt of NSF cheques prohibits the timely follow-up and collection of outstanding funds and may contribute to unnecessary write-offs of accounts receivable.</p>	<p>(4) That the Chief of Police request the City's Chief Financial Officer and Treasurer to resolve the current delays in the forwarding of "not sufficient funds" (NSF) cheques to the Toronto Police Service, to permit more timely follow up and collection of outstanding accounts.</p>	<p>A report to the May 2002 meeting of the Toronto Police Services Board will outline the corrective action taken to address the City Auditor's observations and recommendations.</p>

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P39. BY-LAW No. 141 – ORGANIZATIONAL CHART

The Board was in receipt of the following report JANUARY 03, 2002 from Julian Fantino, Chief of Police:

Subject: ORGANIZATIONAL CHART

Recommendation:

It is recommended that: the Board approve By-law No. 141 to give effect to the new organizational chart for the Service.

Background:

At its meeting on January 25, 2001, the Board requested that in the future all organizational charts be submitted on an annual basis (Minute No. P5/01 refers). Also at the same meeting, the Board approved a new organizational chart (Minute No. P7/01 refers).

The purpose of this report is to request three amendments to the current organizational chart.

1. At the Board meeting held on July 20th, 2001, the amalgamation of 21 and 22 Divisions was approved (Board Minute No. P186/01 refers). Due to this amalgamation, 21 Division has been removed from the organizational chart.
2. Staff Planning and Development has merged with Employment Unit and is now a sub-unit of Employment Unit. Since sub-units are not reflected on the organizational chart, Staff Planning and Development has been deleted from the chart.
3. In June 2000, a request made by the Toronto Police Service to the Province of Ontario to provide funding for a province-wide ROPE Squad was agreed to in principle. This ROPE Squad was created on September 1, 2001. All current members of the ROPE Squad, along with the current unit commander of the Bail and Parole Enforcement Unit, have been seconded for three years to the OPP.

The Province requested that the reporting function of the Bail and Parole Enforcement Unit remain the responsibility of the Toronto Police Service. The Command Officers decided to move the Bail and Parole Enforcement Unit from Detective Support to Operational Support reporting to Court Services. The budget allotted for the Bail and Parole Enforcement Unit will be transferred to Court Services. Accordingly, the organizational chart has been revised to eliminate the Bail and Parole Enforcement Unit.

Appended to this report is By-law No. 141. It is hereby recommended that the Board approve this By-law to give effect to the revised organizational chart.

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

The Board approved the foregoing.

TORONTO POLICE SERVICES BOARD

BY-LAW NO. 141

**To amend By-law No. 99 establishing rules
for the effective management of
the Metropolitan Toronto Police Service**

The Toronto Police Services Board HEREBY ENACTS as follows:

1. By-law No. 99, a by-law “to make rules for the effective management of the Metropolitan Toronto Police Service” (hereinafter called the “By-law”) is amended by deleting Appendix “A” to the Rules attached as Schedule “A” to the By-law, and forming part thereof, and substituting Schedule “A” attached hereto.
2. This By-law shall come into force on the date of its enactment.

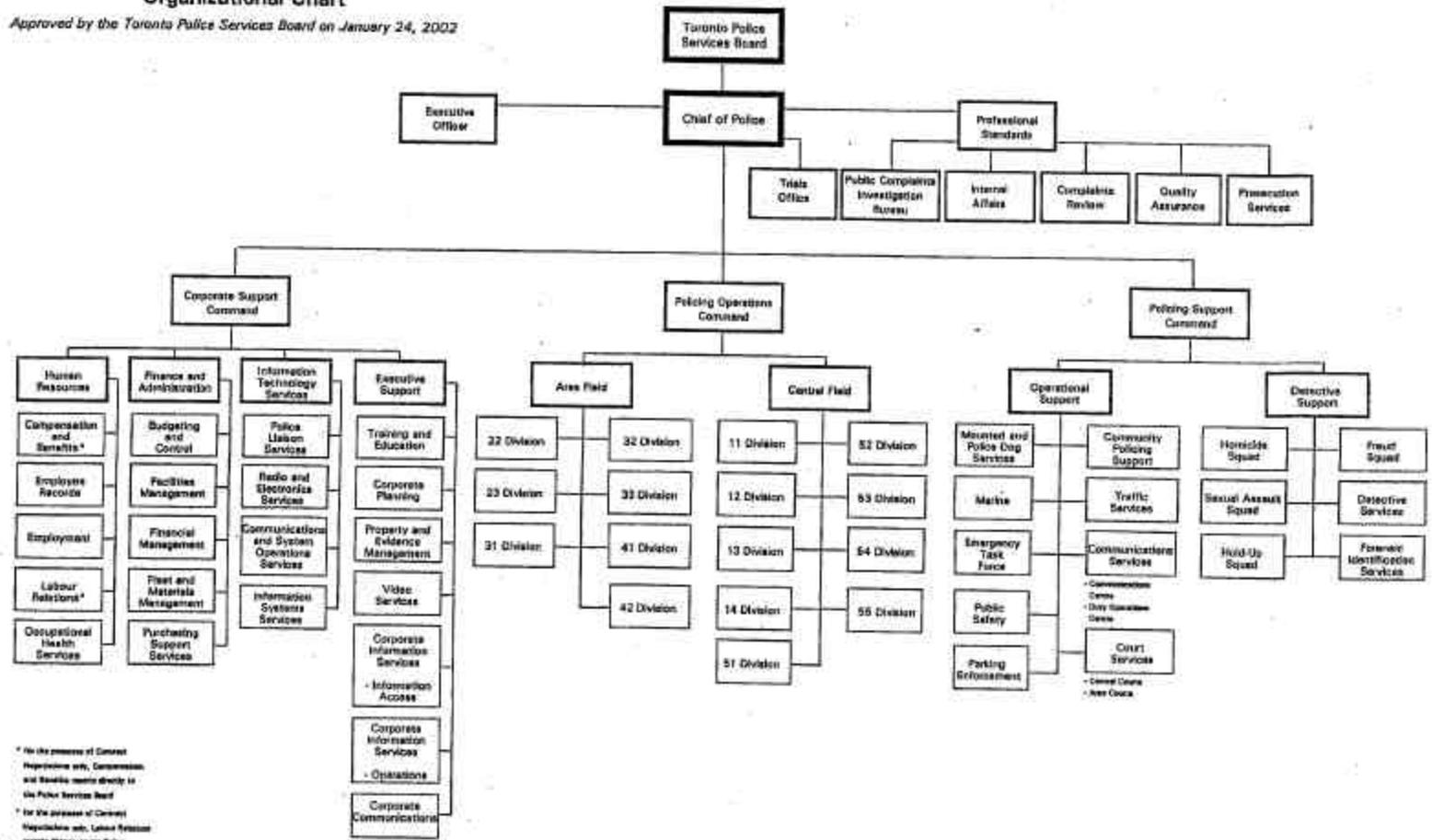
ENACTED AND PASSED THIS 28th DAY OF FEBRUARY 2002.

**Gloria Lindsay Luby
Vice Chair**

SCHEDULE "A" TO BY-LAW NO. 141

Toronto Police Service Organizational Chart

Approved by the Toronto Police Services Board on January 24, 2002



* In the process of Central
Representation only, Compensation
and Benefits reports directly to
the Police Services Board

* In the process of Central
Representation only, Labour Relations
reports directly to the Police
Services Board

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P40. RENTAL OF PHOTOCOPIERS – AMENDMENT

The Board was in receipt of the following report FEBRUARY 11, 2002 from Julian Fantino, Chief of Police:

Subject: AMENDMENT TO BOARD MINUTE #P265/01
RENTAL OF PHOTOCOPIERS

Recommendation:

It is recommended that: the Board approve an amendment to Board Minute #P265/01 for the rental of photocopiers from Konica Business Machines (Canada) Limited covering the period October 1, 2001 to December 31, 2004, to read October 1, 2001 to September 30, 2005.

Background:

The Board, at its meeting of September 25, 2001 (Minute P265/01 attached), awarded the rental contract for photocopiers to Konica Business Machines (Canada) Limited for a 39 month term covering the period October 1, 2001 to December 31, 2004. The 39 month term was incorrectly reported due to an oversight. The correct rental period should be for a 48 month term, covering the period October 1, 2001 to September 30, 2005, as outlined in the proposal submitted by Konica Business Machines (Canada) Limited (copy attached). This amendment has no impact on the rental rate.

I therefore recommend that the Board approve an amendment to Board Minute #P265/01 to reflect the correct rental term of 48 months covering the period October 1, 2001 to September 30, 2005. Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions.

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

The Board approved the foregoing.

Konica

*File
J. Martino*

*Ed. Fax
905-839-1565*

*Rec'd
J. Martino
August 9, 2001*

Memo to: Joe Martino
Toronto Police

From: Ed Schryer

Date: August 8, 2001

Re: Photocopier Pricing

Fax #: (416) 808-7932

Dear Mr. Martino:

As discussed last week, I have taken the time to look at various options that might best suit your needs going forward. After considering various models and speeds, it became apparent that the optimum solution is to remain with the proposed model 7055 Digital Copier in all locations. The main reasons for this decision are as follows:

1. Same power outlets for all machines (by switching various models we would need to change breakers and outlets).
2. One toner bottle for all machines throughout the Police departments. Introducing various models may confuse the issue, due to different toner bottle sizes and shapes.
3. Consistent document feeders, finishers and operating panels. By staying with one model, which is virtually identical to your existing 7050 fleet, your clients will know how to operate the document feeder, the finisher sorter/stapler, as well as the methods of clearing any possible miss-feeds. The addition of ventilation fans in the duplex unit allows for increased reliability when doing two-sided copying.

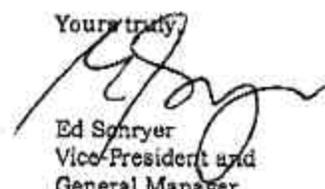
Rental Period

After close evaluation of the special cost we are offering you of 2.19 cents per copy (no more rental contracts per machine), Konica would ask for the same rental term as was granted the last time around, which was 48 months. This allows KBT to amortize the higher equipment costs on 7055s, making it a more financially sound decision for both KBT and the Toronto Police.

We have taken the liberty of installing 12 Digital machines in high-volume locations with all installations completed today (August 8th). We trust that these users will be more than pleased and be great recommendors of Konica going forward.

The attached sheet summarizes the costing as discussed. Should you have any further questions please call me.

Yours truly,



Ed Schryer
Vice-President and
General Manager
ES/cb

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 25, 2001**

#P265. RENTAL OF PHOTOCOPIERS

The Board was in receipt of the following report SEPTEMBER 24, 2001 from Julian Fantino, Chief of Police:

Subject: RENTAL OF PHOTOCOPIERS

Recommendation:

It is recommended that: the Board approve Konica Business Machines (Canada) Limited to provide the Service with the latest model digital photocopiers for the period commencing October 1, 2001 to December 31, 2004 at a cost of 2.19 cents per copy including all rental, service and toner plus applicable taxes compared to 2.5 cents per copy. The Chief Administrative Officer, Corporate Support Command, will ensure that funding is included in the Operating Budgets for the applicable years.

Background:

The Board, at its meeting held on November 13, 1997 (Minute 443/97 refers) awarded a four (4) year purchase order to Konica Business Machines (Canada) Limited for the rental of digital photocopiers. The current contract is due to expire on December 31, 2001. With this in mind, Konica Business Machines (Canada) Limited have made a proposal to upgrade the Service's fleet of photocopiers with all new, latest model 7055, digital machines. This would be at a reduced cost per copy as outlined in their attached proposal.

Six weeks of testing the Model 7055 copier was conducted in twelve Service locations. The units that tested these machines have reported favourable results and recommend Service-wide installation.

If this proposal by Konica is acceptable to the Board, the Service will realize a saving of approximately \$21,000.00 in the last quarter of 2001 and an approximate annual saving of \$88,000.00 for the years 2002 through 2004 based on the current number of copies produced annually across the Service.

I therefore recommend that the Board approve the proposal submitted by Konica Business (Canada) Limited for the continuation of services to December 31, 2004. Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer any questions the Board may have.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P41. SYSTEMS DEVELOPMENT & SUPPORT SERVICES FOR THE
OCCURRENCE RE-ENGINEERING PROJECT IMPLEMENTATION**

The Board was in receipt of the following report FEBRUARY 08, 2002 from Julian Fantino, Chief of Police:

Subject: SYSTEMS DEVELOPMENT AND SUPPORT SERVICES FOR THE
OCCURRENCE RE-ENGINEERING PROJECT IMPLEMENTATION

Recommendation:

It is recommended that: the Board approve the acquisition of development and support services from the following companies for the completion of the final phase of the Occurrence Re-engineering project:

IBM Canada Ltd.	\$100,000 including taxes
Interactive Computer Software	\$150,000 including taxes
Montage.DMC	\$400,000 including taxes
RCM Technologies	\$350,000 including taxes

Background :

The Occurrence Re-engineering initiative was originally presented to the Police Services Board in June 1996 as a Capital Budget initiative. The overall objective of the project was to acquire a more efficient Records Management System, resulting in the elimination of data duplication, improved turnaround time for police reporting, a reduced need for paper documents, and a more efficient method of crime management.

In addition to operational improvements, such as more timely access to information for front-line and investigative staff, monetary benefits were identified through the reduction of clerical staff within TPS. The approved business case projected that approximately 139 clerical positions would no longer be required, resulting in annual net salary savings of an estimated \$4.8 million. These planned savings are currently being reviewed in detail by the Corporate Information Services Change Management Group working with Human Resources. The 2002 operating budget includes phased savings for 33 of the 139 clerical positions.

It was determined that there was no product on the market that could provide both the business functionality and the scalability required to support the TPS business case. Consequently, TPS undertook to develop its own system, called eCOPS (enterprise Case and Occurrence Processing System), with a team comprised of TPS staff as well as resources from partner companies selected through a standard tendering process (BM # 211-99 refers)

Project Accomplishments

To date, the eCOPS team has:

- Architected an infrastructure to support both desktop and mobile workstation use of eCOPS;
- Developed over 80% of the business functions required to meet the business case (contacts, all occurrences, arrests, warrants, case preparation and case tracking);
- Designed a standard user interface for all of these different types of entries;
- Incorporated the use of sophisticated name search software;
- Created a role based security model;
- Developed an integrated CPIC update interface, and the Uniform Crime Reporting (UCR-II) data creation function required by the federal government;
- Completed the migration and implementation plan;
- Delivered a Unified Search tool that enables officers to search multiple systems with one query (this tool is currently being deployed across the Service on a large portion of the eCOPS infrastructure).

While it was initially anticipated that the rollout would begin late in 2001, the project schedule was impacted in two areas:

- In the 4th quarter of 2001, the team undertook an exercise of due diligence to revalidate the design and development against the original requirements; this exercise identified some omissions. Additional resources have been identified to enable these requirements to be met. There is a development schedule impact of three months, but this will not affect the target completion date, nor will it cause the project to exceed its budget.
- The Unified Search tool, in addition to delivering the benefits identified above, was a key element in avoiding significant costs associated with migrating data from legacy systems (estimated at approximately \$2 million). The time required to deliver this additional functionality added four months to the development schedule, but as above, will not affect the target date or cause the project to exceed its budget.

Major Milestones to completion:

- April 15: all desktop components of eCOPS complete; functional and performance testing begins;
- April 30: Unified Search rollout complete;
- June 30: all testing (functional and performance) of the desktop version complete; all mobile workstation-specific (MWS) components developed;
- July 1: rollout desktop version of eCOPS to Corporate Information Services, centralized Alternative Response Unit, and Divisional Data Entry clerks; function test the MWS-specific components;
- August 1: begin rollout to divisions (desktop and MWS);
- December 31: rollout complete

The transition to production is just ramping up now. This transition, as identified earlier, requires a core team of experts to support the application during the production rollout and be able to quickly react to any requirements for changes, so as to minimize any impact on front-line officers.

Project Resourcing

At the February 24, 2000 Board meeting, Information Technology Services (ITS) informed the Board it would be using third party contract staff with specific skills to mentor permanent staff being assigned to the project. And that “given the size of the development effort and the challenges TPS faces in attracting qualified staff, it is ITS’ intention to renew specific contracts with these third-party consultants when the project demands it” (BM # 68/2000 refers).

In subsequent letters to the Board, ITS indicated that due to market conditions and TPS salary structures, it was having difficulty both attracting and retaining permanent staff. As a result, the number of permanent staff assigned to the project was less than originally planned, and it continued to require external resources. The Board approved additions of resources or extensions for resources at its November 23, 2000 meeting (BM # 492/2000 refers), and again at its March 22, 2001 meeting (BM # P81/2001 refers) and its June 21, 2001 meeting (BM # P164/2001/2001 refers). Each extension was based on the skills and performance of the particular resource.

Since the last Board letter in June 2001, ITS has been able to hire six new staff to fill vacancies. The new hires have not yet reached the level of experience within the organization to be able to take on the implementation sustainment role.

As a result, there is a requirement to use a number of external resources to ensure that the required level of expertise remains available to TPS during this critical last phase of the project. This core team will be responsible for completing development, making any changes to the application and completing additional functionality during the deployment phase. This team will be comprised of a project manager, a technical architect, a development lead, and thirteen technical resources who have assignments ranging in length from two to ten months. These assignments are as follows:

Resource	Assignment	Duration
Project manager (1)	Ensure tasks are completed, maintain schedules, manage scope issues, liaise with users and management	10 months
Development Lead (1)	Direct all development work on daily basis	4 months
Developers (7)	Complete required development; make corrections as required from testing	4 months
Infrastructure Specialist (1)	Assist development and deployment teams in use and optimization of infrastructure	4 months part-time
Application Performance (1)	Run specialized tests to determine application performance; make recommendations for improvements	2 months
Senior Developers (4)	Complete development; mentor permanent staff; make changes as required from testing; provide post-implementation support.	10 months

ITS is ensuring that the permanent staff now assigned to the project do receive the training and mentoring from contract staff required to enable them to take on the sustainment role once the application has been fully deployed.

Financial Impact

The original plan was to use the capital budget of \$8.8 million to fund specialized contract resources, and to have a total of fifty-five person-years of permanent staff effort available to work with these resources over the course of the project funded out of ITS' annual operating budget. Due to resignations and hiring difficulties, the total projected permanent staff effort for the life of the project will only be twenty-three person years, leaving a resource gap of thirty-two person years.

The cost of thirty-two person years in permanent staff salary dollars is \$2 million; the same number of person years at contract staff rates is \$6.4 million, which left the project with a potential shortfall of \$4.4 million. In order to contain project costs and still meet the business case objectives, ITS has used two tactics:

- ITS has used gapping funds from permanent ITS vacancies to backfill with contract staff. This represents 20 person years of effort, which still leaves the project 12 person years short (55 planned, minus 23 actual, minus 20 contract resources).
- The scope of the project has been tightly controlled. Where possible, functional features that did not directly relate to the core business case were removed (such as the ability of users to define items on which they want to be notified, assignment and tracking of action items, and a CAD interface for occurrence numbers), thus reducing the overall person year requirement.

In summary, the overall project budget is as follows:

Funding Source	Planned	Actual
Capital	\$8.8 million	\$8.8 million
Operating	\$4.0 million	\$3.6 million
Total	\$12.8 million	\$12.4 million *

(*the remaining \$0.4 million will be used as a contingency)

The companies identified below have partnered with TPS in the development of the eCOPS solution. They (and other vendors, whose resources are no longer required) were selected through a tendering process at the onset of the project and at key phases of the project, as additional resources were required. Their resources are highly skilled individuals who have performed within budget and schedule and proven their value to the project during its various phases, and who will be indispensable in ensuring a successful implementation. The cost for these companies is as follows:

Company	Spent /Committed to date	Current Request	Total Vendor Commitment
IBM Canada Ltd.	\$6,410,000	\$100,000	\$6,510,000
Interactive Computer Software	\$426,300	\$150,000	\$576,300
Montage.DMC	\$907,625	\$400,000	\$1,307,625
RCM Technologies	\$1,231,700	\$350,000	\$1,581,700

(Note: this does not represent the project total, as other vendors have been used in the past)

The resourcing plan will remain valid as long as current permanent staffing projections stay on target. If there is a drop in permanent staffing levels, there may be a requirement to compensate with additional external resources. This will not, however, exceed the capital and operating budget allocations for the project.

Mr. Frank Chen, the Chief Administrative Officer, has certified that such funds are available in the Service's Occurrence Re-engineering Capital Budget and the ITS Operating Budget. He will be in attendance at the Board meeting, to respond to any questions in this respect.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P42. RELEASE OF CONFIDENTIAL BOARD MINUTES PERTAINING TO
TERMINATION OF EMPLOYMENT OF TORONTO POLICE SERVICE
AND AUXILIARY MEMBERS – UPON WRITTEN REQUEST**

The Board was in receipt of the following report FEBRUARY 11, 2002 from Norman Gardner, Chairman:

Subject: RELEASE OF CONFIDENTIAL BOARD MINUTES PERTAINING TO
TERMINATION OF EMPLOYMENT OF TORONTO POLICE SERVICE AND
AUXILIARY MEMBERS

Recommendation:

It is recommended that the Board provide the Chairman with standing authority to provide a copy of a confidential Minute pertaining to Board decisions with respect to termination of employment of Toronto Police Service and Auxiliary members to the member, or the solicitor acting on the member's behalf, upon written request to the Chairman.

Background:

The Board office was recently in receipt of correspondence from a solicitor acting on behalf of a client, a former member of the Toronto Police Service. The member's employment had been terminated by the Board during an in-camera meeting after considering a confidential report provided by the Chief of Police. The Chief's report contained personal information about the Service member and details of the circumstances which led to the Chief's recommendation that the member's employment be terminated.

Criteria for Exemption from Public Meetings:

The *Police Services Act*, section 35(4)(b), states that the Board may exclude the public from all or part of a meeting when dealing with any personal matters if it is of the opinion that avoiding the disclosure of that information in the interest of any person affected outweighs the desirability of adhering to the principle that Board proceedings be open to the public.

In accordance with section 35(4)(b), the consideration of written recommendations by the Chief of Police to terminate a member's employment has occurred during in-camera Board meetings.

It has also been the Board's practice to reproduce written documentation for the purpose of formally recording the Board's decisions in termination matters in the form of confidential Minutes which are also not available to the public.

Requests for Copies of Confidential Minutes:

Although copies of the in-camera documentation are not generally available to the affected member or members of the public, I believe that the Board should consider an exception to this practice if the release of the confidential Minute is limited to the affected member or a solicitor acting on the member's behalf.

Recommendation:

It is therefore recommended that the Board provide the Chairman with standing authority to provide a copy of a confidential Minute pertaining to Board decisions with respect to termination of employment of Toronto Police Service and Auxiliary members to the member, or the solicitor acting on the member's behalf, upon written request to the Chairman.

If the Board approves the foregoing recommendation, it will be similar to the Board's 1995 decision authorizing the release, upon request, of copies of confidential Minutes pertaining to applications made under section 69(18) of the *Police Services Act* to the affected officer, or a solicitor acting on the officer's behalf (Min. No. 14/95 refers).

The Board approved the foregoing with the following amendment:

THAT “*and following consultation with Labour Relations*” be added at the end of the recommendation so that it now reads as follows:

It is recommended that the Board provide the Chairman with standing authority to provide a copy of a confidential Minute pertaining to Board decisions with respect to termination of employment of Toronto Police Service and Auxiliary members to the member, or the solicitor acting on the member's behalf, upon written request to the Chairman and following consultation with Labour Relations.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P43. CONFIRMATION OF SERGEANTS/DETECTIVES

The Board was in receipt of the following report JANUARY 22, 2002 from Julian Fantino, Chief of Police:

Subject: CONFIRMATION OF SERGEANTS/DETECTIVES

Recommendation:

It is recommended that the Board confirm the members outlined below in the rank of Sergeant/Detective.

Background :

The following members have satisfactorily completed their probationary period in their rank in accordance with the Service Rules. They have been recommended by their Unit Commander for confirmation in rank, as of the date shown.

CAMPBELL, John	3678	54 Division	2002.02.26
CECILE, Glen	4167	31 Division	2002.02.26
DE LOTTINVILLE, Joseph	6878	32 Division	2002.02.26
DUBREUIL, Jean	2267	13 Division	2002.02.26
FOWLER, Wayne	2522	14 Division	2002.02.26
HOOVER, Bradley	6188	Professional Standards	2002.02.26
IDSINGA, Hank	6830	51 Division	2002.02.26
JOHNSTON, John	6403	Traffic Services	2002.02.26
KAVANAGH, Timothy	2601	14 Division	2002.02.26
LING, James	7023	Intelligence Services	2002.02.26
MCLEAN, Barbara	6947	55 Division	2002.02.26
MEANEY, Shawn	6436	32 Division	2002.02.26
MOORE, Darcy	1415	11 Division	2002.02.26
MORIN, Philip	7429	55 Division	2002.02.26
NORRIE, Andrew	1826	Traffic Services	2002.02.26
OLSEN, Frank	3525	53 Division	2002.02.26
ROSS, Sarah	1083	Fraud Squad	2002.02.26
SMITH, Keith	602	31 Division	2002.02.26
STONES, Michael	2758	32 Division	2002.02.26
STRAIN, Robert	2187	33 Division	2002.02.26
ZAMMIT, Jeffrey	598	14 Division	2002.02.26

The employment equity analysis indicates that the above list includes two white females and the remainder are white males.

The Service's files have been reviewed for the required period of service, that is, from February 2001, the month of their original promotion, to the date of this report, to ascertain whether the members concerned have any outstanding allegations of misconduct or *Police Services Act* charges. Background investigations have revealed that these officers have no record on file pertaining to these issues.

It is presumed that these officers shall continue to perform with good conduct between the date of this correspondence and the actual date of the Board meeting. Any deviation from this will be brought to the Board's attention forthwith.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P44. RECLASSIFICATION OF POLICE CONSTABLES

The Board was in receipt of the following report JANUARY 21, 2002 from Julian Fantino, Chief of Police:

Subject: RECLASSIFICATION OF POLICE CONSTABLES

Recommendation:

It is recommended that: the Board approve the reclassifications outlined below.

Background:

The following constables have served the required period in their current classification and are eligible for reclassification as indicated. They have been recommended by their Unit Commander as of the dates shown.

First Class Constable

SHETTY, Vijay	5206	42 Division	2001.12.05
MONTEIRO, Robert	99631	14 Division	2002.02.13

Second Class Constable

ALVAREZ-PICOS, Jorge	5406	51 Division	2002.02.10
ANDREWS, Billy-Joe	5440	54 Division	2002.02.10
ARULANANDAM, Gerrard	5414	14 Division	2002.02.10
BOURNE, Kevin	5408	42 Division	2002.02.10
BOYAL, Gurinder	5380	13 Division	2002.02.10
BRADSHAW, Erin	5421	54 Division	2002.02.10
BUCHANAN, Gregory	87055	14 Division	2002.02.10
BURLEY, David	99741	32 Division	2002.02.10
BUTT, Michael	99797	51 Division	2002.02.10
CALMEIRA, Sandra	5401	14 Division	2002.02.10
CHOE, Robert	5392	14 Division	2002.02.10
CIOFFI, Marc	5387	51 Division	2002.02.10
COWLING, Lisa	5369	41 Division	2002.02.10
ELZINGA, Siu-Mia	5420	42 Division	2002.02.10
FERLISI, Onofrio	99696	14 Division	2002.02.10
FONG, Wai	5405	14 Division	2002.02.10
FONSECA, Michael	5390	Public Safety Unit	2002.02.10

FORDE, Ryan	86872	55 Division	2002.02.10
FREMLIN, Jeffrey	5430	14 Division	2002.02.10
GAUTHIER, Paul	5371	41 Division	2002.02.10
GAYLOR, Brent	5372	41 Division	2002.02.10
GILL, Birender	5383	14 Division	2002.02.10
GREEN, Joseph	99658	41 Division	2002.02.10
GREENER, Kimberley	5395	12 Division	2002.02.10
HUBER, Erwin	5437	53 Division	2002.02.10
ISIP, Williador	5397	33 Division	2002.02.10
KACHKOWSKI, Kimberly	99640	11 Division	2002.02.10
KAHNERT, Michael	5427	53 Division	2002.02.10
KARRAS, Stella	86728	13 Division	2002.02.10
KIM, Jong	5386	54 Division	2002.02.10
KINGDON, Scott	5423	31 Division	2002.02.10
KOUROUDIS, George	5425	54 Division	2002.02.10
LUCIFORA, Jeffrey	5373	51 Division	2002.02.10
MACISAAC, Allister	5429	41 Division	2002.02.10
MALLEY, Shane	5436	14 Division	2002.02.10
MANN, Mandeep	5375	13 Division	2002.02.10
MASTRACCI, Paola	5398	13 Division	2002.02.10
MEANCHOPOULOS, Patricia	5399	32 Division	2002.02.10
MONAHAR, Dion	5379	14 Division	2002.02.10
NICOL, Robert	5435	13 Division	2002.02.10
PALM-DAVIS, Petra	99729	13 Division	2002.02.10
PARKER, Todd	5422	55 Division	2002.02.10
RANIERI, Pietro	5447	11 Division	2002.02.10
REYNOLDS, Lesley-Anne	5393	33 Division	2002.02.10
ROMAIN, Phillip	5394	51 Division	2002.02.10
ROUTH, Matthew	88640	42 Division	2002.02.10
RUDZITIS, Scott	5434	13 Division	2002.02.10
SALEH, Daniel	5409	11 Division	2002.02.10
SWALUK, Richard	5381	11 Division	2002.02.10
VEGA, Daniel	5438	55 Division	2002.02.10
WARR, Richard	99617	42 Division	2002.02.10
WONG, Chun	5412	11 Division	2002.02.10
MOSTOWSKI, Marek	8238	22 Division	2002.02.14

Third Class Constable

CARLETON, Stephen	8033	32 Division	2002.02.23
CAVANAGH, David	99796	22 Division	2002.02.23
DOHERTY, BRADEN	8005	11 Division	2002.02.23
DONAIS, Bradley	8015	23 Division	2002.02.23
GARDNER, Ronald	8031	41 Division	2002.02.23
GOODWIN, Douglas	7953	13 Division	2002.02.23
HORNBY, Gregory	99230	33 Division	2002.02.23

IONTA, Alessandro	7967	51 Division	2002.02.23
KELL, Jeffrey	7981	51 Division	2002.02.23
KIRBY, Amber	7997	31 Division	2002.02.23
KWAN, Chor	7988	11 Division	2002.02.23
LAZZARO, Frank	8045	13 Division	2002.02.23
LEDUC, Joseph	8030	22 Division	2002.02.23
MACPHAIL, Andrew	99782	11 Division	2002.02.23
MARXER, Matthew	8004	11 Division	2002.02.23
MCNABB, Edward	8014	14 Division	2002.02.23
RATHBONE, Melanie	7990	42 Division	2002.02.23
SALINES, Ciro	8001	42 Division	2002.02.23
SHARPE, Michael	7998	42 Division	2002.02.23
SLOAN, Christopher	7844	31 Division	2002.02.23
THRUSH, Sean	7995	52 Division	2002.02.23
WARNOCK, Martin	7963	14 Division	2002.02.23

Police Constable Vijay SHETTY (5206) and James CHANT (7646) who are both from 42 Division received a merit mark to carry with it three (3) months service towards reclassification and therefore their reclassification dates have been adjusted to reflect the merit mark.

As requested by the Board, the Service's files have been reviewed for the required period of service to ascertain whether the members recommended for reclassification have a history of misconduct, or any outstanding allegations of misconduct/*Police Services Act* charges. The review has revealed that these officers do not have any history of misconduct, nor any outstanding allegations of misconduct on file.

It is presumed that the officers recommended for reclassification shall continue to perform with good conduct between the date of this correspondence and the actual date of Board approval. Any deviation from this will be brought to the Board's attention forthwith.

The Chief Administrative Officer has confirmed that funds to support these recommendations are included in the Service's 2002 Operating Budget. The Service is obligated by its Rules to implement these reclassifications.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P45. APPOINTMENT OF SPECIAL CONSTABLES FOR THE UNIVERSITY
OF TORONTO**

The Board was in receipt of the following report FEBRUARY 04, 2002 from Julian Fantino, Chief of Police:

Subject: REQUEST TO APPOINT SPECIAL CONSTABLES FOR THE UNIVERSITY
OF TORONTO.

Recommendation:

It is recommended that: the Board approve the appointment of the following individuals as Special Constables for the University of Toronto:

James DICKS
Stephen HERTEL

Sidney DILLON
Wen Jie (Janice) XIA

Background:

At its meeting on January 29, 1998, the Board requested a report with the appropriate recommendation from the Chief of Police for the Board's consideration and approval to appoint persons as Special Constables, who are not employed by the Service (Board Minute 41/98 refers).

The appointment of employees of the University of Toronto as Special Constables is subject to the limitations set out in the agreement between the Board and the Governing Council of the University of Toronto (Board Minute 571/94 refers).

Background investigations by the Employment Unit have been successfully conducted on the aforementioned individuals. The University of Toronto staff has conducted character and reference checks. It is hereby recommended that the status of Special Constable be approved for these individuals.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P46. REPORT ON ARBITRATION AWARDS

The Board was in receipt of the following report JANUARY 11, 2002 from Maria Ciani, Manager, Labour Relations:

Subject: REPORT ON ARBITRATION AWARDS

Recommendation:

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

Background:

At its meeting on December 13, 2001, the Board requested a report on arbitration awards identifying the associated cost relating to each award as well as the resolution of each case.

For the period August 1998 to December 31, 2001, 18 arbitration awards were received by the Board. Of these 15 were in favour of the Board's position; 2 in favour of the Toronto Police Association's position and 1 award favoured both parties. In addition, the Board was challenged on one arbitration award, a Probationary Constable grievance which was heard at judicial review. The Board was successful in this case.

The attached report outlines each arbitration award, the result of each case and the cost incurred by the Board for each award.

Mr. William Gibson, Director, Human Resources and Ms. Maria Ciani, Manager, Labour Relations will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board received the foregoing.

TORONTO POLICE SERVICE ARBITRATION AWARDS

Arbitrator	Subject & Nature of Grievance	Date of Award	Result	Legal Costs	Arbitration Fees	Total
Devlin	***Promotion	December 5, 2001	Board Successful	11,353	2,725	14,078
Brent	Transfer	November 15, 2001	Board Successful	72,187	21,698	93,885
Adams	Transfer & Civil Action	November 1, 2001	Board Successful	102,925	75,623	178,548
Marcotte	Court Call Back	February 2, 2001	Association Successful	4,890	168	5,058
Jackson	31 Division - Shift Schedule	December 20, 2000	Board Successful	57,395	1,471	58,866
Marcotte	Promotion	May 27, 2000	Association Successful		153	153
Shime	Social Contract	March 28, 2000	Board & Association Grievances Successful	14,790	2,465	17,255
Saltman	Promotion	March 3, 2000	Board Successful	11,220	149	11,369
Welling	Callback	February 29, 2000	Board Successful	6,235		6,235
Jackson	Termination	February 3, 2000	Board Successful	18,125		18,125
Burkett	Central Sick Bank	November 25, 1999	Board Successful	5,305		5,305
Marcotte	Legal Indemnification	September 27, 1999	Board Successful	38,030	1,074	39,104
Herman	Termination	June 8, 1999	Board Successful	51,685	12,056	63,741
Kaplan	Termination	May 3, 1999	Board Successful	17,950	2,975	20,925
M. Picher	Acting/Promotion	January 22, 1999	Board Successful	1,830	1,348	3,178
Saltman	****Callback	December 11, 1998	Board Successful			
Barton	****Sr. Officer Posting	July 29, 1998	Board Successful			
Marszewski	****Legal Indemnification	August 5, 1998	Board Successful			
	Judicial Review			26,905		26,905
						0
TOTAL				440,825	121,905	562,730
***Note: All billings pertaining to this case have not been received.						
****Note: Costs unavailable for these cases.						

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P47. SEMI-ANNUAL REPORT: JULY 1 – DECEMBER 31, 2001: LABOUR
RELATIONS LEGAL FEES AND LEGAL INDEMNIFICATION**

The Board was in receipt of the following report JANUARY 10, 2002 from Julian Fantino, Chief of Police:

Subject: SEMI-ANNUAL REPORT ON FEES FOR LABOUR RELATIONS COUNSEL
AND LEGAL INDEMNIFICATION

Recommendation:

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

Background:

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

During the period of July 1 to December 31, 2001, 4 accounts from Hicks, Morley for labour relations counsel for a total of \$249,224.14, were approved for payment by the Director, Human Resources and the Manager, Labour Relations.

During the same period, 42 accounts relating to legal indemnification were paid totalling \$543,632.31.

No billings were paid during this period with respect to inquests or civil actions.

Therefore, during the period July 1 to December 31, 2001, a total of \$792,856.45 was paid in settlement of the above accounts.

For the period January 1 to December 31, 2001, legal expenses incurred by Labour Relations totalled \$1,254,219.80. The breakdown of this cost was as follows:

- (1) There were 8 accounts from Hicks, Morley for legal services rendered totalling \$333,348.96.
- (2) There were 75 legal indemnification claims processed totalling \$758,469.51.
- (3) There were 3 inquest claims processed totalling \$162,401.40.

The policy authorizing the Director, Human Resources and the Manager, Labour Relations to pay legal indemnification accounts of up to \$100,000.00 has expedited the process of settling these accounts. This has resulted in a substantial reduction in the number of outstanding accounts.

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

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P48. ANNUAL REPORT 2001 - SECONDMENTS

The Board was in receipt of the following report JANUARY 05, 2002 from Julian Fantino, Chief of Police:

Subject: ANNUAL REPORTING OF SECONDMENTS

Recommendation:

It is recommended that the Board receive this report.

Background:

Pursuant to the direction of the Board at its meeting on January 25, 2001 (Minute No. P5/01) the following is an account of Service members on secondment:

CURRENT SECONDMENTS					
No. of Officers	RANK	LOCATION	TERM		
1	Insp.	Min. of Sol. Gen. - Police Quality Assurance Unit	2001.03.26	to	2003.03.21
1	Insp.	Min. of Sol. Gen. - OCCPS	2001.07.01	to	2003.06.30
1	Sgt.	Min. of Sol. Gen., CISO - Criminal Intelligence Service Ont.	2001.03.01	to	2003.02.28
1	D/Sgt.	Min. of Sol. Gen. - Campbell Report Implementation Project	2001.04.01	to	2003.12.31
1	PC	Ministry of Sol. Gen. & Correctional Services - ViCLAS	1998.12.01	to	2002.11.30
1	PC	Ministry of Sol. Gen. & Correctional Services - ViCLAS	2000.02.01	to	2004.01.31
1	D/Sgt.	Min. of Attorney Gen. - Victims of Crime	2001.03.01	to	2003.02.28

CURRENT SECONDMENTS					
No. of Officers	RANK	LOCATION	TERM		
1	Det.	OPP - Ont. Illegal Gaming Enforcement Unit	2001.04.30	to	conclusion date to be finalized
1	PC	OPP - Ont. Illegal Gaming Enforcement Unit	1998.04.06	to	2003.06.27
1	PC	OPP - Ont. Illegal Gaming Enforcement Unit	1997.07.01	to	2003.06.27
1	Insp.	Provincial R.O.P.E. Repeat Offender Parole Enforcement Squad	2001.09.01	to	conclusion date to be finalized
2	Det.	Provincial R.O.P.E. Repeat Offender Parole Enforcement Squad	2001.09.01	to	conclusion date to be finalized
5	PC	Provincial R.O.P.E. Repeat Offender Parole Enforcement Squad	2001.09.01	to	conclusion date to be finalized
1	PC	OPC - Basic Constable Training	2001.01.04	to	2002.12.13
3	PC	OPC - Basic Constable Training	2001.04.23	to	2003.04.11
1	PC	OPC - Basic Constable Training	2001.12.10	to	2003.12.06
1	Sgt.	OPC - Basic Constable Training	2001.10.08	to	2002.08.02
1	Sgt.	OPC - Basic Constable Training	2001.09.04	to	2003.08.04
3	PC	RCMP - UNCIVPOL - Kosovo	2001.07.30	to	2002.05.11
2	Sgt.	RCMP - UNCIVPOL - Kosovo	2001.07.30	to	2002.05.11
1	Sgt.	RCMP - UNCIVPOL - Kosovo	2001.10.18	to	2002.08.02
1	Insp.	RCMP - UNCIVPOL - Kosovo	2001.07.30	to	2002.05.11

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

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P49. ANNUAL REPORT 2001– SECONDARY ACTIVITIES

The Board was in receipt of the following report FEBRUARY 05, 2002 from Julian Fantino, Chief of Police:

Subject: ANNUAL REPORT ON SECONDARY EMPLOYMENT ACTIVITIES

Recommendation:

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

Background:

At its meeting on February 11, 1993, the Board requested that the Chief of Police submit a semi-annual report on Secondary Employment Activities (Board Minute C45/93 refers). At the March 21, 1996 meeting, the Board further requested that all further semi-annual reports on Secondary Employment Activities include the number of new applications for secondary employment, how many were approved or denied on a year-to-date basis, as well as the total number of members engaged in secondary employment at the time of the report (Board Minute No. 106/96 refers). At its meeting on October 26, 2000, the Board passed a motion that future reports regarding secondary activities be provided to the Board on an annual basis rather than semi-annual (Board Minute No. 450/00 refers). At its meeting on February 22, 2001, the Board requested that future annual reports regarding secondary activities include a preamble that describes the Service's policy governing secondary activities (Board Minute P55/01 refers).

The Board approved a secondary activity policy for the Service at its meeting on May 1, 2000 (Board Minute C99/00 refers). Under this policy, members are required to obtain approval from the Chief of Police before participating in a "paid" secondary activity. Approval is also required for an "unpaid" activity where there may be a contravention of the Police Services Act.

In accordance with Service Procedure 14-25, members must submit an Application for Secondary Activity on Form TPS 778 for approval by the Chief of Police. Approval is granted provided the secondary activity does not contravene the restrictions set out in Section 49(1) of the Police Services Act (P.S.A.).

Section 49(1) states:

- 49.(1) A member of a police force shall not engage in any activity,
- (a) that interferes with or influences adversely the performance of his or her duties as a member of the police service, or is likely to do so;

- (b) that places the member in a position of conflict of interest, or is likely to do so;
- (c) that would otherwise constitute full-time employment for another person; or
- (d) in which he or she has an advantage derived from employment as a member of a Police Service.

Applications may also be denied for the following reasons:

- (1) Where the applicant has demonstrated a history of poor attendance or poor performance. Reference : P.S.A. s49(1)(a).
- (2) Where the secondary activity might bring discredit upon the member's reputation as an employee or upon the reputation of the Toronto Police Service. Reference: P.S.A. s74(1).
- (3) Where it involves the use of programs, lesson plans, technology, materials, equipment, services or procedures which are the property of the Service. Reference: P.S.A. s49(1)(d).

The Chief exercises his discretion, on a case-by-case basis, to determine whether an application is likely to violate Section 49(1) of the Police Services Act. Members whose applications are approved are required to sign an agreement which outlines the terms and conditions of the approval.

As of December 31, 2001, there were a total of 1,044 members engaged in secondary activities.

During the year 2001, there were 220 new applications received. Of the 220 applications, 127 were approved, 19 were denied, 23 were withdrawn and 51 are still being processed. The attached 2001 Annual Report on New Applications for Secondary Activities details the type of activities, the number of applications received by uniform and civilian members and the status of the applications.

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

The Board received the foregoing.

**2001 Annual Report on New Applications
for Secondary Activities**

Type of Activity	# of Uniform Applications	# of Civilian Applications
Sales/Service	30	55
Consultant/Instructor	12	14
Teacher/Lecturer	3	
Clerical/Office	2	22
Driver	4	6
Restaurant/Food Services	1	3
Business Services		
Arts/Media	1	1
Labourer	2	2
Cashier		
Volunteer Firefighter	1	1
Security		39
Writer		
Marketing		1
Army/Military	1	5
Counselor		9
Paramedic/Medical Services		5
TOTAL	57	163

Of the 220 applications received, 127 were approved, 19 were denied, 23 were withdrawn and 51 are still being processed.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P50. ANNUAL REPORT – 2001 HATE/BIAS STATISTICAL REPORT

The Board was in receipt of the following report FEBRUARY 04, 2002 from Julian Fantino, Chief of Police:

Subject: 2001 HATE/BIAS STATISTICAL REPORT

Recommendation:

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

Background:

The Hate Crime Unit of Detective Services, Intelligence Support has collected statistics and assisted in the investigation of hate crime offences since 1993. Attached, is the 2001 Annual Hate Crime Statistical report.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions, if required.

Detective Constable Sam Samm, Hate Crime Unit, was in attendance and responded to questions by the Board about this report.

The Board received the foregoing and approved the following Motions:

- 1. THAT the Service develop a plan of action which outlines a more aggressive approach to reduce the number of hate crimes in the City of Toronto; and**
- 2. THAT a copy of the plan be forwarded in a report to the Board.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P51. ANNUAL REPORT – 2001 CATERING EXPENDITURES

The Board was in receipt of the following report FEBRUARY 11, 2002 from Norman Gardner, Chairman:

Subject: CATERING SERVICES - 2001 EXPENDITURES

Recommendation:

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

Background :

At its meeting on August 6, 1992, the Board granted standing authority to the Chairman, Police Services Board, to approve expenditures from the Special Fund for costs associated with providing refreshments at Board and other special community meetings (Minute No. 463/92 refers).

The total costs for catering services in 2001 was \$9,872.64, a detailed list of the expenditures and meetings to which refreshments were provided is attached for information.

The Board received the foregoing.

TORONTO POLICE SERVICES BOARD
PAYMENTS FROM SPECIAL FUND FOR CATERING SERVICES
2001

Re: Minute No. 463/92

<u>Cheque Date</u>	<u>Service & Invoice #</u>	<u>Meetings</u>	<u>Total</u>
Jan. 15/01 Cheque #1512	VILLAGE HOST CATERING	- Board Meeting	469.89
Jul. 30/01 Cheque #1564	VILLAGE HOST CATERING Invoice #3995	- Service Award reception	3,846.00
Dec. 11/01 Cheque #1569	VILLAGE HOST CATERING Invoice #2674, 0246, & 0247	- Service Awards Oct. 1, Nov. 4 & 7	5,556.75
		TOTAL	<u>9,872.64</u>

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P52. ANNUAL REPORT – 2001 RECOGNITION PROGRAM EXPENDITURES

The Board was in receipt of the following report FEBRUARY 11, 2002 from Norman Gardner, Chairman:

Subject: RECOGNITION PROGRAM - 2001 EXPENDITURES

Recommendation:

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

Background:

At its meeting on August 6, 1992, the Board granted standing authority to the Chairman, Police Services Board, to approve expenditures from the Special Fund for costs associated with the Board awards and recognition programs (Minute No. 408/92 refers).

The total amount paid in 2001 was \$16,632.97. A list of the individual expenditure is attached for information.

The Board received the foregoing.

TORONTO POLICE SERVICES BOARD
PAYMENTS FROM SPECIAL FUND FOR RECOGNITION PROGRAMS
2001

Re: Minute No. 408/92

<u>Cheque Date</u>	<u>Service & Invoice #</u>	<u>Total</u>
Jan. 11/01 Cheque #1511	FRAMWORTH CUSTOM FRAMING Framed badges & access cards with award plate, Board Members Lyons & Hudson Invoice #25555	96.03
Feb. 28/01 Cheque #1526	CAG RUBBER STAMPS Nameplates & holders for command officers Invoice #40464 & 40484	89.82
Mar. 9/01 Cheque #1534	SHAND CALLIGRAPHY SERVICES Medal of Merit D/Chiefs Cann & Hunter Invoice #2052	25.00
Mar. 8/01 Cheque #1529	VANESSA LE PAGE Cake provided at Awards Ceremony for Community Members - Nov 20/00	160.00
Mar. 8/01 Cheque #1528	SHAND CALLIGRAPHY SERVICES Replacement Medal of Merit Certificate for D/Chiefs Cann	25.00
Mar. 9/01 Cheque #1535	CAG RUBBER STAMPS Nameplate for Board. Member Lindsay Luby Invoice #40951	21.48
Apr. 25/01 Cheque #1543	VANESSA LE PAGE Cake provided at Service Awards April 5/01	160.00
Apr. 25/01 Cheque #1542	VILLAGE HOST CATERING Service Awards - Apr. 5/01 Invoice #3982	1,538.40

May 9/01 Cheque #1549	B.H. CUSTOM FRAMING Medal of Merit Cert. dbl. matted mounted & framed, D/Chiefs Cann & Hunter Invoice #666253	388.70
May 9/01 Cheque #1547	VANESSA LE PAGE Cake provided at Service Awards for Community Members - Apr. 29/01	160.00
May 24/01 Cheque #1552	CUSTOM ART CONCEPTS Framed Community Members Awards & Citations - Invoice #2076	828.00
May 24/01 Cheque #1550	FRAMEWORTH CUSTOM FRAMING Framed badge & access cards with award plate for Board Member Chong Invoice #30270	55.78
May 31/01 Cheque #1556	VILLAGE HOST CATERING Service Awards Ceremony for Community Members - Apr.29/01 Invoice #3986	1,927.00
May. 31/01 Cheque #1553	CUSTOM ART CONCEPTS Framed Merit Marks & Commendations Invoice #2189	938.40
Jun. 29/01 Cheque #1561	CUSTOM ART CONCEPTS Framed Merit Marks, Commendations, Teamwork, Partnership Certs. Invoice #2293 & 2301	5,448.70
Jun. 29/01 Cheque #1560	FRAMEWORTH CUSTOM FRAMING Framed badge & access cards with award plate for Board Member Adelson Invoice #30583	55.78
Jun 29/01 Cheque #1559	VANESSA LE PAGE Cake provided at Service Awards for Community Members - Jun. 6/01	160.00
Dec. 11/01 Cheque #1570	CUSTOM ART CONCEPTS Framed Community Members Awards Invoice #3088A	1,794.00

Dec. 13/01 Cheque #1572	FRAMEWORTH CUSTOM FRAMING Framed badge & access cards with award plate for Board Member Valentini Invoice #34143	55.78
Dec 11/01 Cheque #1568	VANESSA LE PAGE Cakes provided at Service Awards Nov. 4, 7/01	320.00
Dec. 13/01 Cheque #1573	CUSTOM ART CONCEPTS Framed Service Awards Invoice #3321	2,385.10
March 14, 2002	TOTAL	<u>16,632.97</u>

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P53. SUMMARY OF SERVICE AWARDS PRESENTATIONS

The Board was in receipt of the following report JANUARY 10, 2002 from Julian Fantino, Chief of Police:

Subject: SERVICE AWARDS

Recommendation:

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

Background :

The following Service Awards were presented to members of the Service at a ceremony held on Wednesday, November 7th, 2001 at Police Headquarters:

MERIT MARK: (to carry with it three (3) months service towards service pay)

D/Sgt. SMITH, Darren	(2411)	31 Division
PC DARBY, Kevin	(5095)	Emergency Task Force
D/Sgt. McGUIRE, Jeff	(4694)	Homicide Squad
Det. CARTER, Randolph	(4219)	Homicide Squad

COMMENDATION:

Ms. HAINES, Denise	(65279)	13 Division
Sgt. ZAMMIT, Jeffrey	(598)	14 Division
PC McCAW, Douglas	(5439)	14 Division
PC WHITE, Paul	(2334)	14 Division
PC NIJJAR, Harjit	(7533)	23 Division
Det. DZINGALA, Edward	(3998)	33 Division
PC MacDONALD, Lori-Ann	(4919)	33 Division
PC BUCHANAN, Crichton	(7157)	52 Division
Ms. GOWANLOCK, Carol	(99162)	Area Courts
PC DIONNE, Allan	(5933)	Central Courts
C/O BRANEY, James	(86970)	Communications Centre
C/O DOUGLAS, Karen	(89039)	Communications Centre
C/O STEVENSON, Geraldine	(86874)	Communications Centre
C/O STOKES, Janice	(86430)	Communications Centre
Ms. JONES, Stephanie	(86966)	Court Services
PEO CRUZET, Francisco	(65006)	Parking Enforcement East
PC GURR, Jack	(5407)	Public Safety Unit

PC	LITTLE, David	(469)	Toronto Drug Squad
PC	LANE, Arthur	(6574)	Traffic Services

TEAMWORK COMMENDATION:

Sgt.	GALLANT, Stacy	(2515)	11 Division
PC	MILIC, Dan	(647)	11 Division
PC	KARANFILIS, Tom	(6726)	12 Division
PC	TRANTER, James	(459)	13 Division
Sgt.	FOWLER, Wayne	(2522)	14 Division
Det.	WHITWORTH, John	(3316)	31 Division
PC	IVORY, Ronald	(6331)	31 Division
PC	REIMER, Eric	(7474)	31 Division
Sgt.	SCHUELLER, Michael	(6711)	32 Division
S/Sgt.	FERNANDES, Cyril	(6807)	33 Division
Sgt.	YOUNG, Craig	(6145)	41 Division
PC	MACLEAN, Roderick	(472)	41 Division
PC	MONK, Christopher	(7914)	41 Division
PC	RAYNER, Timothy	(7832)	41 Division
PC	WILSON, Julie	(7754)	41 Division
Det.	DiDANIELI, Roberto	(1859)	42 Division
PC	STINSON, David	(4422)	52 Division
D/Sgt.	PYE, Norman	(3971)	55 Division
PC	POSEN, Aaron	(787)	55 Division
Sgt.	KELLY, John	(5677)	Community Policing Support Unit
S/Sgt.	MATULEWICZ, Michael	(2481)	Corporate Planning
Sgt.	CLARKE, Steven	(6933)	Corporate Planning
Sgt.	MELOCHE, Shawn	(1446)	Corporate Planning
Sgt.	PEQUENEZA, Nicole	(165)	Corporate Planning
Ms.	COLLINS, Gloria	(86057)	Corporate Planning
Det.	MALCOLM, David	(5943)	Intelligence Services
Det.	MOONEY, Richard	(286)	Intelligence Services
PC	FRIGON, Robert	(4571)	Intelligence Services
PC	CAMPBELL, Nicole	(305)	Intelligence Services
PC	KEMP, William	(2977)	Marine Unit
PC	SAITO, Thomas	(4253)	Marine Unit
PC	WILSON, Anton	(1176)	Marine Unit
PC	PICKRAN, Hildor	(6907)	Mounted & Police Dog Services
Det.	SCUDDS, Paul	(4748)	Sexual Assault Squad
PC	RICHARDSON, Sheila	(3429)	Sexual Assault Squad
PC	LYONS, William	(2730)	Special Investigation Services
S/Insp.	TWEEDY, Neale	(3750)	Toronto Drug Squad
PC	KERR, Terry	(530)	Toronto Drug Squad
PC	PETERS, Tracey	(5576)	Toronto Drug Squad
PC	WILSON, Timothy	(6094)	Toronto Drug Squad
Sgt.	MOORCROFT, Brian	(368)	Training & Education

The following were unable to attend the ceremony on November 7th and will be presented with their awards at the unit level:

COMMENDATION:

PC	BOULET, Scott	(1421)	14 Division
PC	PEARSON, Chad	(7677)	14 Division
PC	BREWSTER, Iain	(5737)	42 Division (X2)
PC	HANNAH, Mark	(4449)	51 Division
PC	FALLIS, Robert	(7249)	Intelligence Services
Sgt.	MAGILL, Heidi	(4958)	Mounted & Police Dog Services

TEAMWORK COMMENDATION:

D/Sgt.	NEALON, Daniel	(2398)	13 Division
Sgt.	DUNCAN, Peter	(741)	31 Division
Det.	YOUNG, Ronald	(2212)	31 Division
PC	BURROWS, Michael	(5432)	31 Division
PC	GILL, Gurjoyt	(7722)	31 Division
PC	HAYES, Timothy	(7374)	31 Division
PC	MacPHERSON, Michael	(7683)	31 Division
PC	MALYNOWSKYJ, Zenon	(3650)	31 Division
PC	PACITTO, Antonio	(3966)	31 Division
PC	RUMNEY, Traci	(7642)	31 Division
Ms.	MAK, May	(87460)	Corporate Planning
Ms.	NYKORCHUK, Lina	(87433)	Corporate Planning
Ms.	WHYNOT, Carrol	(88971)	Corporate Planning
Det.	ANGLE, Brian	(3089)	Hold-Up Squad
PC	BISHOP, David	(4444)	Hold-Up Squad
PC	MARTIN, Robert	(3557)	Intelligence Services
PC	BURKHOLDER, Herbert	(4509)	Marine Unit
PC	DAKIN, Brian	(613)	Special Investigation Services
PC	HUGHES, Trudy	(4613)	Special Investigation Services

In summary, there were 4 Merit Marks, 26 Commendations and 60 Teamwork Commendations presented for the November 7th, 2001 awards ceremony.

The following Service Awards were presented to members of the Service at a ceremony held on Tuesday, December 4th, 2001 at Police Headquarters:

MERIT MARK: (to carry with it three (3) months service towards service pay)

Det.	PEACOCKE, Douglas	(6216)	52 Division
Det.	TRACY, Steven	(528)	Sexual Assault Squad

COMMENDATION:

PC	McCREIGHT, Kenneth	(6681)	12 Division
PC	VALERIO, John	(3926)	12 Division
Det.	FRAUNBERGER, Peter	(7246)	41 Division
PC	KOZMIK, James	(4174)	41 Division
PC	ESKEN, Indrek	(943)	52 Division
PC	MEADS, Donald	(6507)	Marine Unit
PC	MOUTER, John	(4887)	Marine Unit

TEAMWORK COMMENDATION:

Sgt.	SIDORA, Terry	(7428)	11 Division
PC	McCAUSLAND, Yoshio	(7707)	22 Division
PC	MORELL, Adam	(5928)	22 Division
PC	ORR, Miranda	(5312)	22 Division
PC	SANCHUK, Edward	(7613)	22 Division
PC	TAYLOR, Andrew	(99635)	22 Division
Sgt.	GERRITS, Philip	(6173)	Emergency Task Force
PC	HUNG, James	(4446)	Emergency Task Force
PC	LECK, David	(3662)	Emergency Task Force
PC	RICHARDSON, Andrew	(6441)	Emergency Task Force
Ms.	CRAWFORD, Heather	(89300)	Property & Evidence Management Unit
Ms.	DAVIS, Joanne	(86521)	Property & Evidence Management Unit
Ms.	FRY, Virginia	(87397)	Property & Evidence Management Unit
Mr.	PERALTA, Marcial	(89467)	Property & Evidence Management Unit
Mr.	RAZVI, Syed Mahmood	(99066)	Property & Evidence Management Unit
Mr.	CUNNINGHAM, Robert	(86223)	Radio & Electronics
Mr.	NACCARATO, Jose	(86119)	Radio & Electronics
Mr.	SHORE, David	(96288)	Radio & Electronics
Mr.	WEEKS, Roland	(99317)	Radio & Electronics
Det.	CHASE, Richard	(7111)	Toronto Drug Squad

The following were unable to attend the ceremony on December 4th, and will be presented with their awards at the unit level:

TEAMWORK COMMENDATION:

Sgt.	GRIFFITHS, David	(203)	11 Division
Sgt.	KAY, Brian	(7292)	11 Division
PC	RITCHIE, Michael	(3228)	11 Division
PC	WILSON, Steven	(2938)	12 Division
Sgt.	ASSELIN, Glenn	(1717)	13 Division
Sgt.	RICHARDSON, Maxwell	(6829)	41 Division
PC	MARCH, John	(3164)	51 Division

Sgt.	CAMPBELL, John	(3678)	54 Division
PC	BRAKE, Michael	(474)	Emergency Task Force
PC	COOK, William	(322)	Emergency Task Force
Det.	KULMATYCKI, Joel	(389)	Hold-Up Squad
D/Sgt.	MacCALLUM, Robert	(3719)	Intelligence Services
Det.	CAMPANILE, Emanuele	(3607)	Intelligence Services
Det.	McPHERSON, Alan	(7195)	Intelligence Services
PC	HUNTER, William	(6249)	Intelligence Services
Ms.	LUI, Teresa	(87348)	Intelligence Services
Mr.	NOORMOHAMED, Nizar	(86587)	Property & Evidence Management Unit
Ms.	QUATRALE, Verona	(86575)	Property & Evidence Management Unit
PC	PICKERING, Stephen	(1806)	Special Investigation Services
PC	YANEFF, Karl	(6589)	Special Investigation Services
D/Sgt.	BROWNELL, David	(3898)	Toronto Drug Squad
Det.	GLENDINNING, Gregory	(3223)	Toronto Drug Squad
Det.	NOLL, Carl	(6695)	Toronto Drug Squad
PC	GREEN, John	(3206)	Toronto Drug Squad
PC	JENKINS, John	(4734)	Toronto Drug Squad
PC	KENNEDY, Andre	(2555)	Toronto Drug Squad
PC	LEUNG, Gordon	(6523)	Toronto Drug Squad
PC	MARTIN, Robert	(6410)	Toronto Drug Squad
PC	PETERS, Tracey	(5576)	Toronto Drug Squad
PC	QUIGG, Martin	(7431)	Toronto Drug Squad
PC	SOBOTKA, Karl	(2860)	Toronto Drug Squad
PC	WATTS, Steven	(4007)	Toronto Drug Squad
Ms.	LAWRIE, Sharon	(89022)	Toronto Drug Squad

The following were unable to attend the December 4th ceremony and will be attending the next service awards ceremony:

COMMENDATION:

Det.	NEEDHAM, David	(3800)	14 Division
Det.	SIMONE, Frank	(4954)	14 Division

In summary, there were 2 Merit Marks, 9 Commendations and 53 Teamwork Commendations presented for the December 4th, 2001 awards ceremony.

The following Community Member Awards were presented at a ceremony held on Sunday, November 4th, 2001 at Police Headquarters:

PARTNERSHIP CITATION:

<u>Name:</u>	<u>Submitted By:</u>
Peter CHEUNG	Intelligence Services
Winnie WONG	Intelligence Services
Phuoc TRAN	Intelligence Services

COMMUNITY MEMBER AWARD:

<u>Name:</u>	<u>Submitted By:</u>
Robert SHADDICK	11 Division
Victoria SHADDICK	11 Division
Tuan Thanh TROUNG	11 Division
Jagama GOBENA	12 Division
Ali VAKILI	12 Division
Sean STOLWORTHY	14 Division
Martin FLANAGAN	14 Division
Courtney WALTERS	14 Division
Syed Saleen ZAIDI	14 Division
Paul POULIN	14 Division
Michael COLES	14 Division
John COOK	14 Division
Craig RINES	21 Division
Andrew MARTIN	21 Division
Alexis MANDERSON	21 Division
Peter DUNN	21 Division
James WOOLLCOTT	22 Division
John PEZZETTA	32 Division
Amanda RANKIN	32 Division
Sharon LEAMY	32 Division
Roger COOPER	32 Division
Eric WAINWRIGHT	32 Division
John NEARY	41 Division
Larry O'CONNOR	41 Division
Karen KELLY	51 Division
Karen de PRINSE	51 Division
Dean PAPADOPOULOS	52 Division
Travis WATTS	52 Division
Kerry DONNELLY	52 Division
Shawn BRANCH	52 Division
Jose BRANCO	52 Division

Marc OUELLET	52 Division
Ryan LEGER-COCKS	53 Division
Jason LEUNG	55 Division
Nelson MAH	55 Division
Susan KOTYK	Communications Centre
Glen GOURLEY	Hold-Up Squad
Henry WANG	Intelligence Services
Steven ANG	Intelligence Services
Anthony HUNG	Intelligence Services
Ben LAU	Intelligence Services
Ambrose CHEUNG	Intelligence Services
Kirk BENSON	Marine Unit

The following members of the community were unable to attend the ceremony November 4th, and have been advised to contact Professional Standards in regards to their awards:

<u>Name:</u>	<u>Submitted By:</u>
Scott GREENHILL	11 Division
Julie HAUSE	11 Division
Waqar SYED	13 Division
Joseph BUSCHEMEYER	13 Division
Jimmy DUONG	13 Division
Darren SMITH	14 Division
Douglas FORSYTH	14 Division
Steven GELLING	14 Division
Steve KARANFILOV	21 Division
Berdino PARENTE	22 Division
Reginald TOEWS	32 Division
Kylann BALL	33 Division
Holly TYRRELL	33 Division
John REID	41 Division
Jacqueline CORRIGAN	51 Division
Steven CHARLES	52 Division
Melissa COSTA-GRIER	55 Division
Dorotea GAMBINO	55 Division
Karen CAMPBELL	Sexual Assault Squad

In summary, there were 3 Partnership Citations and 62 Community Member Awards presented at the November 4th, 2001 Community Member Awards Ceremony.

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions the Board may have in regard to this matter.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P54. RESPONSE OF THE ATTORNEY GENERAL TO THE SERVICE'S
REQUEST FOR COURT SERVICES FUNDING**

The Board was in receipt of the following report JANUARY 18, 2002 from Julian Fantino, Chief of Police:

Subject: RESPONSE FROM PROVINCIAL ATTORNEY GENERAL REGARDING
REQUEST FOR COURT SERVICES FUNDING

Recommendation:

It is recommended that:

1. the Board receive this report; and
2. the Board forward a copy of this report to the City's Policy and Finance Committee.

Background :

During the 2001 budget approval process, City Council made the following recommendation:

- (ii) *The Province of Ontario be requested to pay its fair share towards the City of Toronto's Police Service budget for the running of the provincial court system where the services of the Toronto Police Service are required; and*
- (iii) *The amount as specified by the Chief of Police be billed to the Province of Ontario;*

In response to this request from City Council, we have compiled details on the court-related costs incurred by the Toronto Police Service within the Provincial court system.

A letter was sent to the Honourable David Young, Attorney General and Minister Responsible for Native Affairs outlining TPS' position regarding changes to the cost-sharing of court security. Prior to the legislative change in 1990, the Province funding ratio was 53%: 47%. However, the Province has moved from a funding formula to individual grants which do not cover the actual court security costs incurred by TPS.

During the same time period, various court decisions and Provincial initiatives such as increased court locations and extended court hours have increased the level of service provided by the Toronto Police Service to the Provincial court system. This increase in service level has not resulted in comparable increases in Provincial funding. We have funded this increase in service to the Provincial court system through funding from the City of Toronto.

The Provincial share of the Toronto Police Service total court costs of \$25.1M (in 2000) is estimated to be \$11.8M based on the original cost-sharing model. The letter, requesting reimbursement of the \$11.8 million (M), is attached for your information (attachment A).

Provincial Response to Funding Request

The Service is in receipt of a response (attachment B) from the Honourable David Young dated January 2, 2002. In this letter the Minister quotes the *Police Services Act* to place responsibility for court security in the hands of the local police services board. The Minister also advises that the development and implementation of court security is the responsibility of the local police service and that the Solicitor General's office could provide support in this area.

It is the Minister's position that the support of criminal prosecutions "are appropriately provided and funded by the Toronto Police Service". However, the Minister has forwarded a copy of our letter to both the Honourable Rob Sampson, Minister of Correctional Services and the Honourable David Turnbull, Solicitor General of Ontario for their consideration.

Summary:

The legislative changes to transfer the responsibility of provincial court security from the Province to municipalities did not include comparable funding to support this program. The Province continues to enact court changes, which increase the required level of court security without financial support. These increases in level of service for court security without Provincial funding require Toronto Police Service to request funding from the City of Toronto for these increasing costs. Since 1990, these cost increases have been funded through tax revenues generated from the residents and businesses of the City of Toronto.

We will continue to pursue obtaining financial support from the Province of Ontario for the services provided by the Toronto Police Service to the provincial court system. I will keep the Board apprised of any developments.

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

The Board received the foregoing.



Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3
(416) 808-2222 FAX (416) 808-8202
Website: www.TorontoPolice.on.ca



Julian Fantino
Chief of Police

File Number:

November 15, 2001

Honourable David Young, Attorney General
and Minister Responsible for Native Affairs
Ministry of the Attorney General
720 Bay Street, 11th floor
Toronto, ON M5G 2K1

Dear Sir:

TORONTO POLICE SERVICE PROVINCIAL COURT COSTS

In 1990 the Province, through a cost-sharing initiative, contained in Bill 187, transferred the responsibility of court security to municipalities. At that time the Municipal-Provincial funding ratio was 53%: 47%. The Province has since moved from a funding formula to individual grants which do not cover the City of Toronto's actual costs for services provided to provincial courts. During the same period, various court decisions and Provincial initiatives have increased the services provided by the Toronto Police Service to the Provincial Court system.

Toronto Police Service Court Services Unit provides the following services to the Provincial Court system:

- ◆ Court Security and Prisoner Escort
- ◆ Prisoner Transport
- ◆ Liaison/Disclosure
- ◆ Court Document Services (CDS)
- ◆ Computer Assisted Scheduling of Court (CASC)
- ◆ Training
- ◆ Court Services Administration

The Toronto Police Service increase in service delivery to the Provincial Court system did not result in an increase of provincial funding. The City of Toronto has funded the increased costs through the tax billings to residents and businesses.

During the City of Toronto 2001 Budget deliberations, the following recommendation was passed by City Council:

'The Province of Ontario be requested to pay its fair share towards the City's Police budget for the running of the Provincial court system where the services of the Toronto Police Service are required.'

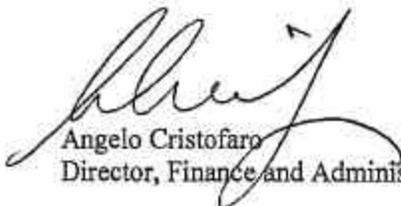
Based on this request from City of Toronto Council, the Toronto Police Service breakdown of provincial court costs for 2000 is:

Function Provided	Annual cost
Court Security and Prisoner Escort	\$16,415,000
Prisoner Transport – Staff and Fleet	\$3,052,000
Liaison/Disclosure	\$1,960,000
Court Document Services (CDS)	\$1,470,000
Computer Assisted Scheduling of Court (CASC)	\$245,000
Training	\$245,000
Court Services Administration	\$1,715,000
Total Toronto Police Service Costs	\$25,102,000

Using the Municipal-Provincial funding ratio of 53%: 47%, the Provincial share of the Toronto Police Service total court costs for 2000 is \$11,797,940. Please consider this letter as our invoice for the Province's share of the Toronto Police Service 2000 court costs.

Should you have any questions or concerns, please contact me at 416-808-7877.

Yours truly,



Angelo Cristofaro
Director, Finance and Administration

**Attorney General
Minister Responsible for Native Affairs**

The Hon. David S. Young

**Procureur général
ministre délégué aux Affaires autochtones**

L'hon. David S. Young



Ministry of the Attorney General
11th Floor
720 Bay Street
Toronto ON M5G 2K1
Telephone: (416) 326-4000
Facsimile: (416) 326-4016

Ministère du Procureur général
11^e étage
720, rue Bay
Toronto ON M5G 2K1
Téléphone : (416) 326-4000
Télécopieur : (416) 326-4016

Our Reference #: M01-09131

JAN 02 2002

Mr. Angelo Cristofaro
Director, Finance and Administration
Toronto Police Service
40 College Street
Toronto, ON
M5G 2J3

Dear Mr. Cristofaro:

Thank you for your letter dated November 15, 2001 regarding court security costs and prisoner transportation.

The *Police Services Act* makes it clear that the local police services boards have the responsibility to ensure the security of court premises, the security of judges and other persons attending court proceedings, as well as the secure custody of accused persons. Police services boards are responsible for determining the appropriate levels of security to meet their responsibilities under the Act.

As the provisions relating to court security and prisoner transportation fall under the *Police Services Act*, the Ministry of the Solicitor General is the lead ministry to respond.

I understand that development and implementation of an individual plan for each court is the responsibility of the local police service. The ministry's local managers of court operations will, of course, work with police, the bench, the bar and the landlords to implement the individualized plan for each court facility.

Regarding other costs listed in your letter, support of criminal prosecutions are appropriately provided and funded by the Toronto Police Service. Further, I have taken the liberty of forwarding a copy of your letter to my colleagues, the Honourable Rob Sampson and the Honourable David Turnbull for their consideration.

Thank you for taking the time to write.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Young', written in a cursive style.

David Young
Attorney General
Minister responsible for Native Affairs

c: The Honourable Rob Sampson, Minister of Correctional Services
The Honourable David Turnbull, Solicitor General of Ontario

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P55. NEWS RELEASE: ORGANIZED CRIME LEGISLATION AND THE
*ANTI-TERRORISM ACT***

The Board was in receipt of the attached news bulletin, dated January 08, 2002, by the Canadian Association of Police Boards with respect to organized crime legislation and the *Anti-Terrorism Act*.

The Board received the foregoing.

CANADIAN ASSOCIATION OF POLICE BOARDS

110 Laurier Avenue West, Ottawa, Ontario K1P 1J1 Tel (613) 560-1312 Fax (613) 560-1380
Email: Wendy.Fedec@city.ottawa.on.ca Website: www.capb.ca

BULLETIN!

8 January 2002

- 1. Organized Crime Legislation Comes into Force**
- 2. Anti-Terrorism Act Receives Royal Assent**

THE ISSUES

Two important pieces of federal legislation have taken major steps towards implementation:

- 1. Bill C-24 – Organized Crime Legislation**

Bill C-24 came into force on 7 January 2002. The Bill contains aggressive new measures to fight organized crime, including three new offences and tough sentences that target involvement with criminal organizations and provisions that improve the protection of people who play a role in the justice system, such as jurors or witnesses, from intimidation. All provisions came into force on 7 January 2002 except:

- The protection of law enforcement officers from criminal liability when they commit certain acts that would otherwise be considered illegal, which can be an essential tool when investigating and infiltrating criminal organizations; and
- Broader powers for law enforcement to forfeit the proceeds of crime and, in particular, the profits of criminal organizations, and to seize property that was used in a crime.

These two measures will come into force on 1 February 2002 to allow time for training and preparation of law enforcement personnel, and the drafting of regulations where necessary.

- 2. Bill C-36 – Anti-Terrorism Act**

On December 18, 2001 the Government of Canada announced that its tough new legislation targeting terrorists had received Royal Assent. The new measures are part of the Government's Anti-Terrorism Plan which takes aim at terrorist organizations and strengthens investigation, prosecution and prevention of terrorist activities at home and abroad.

The provisions under Bill C-36 will come into force soon after measures for implementation have been arranged with the provinces, territories, police and others responsible for enforcement.

COMMENTS

In 2001 the CAPB expressed its support to the federal government for both Bill C-24 and Bill C-36, and is very pleased that both pieces of legislation are now moving forward. Particularly welcome is the news that provisions will be implemented to protect police officers from criminal liability when

- 2 -

they commit acts during criminal investigations that would otherwise be illegal. This is something the CAPB and other national policing associations have been requesting since 1999.

Concerns remain about the additional resources municipal police services will require to implement the provisions of these new acts. The CAPB Board of Directors is continuing to lobby the federal government on this issue.

For more background information and the CAPB position on these two Acts, please reference CAPB bulletins #47, #49, #50 (Bill C-36) and #41, #42, #45 (Bill C-24).

For further information: Wendy Fedec, Executive Director
Canadian Association of Police Boards
Tel: 613-560-1312, Fax: 613-560-1380
E-mail: Wendy.Fedec@city.ottawa.on.ca
Website: www.capb.ca

Bulletin #51 – January 8, 2002

- 1. Organized Crime Legislation Comes into Force**
- 2. Anti-Terrorism Act Receives Royal Assent**

The BULLETINI is a publication of the Canadian Association of Police Boards designed to provide member boards with important information in a rapid and timely fashion.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P56. RESPONSE TO REQUEST FOR PERMANENT OATHS OF OFFICES
FOR SPECIAL CONSTABLES EMPLOYED BY THE TORONTO
POLICE SERVICE**

The Board was in receipt of the attached correspondence, dated January 22, 2002, from Roger Hollingworth, Assistant Deputy Minister, Ministry of the Solicitor General, in response to the Board's recommendation that oaths of offices for special constables employed by the Service be permanent.

The Board received the foregoing.

**Ministry of the
Solicitor General**

Policing Services Division

25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3

Telephone: (416) 314-3000
Facsimile: (416) 314-4037

**Ministère du
Solliciteur général**

Division des services internes
de la police

25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3

Téléphone: (416) 314-3000
Télécoleur: (416) 314-4037



CM01-05720

JAN 2 2 2002

Mr. Norman Gardner
Toronto Police Services Board
40 College Street
Toronto ON M5G 2J3



Dear Mr. Gardner:

The Honourable David Turnbull has asked me to reply to your letter concerning the feasibility of making permanent the Oath of Office taken by Special Constables employed by the Toronto Police Service.

A Special Constable Working Group has been established by the Ministry to review a number of issues pertaining to Special Constables, including the matter you have raised. The group held its first meeting on January 10, 2002 and participants included a number of senior officers from the Toronto Police Service.

Upon completion of its work later this year, the Working Group will be reporting back to me with its findings. I will then be in a better position to respond to your request.

Thank you for taking the time to communicate the views of the Toronto Police Services Board on this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roger B. Hollingworth".

Roger B. Hollingworth
Assistant Deputy Minister
Policing Services Division

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P57. CORRESPONDENCE

The Board was in receipt of a summary of the public correspondence received in the Board office between January 09, 2002 and February 11, 2002. A copy of the summary is on file in the Board office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P58. REVIEW OF THE CITY AUDITOR'S EVALUATION OF THE AIR
SUPPORT UNIT PILOT PROJECT**

The Board was in receipt of the following report JANUARY 25, 2002 from Julian Fantino, Chief of Police:

Subject: REVIEW OF THE CITY AUDITOR'S EVALUATION OF THE AIR SUPPORT
UNIT PILOT PROJECT

Recommendation:

It is recommended that:

- (1) the Board receive this report; and
- (2) a copy of this report be provided to the City of Toronto Policy and Finance Committee for consideration, and
- (3) the Board approve the Service pursuing an initiative to establish an Air Support Unit.

Background :

At its meeting on November 15, 2001, the Board was in receipt of a report entitled *The Evaluation of the Air Support Unit Pilot Project*, dated June 12, 2001, which was prepared by the City Auditor, Mr. Jeffrey Griffiths (Board Minute #P313/01 refers). The Board requested that Chief Fantino provide a report following his review of the City Auditor's evaluation and that it include comments on both the content of the evaluation and the issues identified in the following recommendation:

- *“prior to a decision being made on the establishment of an Air Support Unit for the Toronto Police Service the issues identified in this report be considered. Such issues to include:*
- *a review of less expensive options;*
- *development of performance indicators and annual reporting of such indicators to the Toronto Police Services Board; and*
- *the development of a plan for optimal integration of the Air Support Unit with other police operations, including the development or revision of operating policies, procedure and protocol, as well as the necessary training of appropriate police officers and support units.”*

General comments:

The City Auditor's evaluation acknowledges the primary benefit of a police helicopter, that being a support tool to front-line operations. A helicopter compliments ground and marine assets by exploiting its capabilities as a resource multiplier, thereby creating enhanced operational efficiencies. The evaluation report refers to a helicopter's unique aerial perspective, its effectiveness during searches, improved response times and increased apprehension rates. The report also refers to the Environics Research Group poll and the police officer survey conducted by the City Auditor, both of which indicate significant support for police helicopters in the City of Toronto.

The evaluation report makes a number of references to the recent study entitled "*The Eye in the Sky: Evaluation of Police Helicopter Patrols-The London Police Service Helicopter Research Project*", authored by Professor Paul C. Whitehead of the University of Western Ontario. The evaluation report included among others, the following quotes from Professor Whitehead:

"The operational benefits of helicopter policing stem directly from the unique dimensions that it provides: aerial perspective, speed and mobility and the ability to light an area. It facilitates many types of searches, saves time, adds to citizen and officer safety and increases apprehensions." and

"Analyses of occurrence reports and police logs led to the following conclusions:

- (a) there is evidence of increased efficiency (i.e., time per call is less when a helicopter is involved; the helicopter is frequently first on scene);*
- (b) there is evidence of increased effectiveness (i.e., apprehensions are more likely) when the helicopter is involved;*
- (c) some searches lend themselves exceptionally well to the unique advantages of the helicopter."*

In addition to the foregoing, a number of issues for consideration were identified in the evaluation report. Included in these were a review of less expensive options (e.g. using a smaller helicopter, operating one helicopter instead of two, a G.T.A. shared helicopter or using fixed-wing aircraft), noise concerns, performance indicators and an integration plan.

Less expensive options

The minimum standard to meet the mission profile prescribed by the Toronto Police Service, is a light, single turbine engine helicopter. The Bell Jet Ranger helicopter used during the pilot project is one example of this type of aircraft. Smaller helicopters do not feature the payload capacity to accommodate the ancillary equipment and personnel required for police operations.

The operation of a single helicopter versus two aircraft is an option the Service is prepared to explore. Such an operation would impose limitations on operational flexibility and availability, however these limitations could be mitigated by the development of an integrated flight and maintenance schedule with the other G.T.A. air support units. Integrated scheduling would ensure that helicopter coverage was available at all times to the region.

A G.T.A. shared helicopter will not accommodate the Toronto Police Service general patrol mission profile. One of the primary benefits of a helicopter is response time. Given the size of the region, the response time to calls for service would be significantly compromised.

Fixed-wing aircraft can provide certain types of air support to front-line operations, but they are limited in terms of maneuverability and cannot match the operational flexibility of a helicopter.

Noise concerns

The Service is cognizant of the noise-related concerns associated with the aircraft utilized during the pilot project. The Bell Jet Ranger helicopter is a popular, reliable and economical aircraft. It is nonetheless thirty-five year old technology and as such is not as quiet as some of the newer aircraft. This issue can be resolved by using a quieter model of helicopter and continued observance of the 'Fly Neighbourly' policy. For example, the Edmonton Police Service operates the Eurocopter EC120, one of the quietest helicopters available. Flying operations commenced in August 2001, and to date only four noise complaints have been received. Similarly, the Service air support unit will endeavor to operate with minimal intrusion and disruption to the community.

Performance indicators

When a permanent air support unit is established, the Service will develop suitable performance indicators to ensure that all stakeholders can measure the effectiveness and value of helicopters in supporting police operations.

Integration plan

The pilot project was six-months in duration. This is a relatively short period of time for all of the participants to develop maximum proficiency in air support operations. Upon the establishment of a permanent air support unit, the development of new Service procedures and the integration of training with other Service units will be undertaken to ensure that maximum operational efficiency and effectiveness is maintained. Air support units in other jurisdictions have successfully demonstrated how helicopter operations can be integrated with front-line, communication, police service dogs, marine and tactical units.

Conclusion

Salaries and benefits account for 92% of the Service's operating budget. Therefore, developing and maximizing efficiencies is of paramount concern to the Service. It is an established fact that helicopters contribute to increased efficiency and effectiveness in policing operations.

Police helicopters are operated by over 500 law enforcement agencies around the world. Significantly, four of the seven Canadian police agencies currently operating helicopters established their units within the last few years, the most recent being the Edmonton Police Service in 2001.

Notwithstanding the foregoing, the events of September 11, 2001 have identified additional challenges for law enforcement. In response to these challenges, many of the contingencies anticipate increased use of helicopters. This submission, if approved, will also address the needs identified in the Emergency Response Report.

Police helicopters are widely recognized as critical tools for law enforcement agencies. Their benefits when considered in terms of enhanced public and officer safety, are unquestionable. The Service therefore remains committed to the establishment of a permanent Air Support Unit.

It is recommended that the Board approve the Service pursuing the initiative to establish an Air Support Unit.

Ms. Helen Armstrong, Coordinator, Stop the Choppers, was in attendance and made a deputation to the Board. Ms. Armstrong also provided a written submission which is on file in the Board office.

The Board received the foregoing deputation and written submission and approved the following Motions:

1. THAT the Board approve recommendation no. 3 in the Chief's report with the understanding that a further report will be provided to the Board for the August 22, 2002 meeting which includes the following:

- **all options reviewed by the Service with respect to the establishment of an Air Support Unit;**
- **the preferred option selected by the Service forwarded to the Board for approval;**

and, in accordance with the Auditor's recommendation:

- **specific proposed performance indicators and a recommended annual reporting structure of those indicators to the Board for approval; and**
- **a comprehensive plan for optimal integration of the proposed permanent helicopter air support unit with other police operations, including the development or revision of operating policies, procedures and protocol, as well as the necessary training of appropriate police officers and support units**

cont...d

2. **THAT Chief Fantino also explore using a single helicopter and coordinating patrols with other GTA police services to reduce costs and whether a quieter model of helicopter can be donated to the Service; and**
3. **THAT the foregoing report be forwarded to the City's Policy and Finance Committee for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P59. ATTENDANCE AT THE IACP EUROPEAN EXECUTIVE POLICING
CONFERENCE – VICE CHAIR GLORIA LINDSAY LUBY**

The Board was in receipt of the following report FEBRUARY 18, 2002 from Norman Gardner, Chairman:

Subject: VICE CHAIR GLORIA LINDSAY LUBY'S ATTENDANCE AT THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE 19TH EUROPEAN EXECUTIVE POLICING CONFERENCE - MARCH 17 - 19, 2002, BUDAPEST HUNGARY

Recommendation:

It is recommended that: The Board approve Councillor Lindsay Luby's request to attend the International Association of Chiefs of Police, 19th European Executive Policing Conference, at an approximate cost of \$5,300.00. Funds are available in the Board's operating budget to cover the cost of this expenditure.

Background:

The International Association of Chiefs of Police, 19th European Executive Policing Conference will be held in Budapest, Hungary on March 17 – 19, 2002.

The IACP is the world's oldest and largest non-profit membership organization of police executives, with over 19,000 members in over 100 different countries. IACP's leadership consists of the operating chief executives of international, federal, state and local agencies of all sizes.

The IACP's goals are to "advance the science and art of police services, to develop and disseminate improved administrative, technical and operational practices and promote their use in police work; to foster police co-operation and exchange of information and experience among police administrators throughout the world.

Due to ongoing Toronto Police Service initiatives with Kosovo and with the Lithuania Police Service, it is important that we continue to foster relationships and explore emerging trends in crime, crime prevention and community based policing in Europe.

It is therefore recommended that the Board approve Councillor Lindsay Luby's request to attend the International Association of Chiefs of Police, 19th European Executive Policing Conference.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P60. EXTENSION OF FOOD SERVICES CONTRACT AT POLICE
HEADQUARTERS & C.O. BICK COLLEGE**

The Board was in receipt of the following report FEBRUARY 13, 2002 from Julian Fantino, Chief of Police:

Subject: EXTENSION OF FOOD SERVICES CONTRACT AT POLICE
HEADQUARTERS AND C.O. BICK COLLEGE

Recommendation:

It is recommended that: The Board approve the extension of the Food Services Contract with Village Host Catering from March 1, 2002 to June 30, 2002.

Background:

The current food services contract with Village Host Catering (Board Minute #72/97) for both the Police Headquarters and C.O. Bick College expires on February 28, 2002. This contract has been in effect for the past five years.

It is the Service's intention to issue a Request for Proposal to provide food services at Police Headquarters and C.O. Bick College. In order to allow sufficient time for the proposal and evaluation process to be conducted an extension to the current contract is required.

Therefore, it is recommended that the Board approve a 4 month contract extension for Village Host Catering from March 1, 2002 to June 30, 2002.

Mr. Frank Chen, CAO Corporate Support Command, will be in attendance at the Board meeting to answer any questions.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P61. ANNUAL REPORT: 2001 PARKING TAG ISSUANCE

The Board was in receipt of the following report JANUARY 31, 2002 from Julian Fantino, Chief of Police:

Subject: ANNUAL PARKING TAG ISSUANCE REPORT 2001

Recommendation:

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

Background:

This report provides information on the parking tag issuance for the year 2001 by the Parking Enforcement Unit of the Toronto Police Service. In the year 2001 the Parking Enforcement Unit issued 2,459,275 tags. The issuance patterns are identified by comparing 2001 issuance with 2000 levels (Table #1 refers).

In the year 2001, the Parking Enforcement Unit was able to maintain previous year's issuance performance standard, however in the year 2001 the Parking Enforcement Unit issuance was below about 40,000 tags of the projected 2.5 million tags. This is primarily due the fact that in the year 2001 there were 4.3 fewer enforcement officers available per day compared with the year 2000 levels. This officer availability shortage is approximately equal to 38,000 tags.

The monthly breakdown of Parking Tag Issuance is as follows:

**Table #1. Parking Enforcement Tag Issuance
2000-2001**

Month	Issuance 2000	Issuance 2001	Variance
Jan	206,911	214140	7,229
Feb	203,612	200794	-2,818
Mar	244,491	230298	-14,193
Apr	210,362	210066	-296
May	220,685	223413	2,728
Jun	205,014	204169	-845
Jul	190,035	192150	2,115
Aug	194,982	185394	-9,588
Sep	207,424	189146	-18,278
Oct	231,852	209889	-21,963

Nov	224,725	212936	-11,789
Dec	171,359	186,880	15,521
TOTAL	2,511,452	2,459,275	-52,177
Available officer Per Day	115.7	111.4	-4.3

Source: Parking Tags Operations, UCMR for 2001

It is recommended that this report be received for information.

Deputy Chief Michael Boyd, Policing Support Command, will be present at the Board meeting to address any questions.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P62. SEMI-ANNUAL REPORT: JULY – DECEMBER 2001 PARKING
ENFORCEMENT UNIT ABSENTEEISM**

The Board was in receipt of the following report FEBRUARY 04, 2002 from Julian Fantino, Chief of Police:

Subject: INFORMATION REQUESTED BY THE CITY OF TORONTO POLICY AND
FINANCE COMMITTEE RELATING TO PARKING ENFORCEMENT UNIT
ABSENTEEISM

Recommendation:

It is recommended that:

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

Background :

The City of Toronto Policy and Finance Committee has requested semi-annual reports on Parking Enforcement Unit Absenteeism. This report consists of the information pertaining to the second half of the year 2001.

Parking Enforcement Unit management has implemented a number of initiatives to reduce absenteeism. The sick days of individual officers are closely monitored by utilizing the following structured procedure:

- (a) 3rd day sick – phone call to the officer at residence
- (b) 4th day sick – home visit; and
- (c) 4 or more days sick – doctor's note required.

The Unit has set an Attendance Management Committee to determine ways to reduce absenteeism rate. The committee will focus on staff who has higher absenteeism rate without any chronic illness. Further, the administration supervisors have been assigned the responsibility of ensuring that sick members comply with all Service requirements (e.g. home visit, and doctor's letters). The individual cases are reassessed when specified by the Service's Medical Advisory Service and the Unit takes the required steps to return the employee to work at the earliest opportunity, as their situation permits. In the second half of the year 2001 four officers had their restrictions lifted by MAS and returned to full duties.

With the assistance of Human Resources, strategies have been developed to assist long term light duty staff enhance their job skills in order to qualify them for reclassification and placement in other units. As these reclassifications take place, Parking Enforcement Officers are hired, which in turn improves unit deployment and productivity. In the second half of year 2001, four light duty officers were temporarily reassigned to other units.

While this report is for the July to December 2001 period, the Parking Enforcement Unit absenteeism report for the entire year 2001 is provided in table #1, appendix A. The actual figures are reported in table #2, appendix A. The average number of sick days per officer are also included in table #2, as requested by the Board (Board Minute #P334/2001). In order to highlight absenteeism patterns, the reporting is grouped into three categories: IOD, Long Term Sick and Other Sick. IOD represents staff members who were injured while performing their duties. Long term sickness represents staff who remained sick for two or more months. Other sickness represents all short-term sickness.

The year 2001 overall absenteeism rate is 6.1 % that is up by 0.8 percentage points from the last year (table #3, appendix A refers). This increase is primarily due to increase in injured on duty rate, which is up by 0.7 percentage point. Although the Parking Enforcement Unit set a ceiling of 4% for short- term absenteeism, the year end totals report 4.1%, which is 0.1 percentage point above the set ceiling.

Different city departments and agencies have used different criteria for determining absenteeism and there are no specific guidelines for calculating absenteeism rate. The year 2000 City Audit Report on the Parking Enforcement Unit recommended that:

“the City’s Executive Director, Human Resources, report to the Administration Committee by September 30, 2000 on a framework for reporting absenteeism across the corporation, which should include the development of appropriate definitions and reporting guidelines, to enable a meaningful comparison of absenteeism among the various departments, agencies, boards and commissions;” (Recommendation # 17, City Audit Report 2000 - Parking Enforcement Unit)

To date no specific guidelines have been provided, therefore comparison with other city departments absenteeism rates is not included in this report. However, a comparison of the absenteeism rate with the Toronto Police Service Vs Parking Enforcement Unit is provided. The statistics are for sick time taken by the members, the calculations are based on a 8 hour work day, for a total of 261 working days in a year.

Absenteeism Comparison Year 2001
Toronto Police Service Vs Parking Enforcement Unit

	Toronto Police Service Uniform and Civilian (7,311 members)	Parking Enforcement Unit All Personnel (346 members)
Average Days Sick per member (Short term and long term)	8.1	12.3
Average Days IOD per member	2.1	3.7
Total Days Sick and IOD per member	10.2	16.0
Average member off per Day	285.71	21.2
% of members off per Day	3.9%	6.1%

Source: DIMS, PINS System

It is recommended that the Board receive this information and that this report be forwarded to the City of Toronto Policy and Finance Committee for its information.

Deputy Chief Michael Boyd, Policing Support Command, will be present at the Board meeting to address any questions.

The Board received the foregoing.

**Appendix A. Table #1. Parking Enforcement Unit Absenteeism
January – December 2001**

TYPE	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Average
Injured on duty	1.2%	1.6%	1.2%	1.1%	1.3%	2.5%	1.3%	1.2%	1.7%	1.4%	1.4%	1.3%	1.4%
Long term sick	0.8%	0.8%	0.7%	0.5%	0.5%	0.6%	0.6%	0.7%	0.4%	0.4%	0.8%	0.7%	0.6%
Short term sick	3.5%	5.4%	4.7%	3.5%	3.8%	4.6%	4.1%	2.7%	4.3%	4.6%	3.8%	4.2%	4.1%
TOTAL	5.5%	7.8%	6.6%	5.1%	5.6%	7.7%	6.0%	4.6%	6.4%	6.4%	5.9%	6.2%	6.1%

Table #2. Sick Shifts Summary

TYPE	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Avg.	Avg./ Person
Injured on duty hrs.	748	876	771	664	814	1,453	740	790	925	865	824	728	850	29.2
Injured on duty shifts	94	109	96	83	102	182	93	99	116	108	103	91	106	3.7
Average Persons/Day	3	4	3	3	3	6	3	3	4	3	3	3	4	NA
Long term sick Hrs.	478	452	422	312	311	348	320	432	224	266	458	398	368	12.8
Long term sick shifts	60	57	53	39	39	44	40	54	28	33	57	50	46	1.6
Average Persons/Day	2	2	2	1	1	1	1	2	1	1	2	2	2	NA
Short term sick hrs.	2,257	3,013	3,014	2,016	2,435	2,702	2,408	1,723	2,399	2,931	2,341	2,430	2,472	85.7
Short term sick shifts	282	377	377	252	304	338	301	215	300	366	293	304	309	10.7
Average Persons/Day	9	13	12	8	10	11	10	7	10	12	10	10	10	NA

Source: DIMS, PINS . Table # 1 is updated and made consistent to compare with TPS reporting.

Sick = sick, dependent sick, doctor's appointment, part of day sick

Parking is 7 Days 24 hrs. operation and shifts range from 10, 8 and 7 hrs.

An average/ shift is taken at 8 hours.

**Table #3. Parking Enforcement Unit Absenteeism
(All Categories) 1997 - 2001**

Year	1997	1998	1999	2000	2001
Total	8.3%	7.5%	6.7%	5.3%	6.1%

Source: Parking Information System, PINS
All categories include; Short term sick, long term sick and IOD.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P63. 2002 PARKING ENFORCEMENT UNIT BUDGET UPDATE

The Board was in receipt of the following report JANUARY 30, 2002 from Julian Fantino, Chief of Police:

Subject: PARKING ENFORCEMENT UNIT BUDGET 2002 UPDATE

Recommendation:

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

Background:

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

The year 2002 revenue projections for the Parking Enforcement Unit Budget were based on an average tag revenue estimate of \$24.00 per tag. However, due to the increase in the fire route and private property fines, the City of Toronto Finance Parking Tags Operations has revised the average to \$27.00 per tag. Based on this new information the updated revenue estimates for 2002 Parking Enforcement Unit Budget are attached at Appendix A. Previously submitted revenue estimates are also attached at Appendix B (Board Minute #P334/01 refers).

With the hire of an additional of 48 Parking Enforcement Officers (Board approved minute #P334/01), 2.635 Million tags are projected for the year 2002. This increase in the enforcement staff and the fine amount will result in a revenue increase of \$10.9M (Million) to a total of \$69.9M in the year 2002. Under the Municipal Law Enforcement Program, approximately 0.2M tags are anticipated in the year 2002 for revenue of \$5.1M. The combined total revenue for the year 2002 is estimated to be \$75M, which is an increase of \$12M from the year 2001.

In Summary, the overall net impact to the City will be a net increase in revenue of \$9.6M. It is recommended that the Board receive this report for information.

Deputy Chief M. Boyd, Policing Support Command, will be present at the Board meeting to answer any questions.

The Board received the foregoing.

Appendix A 2002 Budget Highlights

EXPENDITURES

INCREASE SUMMARY SHEET 2002 OPERATIONAL BUDGET	
2001 Operational Budget (net)	\$24,084,400
2002 Proposed Operational Budget (net)	\$26,485,100
Increase To Maintenance Budget (net)	\$1,288,700
New Initiative Hiring of 48 PETS	\$1,112,000
Total Budget Increase	\$2,400,700

Pressures on Maintenance Budget:

- Regular Pay	\$880,000
- Special Pay	\$62,500
- Fringe Benefits	\$132,900
Health Tax	\$17,300
Canada Pension Plan	\$56,000
OMERS Contribution Increase	\$59,100
Materials - Printed Material, Parking Tags, General Item	\$68,800
Reduction - Radio Units	(\$264,000)
Reduction - Hardware	(\$77,300)
Motor Vehicles	\$160,000
Cellular Phone	\$8,500
Service Contracts	\$8,000
Lease of Computers	\$180,000
Reduction - Indirect Costs, Rental Parking Space	(\$101,400)
Rent Recovery 1st Appearance Centres	(\$230,700)
2002 Maintenance Budget Increase	\$1,288,700

Appendix A 2002 Budget Highlights (Cont...)
REVENUE

Increases to 2002 Operational Budget Vs Revenue Increase Estimates	
---	--

2002 Tag Issuance Projections*	2,835,000
---------------------------------------	------------------

Base Tag Issuance Parking Enforcement Unit	2,500,000
Increase Tag Issuance New Hires PETs	135,000
MLEO Tag Issuance	175,000
MLEO Tag Issuance Increase	25,000
Tag Issuance Increase	160,000

Net Revenue Projections*

Revenue Increase	\$12,097,455
Budget Increase	\$2,400,700
Net Revenue Increase	\$9,696,755

*This project is based on a staggered hires dates of 29 PET-May21/02 19 PET-Sept 10/02

Appendix A Budget Highlights 2001 - 2002

Parking Enforcement Revenue

	2001 Projected	2001 Actuals	2002 Status Quo	(+/-)	2002 Projected*	(+/-)	Annualized 2002 Projection	(+/-)
Total Tags	2,500,000	2,460,000	2,500,000	0.00	2,635,000	135,000	2,800,000	300,000
Processible Tags	2,457,500	2,418,180	2,457,500	0.00	2,590,205	132,705	2,716,000	258,500
Revenue (Est.)	\$58,980,000	\$58,036,320	\$66,352,500	\$7,372,500.00	\$69,935,535	\$10,955,535	\$73,332,000	\$14,352,000

Municipal Law Enforcement Officers Revenue

Total Tags	175,000	250,000	200,000	25,000	200,000	25,000	200,000	25,000
Processible Tags	166,530	238,000	190,320	23,790	190,320	23,790	190,320	23,790
Revenue (Est.)	\$3,996,720	\$5,712,000	\$5,138,640	\$1,141,920	\$5,138,640	\$1,141,920	\$5,138,640	\$1,141,920

TOTAL REVENUE

Gross Revenue	\$62,976,720	\$63,748,320	\$71,491,140	\$8,514,420	\$75,074,175	\$12,097,455	\$78,470,640	\$15,493,920
Net Expenditures	\$24,084,400	\$24,084,400	\$25,373,100	\$1,288,700	\$26,485,100	\$2,400,700	\$27,600,000	\$3,515,600
NET REVENUE	\$38,892,320	\$39,663,920	\$46,118,040	\$7,225,720	\$48,589,075	\$9,696,755	\$50,870,640	\$11,978,320

*This project is based on a staggered hires dates of 29 PET-May21/02 and 19 PET-Sept 10/02.

The increase in MLEO Parking Tag Issuance is Due to The Introduction of New Private Property Bylaw, effective date Jan 1, 2002.

Appendix B 2002 Budget Highlights EXPENDITURES

INCREASE SUMMARY SHEET 2002 OPERATIONAL BUDGET	
2001 Operational Budget (net)	\$24,084,400
2002 Proposed Operational Budget (net)	\$26,485,100
Increase To Maintenance Budget (net)	\$1,288,700
New Initiative Hiring of 48 PETs	\$1,112,000
Total Budget Increase	\$2,400,700
Pressures on Maintenance Budget:	
- Regular Pay	\$880,000
- Special Pay	\$62,500
- Fringe Benefits	\$132,900
Health Tax	\$17,300
Canada Pension Plan	\$56,000
OMERS Contribution Increase	\$59,100
Materials - Printed Material, Parking Tags, General Item	\$68,800
Reduction - Radio Units	(\$264,000)
Reduction - Hardware	(\$77,300)
Motor Vehicles	\$160,000
Cellular Phone	\$8,500
Service Contracts	\$8,000
Lease of Computers	\$180,000
Reduction - Indirect Costs, Rental Parking Space	(\$101,400)
Rent Recovery 1st Appearance Centres	(\$230,700)
2002 Maintenance Budget Increase	\$1,288,700

Appendix B 2002 Budget Highlights (Cont...)
REVENUE

Increases to 2002 Operational Budget Vs Revenue Increase Estimates	
---	--

2002 Tag Issuance Projections*	2,835,000
Base Tag Issuance Parking Enforcement Unit	2,500,000
Increase Tag Issuance New Hires PETs	135,000
MLEO Tag Issuance	175,000
MLEO Tag Issuance Increase	25,000
Tag Issuance Increase	160,000

Net Revenue Projections*

Revenue Increase	\$3,755,880
Budget Increase	\$2,400,700
Net Revenue Increase	\$1,355,180

*This project is based on a staggered hires dates of 29 PET-May21/02 19 PET-Sept 10/02

Appendix B Budget Highlights 2001 - 2002

Parking Enforcement Revenue

	2001 Projected	2001 Actuals	2002 Status Quo	(+/-)	2002 Projected*	(+/-)	Annualized 2002 Projection	(+/-)
Total Tags	2,500,000	2,460,000	2,500,000	0.00	2,635,000	135,000	2,800,000	300,000
Processible Tags	2,457,500	2,418,180	2,457,500	0.00	2,590,205	132,705	2,716,000	258,500
Revenue (Est.)	\$58,980,000	\$58,036,320	\$58,980,000	\$0.00	\$62,164,920	\$3,184,920	\$65,184,000	\$6,204,000

Municipal Law Enforcement Officers Revenue

Total Tags	175,000	250,000	200,000	25,000	200,000	25,000	200,000	25,000
Processible Tags	166,530	238,000	190,320	23,790	190,320	23,790	190,320	23,790
Revenue (Est.)	\$3,996,720	\$5,712,000	\$4,567,680	\$570,960	\$4,567,680	\$570,960	\$4,567,680	\$570,960

TOTAL REVENUE

Gross Revenue	\$62,976,720	\$63,748,320	\$63,547,680	\$570,960	\$66,732,600	\$3,755,880	\$69,751,680	\$6,774,960
Net Expenditures	\$24,084,400	\$24,084,400	\$25,373,100	\$1,288,700	\$26,485,100	\$2,400,700	\$27,600,000	\$3,515,600
NET REVENUE	\$38,892,320	\$39,663,920	\$38,174,580	-\$717,740	\$40,247,500	\$1,355,180	\$42,151,680	\$3,259,360

*This project is based on a staggered hires dates of 29 PET-May21/02 and 19 PET-Sept 10/02.

The increase in MLEO Parking Tag Issuance is Due to The Introduction of New Private Property Bylaw, effective date Jan 1, 2002.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P64. 2001 FINAL OPERATING BUDGET VARIANCE REPORT AND
AMENDED REQUEST FOR IN-YEAR BUDGET ADJUSTMENT**

The Board was in receipt of the following report FEBRUARY 14, 2002 from Julian Fantino, Chief of Police:

Subject: 2001 FINAL OPERATING BUDGET VARIANCE REPORT

Recommendation:

It is recommended that:

- (1) The Board receive this report; and
- (2) The Board forward an amended request to the City Policy & Finance Committee for a draw of \$4.9Million from the City's corporate contingency account to the Toronto Police Service through an in-year budget adjustment.

Background:

Toronto City Council, at its meeting of April 24, 2001, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$573.8 Million (M), an increase of 3% over the 2000 Net Operating Budget. The approved budget did not include a potential funding requirement of \$7.9 M for increased costs for benefits. However, the Service did have the opportunity to request a draw from the City to accommodate any benefit expenditure increases up to \$7.9M.

2001 Operating Budget Variance

In our previous variance report to the Board at its meeting of October 9, 2001 (Minute #P270 refers), it was noted that the Service operating deficit was \$5.3M. The final Service operating deficit for 2001 is now confirmed at \$4.9M prior to the funding adjustment from the City. Details of this variance are provided below.

The events of September 11th have had an impact on TPS operations. Call outs during the events and the subsequent increase in security measures have created an additional strain on human resources, some of which have had to be met by an increased use of overtime. In addition, the Service has made purchases of equipment and supplies and may have to make additional purchases, to address future potential threats. Long term measures to effectively deal with this threat have been included as part of the 2002 operating budget process.

SALARIES (Including Premium Pay)

There is a savings of \$1.1M related to salaries, including premium pay. This savings was attributed to a significant number of uniform separations earlier in the year than anticipated as well as 176 more separations in total than originally estimated. There were a total of 476 separations compared to the original budget estimate of 300 separations for the year resulting in \$3.9M of savings. This was due mainly to members who were newly eligible for OMERS 75 factor leaving at a higher rate than last year and partially to an increase in resignations. The year end deployed strength was 5,006 compared to an authorized strength of 5,242.

Although significant attrition savings were realized during 2001, these savings were partially offset by increased premium pay costs during the year to partially make up for the staffing shortfall. In addition, the Service has had to respond to the tragic events of September 11th and OCAP demonstrations by increased use of overtime resulting in an additional pressure for premium pay of \$0.4M (on duty costs related to these events were \$0.8M). The Service also experienced increased WSIB salary costs, has been assessed Employer Health Tax (EHT) on paid duty income earned by TPS employees and incurred mandatory costs for Information Technology infrastructure replacements.

All of the above mandatory costs impacted on the salary savings resulting in a net surplus of \$1.1M.

BENEFITS

The Service was able to limit benefit overspending to \$4.9M, as compared to the \$7.9M identified shortfall in the 2001 operating budget request and \$5.3M discussed in the August variance report.

The decrease in the benefit spending was attributed to a decrease in payments related to medical benefits. Medical, dental and related administrative costs continued to increase significantly since 1999 as a result of increased numbers of drug claims, orthopedics, vision care, and psychologist and chiropractor fees. However, as a result of recent initiatives, the Service was able to limit these cost increases. WSIB costs were up due to an increase in the WSIB administrative fee from 24% to 31.73%. CPP costs were up due to a 13.2% increase in the required contribution rate over 2000. The Service continues to monitor all benefit costs, as well as Clarica's administration of the benefits contract.

NON-SALARY ACCOUNTS

Non-salary accounts were overspent by \$1.1M. This over expenditure was partially attributed to purchases made in response to the tragic events of September 11th in the amount of \$0.5M (e.g. hazardous materials suits and gas masks). Other expenditures, required under the provincial adequacy standards, were also made in the amount of \$0.2M (e.g. upper body protection for members of the Public Order Unit). In addition, revenues from the sale of used vehicles were \$0.4M lower than budgeted.

During the 2002 budget deliberations with the City Budget Advisory Committee (BAC), the Service, in response to recommendation (c) as adopted by the Policy and Finance Committee motion dated November 22nd 2001, verbally updated the BAC on the use of contracted services to backfill vacancies.

SUMMARY OF VARIANCES

	<u>Savings / (Shortfall)</u>
• Salaries (including premium pay)	\$1.1M
• Benefits	\$(4.9)M
• Non-Salary Accounts	<u>\$(1.1)M</u>
• Service variance before in year benefits funding	\$(4.9)M
• In year funding from City	<u>\$4.9M</u>
Final Year End Variance	<u>\$0.0M</u>

PARKING ENFORCEMENT

The Parking Enforcement budget was under spent by \$0.1M. This was due mainly to salary savings.

TORONTO POLICE SERVICES BOARD

The Toronto Police Services Board budget was under spent by \$0.1M. Salary savings were partially offset by increased legal costs.

SUMMARY

The final Service operating deficit for 2001 is \$4.9M prior to the funding adjustment from the City. Through the initiatives described in previous variance reports, the Service was able to reduce its requirement for in year benefits funding from \$7.9M to \$4.9M. In addition, although the Service was required to make expenditures to address unanticipated events, we were able to fund these through reallocation of priorities within the existing budget. It is therefore recommended that the 2001 Final Operating Budget Variance Report be received and an amended request for an in year budget adjustment of \$4.9M be forwarded to the City Policy & Finance Committee.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P65. BILL 117 – THE DOMESTIC VIOLENCE PROTECTION
ACT, 2000**

The Board was in receipt of the following report FEBRUARY 12, 2002 from Julian Fantino, Chief of Police:

Subject: BILL 117 - THE DOMESTIC VIOLENCE PROTECTION ACT - 2000

Recommendation:

It is recommended that: the Board request that the Province of Ontario defer the proclamation of the Domestic Violence Protection Act until the matters referred to in this report are clarified.

Background:

This report is in response to the letter from Board Chair Norman Gardner (dated February 5, 2002) regarding the Domestic Violence Protection Act (DVPA).

The DVPA was introduced publicly in September 2000, by then, Attorney General of Ontario, James Flaherty. The new legislation came about as a result of an unprecedented number of highly publicized murders of women by their partners and former partners. In response, women's groups lobbied the government to do more to prevent similar deaths. The DVPA was intended to make it easier for women to obtain restraining orders against abusive partners and to make those Orders more enforceable. Orders under the DVPA are to be available seven days a week, twenty-four hours a day. These Orders can be pursued whether or not criminal proceedings were underway and whether or not the police were involved in an investigation. Applicants and their children can remain in the family home. The respondents can be removed under court order. Any breaches of these Orders may result in a criminal charge. In December 2000, the DVPA was passed by the Ontario Legislature.

Police Services from across the Province have since studied the legislation and found that it contains serious flaws that would adversely impact a Service's ability to deliver the results intended. There is some urgency in addressing the impact of the legislation. The proclamation of the DVPA is likely to occur in April or May of this year. Police Services from across Ontario have previously expressed concern over the legislation. At this time, many of the serious issues have still not been suitably addressed. The DVPA will negatively impact the services provided by frontline police officers. Most importantly, victims of domestic violence and the police, who were looking for improvements from the DVPA, are now faced with flawed legislation.

For the purposes of this report, three key issues will be addressed: legislation, operational impact and training issues.

Legislation:

In September 2000, members of the Service attended a meeting of the Domestic Violence Task Group (DVTG) on Restraining Orders. This meeting had been arranged by representatives of the Ministry of the Solicitor General (MSG) and the Ministry of the Attorney General (MAG). The DVTG was formed in response to recommendations made to MAG by the Joint Committee on Domestic Violence.

The DVTG reviewed existing provincial legislation pertaining to restraining orders, namely the Family Law Act (FLA), Section 46, and the Children's Law Reform Act (CLRA), Section 35. New civil domestic violence legislation was proposed to the DVTG, which has subsequently become the Domestic Violence Protection Act.

The DVPA is intended to provide for a wider range of options for victims of domestic violence. These options are in addition to, or instead of, the laying of criminal charges. The legislation sets out two methods for obtaining Intervention Orders (IO). An applicant, during regular business hours may obtain an IO from a Superior Court Justice. An Emergency Intervention Order (EIO) may also be applied for in person, to either a Justice of the Peace, a designated Provincial Court Judge or a Superior Court Justice. After hours, an EIO can be applied for, with police assistance, using the telewarrant system. Both options enable an applicant to obtain an Order against a respondent without involving the criminal justice system.

This legislation differs from similar legislation in that it broadens the definition of domestic violence and extends the availability of Orders to a much larger group of people. Persons eligible to apply under the DVPA includes those involved in "dating relationships"; however, this relationship is not included in the Service's procedure on domestic violence. The DVPA does not define "dating relationships". It is anticipated that a large number of applicants will avail themselves of this process, as it will allow them to obtain an IO or EIO without reporting criminal acts to the police and without an investigation. Conditions that can be ordered include restraining persons from specified locations, conduct and communication with the applicant, children and other persons. A respondent may be ordered to vacate the applicant's home and may include the police to supervise the removal of property. Other conditions may be ordered following a court hearing.

On December 5, 2000, I sent correspondence to the then, Attorney General of Ontario, which expressed my full support of legislation intended to enhance public safety, reduce or redress victimization and assist police in discharging their lawful duty. The DVPA was envisioned to do just that; however, I believe that the contrary is now true.

The following concerns were drawn to the Attorney General's attention.

1. The DVPA fails to meaningfully address the existing Orders.
2. "Dating-relationship" is undefined in the DVPA.
3. Utilization of an Emergency Intervention Order (EIO) accessed via the telewarrant process fails to appreciate the deficiencies that presently exist.

4. There is an absence of legislated authority in the DVPA to authorize lawful police purposes in relation to entry, search, trespass and arrest.
5. Serious risks to police operations can exist if there is no clear judicial direction as to which Crown agents are to serve the Orders.
6. The DVPA lacks offence, penalty and arrest provisions.
7. Without a requirement for respondents to self identify, and specific direction about who is to provide service of Orders in specific jurisdictions, Police Services can face an onerous responsibility in effectively discharging the requirements outlined in the Orders.

More recent issues include the limited opportunity to train officers in the new legislation prior to the proclamation of the DVPA in April or May 2002. And, more importantly, victims may be re-victimized as a result of unwanted police intervention.

The DVPA, if passed in its present form, will create unrealistic public expectations in reference to legal protections. As well, enforcement of the DVPA will put the operational integrity of the Service at risk. The proposed legislation retains the same essential weaknesses already noted in reference to the restraining order provisions in the FLA and the CLRA. The ultimate consequence of the legislation is that it will inappropriately download a labour intensive civil process to an already taxed frontline policing service. None of these concerns have been satisfactorily addressed by the MSG and the MAG.

Operational Impacts:

The Service will be dramatically impacted by this legislation with regard to Service delivery. To examine the potential impact of implementing the DVPA, two statistical data sources were used: the Domestic Violence Quality Control Report (DVQCR) developed by Community Policing Support, and the Intergraph Computer Aided Dispatch (I/CAD).

The DVQCR was completed for the first time for the year ending 2001. This report calculates total domestic violence calls for service, domestic violence occurrences, domestic incidents (domestic occurrences without criminal allegations) and changed events. A “changed event” is so defined when a domestic call is received and it is later determined not to be a domestic related occurrence. The information is compiled at each division and forwarded to Community Policing Support for review.

The information forwarded from Communications Services includes all domestic related calls for service; domestic calls attended by police and the average time spent at domestic violence calls and “get belongings” calls. A thorough review of all of the reports revealed the following information about domestic calls for service in Toronto for 2001. The following figures are approximate.

1. The total number of calls for service for domestic-related events was 26,000.
2. 17,000 calls were for domestic incidents (report only taken).
3. 7,000 calls were for domestic assaults (resulting in criminal charges).
4. 85.3% of all domestic related calls occur after normal business hours.
(that is, 4pm – 9am Monday to Friday and weekends and holidays).

5. 5,048 “get belongings” calls were for police-assisted removal of property.
6. The average time spent on a domestic call by a uniform officer is 3.5 hours.
7. The average time spent on a domestic assault call by a uniform officer is 5.2 hours.
8. The average time spent on a “get belongings” call by a uniform officer is 1.86 hours.
9. Projected DVPA EIOs from Domestic Incidents (estimate at 25%) is 4,250.
10. Projected DVPA EIOs –Police Assisted (after hours and weekends/statutory holidays) (estimated at 85%) is 3,625.

The MAG has indicated that two Justice of the Peace will be hired to accommodate the anticipated increase in calls for EIOs. The additional Justice of the Peace would sit during peak hours, at different times. Even if two Justices were available to provide this service, it would still be insufficient to support this process Province-wide.

In Toronto, a minimum of two police officers is required to attend domestic calls. It is anticipated that a third officer may be required to assist with the EIO process if the respondent is still at the scene. If the Order is granted, a fourth officer may be required to attend at a police facility to obtain the facsimile copy. This additional officer would then be required to return to the applicant’s address with the copy of the Order.

In addition, police officers may be required to appear at civil proceedings as a result of having participated in any part of the DVPA process. These further obligations will have a financial impact on the Service and also affect frontline resources.

Training Issues:

Training of the DVPA is mandated to all Staff Sergeants, Detective Sergeants, Sergeants, Detectives, and Constables. The Service may be required to train as many as 5,442 police officers. Based on the required training of four hours per officer, the estimated cost of the training would be \$640,000.00. There will be additional costs for trainers, some overtime and course materials.

The Ontario Police College (OPC) is developing training materials and will disseminate them along with an accompanying video in April 2002. The OPC will also be providing four “train the trainer” sessions on the DVPA and the role of the police. The Training and Education Unit has offered to host one of these sessions.

There is an opportunity for the Service to receive funding to assist with the training for police personnel. Service staff is working in conjunction with the MSG to process the Grant Training Program Application.

Conclusion:

It is recommended that the Board request that the Province of Ontario defer the proclamation of the Domestic Violence Protection Act until the matters that have been referred to in this report are clarified.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions that the Board members may have.

The Board was in receipt of the attached news bulletin, dated February 22, 2002, from the Ontario Association of Police Services Boards with respect to the *Domestic Violence Protection Act*.

Staff Superintendent Emory Gilbert, Operational Support, and Sergeant Kim Scanlan, Family & Youth Services, were in attendance and discussed the new legislation with the Board.

The Board approved the foregoing report from Chief Fantino and received the OAPSB news bulletin.

OAPSB NEWS FAX

10 Peel Centre Drive
Brampton, ON L6T 4B9
Ph: (905) 458-1488 or 1-800-831-7727
Fax: (905) 458-2260



Ontario Association of Police Services Boards

DATE: February 22, 2002
FROM: Mr. Frederick Biro
Acting Executive Director

DATE RECEIVED

FEB 26 2002

TORONTO
POLICE SERVICES BOARD

Please distribute to members of your Board

*YOU SHOULD RECEIVE 4 PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (905) 458-1488.*

Domestic Violence Act

The Domestic Violence Protection Act has received third reading at Queen's Park and is now just waiting for proclamation before becoming law. While the OAPSB Board of Directors agrees the intent of the legislation is laudable, it is concerned that as it is currently constituted, the DVPA will create a new, unbudgeted drain on police resources while not meeting the stated goals of the legislation.

Bill 117, the DVPA, was introduced to provide victims and potential victims of domestic violence (applicants) with access to Emergency Intervention Orders (EIOs) on a 24/7 basis. Essentially this occurs when police do not lay criminal charges, however, applicants can still seek an EIO.

One notable difference with this legislation compared to similar laws is that it broadens the definition of domestic violence and extends the availability of orders to a much larger group of people. The applicants for an order may be:

(a) A spouse or former spouse (within the meaning of Part III of the Family Law Act), of the respondent,

CONFIDENTIALITY NOTICE: The information in this fax transmission is legally privileged and confidential. It is intended only for the use of the addressee named above. If you are not the intended addressee, any disclosure, copying, or distribution of the information, or the taking of action in reliance on it, is strictly prohibited. If you have received this fax in error, please advise the Ontario Association of Police Services Boards immediately, to arrange for the return of the fax information.

- (b) *A same-sex partner or former same-sex partner (within the meaning of Part III of the Family Law Act), of the respondent,*
- (c) *A person who is cohabiting with the respondent, or who has cohabited with the respondent for any period of time, whether or not they are cohabiting at the time of the application,*
- (d) *A person who is, or was, in a dating relationship with the respondent,*
- (e) *A relative of the respondent who resides with the respondent.*

Note: A person must be at least 16 years old to apply for such an order (paraphrased).

The conditions that can be imposed in an EIO can be paraphrased as follows:

- (1) *Restrain the respondent from attending at or near specified locations.*
- (2) *Restrain the respondent from engaging in any specified conduct towards any specified person(s).*
- (3) *Require the respondent to vacate the applicant's residence, immediately or within a specified time.*
- (4) *Require a peace officer, within a specified time, to accompany the applicant, respondent or other specified person to the applicant's residence to supervise the removal of property.*
- (5) *Restrain the respondent from contacting or communicating with the applicant or any specified person, directly or indirectly.*
- (6) *Restrain the respondent from following the applicant or any specified person, or from being within a specified distance of the applicant or specified person.*
- (7) *Require a peace officer to seize,*
 - (i) *any weapons where the weapons have been used or have been threatened to be used to commit domestic violence, and*
 - (ii) *any documents that authorize the respondent to own, possess or control a weapon described in subparagraph (i).*

Additional Work Load

The legislation sets out additional tasks for police officers, including:

- When necessary, assisting an applicant to obtain an EIO outside of court hours;
- Enter details of the order onto the CPIC system as soon as practical;
- Possibly filing proof of service with the local court office;
- Serving the respondent as soon as practical (though a JP may grant substitutional service);
- Ensure the applicant has been provided with safety planning information (i.e., Victim Services information);
- Enforcement of order when breached.

While this may read like a list of already mandated duties, these types of functions were only invoked for court ordered conditions, largely resulting from the laying of criminal charges. What this legislation does is intrude the police into what was previously a civil process.

CONFIDENTIALITY NOTICE: The information in this fax transmission is legally privileged and confidential. It is intended only for the use of the addressee named above. If you are not the intended addressee, any disclosure, copying, or distribution of the information, or the taking of action in reliance on it, is strictly prohibited. If you have received this fax in error, please advise the Ontario Association of Police Services Boards immediately, to arrange for the return of the fax information.

As an example, police will now be required to assist an applicant to obtain an order 'outside court hours'; in other words beyond normal business hours Monday to Friday. For one major municipal police service, approximately 73 per cent of domestic calls take place after 4:00 p.m., with a majority of calls occurring Thursday to Sunday. This means it is likely the majority of EIOs will require police assistance.

The proposed process will require a police officer to usually attend a residence and call a designated Justice of the Peace using the 'telewarrant system'. Once the police officer contacts the JP, the officer will hand the telephone to the applicant, who will then provide the JP with the required information. If granted, the order will be sent by facsimile to the police division nearest to the applicant's location, and a police officer will be required to deliver the order to the police officers already at the residence. The conditions of the EIO must then be carried out.

The Ministry has indicated that its target is to have an EIO issued within one hour of the call to the JP.

However, other estimates have indicated it will take three officers about two hours to investigate, initiate and conclude the issuance of each EIO. This is based in part on provincial plans to provide only one designated JP to deal with EIO applications for the entire province. If complicating factors, such as firearm possession, is included the time required will increase exponentially.

Liability

As previously indicated, it is now anticipated the government intends to proclaim the legislation in the Spring, 2002. It is unclear whether the necessary support required to establish the training and internal processes to deal with this complex legislation are in place. This could create the potential of liability for police services that will be required to be compliant with the legislation unless relief is explicitly provided prior to proclamation.

In addition to staffing requirements for local police services and detachments, there is concern that the required judicial infrastructure is not in place. One justice of the peace for telewarrants is simply not enough. A major municipal police service has calculated it could be in the position of having to arrange for three such telewarrants every night of the year!

The OAPSB Board has brought its concerns to the attention of the government and is hoping the legislation is delayed until its concerns can be addressed.

Despite this, the Ministry of the Solicitor General is inviting applications for funding under the Domestic Violence Protection Act (DVPA). This grant is available to police services to conduct their in-service training concerning the role of the police in obtaining Emergency Intervention Orders under the DVPA. The funding is \$130.00 per non-commissioned officer for four hours of training.

CONFIDENTIALITY NOTICE: The information in this fax transmission is legally privileged and confidential. It is intended only for the use of the addressee named above. If you are not the intended addressee, any disclosure, copying, or distribution of the information, or the taking of action in reliance on it, is strictly prohibited. If you have received this fax in error, please advise the Ontario Association of Police Services Boards immediately, to arrange for the return of the fax information.

THE DEADLINE FOR APPLICATIONS - EXECUTED BY THE BOARD OR MUNICIPAL COUNCIL - IS FEBRUARY 25TH.

Despite the concerns expressed by the OAPSB, the Board of Directors urges you to ensure you meet the deadline for applying for the training funds. While every effort will be made to delay implementation of the DVPA, there are no guarantees, and it is important every police service receive the maximum available for training.

Applications were sent to your police chief early this month. Make sure you get your application in by the deadline.

The OAPSB also urges all members to discuss the DVPA with their police chiefs or detachment commanders. This is a vital matter that requires a full understanding of the implications to your police service or OPP detachment. Should your Board wish to express its position directly to the Attorney General on the implications of the DVPA, please let us know, and a draft letter will be forwarded to you. The OAPSB will continue to report on its efforts with the government on this subject.

If you require further information on the DVPA, call the OAPSB office.

CONFIDENTIALITY NOTICE: The information in this fax transmission is legally privileged and confidential. It is intended only for the use of the addressee named above. If you are not the intended addressee, any disclosure, copying, or distribution of the information, or the taking of action in reliance on it, is strictly prohibited. If you have received this fax in error, please advise the Ontario Association of Police Services Boards immediately, to arrange for the return of the fax information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

**#P66. APPROVAL PROCESS FOR GRANT APPLICATIONS AND
CONTRACTS**

The Board was in receipt of the following report FEBRUARY 19, 2002 from Julian Fantino, Chief of Police:

Subject: APPROVAL PROCESS FOR GRANT APPLICATIONS AND CONTRACTS

Recommendation:

It is recommended that:

1. the Board authorise the Chairman to sign all grant and funding applications initiated by the Service, as required, on behalf of the Board; and
2. the Board authorise the Chairman to sign all grant and funding contracts, where these contracts have been reviewed and approved as to form by the City Solicitor; and
3. a semi-annual report will be provided to the Board summarising all applications forms and contracts signed by the Chairman; and
4. the Board ratify the Chairman's signing of the applications for Reduce Impaired Driving Program (RIDE), Municipal Police Service Technology Grant Fund, Joint Emergency Preparedness Program (JEPP) and the contracts for the Youth Crime and Violence Initiative Prevention and Enforcement Grant.

Background:

In recent years, the number of potential grant or funding opportunities has increased. Many of these grant or funding opportunities relate to the Toronto Police Service's willingness to provide specific services in order to obtain funding or recover costs for currently delivered programs. Most of the grant or funding opportunities are related to Provincial or Federal programs. In many cases, the Toronto Police Service (TPS) already provides the service (such as Reduce Impaired Drivers Everywhere, or RIDE). In other cases, the grant funding allows TPS to enhance current services (such as the Community Policing Partnership Program, or CPP).

Toronto Police Service Grant Application Process

Grant-funding opportunities are identified through on-going research, government announcements and through contact with communities and organizations, maintained by TPS personnel. Where a potential opportunity is identified, Service personnel review the opportunity to determine if it should be pursued. The review is based on resource availability, “fit” with the Service’s priorities, and various other factors. Once it is determined that an opportunity is to be pursued, a formal application is submitted. By submitting an application, the Service is expressing interest in obtaining the grant funding, but is not obligating itself to provide the service.

In many instances (and particularly for Federal or Provincial grants), applications require the signature of the Chairman of the Toronto Police Services Board. Furthermore, grant opportunities often have a short due date for submission. This does not always provide sufficient time for the Service to review the opportunity, complete the application and obtain Board approval prior to the submission due date. It is therefore recommended that the Board authorise the Chairman to sign any application forms, as required, on behalf of the Board.

Grant Contracts

Once a grant application form has been approved for funding, the organization forwards a contract for the Service’s review and signature. Again, in most instances the contract requires the Chairman’s signature, on behalf of the TPS Board. Upon submission of a signed contract, the Board has committed to providing the service for which grant funding is allocated. For this reason, all contracts are reviewed by the City Solicitor prior to signature by the Chairman and submission to the funding body. In some cases, funding is provided upon signing of the contract; in others, funding is provided only when the program is completed.

At times, contractual deadlines also do not afford the opportunity to obtain Board approval prior to a submission date. It is therefore further recommended that the Board authorise the Chairman to enter into any contractual agreements for grant funding, subject to City Solicitor review and approval of the terms and conditions of the contract. A semi-annual report will be provided to the Board summarising all application forms and contracts signed by the Chairman.

Grant and Funding Opportunity Reporting

As indicated above, a report will be provided to the Board on a semi-annual basis, outlining the details of all funding opportunities applied for, as well as details of all approved applications. The report will include the details of the grant or funding opportunity, total funding available, significant contractual conditions and the term of the contract.

Current Potential Grant Opportunities

Due to time constraints, three Provincial Solicitor General and one Federal Government grant applications have been submitted prior to the approval of this report's recommendations: Reduce Impaired Driving Program (RIDE); Municipal Police Service Technology Grant Fund, Joint Emergency Preparedness Program (JEPP) and the Toronto Police Service Youth Referral Program.

Reduce Impaired Driving (RIDE) Program

The RIDE program falls under the Service's key priority of Traffic Safety. A RIDE application has been made for \$166,985 based on the number of RIDE checks the Service expects to conduct in the upcoming year. Historically, the Service has been allocated amounts of approximately \$100,000 (total funding for the Province has remained constant, but the number of police services applying for funding has increased, resulting in an ever-decreasing allocation for TPS).

Since 1996, TPS has participated in this grant with the support of the Board. The Provincial Solicitor General required the annual application form be submitted no later than January 20, 2002. Given past experience, we anticipate receiving the RIDE contract in early July 2002. This contract will outline our funding allocation and, prior to obtaining the Chairman's signature, will be reviewed by the City Solicitor.

Municipal Police Service Technology Grant Fund

The Municipal Technology Grant Fund is a new grant program established to support the development and implementation of electronic information sharing exchanges. The Service has applied for \$3.0M in funding assistance to undertake a three to four year joint project with a goal of enabling electronic information exchanges with other justice system parties. The four-year work plan includes all the tasks required to meet the data relationship needs between the Service's eCOPS application and the provincial Integrated Justice Project applications. The Ministry's deadline for receipt of grant applications was January 18, 2002, and I had requested the Chairman to sign the application.

No financial commitment was incurred as a result of the application. Prior to any Service participation in the Grant Program, the Service is seeking assurances and clarification on a number of issues from the province:

- Currently, there are no assurances from the Province that further funding will be provided if future Integrated Justice Program requirements result in higher costs for the Service.
- Business hardware to be used for police operational requirements (such as scanners to be used for officers' notes for electronic crown brief exchanges) is not currently funded under the grant. The Service does not have any budget funds allocated for this purpose. The cost for this equipment is potentially several hundred thousand dollars.
- A major outcome of this project is the electronic court dispositions / event outcomes to the Service from the Courts (planned to be implemented over the next four years). This outcome is estimated to result in budget savings of up to \$1.0M annually. However, the Service has no assurances that this will remain a goal of the Integrated Justice Program.
- Finally, we will be seeking verification from the Province that this new program will not result in significant negative impact on officers' workloads.

Upon approval of the Board's Grant Fund Application by the Ministry, the Service will enter into negotiations with the Ministry, with a goal of defining mutually-agreeable contract terms and conditions to address the concerns outlined above.

Joint Emergency Preparedness Program (JEPP)

This program was initiated in 1980 and is intended to provide funding to enhance emergency response capability to establish a reasonably uniform level of emergency services across the country. JEPP grant application forms and administration of the program in Ontario are the responsibility of the Ministry of Solicitor General, Emergency Measures Ontario (EMO). This grant uses a cost sharing formula and funding is paid once the project is completed.

The Marine Unit has submitted an application, which has been signed by the Chairman, for emergency rescue and response equipment in the amount of \$124,000. This is a cost-sharing grant, and the sharing formula used was a 50/50 split. Therefore, if approved TPS' cost will be \$62,000. This equipment will help expand our ability to provide search, rescue and recovery operations during harsh winter conditions. This equipment will not be purchased unless funding is approved.

Youth Referral Program

In June 2001, the Youth Crime section of Central Field made application to the Federal Department of Justice for funding for a new youth program called the Youth Referral Program. The proposal was made in conjunction with an outside agency, Operation Springboard. The program is a pre-charge diversion program for young offenders between 12 and 17 years old who come in contact with the law for the first time. It is designed to offer an alternative to the justice system for those who commit minor offences. Once the Toronto Police refers a youth, Operation Springboard will do an assessment, and then refer the youth to a suitable program. The pilot project is scheduled to commence on April 2002 in 41 and 42 Divisions.

The Department of Justice in association with the National Crime Prevention Centre agreed to fund this joint venture and we are in receipt of an agreement, covering the period January 2002 to December 2003, which is currently under review by the City Solicitor. The contract outlines the cost sharing between Department of Justice and National Crime Prevention Centre and reflects the maximum level of funding as approximately \$766,000 over a two-year period. This program is a joint venture between Operation Springboard and TPS. Operation Springboard will enter into a contract with the Service for the services they will provide toward the program.

Once the pilot has been reviewed, consideration will be given to expand the project as a Service-wide initiative. If the project is expanded Service-wide funding will be sought in the operating budget.

Grant Approvals Recently Received

In August, 2001, the Province announced a new grant program entitled Youth Crime and Violence Initiative Prevention and Enforcement. The grant allocated \$2M annually to support police youth crime enforcement initiatives (the Enforcement section of the Grant) and to support police and community agency programs to reduce both first time and repeat offences by youth (the Prevention section of the Grant). Funding for individual grants is not to exceed \$30,000 in most instances.

TPS submitted five separate application forms (four for Enforcement, and one for Prevention). TPS' 2001/2002 application forms covered a few areas which require development in the continuing effort to reduce youth crime. These are:

Enforcement Applications for:	<u>Funding requested</u>	Status
Investigative / Surveillance Equipment <ul style="list-style-type: none"> Funding to purchase 16 digital cameras and 2 laptop computers for use by front-line officers to collect and share photos of potential street gang members. 	\$30,000	Approved
Launch of the Toronto Police Service Serious Teen Offender Program (STOP) <ul style="list-style-type: none"> Funding to implement the Service-wide STOP program including software, posters, stationary and translation costs. 	\$20,344	Approved
Toronto Police Service Street Gang Investigators Training session <ul style="list-style-type: none"> Training of internal and several GTA police services on identifying gang members, gang hangouts and strategies to effectively handle these groups. 	\$25,227	Approved
Toronto Police Service Youth Crime Workshop <ul style="list-style-type: none"> Training on proper investigation and subsequent prosecution of young offenders. 	\$6,569	Not Approved
Prevention Application for:		
Development and Production of "Violence from Silence" video <ul style="list-style-type: none"> Creating and distributing a video to teachers, caregivers and parents to help them identify the signs of potential youth becoming involved in a street gang and where to obtain help. 	\$15,630	Approved
Total Grant Funding	\$91,201	

TPS received notification that four of the five grants were approved (as indicated above). However, tight contractual deadlines imposed by the Province required that the Chairman sign the grant contracts prior to the next Board meeting (the contracts were reviewed and approved as to form by the City Solicitor). Delays would have resulted in the forfeiture of grant funding. These grants are fully self-contained, and do not have any impact on the Service's operating budget. However, should the Service wish to continue with any of these programs beyond the grant funding timeframe, funding will have to be sought in the Service's operating budget.

Summary:

The increase in potential grant funding opportunities has brought to the forefront the need to have a rapid approval process for both applications and contracts. It is therefore recommended that the Board authorise the Chairman to sign all grant and funding applications, as required, and all contracts that have been reviewed and approved as to form by the City Solicitor, in order to ensure that grant-imposed deadlines can be consistently met. To keep the Board apprised of ongoing activities, a summarisation report will be provided to the Board on a semi-annual basis. A copy of all grant applications and contracts are on file in the Board offices.

The Chairman has signed several applications and contracts for which time did not permit the opportunity to present to the Board prior to the due date. It is recommended the Board ratify the Chairman's signing of the applications for RIDE, Municipal Police Service Technology Grant Fund, JEPP and the contracts for the Youth Crime and Violence Initiative Prevention and Enforcement Grant.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 28, 2002**

#P67. ADJOURNMENT

Gloria Lindsay Luby
Acting Chair