



The following draft Minutes of the meeting of the Toronto Police Services Board held on October 21, 2010 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on September 23, 2010, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on October 21, 2010.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **OCTOBER 21, 2010** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Mr. Hamlin Grange, Member
Mr. Adam Vaughan, Councillor & Member
Ms. Judi Cohen, Member

ABSENT:

Mr. Frank Di Giorgio, Councillor & Member

ALSO PRESENT:

Mr. William Blair, Chief of Police
Mr. Albert Cohen, City of Toronto - Legal Services Division
Ms. Deirdre Williams, Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P274. SEMI-ANNUAL REPORT: DOMESTIC VIOLENCE STATISTICS:
JANUARY – JUNE 2010**

The Board was in receipt of the following report September 30, 2010 from William Blair, Chief of Police:

Subject: DOMESTIC VIOLENCE SEMI-ANNUAL REPORT: JANUARY 1, 2010 –
JUNE 30, 2010

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

The Toronto Police Service (Service) has been providing quarterly Domestic Violence Quality Control Reports to the Ministry of Community Safety and Correctional Services (MCSCS) since 2002.

At its meeting of April 26, 2007, the Board approved a recommendation to revise the reporting schedule for Domestic Violence Quality Control Reports to be provided semi-annually, accompanied by a short presentation by the Domestic Violence Coordinator, from the Community Mobilization Unit (CMU) (Min. No. P145/07 refers). This report provides the Board with a review of the first 2 quarters of statistical information from the Domestic Violence Quality Control Reports for the period of January 1 to June 30, 2010. Appended to this report are the statistics for this period.

Discussion:

In the first half of 2010, there were 3 domestic violence homicides involving 3 victims, compared to 2 domestic violence homicides reported in the first half of 2009. The first victim was a male and the other 2 were female.

From 2009 to 2010 there was a 10.7% increase in the number of reported occurrences where no offence was alleged, however, the number of charges decreased slightly for this same time period by 0.09%. A possible reason for this increase could be the recession as indicated in the City of Toronto report, "Overall Observations - Recession Indicator Dashboard (December Data)," in the Community Vulnerability section, showing an increased usage of other community services (e.g. food bank, distress centre calls, social assistance calls, wait list for social housing, etc).

Another possible reason for this increase could be from the increase of domestic violence education in all areas of the community.

It is significant to note that there has been a 28.5% reduction in the number of dual charges from 2009 to 2010.

At its meeting of November 15, 2007, the Board approved a request that the Chief of Police include cultural initiatives that have been developed by the Service (Min. No. P351/07 refers).

From January 1 to June 30, 2010, the Service continued to engage several ethnic communities in domestic violence awareness and educational presentations. For example, CMU, along with members of Divisional Policing Command (DPC), participated in the following activities:

- Presentation to the Chief's South East Asian Community Town Hall meeting with 100 participants;
- In partnership with the South Asian Consultative Committee, delivered a presentation to 25 participants from the Tamil and Sri Lankan communities;
- 9 presentations to community audiences representing the Latino, Pakistani, Afghan and East Indian communities with between 30 and 100 delegates each;
- 9 presentations to members of: the Learning Enrichment Group (new immigrants), Somali, Vietnamese, and LGBTQ communities;
- 3 presentations in partnership with the Toronto District School Board and Toronto Catholic District School Board to secondary school students. Many of the diverse communities are reflected within the student bodies;
- In partnership with women's shelters, faith groups and community based newcomer organizations, delivered 10 domestic violence awareness presentations to culturally diverse audiences;
- Participated in a Latino community radio broadcast featuring domestic violence awareness;
- Presentation to approximately 60 delegates at the Toronto Girl's Conference (for Caribbean girls);
- Presentation to 30 culturally diverse Court Interpreters;
- 3 presentations on human rights and gender issues to 1st, 2nd, and 3rd year students of York University;
- Information session, in partnership with the Sex Crimes Unit, to the Service's Senior Officers, specific to domestic violence in the workplace and our responsibilities as legislated by Bill 168; and
- 3 domestic violence presentations delivered to healthcare providers at St. Michael's Hospital and 2 local community health care facilities.

Victim Services continued to provide 'Teens Ending Abusive Relationships' (TEAR) presentations during the latter half of 2009. In total, 17 presentations were delivered to approximately 1,800 students. Many of the diverse communities are reflected within the student bodies. This valuable program is continuing and will continue to expand in 2010 due to a \$20,000 grant awarded by the Ministry of Community Safety and Correctional Services – Safer and Vital Communities.

In the first half of 2010, there was an overall reduction in the number of presentations due to the training and exigent circumstances leading up to and including the G20 Summit.

Conclusion:

The Service is committed to community mobilization strategies, thereby actively engaging the Violence Against Women (VAW) service providers and the greater community through ongoing education, public presentations and awareness campaigns, continued outreach, and progressive partnerships.

Effective policing can only be achieved through the partnership between the police and the community it serves. Complex social issues, such as domestic violence, cannot be addressed effectively through enforcement measures. The collaboration between law enforcement personnel, VAW service providers, education officials and corporate support, is critical to the success of these initiatives.

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

Sergeant Lorna Kozmik, Domestic Violence Coordinator, was in attendance and delivered a presentation to the Board on the results of the domestic violence quality control reports and a summary of the domestic violence awareness and educational presentations for the period of January to June 2010.

Following the presentation, Sgt. Kozmik responded to questions by the Board.

Sgt. Kozmik noted that the number of dual charges – where both parties are charged – was 28.5% lower in 2010 than the same period in 2009 and that she believed the decrease can be attributed to specific training in this area that was provided to police officers. Sgt. Kozmik also noted that the increase in the number of choking charges that were laid could also be attributed to specific training provided to police officers.

Mr. Mark Pugash, Director of Corporate Communications, was in attendance and responded to questions regarding the use of social media as a mechanism to educate the public about domestic violence awareness. The Board was advised that the Service is using Twitter and Facebook to reach younger members of the community and members of specialized groups, such as seniors, who would not normally be reached through conventional media.

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The Board commended Sgt. Kozmik for her presentation and for the work that is being done within the TPS and in the community to increase domestic violence awareness. The Board received the foregoing report and Sgt. Kozmik's presentation and approved the following Motion:

THAT, where possible, future semi-annual reports include:

- **the number of charges and complaints illustrated in graphic form;**
- **statistics for multiple years;**
- **any lessons learned from the domestic violence related homicides; and**
- **whether or not any significant changes in the number of charges can be attributed to training or other factors.**

TORONTO POLICE SERVICE
DOMESTIC VIOLENCE QUALITY CONTROL REPORT
January – June 2010
2009/2010 COMPARISONS

	2009				2010				2009		2010	
	MALE		FEMALE		MALE		FEMALE		TOTAL		TOTAL	
1. Domestic Occurrences	6 mth Total	YTD	6 mth total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD
(a) Total Number of Occurrences where charges were laid or warrants sought	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2878	2878	2859	2859
(b) Number of accused where one party was charged	2410	2410	398	398	2413	2413	396	396	2808	2808	2809	2809
(c) Number of accused where both parties were charged	37	37	33	33	25	25	25	25	70	70	50	50
(d) Number of Occurrences where accused held for bail/show cause	M	M	M	M	M	M	M	M	M	M	M	M
(e) Number of occurrences where offences alleged but charges not laid	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	487	487	456	456
(f) Number of occurrences where no offence alleged	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6533	6533	7317	7317
2. Reasons Charges Not Laid												
(a) No reasonable grounds	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	487	487	456	456
(b) Offender deceased	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0	0
(c) Diplomatic Immunity	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0	0
(d) Offender in foreign country	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0	0
3. Relationship Between Accused & Victim												
(a) Female victim – male accused	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2353	2353	2366	2366
(b) Male victim – female accused	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	400	400	392	392
(c) Same sex male	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	93	93	76	76
(d) Same sex female	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	31	31	25	25

***LEGEND**

M – System does not generate these statistics

N/A – Not Applicable

TORONTO POLICE SERVICE
DOMESTIC VIOLENCE QUALITY CONTROL REPORT
January – June 2010
2009/2010 COMPARISONS

4. Type of Charges Laid	2009				2010				2009		2010	
	MALE		FEMALE		MALE		FEMALE		TOTAL		TOTAL	
	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD
<u>Assault</u>												
(a) Common Assault	1818	1818	313	313	1861	1861	295	295	2131	2131	2156	2156
(b) Assault with Weapon or Cause Bodily Harm	390	390	127	127	408	408	128	128	517	517	536	536
(c) Aggravated Assault	14	14	6	6	8	8	13	13	20	20	21	21
<u>Sexual Assault</u>												
(a) Sexual Assault	55	55	0	0	62	62	0	0	55	55	62	62
(b) Sexual Assault with Weapon or Cause Bodily Harm	5	5	0	0	4	4	0	0	5	5	4	4
(c) Aggravated Sexual Assault	2	2	0	0	1	1	0	0	2	2	1	1
<u>Breaches</u>												
(a) Breach of Recognizance	113	113	11	11	97	97	11	11	124	124	108	108
(b) Breach of Undertaking	10	10	5	5	20	20	5	5	15	15	25	25
(c) Breach of Remand (CC-s.516 / CC-s.517)	0	0	0	0	0	0	0	0	0	0	0	0
(d) Breach of Peace Bond (CC-s.810)	8	8	0	0	16	16	1	1	8	8	17	17
(e) Breach of Probation / Parole	116	116	3	3	85	85	4	4	119	119	89	89
(f) Breach of Restraining Order <i>Family Act-s.46(2), Children's Reform Act-s.35(2), CC-515(4)</i>	7	7	0	0	3	3	0	0	7	7	3	3
<u>Other Charges</u>												
(a) Uttering Threats	635	635	58	58	572	572	44	44	693	693	616	616
(b) Criminal Harassment	207	207	21	21	207	207	16	16	228	228	213	213

TORONTO POLICE SERVICE
DOMESTIC VIOLENCE QUALITY CONTROL REPORT
January – June 2010
2009/2010 COMPARISONS

	2009				2010				2009		2010	
	MALE		FEMALE		MALE		FEMALE		TOTAL		TOTAL	
Other Charges (cont'd)	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD	6 mth Total	YTD
(c) Mischief	169	169	28	28	154	154	39	39	197	197	193	193
(d) Attempted Murder	3	3	0	0	1	1	1	1	3	3	2	2
(e) Choking	32	32	0	0	42	42	0	0	32	32	42	42
(f) Forcible Confinement	119	119	2	2	90	90	0	0	121	121	90	90
(g) Firearms	1	1	0	0	3	3	0	0	1	1	3	3
(h) Other charges not listed above												
i. Weapons Dangerous C.C.	26	26	17	17	24	24	6	6	43	43	30	30
ii. Break & Enter C.C.	22	22	5	5	21	21	2	2	27	27	23	23
iii. Theft C.C.	58	58	5	5	49	49	4	4	63	63	53	53
iv. Forcible Entry C.C.	16	16	0	0	12	12	3	3	16	16	15	15
v. Total Other Charges	125	125	13	13	100	100	11	11	138	138	111	111
5. Weapons Used to Commit an Offence												
(a) Firearms	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	11	11	12	12
(b) Other weapon	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	446	446	526	526

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P275. TERMINATION OF THE TORONTO TRANSIT COMMISSION
SPECIAL CONSTABLE PROGRAM**

The Board was in receipt of the following report September 23, 2010 from William Blair, Chief of Police:

Subject: TERMINATION OF THE TORONTO TRANSIT COMMISSION SPECIAL
CONSTABLE PROGRAM

Recommendations:

It is recommended that:

- (1) the Board terminate the agreement between the Board and the Toronto Transit Commission, dated May 9, 1997, governing the Toronto Transit Commission Special Constable Program, effective January 18, 2011;
- (2) the Board authorize the Chair to provide written notice of the termination of the agreement to the Toronto Transit Commission and the Ministry of Community Safety and Correctional Services;
- (3) in accordance with the requirements of the *Police Services Act*, the Board provide notice of intent to terminate the appointments of all special constables employed by the Toronto Transit Commission, who are performing special constable duties as part of the Toronto Transit Commission Special Constable Program, effective January 18, 2011, and the reason for such termination, and authorize the Chief of Police to provide notice of such intent to terminate to each special constable;
- (4) in accordance with the requirements of the *Police Services Act*, each special constable whose appointment may be terminated be given the opportunity to provide a written reply to the reasons for termination identified in the notice of intent to terminate, and
- (5) the Board forward a copy of this report to the City Manager and the Chief Financial Officer for their information.

Financial Implications:

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

Background/Purpose:

In late 2007, the Chief of Police directed Deputy Chief Warr of Specialized Operations Command to initiate a review of traffic policing activities within the Toronto Police Service. One of the recommendations contained in the report arising from the review, entitled “*The Road Ahead*”, recommended that the TPS create a dedicated sub-unit within Traffic Services to provide an increased level of policing on the transit system to enhance the safe, efficient and orderly operation of the TTC system throughout the City of Toronto.

On May 18, 2009, the TPS implemented this recommendation with the creation of the Transit Patrol Unit (TPU). Currently, this sub unit is staffed with 36 constables, 4 sergeants, and 1 staff sergeant.

At its meeting of June 17, 2009, the Board approved the following motion:

THAT the Board authorize the Chief of Police to initiate discussions with the Toronto Transit Commission (TTC) to develop a mutually agreeable transfer of responsibility for public transit and security from the Toronto Transit Commission to the Toronto Police Service (Min. No. P189/09 refers).

As a result, the TPS convened a working group representing both the TTC and TPS to research and further develop this concept. A TTC Special Constable Transition Planning Committee (the Committee) was formed. It was co-chaired by then Staff Superintendent Peter Sloly, replaced upon his promotion to Deputy Chief by Acting Staff Superintendent Earl Witty, and the Deputy Chief of TTC Special Constable Operations, Fergie Reynolds. The Committee established a number of sub-committees to address various transitional issues respecting the possible transfer of responsibility for the special constables employed by the TTC to the TPS as part of the process. These included human resources, legal, operational, planning, logistics and financial issues.

Between June and November, 2009, the Committee met on a regular basis to exchange information and clarify issues of concern. As a result of a comprehensive analysis of the situation, it was determined that costs and working conditions, particularly pensions, salaries, and benefits, were substantially inconsistent between the two organizations, thereby making TPS assumption of responsibility for the TTC special constables extremely difficult. The transitioning costs would have been significant and would still have resulted in differential impacts due to irreconcilable comparables in both the short and long term. In light of these fiscal and logistical effects, it was determined that other options would have to be examined to facilitate the Toronto Police Service’s assumption of responsibility for policing the TTC.

As a result of the financial and logistical difficulties in facilitating the transition, in the City of Toronto's 2010 budget process, City Council approved the following budgetary allocations:

- (1) The Toronto Police Service assume transit policing responsibilities:
 - (i) The TPS complement be increased by 42 police constables and supervisors effective September 1, 2010: and
 - (ii) TPS funding be increased by \$1.789 million in 2010.

- (2) The Toronto Transit Commission dissolve the TTC Special Constable Services effective September 1, 2010:
- (i) No new funding for the TTC Special Constable Services be approved in 2010, including the request for 20 additional Special Constables;
 - (ii) The TTC Special Constables complement be reduced by 102 positions effective September 1, 2010, along with associated expenses;
 - (iii) The TTC provide the City Manager no later than January 21, 2010, with the 2010 Operating Expenses for the remaining 31 non-special constable staff.

On May 6, 2010, the Board formally gave notice to the TTC of the Board's intent to terminate the current agreement governing the Program. The TTC was invited to provide the Board with a comprehensive summary of the activities undertaken by its personnel for whom it believes that special constable authority is required.

By letter dated June 23, 2010, the TTC provided TPS with a report setting out its view on which special constable powers are required by TTC security personnel and the rationale for each. This report was reviewed by the TPS and, given that review, it is recommended that the special constable status for TTC security personnel not be continued for the following reasons:

(i) Federal Statutes

The TTC identified the need for various authorities under various federal statutes such as the *Criminal Code*, the *Controlled Drugs and Substances Act*, and the *Immigration and Refugee Protection Act*.

The TTC submitted that the absence of such authority would result in its staff being restricted in the performance of duties as they would be unable to arrest on reasonable grounds, release unconditionally when necessary, compel an appearance in court for minor offences in lieu of continuing custody, legally detain for the purposes of investigation, search and seize evidence in limited circumstances and transport prisoners.

In the TPS' view, these authorities are not required for the following reasons:

- In May 2009 the TPU was formed to address legislated policing responsibilities within the transit system with 40 officers dedicated to patrolling the transit system.
- With the backing of City Council, the TPU will have its complement increased to 80 officers in the latter part of 2010.
- As persons authorized by the owner of property, the TTC security personnel would have powers of arrest as provided in section 494 of the *Criminal Code* (citizen's powers of arrest) thus providing an immediate resolution to any employee or customer safety concerns.
- Section 25 of the *Criminal Code* provides protection for anyone who is required or authorized by law to do anything in the administration or enforcement of the law, if they are acting on reasonable grounds, to use a much force as is necessary to effect the lawful purpose.

(ii) Provincial Statutes

The TTC also identified the need for various authorities under various provincial statutes including the *Mental Health Act*, the *Liquor Licence Act*, the *Trespass to Property Act*, the *Child and Family Services Act* and the *Provincial Offences Act*.

The justification given by the TTC for the security personnel obtaining the provincial authorities included a concern that the absence of such authority would cause an immediate risk to public safety, the personnel would be unable to execute a warrant and the person named in a warrant might escape the process for the warrant being issued and the fact that the TTC would not have the ability to release for a provincial offence. In the TTC's view, all these would have an impact on its operational effectiveness. In addition, it is the TTC's position that special constable status would protect it from civil and/or criminal liability due to an unlawful and unreasonable detention.

In the TPS' view, these provincial authorities are not required for the following reasons:

- The TTC may apply to the Ministry of Community Safety and Correctional Services for to obtain provincial offence officers' status for its security personnel. The *Provincial Offences Act* provides the requisite authority for the issuance of Provincial Offences Act notices for the provincial statutes cited allowing for TTC security personnel to commence proceedings under the Act. The TTC may also apply to the City of Toronto to obtain municipal law enforcement officer status for its personnel under section 15(1) of the *Police Services Act*, under which authority the security personnel may lay charges under municipal by-laws, specifically TTC By-Law No. 1.
- The *Provincial Offences Act* currently does not provide release powers for special constables following an arrest under the various provincial statutes.
- With respect to the *Trespass to Property Act*, employees may act as agents of the landlord to enforce the provisions of the statute. As such, TTC security personnel already have the ability to effect their purpose by utilizing the following; TTC By-Law No. 1 and Section 494 C.C., Arrest without warrant by any person.
- Nothing precludes TTC from contacting police in an emergency situation.

(iii) TTC as Employer and Transit Operator

The TTC also identified other considerations which, in its view, also supported the continuation of special constable status for its personnel. These were:

- Common law “standard of care” and community expectations,
- Duty of care under the *Occupiers Liability Act*,
- Duty to “take every reasonable precaution” under the *Occupational Health and Safety Act*, and
- Duty of persons directing work under 217.1 of the *Criminal Code*.

In TPS' view, these considerations do not support the continued provision of special constable authority. The TTC has no greater or lesser duty of care than any other employer or corporation supplying a service to the public. To accept this line of reasoning in even a limited fashion would justify special constable authority being provided to the security personnel of any retail establishment or public venue. The TTC's concerns can be met by authorities given to any employer or owner of property and be enhanced by training and environmental design.

An additional rationale for continued special constable status woven through the TTC's response is the need to “achieve operational effectiveness” and “avoid undue disruption of transit service”. This position is predicated on police presence and response times prior to the establishment of the TPU and increased priority being given to the transit system from the TPS.

The Board should also note that some of the authorities requested by the TTC would appear to confer authority on special constables well beyond the functions and primary purpose of the TTC. For example, the request to be given authority under the *Immigration and Refugee Protection Act* would appear to be beyond the scope of the TTC's needs as its business is arguably to provide an effective and efficient transit system, not enforce immigration law.

The TTC also suggested that as it moves closer to wide-spread implementation of proof of payment fare enforcement, special constable authority is required to protect its employees and to ensure fare payment compliance. With proof of payment being a condition of entry onto the TTC, anyone not paying a fare or failing to show TTC such proof is in contravention of its by-law and the *Trespass to Property Act*. A violator can therefore be charged and escorted off the premises. The only authority required is that of a provincial offences officer.

In the TPS' view, effective and efficient use of existing civilian authority, combined with TTC By-Law No. 1 as a control mechanism, will meet the needs of the TTC and the public.

In light of the foregoing, it is recommended that the Board terminate its agreement with the TTC in respect to the TTC Special Constable program effective January 18, 2011 and that the TTC be served with a written notice of such termination at least 90 days prior to the effective date.

In accordance with section 53(6) of the *Police Services Act*, written notice will be provided to the Ministry of Community Safety and Services advising of the termination date. In addition, under section 53(8) of the *Police Services Act*, written notice of intent to terminate and the reasons for termination will be provided to each TTC Special Constable who will each be given an opportunity to respond.

Discussion:

At its meeting of January 23, 1996, the Board approved an application by the TTC to have its transit security investigators appointed as special constables pursuant to the provisions of the *Police Services Act* (the Act) (Min. No. P39/96 refers). On May 9, 1997, the Board entered into an agreement with the TTC for the administration of its TTC Special Constable Program and the Program has continued for the past 13 years.

In accordance with City Council's decisions outlined previously in this report, an additional 42 positions will be assigned to the Toronto Police Service Transit Patrol Unit effective September 30, 2010.

In light of this, it is recommended that the agreement between the Board and the TTC governing the TTC's Special Constable Program be terminated effective January 18, 2011. The agreement requires that 90 days written notice be given should either party wish to terminate the agreement.

As well, if the Board decides to terminate the Program, each TTC special constable should also be given notice of the Board's intent to terminate his or her appointment effective the date that the agreement for the TTC Program ends and the reasons for such termination. The *Police Services Act* requires that each affected special constable be given reasonable information about the reasons for the termination, and an opportunity to reply orally or in writing as may be determined by the Board.

Conclusion:

The TPS is and will continue to be the principal provider of policing services within the boundaries of the City of Toronto, including policing of the TTC. In light of the enhanced TPS responsibility for policing the TTC, and the City Council budgetary decision earlier this year, there is no continued need for the TTC Special Constable Program or for the continued special constable appointment of the current TTC special constables. Therefore, it is recommended that the agreement between the TTC and the Board in respect to the Program be terminated in accordance with its terms, and the TTC special constables be given notice of intent to terminate their special constable appointments in accordance with the procedure set out in the *Police Services Act*.

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

The Board was also in receipt of the following:

- **September 20, 2010 from Adam Giambrone, Chair, Toronto Transit Commission**
Re: Response to the Chief's Report to Terminate the TTC Special Constable Program
- **Correspondence (not dated) and correspondence dated September 28, 2010 from Ian Thompson, National Representative, Canadian Union of Public Employees (CUPE)**
Re: Status of Special Constables at the Toronto Transit Commission

cont...d

- **October 08, 2010 from Gary Webster, Chief General Manager, Toronto Transit Commission**
Re: Toronto Transit Commission Special Constable Program

Copies of the foregoing correspondence are appended to this Minute for information.

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

- **Gary Webster, Chief General Manager, Toronto Transit Commission ***
- **Joe Mihevc, Councillor and Vice-Chair, Toronto Transit Commission**
- **Ian Thompson, National Representative, Canadian Union of Public Employees, on behalf of the TTC Special Constables ***

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

Councillor Mihevc began his deputation by indicating that he was speaking on behalf of the Toronto Transit Commission and that the Commission had unanimously expressed its support of Mr. Webster's deputation to the Board.

During his deputation to the Board, Mr. Thompson referred to potential labour relations issues between the Toronto Transit Commission and the special constables and the Board decided to adjourn the meeting for a short period of time so that its legal counsel could speak with Mr. Thompson regarding the status of those matters. Following the break, the Board resumed its meeting.

Following the deputations, Mr. Webster, TTC Vice-Chair Mihevc and Mr. Thompson responded to questions by the Board.

Chief Blair also responded to questions by the Board.

The following Motions were presented to the Board with respect to the Chief's report:

- 1. THAT the Board approve recommendation no. 1 with an amendment indicating that the effective date of the termination of the agreement will be February 01, 2011 and not January 18, 2011;**
- 2. THAT the Board approve recommendation no. 2;**
- 3. THAT the Board approve recommendation no. 3 with an amendment indicating that the Board will consider a recommendation to terminate the appointments of all special constables effective February 01, 2011, and not January 18, 2011, and that the correspondence to be sent to the special constables be prepared by the Chief of Police for the Chair's signature;**

cont...d

4. **THAT the Board approve recommendation no. 4, noting that any written submissions should be submitted to the Board Administrator no later than 4:00 PM on November 29, 2010;**
5. **THAT recommendation no. 5 be approved with an amendment indicating that copies of this report will be sent to the City Manager and the Deputy City Manager and Chief Financial Officer for information;**
6. **THAT the Chief of Police submit a report to the Board for consideration at a special confidential meeting to be held on December 06, 2010 regarding recommendations for the termination of appointments of the special constables; and**
7. **THAT the Board notify the Peel Police Services Board and the York Police Services Board of its decision in this matter.**

A request for a recorded vote on the foregoing Motions was submitted in accordance with section 22 of the Board's Procedural by-Law.

The voting was recorded as follows:

<u>For</u>	<u>Opposed</u>
Vice-Chair Pam McConnell Councillor Adam Vaughan Mr. Hamlin Grange	Ms. Judi Cohen Chair Alok Mukherjee did not vote; deemed to be opposed

The Motions were approved.

The Board also approved the following Motions:

8. **THAT the Board receive the deputations and the written submissions; and**
9. **THAT the Board receive the foregoing report from Chief Blair and the correspondence from TTC Chair Adam Giambone and Messrs. Webster and Thompson.**

TORONTO TRANSIT COMMISSION



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JOE MIHEVC
VICE-CHAIR
GARY WEBSTER
CHIEF GENERAL MANAGER
VINCENT RODO
GENERAL SECRETARY



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BILL SAUNDERCOOK



Toronto Police Services Board
Dr. Alok Mukherjee
Chair
40 College St.
Toronto, ON M5G 2J3

September 20, 2010

Re: Report from Chief Blair on TTC Special Constables

Dear Dr. Mukherjee,

It is my understanding that Chief Blair will be submitting a report to the Toronto Police Services Board on September 23 recommending that the agreement between the TTC and the TPSB regarding Special Constables be cancelled as of January 2011. If adopted, Chief Blair's recommendation would revoke the constable status from TTC Special Constables.

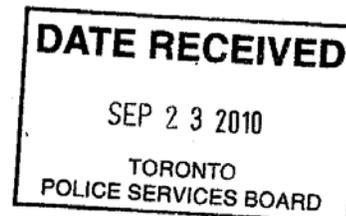
I respectfully request that the TPSB defer this matter in order to allow TTC staff and the TPSB to work together to discuss both the implications of terminating this agreement as well as possible solutions. Revoking the agreement will result in major changes to security and policing in the transit system TTC. Thus I am requesting that a process for consultation be implemented so that TTC staff can provide input.

In addition, the TTC's Chief General Manager, Gary Webster, would like to make a deputation at this meeting regarding Chief Blair's report. I trust that he will be given time to do so.

Sincerely,

Adam Giambrone
Chair – Toronto Transit Commission

CC – Toronto Police Services Board, Administrator



CUPE·SCFP

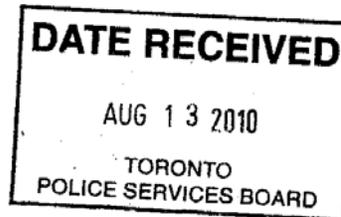
Canadian Union of Public Employees
Syndicat canadien de la fonction publique

ONTARIO REGIONAL OFFICE

305 Milner Avenue, Suite 800, Scarborough, ON M1B 3V4 (416) 292-3999, Fax: (416) 292-2839 cupe.ca scfp.ca

Via Fax and Mail: 416-808-8082

Mr. Alok Mukherjee, Chair
Toronto Police Service Board
40 College Street
Toronto, ON M5G 2J3



Re: Status of Special Constables at the TTC

Dear Mr. Mukherjee,

The Canadian Union of Public Employees (CUPE) now represents Special Constables at the TTC. We have learned with some concern that the Police Service Board is considering not continuing the Memorandum of Agreement conferring special constable status on this group of people. We think it would be a significant disservice to the people of Toronto and needless to say would be of grave concern to CUPE.

Special Constables provide valuable safety and crime prevention services to a number of residents and visitors to the city in a variety of different locations and roles including the TTC. The over thirteen year proven partnership between the Toronto Police and Special Constables provides a valuable enhanced service by creating an environment of improved training, better coordination and improved service to the community.

Private security personnel or their equivalent are not an adequate substitute for the TTC Special Constable program. This is partially due to the fact that TTC staff have special constable status and are able to extend themselves in ways that the private security personnel can not do. The availability of Special Constables in the TTC system has seen almost 50% of the emergency calls dealt with without Police intervention.

Transit Special Constables continue to exercise powers and authorities granted by the Toronto Police Service Board in a responsible and efficient manner to ensure they provide a Duty of Care and maintain community expectations of safety and security on the transit system.

....2

PAUL MOIST – National President / Président national CLAUDE GÉNÉREUX – National Secretary-Treasurer / Secrétaire-trésorier national

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R01

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TTC Special Constables provide law enforcement and security services consistent with the business needs of the TTC. Special Constable designation gives TTC Special Constables power of a peace officer for the purpose of enforcing Criminal Code of Canada and the Controlled Drugs and Substances Act, and police officer powers for the purposes of enforcing the Liquor License Act, the Trespass to Property Act and the Mental Health Act for incidents that occur on or in relation to TTC property and vehicles. These powers are vital to ensure the effectiveness and efficiency of the services provided. Special Constables provide patrol, investigation and security services to TTC property, and operations.

These powers ensure that response time and effective service provision occurs in a way that coordinates with the Toronto Police Service but also ensures that more than half of the incidents are dealt with by the TTC Special Constables. This ensures quick response to Mental Health Act situation as well as providing a visible presence that provides reassurance to the public. Again nearly half of the situations are dealt with without Toronto Police assistance and those that are turned over to the Police are turned over after an effective initial response has already occurred.

CUPE is concerned with the future of this valuable and cost effective service and would like to have an opportunity to speak to the police service board before any decision regarding not continuing the Memorandum of Agreement around Special Constable Status is made.

Yours sincerely,



Ian Thompson / per L.T.

National Representative

Canadian Union of Public Employees

lt:cope491

PAUL MOIST – National President / Président national **CLAUDE GÉNÉREUX** – National Secretary-Treasurer / Secrétaire-trésorier national

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R01

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Alok Mukherjee,
Chair Toronto Police Service Board,
40 College Street,
Toronto, Ontario
Canada, M5G 2J3

September 28, 2010

Dear Mr. Mukherjee,

I am writing in reference to your letter of September 17th, 2010, informing me about the status of discussions with regards to the discontinuation of a Memorandum of Understanding involving TTC Special Constables and a number of subsequent phone calls.

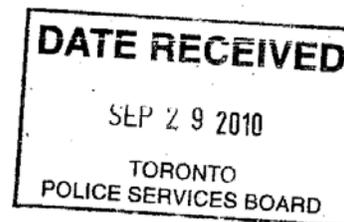
CUPE would very much like to make a presentation on this matter should it return to the Police Service Board meeting, either, at the October meeting or some subsequent meeting. We would appreciate copies of any recommendation or reports prior to the meeting to ensure our comments are succinct and to the points raised.

We are also concerned that a number of TTC special constables have had their status elapse. We are concerned about the message this is sending to our members.

Thank you for your assistance in this matter.

Yours sincerely,


Ian Thompson
CUPE National Representative



CC: Risa Pancer - CUPE National Legal Representative

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PAUL MOIST - National President / Président national CLAUDE GÉNÉREUX - National Secretary-Treasurer / Secrétaire-trésorier national

TOM GRAHAM - FRED MAHN - DANIEL LÉGÈRE - LUCIE LEVASSEUR - BARRY O'NEILL - General Vice-Presidents / Vice-présidents généraux



R01

TORONTO TRANSIT COMMISSION



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October 8, 2010

MEMBERS OF:

TORONTO POLICE SERVICES BOARD
and
TORONTO TRANSIT COMMISSION

Dear Board and Commission Members:

Re: TTC Special Constable Program

A meeting is being arranged for Wednesday, October 13, 2010 to discuss the TTC Special Constable Program, and specifically the powers and authorities of TTC Special Constables. I encourage all of you to attend this meeting as the issue of the status of the TTC Special Constable Program and the appropriate powers and authorities for our Special Constables is an important one. My hope and expectation for this meeting is that we will agree that not only is the issue of Special Constable status very serious, but it is one that needs to be fully discussed and understood before any changes to the status of the Program are considered. Appropriate staff from each organization need to meet further to ensure we all fully appreciate the impact of any change to this Program.

While issues related to a proper policing and security model for TTC, specifically the subway, have been discussed for two years, it was not until the 2010 budget cycle that we agreed on roles and responsibilities for TPS Officers and TTC Special Constables. The issues of staffing levels for Special Constables and how the TTC reduces its number of Special Constables was left to the City and TTC to resolve, while our two organizations were left to resolve the issue of appropriate powers and authorities.

At our meeting next week, we will share some examples of incidents that occur on a regular basis and how the loss of Special Constable status will prevent the TTC from safely, effectively and efficiently performing its duties.

As stated above, the budget process established the division of roles and responsibilities and we each identified the staffing levels necessary for each organization. We advised at that time that we required Special Constable status to



1900 Yonge Street, Toronto, Canada M4S 1Z2
Telephone: 416-393-4900 Web Site: www.ttc.ca

remain, allowing the TTC to properly perform its duties. At that time, both the TPSB members and TPS staff indicated that they did not accept the TTC's position on Special Constable status and that it required further discussion. During the budget process, we wrote two memos to the City Manager (January 19/10, February 1/10) setting out our position on Special Constables. In the February 1, 2010 letter we stated that "further work with TPS is required to determine powers and authorities required to address health and safety issues, and maintenance of an effective TTC security program." This work still needs to be done. Other exchanges of letters and information are as follows:

- May 6/10, Chair Mukherjee requested a comprehensive summary of the activities undertaken by Special Constables requiring federal, provincial or municipal statute authority.
- June 1/10, Chair Giambone responded to the May 6/10 letter confirming that we are compiling the requested information. He also requested a Working Group be created to allow the parties to develop a New Framework Agreement.
- June 16/10, Chair Mukherjee responded and advised that he would discuss the proposed Working Group with the TPSB and Chief Blair and respond once input was received.
- August 5/10, Chair Mukherjee followed up on his June 16/10 correspondence advising that the TPSB had considered the proposal for a Working Group and "agreed that it is not prepared to create a Working Group at this time."
- In a June 23/10 letter to Chief Blair, we provided the information requested in Chair Mukherjee's May 6 letter, clearly setting out a justification for Special Constable status. In this memo, we said that we look forward to working with the Chief and his staff to review this issue.
- In a July 14/10 Confidential Commission Report, we provided information to support our position on headcount, timing of attrition and appropriate status of our Special Constables. The Commission supported our staff position in all areas.

While we have not discussed this important matter between ourselves, we have each communicated our positions to the City Manager. In a June 3/10 report to the City Executive Committee, Chair Mukherjee concluded by stating that, "Through a series of meetings, the TTC and the TPS have agreed on their respective roles and responsibilities regarding the performance of public safety and security activities on the transit system. As a result of the TTC's responsibilities under the proposed framework, the need for TTC security staff to have Special Constable status to perform their various security and enforcement activities is eliminated." The TTC position, was documented in the July 14/10 Commission Report, a copy of which was provided to the City Manager.



Much has been said about our respective positions on this matter, but unfortunately we are not talking to each other. This discussion needs to happen before any final determination is made. This issue of appropriate powers and authorities for our Special Constables affects the safety and security of TTC customers, our employees and the protection of our assets. We need to discuss this at length to ensure the seriousness of the issue is fully aired before any consideration is given to changes in the status of our Special Constables.

The current division of roles and responsibilities, *i.e.* our model as agreed to during the budget process, is appropriate and is functioning effectively today. A change in the status of our Special Constables would fundamentally change our ability to perform our duties. We must satisfy the TTC's, and my duty of care.

The removal of Special Constable status will negatively impact the safety and security of the TTC. As set out here, I urge all of us to fully discuss this before consideration is given to removing Special Constable status.

I respectfully request that the Chief's report not be considered by the TPSB until such time as appropriate discussion has occurred between all of the parties.

Sincerely,



Gary Webster
Chief General Manager

Copy: Chief Bill Blair
Joe Pennachetti
Brendan Agnew-Iler



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P276. REQUEST FOR REVIEW OF A COMPLAINT ABOUT THE POLICIES
OF THE TORONTO POLICE SERVICE (TPS FILE NO. 2010.EXT.0313)**

The Board was in receipt of the following report September 21, 2010 from William Blair, Chief of Police:

Subject: REQUEST FOR REVIEW OF A COMPLAINT ABOUT THE POLICIES OF
THE TORONTO POLICE SERVICE (TPS FILE NO. 2010.EXT-0313)

Recommendations:

It is recommended that:

- (1) the Board receive the complaint summarized in this report.
- (2) the Board determine whether to concur with the decision that no further action be taken with respect to the complaint; and
- (3) the complainant, the Independent Police Review Director and I be advised in writing of the disposition of the complaint, with reasons.

Background/Purpose:

The Toronto Police Services Board has received a request to review my disposition of a complaint about the policies of the Toronto Police Service (TPS).

Legislative Requirements:

The *Police Services Act* establishes that a complaint about the policies of or services provided by a municipal police force shall be referred by the Independent Police Review Director to the municipal chief of police and dealt with under section 63. The chief of police shall, within 60 days of the referral of the complaint to him or her, notify the complainant in writing of his or disposition of the complaint, with reasons, and of the complainant's right to request that the board review the complaint if the complainant is not satisfied with the disposition 63 (2). A complainant may, within 30 days after receiving the notice, request that the board review the complaint by serving a written request to that effect on the board.

Review by Board

Upon receiving a written request for a review of a complaint previously dealt with by the chief of police, the board shall,

- (a) advise the chief of police of the request.
- (b) subject to subsection (7), review the complaint and take any action, or no action, in response to the complaint, as it considers appropriate; and
- (c) notify the complainant, the chief of police and the Independent Police Review Director in writing of its disposition of the complaint, with reasons.

Nature of the Complaint and Discussion:

The Scarborough Town Centre is a privately owned mall. Along the south side of the mall runs a thoroughfare called Triton Road. It runs east-west connecting McCowan Road to Brimley Road, and is used primarily by taxi cabs, delivery trucks, and Toronto Transit Commission (TTC) buses. Over the years, management has called on the TPS many times to assist in moving taxi cabs that have parked on the street, blocking the movement of TTC buses, cars, and trucks delivering goods into the mall. Officers issued Provincial Offences tickets, with the belief that the taxis were improperly parked at a cab stand.

The complainant is an advocate on behalf of Toronto Taxi Industry drivers. On January 13, 2010, he submitted an emailed letter of complaint to Chief William Blair regarding parking at this taxi stand on Triton Road. In his email, he explained that taxi drivers were being charged for the offence of, "Crowding a Taxi Stand" contrary to a City of Toronto bylaw. The complainant indicated that the taxi drivers were parked on private property; owned by the Scarborough Town Centre and as such; do not fall under the Toronto bylaw.

Inspector Bernadette Button of 43 Division initiated an investigation into the complainant's complaint, and discovered that he was correct; the Toronto bylaw was an inappropriate charge. Inspector Button immediately ordered all members of 43 Division to cease laying the charge under the bylaw. She further ordered that the proper charge, to deal with the overcrowding problem, was "Engage in Prohibited Activity on Premises" contrary to the Trespass to Property Act (TPA).

On February 8, 2010, Inspector Button sent a letter to the complainant, thanking him for his letter, and indicating that enforcement under the bylaw has ceased at this location, and that the problem of overcrowding on Triton Road will be dealt with under the Trespass to Property Act.

On April 26, 2010, the complainant submitted a letter of complaint to the Office of the Independent Police Review Director (OIPRD). In his letter the complainant stated that "the intent and spirit of the Trespass to Property Act is to control access to private property, not to charge taxi drivers for parking offences on a taxi stand." He further stated that signs are improperly posted, and finally, that convictions under the TPA were criminal convictions and would cause the drivers to lose their jobs. The OIPRD forwarded the complaint to the TPS to investigate and respond.

On June 25, 2010, Inspector Peter Yuen from the TPS Professional Standards Unit sent the complainant a letter indicating that taxi drivers overcrowding at that location have been an ongoing problem. He said that the TPA is the most appropriate Act to deal with the problem. He also advised the complainant that a TPA conviction is not a criminal code conviction.

On July 11, 2010, the complainant appealed Inspector Yuen's letter to the Police Services Board. In his letter he stated that the TPA should not be enforced because the signs erected do not fall within the parameters of the Act. He says:

“The offence would have to lay within the mandate of section 6 (2) that states, “a sign naming an activity with an oblique line drawn through the name showing a graphic representation of an activity with an oblique line drawn through the representation is sufficient for the purpose of giving notice that the activity is prohibited.” In other words, the sign should tell the taxi driver where not to park and meet the sign requirements of the Act. In this case the erected sign at the taxi stand tells the driver where to park and does not meet the sign requirements of the Act as stated.”

The Chief's Decision and Reason:

Detective Sergeant Robert Stewart (929) of the Professional Standards Conduct Investigations Unit was assigned to investigate the policies complaint review.

The Scarborough Town Centre has installed and erected signs at this location, to indicate what is allowed. A clearly visible sign stating, “taxi stand 6 vehicles only” is posted beside the taxi stand. A second sign, also clearly posted says, “vehicles not parked within spaces will be tagged.” The Scarborough Town Centre has also painted six clearly marked spaces for taxis to park.

Section 6 (1) of the TPA states, “A sign naming an activity or showing a graphic representation of an activity is sufficient for the purpose of giving notice that the activity is permitted.” The corollary, or natural assumption, to section 6 (1) is that, if the mall clearly stipulates that six spaces are allowed, then seven or more are not allowed, and thus any taxi that exceeds six is in contradiction of the TPA.

The Scarborough Town Centre has, over the years, had a lot of difficulty with taxi drivers parking on their road, blocking access to the TTC, deliveries and other drivers; in addition, emergency vehicles have had difficulty moving past. In an effort to solve the problem, they have erected signs, allowing taxis to park there and pick up fares, but asking that the drivers also respect others and allow access and movement for other vehicles. Taxi drivers have often ignored the signs, and the mall owners in an effort to solve the problem, have asked the TPS to assist them with enforcement of the TPA. The mall has properly erected signs and painted parking lines on the road, with the hope that the taxi drivers will comply. The TPA is the most appropriate Act available for the police to assist the mall in dealing with their problem.

Conclusion:

Pursuant to the notification of the status and determination of the complaint from the Service, the complainant requested through the Office of the Independent Police Review Director (OIPRD) that the Board review my decision. It is the Board's responsibility to review my reason and determine whether it is satisfied that my decision to take no further action is reasonable.

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

The Board was also in receipt of correspondence dated October 21, 2010 from Gerald Manley, in response to the Chief's report. A copy of Mr. Manley's correspondence is attached to this Minute for information.

Mr. Manley was in attendance and delivered a deputation to the Board. Following the deputation, Mr. Manley responded to questions by the Board.

Chair Mukherjee noted that the complaint had been classified by the Office of the Independent Police Review Director as a policy complaint. Chief Blair advised the Board that, in his view, it was an operational matter and not a policy complaint.

Chief Blair said that the Toronto Police Service is enforcing the law based upon the instructions it received in a letter from the Scarborough Town Centre asking the Toronto Police Service to enforce the *Trespass to Property Act* in order to deal with the problems occurring on mall property.

The Board asked Mr. Albert Cohen, City of Toronto – Legal Services Division, whether or not this was an appropriate use of the *Trespass to Property Act*. Mr. Cohen advised the Board that the police were acting in compliance with the law on the basis of the authorization they had received from the Scarborough Town Centre.

The Board approved the following Motions:

1. THAT the Board receive Mr. Manley's deputation and his correspondence;
2. THAT, with respect to the foregoing report from the Chief, the Board:
 - receive recommendation no. 1
 - approve recommendation no. 2 noting that no further action be taken with respect to the complaint given that this is an operational matter and not a policy complaint
 - approve recommendation no. 3
3. THAT the Board take note of the concerns raised by a member of a significant industry in the City of Toronto and ask the Chief of Police to consider his concerns.

Additional information regarding this matter was considered during the in-camera meeting (Min. No. C326/10 refers).

**Gerald H. Manley
Taxi Owner, Plate# 416
105 Rowena Drive, Apt. 405
Toronto, Ontario
M3A 1R2**

21 October 2010

Toronto Police Services Board
40 College Street
Toronto Ontario M5G 2J3

Mr. Chairman and Members of the Board,

Although I am here to speak on one issue that clearly shows that the Toronto Police Services for decades have been guilty of abuse of authority, lack of knowledge and the laying of charges without legal grounds, I must point out that this is not an isolated incident.

Over the past several years there has been a cancer emerging throughout the judicial system. It involves police officers, prosecutors and justices of the peace as well. My complaint surrounding the circumstances at the taxi stand in the Scarborough Town Center located at Triton Gate and Borough Drive will paint a clear picture that supports my claims.

CANCER – STAGE ONE

For over three decades, Toronto Police Service officers laid hundreds of charges at the Scarborough Town Center taxi stand for "**Overcrowding a Public Cab Stand**" under Toronto **By-Law 545 Section 147c**. The charges were without legal grounds as this taxi stand is on private property thus the bylaw does not apply. For well over two decades I attended both 41 Division and 43 Division on several occasions and talked to numerous station duty officers, patrol sergeants and staff sergeants to point out this injustice. I was basically given lip service that they would look into it or I was told to take it to court. Not one of these officers took the time to investigate my complaint as the ticketing continued.

CANCER – STAGE TWO

When our members did take the ticket to court and pleaded not guilty, the officer would give his evidence and the prosecutor would produce a true copy of the bylaw as supportive evidence. Considering the charge had no legal grounds, the true copy of the bylaw was and should have been without effect.

CANCER – STAGE THREE

After hearing the officer's evidence and accepting that true copy of the bylaw, the sitting justice of the peace found our members guilty and levied a fine. The conclusion of this stage shows just how poorly our justice system is operating. To charge, proceed and convict anyone without lawful justification is truly a tragedy and it is occurring numerous times in the City of Toronto on a daily basis.

In the early part of January 2010, several of our industry members that service the public at the Scarborough Town Center taxi stand again approached me and asked if there was something we could do to stop the illegal ticketing at this taxi stand. On the 13th of January, 2010 I sent emails to the Honourable C. Bentley, Ontario Attorney General and Chief Blair of the Toronto Police Services outlining our concerns on this issue.

I received a letter dated 8 February 2010 from Inspector Bernadette Button, 43 Division in regards to my complaint. She did acknowledge the bylaw does not apply as the taxi stand is on private property, thus the offence of "Overcrowding A Cab Stand" under **Bylaw 541-147c** does not apply. I couldn't agree more that the Metro Bylaw does not apply, but **Bylaw 541** doesn't exist. The Bylaw number dealing with this issue is in fact **Bylaw 545-147c**, which has been in effect since 1 January 2001. A typo error? Perhaps, but I seriously doubt it as the same error shows up later on in this complaint by another inspector that was involved in this issue. It certainly brings into question just how seriously did these Inspectors take this complaint?

Inspector Button did say that charges may be laid under the **Trespass to Property Act** and as a matter of fact her officers are now laying those charges under **Section 2(1)(a)(ii) "engages in an activity on premises when the activity is prohibited under this Act."** Here again we have police officers laying charges without legal grounds.

The intent and purpose of the **Trespass to Property Act** is to prohibit an unwanted person from coming onto a property, not for the enforcement of traffic offences. There has never been one member of the Toronto taxi industry to my knowledge that has been given a written or oral caution to stay off of the Scarborough Town Center prior to a charge being laid thus they are certainly not infracting the purpose of the Act.

The police believe that the Act sections 5(1)(b) and 6(1&2) that deal with signage are their powers to lay charges. For that to be true, there must be an activity involved. A stationary motor vehicle is not an activity. Activity means action, movement, bustle and commotion to name a few. The signs would have to portray or state activities such as restricting riding a bicycle, skateboarding, roller-skating, and playing tag, to name a few, not the parking of taxis.

I contacted 43 Division with these concerns and was told the same old, same old, "Take it to court." With that response, I directed this complaint dated 26 April 2010 to the Office of the Independent Police Review Director. On the 26 May 2010 I received a letter from the OIRPD stating this was a policy issue and they had sent my complaint back to the Toronto Police Services for comment. I fail to see how a police officer laying charges that were without lawful justification is a policy issue? I contend it is a severe breach of authority and in my opinion the OIRPD are not living up to their mandate, which is to thoroughly investigate complaints against police officers and or their departments.

I received a letter on the 25 June 2010 from Inspector Peter Yuen, Professional Standards-Complaints Administration. I also question how thoroughly he actually investigated this complaint. You will also notice he acknowledged the same bylaw **541-147c** as Inspector Button did so that was obviously just a direct take from her letter without knowing the proper bylaw is **545-147c**. He also states the charges laid under the **Trespass to Property Act** are appropriate but gives no explanation as to why. Considering the history involved in this issue, would you not think that this Inspector at the very least owed the Toronto taxi industry an explanation for his findings?

Inspector Yuen may be correct that convictions under this Act are not criminal but they do have all the appearance of something of a more serious nature that may have to be explained for a number of reasons in the future. The more applicable charges would not necessitate such an explanation, as it would be apparent what they were for.

Although I concur that the Toronto Police Services do not have an obligation to answer why each and every charge is laid by their officers, I believe this is a special circumstance considering the history of this taxi stand and the thousands of illegal charges that were laid over a 30-year plus time frame. When you take into account the past on this issue and we are purporting a re-occurrence of illegal charging by Toronto Police Services at the same location, a full explanation is more than warranted.

It is my contention that Toronto police officers are abusing their authorities when it comes to laying charges without legal grounds, especially when it comes to bylaw and highway traffic act offences. They fully realize that the vast majority of people who receive those tickets are not competent to defend themselves in court. For them to hire legal counsel, appear to answer the charge and lose a days wages is cost prohibitive so they take the most cost effective way out. They pay the fines even though the charge may not have had any legal basis in law.

It is incomprehensible to me that citizens are charged and have to appear in a court of law to defend themselves against a charge that has no legal grounds thus should not have been laid in the first place. You can add to that their loss of time and resources and the possibility of being convicted for an offence that never legally occurred.

Being a cancer survivor, I have learned that your chances of survival are greatly enhanced if you catch the cancer in its early stages. The officers in the Toronto Police Services are the ones controlling stage one. If the charges in this complaint were not laid in the first place then stage 2 and stage 3 of this cancer would have never occurred.

I have been in the Toronto taxi industry for almost four decades. During those years I have driven in companies that service this city from one end to another. I routinely drive throughout the city on a daily basis. In all of those years, I have never seen private property get the attention from the Toronto Police Services as the taxi stand on the Scarborough Town Center does nor have I ever seen as many tickets issued on private property as at this stand. The massive amount of ticketing at this taxi stand parallels a school of piranhas that smell blood. Obviously numbers are the driving force of the Toronto Police Services, not legalities or rational thinking.

The Scarborough Town Center has their own private security force so I am wondering why their security people are not sworn in as special constables with the authority to issue parking tickets to any alleged offender? If that occurred it would free up the police officers to address more serious issues that are occurring outside of this plaza instead of spending their valuable time issuing tickets on private property.

I do not condone the actions of our members at this taxi stand and feel that they should abide by the requests of the property management but that does not justify the laying of charges that have no legal basis in law as a corrective measure. We must hold our police officers to a higher standard, as they are the ones enforcing the laws.

Trespass to Property Act, **Section 5 (1) (b)** does not apply to charges laid against our members under the Act as it only states where a sign must be erected not what the sign must state. **Section 6 (1&2)** is also without effect, as the taxi stand sign on the Scarborough Town Center does not indicate an activity or a graphic representation. Couple this with the knowledge that our members were not served orally or in writing to stay off of the Scarborough Town center taxi stand or any other part of the plaza prior to any charge being laid, **Section 2. (1)(a)(ii)** was and is being laid without legal grounds. The exact similar circumstances that occurred for over 30 years when Toronto police officers were laying charges without legal grounds under bylaw **545 147c "Crowding a Cab Stand."**

As the overseers to the Toronto Police Service, I am requesting the Board to direct the Service to stop laying charges under the Trespass to Property Act at the Scarborough Town Center cabstand. I would also request that the education of all officers in the Toronto Police Services be enhanced so that they truly know and understand that the charges they lay in the future are justified and there are legal grounds to do so.

The Toronto Police Services at the very least owe a letter of apology to the hundreds of members in the Toronto taxi industry that have been charged and convicted over a 30-year plus period for offences they never committed and perhaps some direction on how to get their drivers' records expunged and to recoup the fines that were illegally levied against them is in order as well.

I remain,



Gerald H. Manley



Toronto Police Service

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



William Blair
Chief of Police

File Number:

2010 February 8

Gerry Manley
105 Rowena Drive, Suite 405
Toronto, Ontario,
M3A 1R2
Tel: (416) 948-1921
Fax: (416) 441-9593

Dear Mr. Manley:

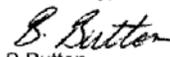
We received your letter dated January 13th 2010, expressing your concerns regarding the taxi-cab stand located on Triton Gate in the City of Toronto. You indicated that for the past decade, Toronto Police Service officers have been issuing Provincial Offence Tickets to the taxi drivers for the offence of "Overcrowding Public Cab Stand" under the Metro Bylaw 541-147C.

A check with the City of Toronto, Transportation Services Department, has revealed that Triton Gate is located on private property and is under the care of the Scarborough Town Centre from McCowan Road to Borough Drive. The taxi-stand in question falls within the private property boundaries. The Metro Bylaw 541-147C "Overcrowding Public Cab Stand" does not apply in this matter.

Scarborough Town Centre has provided 43 Division with a letter authorizing police officers to exercise authority under the Trespass to Property Act when dealing with issues that arise on their property. All 43 Division officers have been advised that when enforcement is required regarding overcrowding of the taxi-cab stand located on Triton Gate between McCowan Road and Borough Drive, the Trespass to Property Act Offence, "Engage in Prohibited Activity on Premises", Section 2(1)(a)(ii) may be used.

Thank you for bringing this matter to our attention.

Yours truly,


B. Button
Inspector
43 Division

BB:bb

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Toronto Police Service

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



William Blair
Chief of Police
March 25, 2010

2010-EXT-0313
File Number:

Gerald Manley
105 Rowena Drive, #405
Toronto, Ontario
M3A 1R2

Dear Mr. Manley,

The Toronto Police Service (TPS) is in receipt of your complaint to the Office of the Independent Police Review Director (OIPRD) about the issuing of tickets at the taxi-cab stand located at Triton Gate in the City of Toronto.

The OIPRD classified your complaint as a Policy Complaint and forwarded same to the Toronto Police Service.

On February 8, 2010 you were sent correspondence from Inspector. B. Button of #43 Division. This letter directly addressed your query and explained that the area of Triton Gate in question was determined to be private property and that the Metro By-Law 541-147C, "Overcrowding Public Cab Stand" is not applicable in this instance.

The problem of an overcrowded cab stand is one of safety for both the public and the cab operators/owners. The owners of the property upon which the cab stand is situated have expressed their concerns and have authorized the Toronto Police Service to act on their behalf in this regard.

It was determined that the most appropriate enforcement option was to issue an offence notice under the Trespass to Property Act, "Engage in Prohibited Activity on Premises". Please note that the Trespass to Property Act is provincial legislation. Offences committed under this legislation are not considered to be criminal.

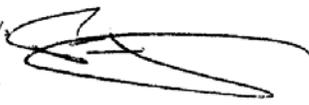
43 Division has provided you with an explanation of the actions past and present of the Toronto Police Service. Further, you have been apprised of the position of the Toronto Police Service in the future. If you wish to dispute a Provincial Offences Ticket you are encouraged to address your concerns to a court having jurisdiction in those matters.

After a careful review of your complaint, I have determined that further investigation is not warranted in this matter. Therefore, pursuant to the Police Services Act Sec. 63.(1), no further action will be taken and this matter is considered closed.

If you wish, you may request a review of my decision by the Toronto Police Services Board within 30 days of your receipt of this letter. Your request for a review, however, must be made in writing and signed. The Toronto Police Services Board is a seven member civilian body that oversees the Toronto Police Service. Their address is 40 College Street, Toronto, Ontario M5G 2J3.

Thank you for bringing this matter to our attention.

Yours truly,

A handwritten signature in black ink, appearing to be 'Peter Yuen', written over a horizontal line.

Peter Yuen
Inspector
Professional Standards – Complaints Administration

PY/br



Français

Trespass to Property Act

R.S.O. 1990, CHAPTER T.21

Consolidation Period: From May 31, 2001 to the e-Laws currency date.

Last amendment: 2000, c.30, s.11.

Definitions

1. (1) In this Act,

“occupier” includes,

- (a) a person who is in physical possession of premises, or
- (b) a person who has responsibility for and control over the condition of premises or the activities there carried on, or control over persons allowed to enter the premises, even if there is more than one occupier of the same premises; (“occupant”)

“premises” means lands and structures, or either of them, and includes,

- (a) water,
- (b) ships and vessels,
- (c) trailers and portable structures designed or used for residence, business or shelter,
- (d) trains, railway cars, vehicles and aircraft, except while in operation. (“lieux”) R.S.O. 1990, c. T.21, s. 1 (1).

School boards

(2) A school board has all the rights and duties of an occupier in respect of its school sites as defined in the *Education Act*. R.S.O. 1990, c. T.21, s. 1 (2).

Trespass an offence

2. (1) Every person who is not acting under a right or authority conferred by law and who,

- (a) without the express permission of the occupier, the proof of which rests on the defendant,
 - (i) enters on premises when entry is prohibited under this Act, or
 - (ii) engages in an activity on premises when the activity is prohibited under this Act;
- or

(b) does not leave the premises immediately after he or she is directed to do so by the occupier of the premises or a person authorized by the occupier,
is guilty of an offence and on conviction is liable to a fine of not more than \$2,000. R.S.O. 1990, c. T.21, s. 2 (1).

Colour of right as a defence

(2) It is a defence to a charge under subsection (1) in respect of premises that is land that the person charged reasonably believed that he or she had title to or an interest in the land that entitled him or her to do the act complained of. R.S.O. 1990, c. T.21, s. 2 (2).

Prohibition of entry

3. (1) Entry on premises may be prohibited by notice to that effect and entry is prohibited without any notice on premises,

- (a) that is a garden, field or other land that is under cultivation, including a lawn, orchard, vineyard and premises on which trees have been planted and have not attained an average height of more than two metres and woodlots on land used primarily for agricultural purposes; or
- (b) that is enclosed in a manner that indicates the occupier's intention to keep persons off the premises or to keep animals on the premises. R.S.O. 1990, c. T.21, s. 3 (1).

Implied permission to use approach to door

(2) There is a presumption that access for lawful purposes to the door of a building on premises by a means apparently provided and used for the purpose of access is not prohibited. R.S.O. 1990, c. T.21, s. 3 (2).

Limited permission

4. (1) Where notice is given that one or more particular activities are permitted, all other activities and entry for the purpose are prohibited and any additional notice that entry is prohibited or a particular activity is prohibited on the same premises shall be construed to be for greater certainty only. R.S.O. 1990, c. T.21, s. 4 (1).

Limited prohibition

(2) Where entry on premises is not prohibited under section 3 or by notice that one or more particular activities are permitted under subsection (1), and notice is given that a particular activity is prohibited, that activity and entry for the purpose is prohibited and all other activities and entry for the purpose are not prohibited. R.S.O. 1990, c. T.21, s. 4 (2).

Method of giving notice

5. (1) A notice under this Act may be given,

- (a) orally or in writing;
- (b) by means of signs posted so that a sign is clearly visible in daylight under normal conditions from the approach to each ordinary point of access to the premises to which it applies; or
- (c) by means of the marking system set out in section 7. R.S.O. 1990, c. T.21, s. 5 (1).

Substantial compliance

(2) Substantial compliance with clause (1) (b) or (c) is sufficient notice. R.S.O. 1990, c. T.21, s. 5 (2).

Form of sign

6. (1) A sign naming an activity or showing a graphic representation of an activity is sufficient for the purpose of giving notice that the activity is permitted. R.S.O. 1990, c. T.21, s. 6 (1).

Idem

(2) A sign naming an activity with an oblique line drawn through the name or showing a graphic representation of an activity with an oblique line drawn through the representation is sufficient for the purpose of giving notice that the activity is prohibited. R.S.O. 1990, c. T.21, s. 6 (2).

Red markings

7. (1) Red markings made and posted in accordance with subsections (3) and (4) are sufficient for the purpose of giving notice that entry on the premises is prohibited. R.S.O. 1990, c. T.21, s. 7 (1).

Yellow markings

(2) Yellow markings made and posted in accordance with subsections (3) and (4) are sufficient for the purpose of giving notice that entry is prohibited except for the purpose of certain activities and shall be deemed to be notice of the activities permitted. R.S.O. 1990, c. T.21, s. 7 (2).

Size

(3) A marking under this section shall be of such a size that a circle ten centimetres in diameter can be contained wholly within it. R.S.O. 1990, c. T.21, s. 7 (3).

Posting

(4) Markings under this section shall be so placed that a marking is clearly visible in daylight under normal conditions from the approach to each ordinary point of access to the premises to which it applies. R.S.O. 1990, c. T.21, s. 7 (4).

Notice applicable to part of premises

8. A notice or permission under this Act may be given in respect of any part of the premises of an occupier. R.S.O. 1990, c. T.21, s. 8.

Arrest without warrant on premises

9. (1) A police officer, or the occupier of premises, or a person authorized by the occupier may arrest without warrant any person he or she believes on reasonable and probable grounds to be on the premises in contravention of section 2. R.S.O. 1990, c. T.21, s. 9 (1).

Delivery to police officer

(2) Where the person who makes an arrest under subsection (1) is not a police officer, he or she shall promptly call for the assistance of a police officer and give the person arrested into the custody of the police officer. R.S.O. 1990, c. T.21, s. 9 (2).

Deemed arrest

(3) A police officer to whom the custody of a person is given under subsection (2) shall be deemed to have arrested the person for the purposes of the provisions of the *Provincial Offences Act* applying to his or her release or continued detention and bail. R.S.O. 1990, c. T.21, s. 9 (3).

Arrest without warrant off premises

10. Where a police officer believes on reasonable and probable grounds that a person has been in contravention of section 2 and has made fresh departure from the premises, and the person refuses to give his or her name and address, or there are reasonable and probable grounds

to believe that the name or address given is false, the police officer may arrest the person without warrant. R.S.O. 1990, c. T.21, s. 10.

Motor vehicles and motorized snow vehicles

11. Where an offence under this Act is committed by means of a motor vehicle, as defined in the *Highway Traffic Act*, or by means of a motorized snow vehicle, as defined in the *Motorized Snow Vehicles Act*, the driver of the motor vehicle or motorized snow vehicle is liable to the fine provided under this Act and, where the driver is not the owner, the owner of the motor vehicle or motorized snow vehicle is liable to the fine provided under this Act unless the driver is convicted of the offence or, at the time the offence was committed, the motor vehicle or motorized snow vehicle was in the possession of a person other than the owner without the owner's consent. 2000, c. 30, s. 11.

Damage award

12. (1) Where a person is convicted of an offence under section 2, and a person has suffered damage caused by the person convicted during the commission of the offence, the court shall, on the request of the prosecutor and with the consent of the person who suffered the damage, determine the damages and shall make a judgment for damages against the person convicted in favour of the person who suffered the damage, but no judgment shall be for an amount in excess of \$1,000. R.S.O. 1990, c. T.21, s. 12 (1).

Costs of prosecution

(2) Where a prosecution under section 2 is conducted by a private prosecutor, and the defendant is convicted, unless the court is of the opinion that the prosecution was not necessary for the protection of the occupier or the occupier's interests, the court shall determine the actual costs reasonably incurred in conducting the prosecution and, despite section 60 of the *Provincial Offences Act*, shall order those costs to be paid by the defendant to the prosecutor. R.S.O. 1990, c. T.21, s. 12 (2).

Damages and costs in addition to fine

(3) A judgment for damages under subsection (1), or an award of costs under subsection (2), shall be in addition to any fine that is imposed under this Act. R.S.O. 1990, c. T.21, s. 12 (3).

Civil action

(4) A judgment for damages under subsection (1) extinguishes the right of the person in whose favour the judgment is made to bring a civil action for damages against the person convicted arising out of the same facts. R.S.O. 1990, c. T.21, s. 12 (4).

Idem

(5) The failure to request or refusal to grant a judgment for damages under subsection (1) does not affect a right to bring a civil action for damages arising out of the same facts. R.S.O. 1990, c. T.21, s. 12 (5).

Enforcement

(6) The judgment for damages under subsection (1), and the award for costs under subsection (2), may be filed in the Small Claims Court and shall be deemed to be a judgment or order of that court for the purposes of enforcement. R.S.O. 1990, c. T.21, s. 12 (6).

Français

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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P277. MEDIA AND PUBLIC WARNINGS TRANSMITTED TO
MARGINALIZED GROUPS**

The Board was in receipt of the following report August 25, 2010 from William Blair, Chief of Police:

Subject: MEDIA AND PUBLIC WARNINGS TRANSMITTED TO MARGINALIZED
GROUPS

Recommendations:

It is recommended that:

- (1) the Board receive this report as information; and
- (2) forward a copy of this report to the Auditor General, City of Toronto.

Financial Implications:

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

Background/Purpose:

At its meeting on July 22, 2010, the Board requested that the Chief of Police provide a report to the Board detailing how the media and public warnings are transmitted to marginalized groups and, in particular, linguistic groups, based on actual recent case studies. (Min. No. P194/10 refers).

Discussion:

The Toronto Police Service (TPS) is committed to the safety and security of all members of the public. In 2008, the Service invited community agencies to receive warnings related to sexual assaults.

In 2007, the issue of how the Toronto Police Service communicates incidents of sexual assault was tabled for consideration with the Sexual Assault Audit Advisory Committee (SAAC). After research and discussions between the Service's Public Information Unit, the Sex Crimes Unit and all members of the SAAC, revisions were made with respect to the creation and distribution of sexual assault alerts and a revised training module that is delivered as part of the Sexual Assault Investigators Course.

Firstly, a standard template now exists to issue sexual assault alerts. This template and the associated training focuses on including information that women will use to protect themselves as well as encourage people to come forward to police with information relevant to the investigation. It has expanded beyond the standard “safety tip” list and aims to eliminate the myth that women are somehow responsible for the sexual assault.

Secondly, a specific distribution list for sexual assault alerts has been created. This allows individuals and organizations to register on the Toronto Police Service’s website for sexual assault alerts only, instead of the more encompassing news release distribution list. This enhanced information raises awareness about sexual assault alerts with organizations, associations and communities that may otherwise not receive the information.

The Sexual Assault Coordinator of the Sex Crimes Unit has invited over 400 persons and community agencies to receive warnings related to sexual assaults. To date, the Service has identified 1,170 subscribers to the Sexual Assault News Release mailing list on the TPS Internet website.

With respect to a specific targeting of information to more marginalized groups (such as the homeless community, sex trade workers, racialized minorities) this has occurred on a case-by-case basis. For instance, on August 18, 2010, the Service issued a news release with respect to an alleged sexual assault that occurred after a woman – a foreign exchange student from Korea - had contact with a man offering English language lessons. As investigators believed there may be other victims, the Public Information Unit contacted specific ethnic media outlets to bring this sexual assault alert to their attention.

The Toronto Police Service has utilized non-main stream media such as NOW and EYE magazines in order to reach out to those individuals or communities who do not typically access main stream media. The established relationships between the Toronto Police Service Special Victims Unit and agencies that support sex trade workers have greatly assisted in delivering media information to the community. This relationship has contributed to the continual exchange of information between agencies, sex trade workers and the police.

Conclusion:

The Toronto Police Service has made significant changes to the manner in which sexual assault alerts are created and distributed. The Public Information will continue to assist the sexual assault investigators to ensure that efforts to reach out to marginalized groups are done in a thorough and coordinated manner.

The 2010-2012 Executive Command Strategic Plan includes an ethnic media outreach component. There is opportunity through the implementation of this component to improve the way in which the Service communicates with marginalized communities in addition to information regarding incidents of sexual assaults.

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

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P278. REQUEST TO APPROVE THE RECEIPT OF CORPORATE
DONATIONS FOR THE 2010 EMERGENCY MANAGEMENT
SYMPOSIUM**

The Board was in receipt of the following report October 05, 2010 from William Blair, Chief of Police:

Subject: CORPORATE DONATIONS - 2010 EMERGENCY MANAGEMENT SYMPOSIUM: VIA RAIL, FERNO CANADA, MOTOROLA CANADA, MOBILE COMMUNICATIONS, ROGERS COMMUNICATIONS.

Recommendation:

It is recommended that the Board accept a cash donation in the amount of \$5,000 from Via Rail and \$2,500 each from Ferno Canada, Motorola Canada, Mobile Communications and Rogers Communications in support of the 2010 Toronto Police Service Emergency Management Symposium to be held on November 17 and 18, 2010.

Financial Implications:

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

Background/Purpose:

The Toronto Police Service (TPS) recognizes the importance of emergency preparedness to the organization, other emergency service providers and our network of external stakeholder agencies. The goal of the TPS emergency preparedness strategy is to provide the framework within which extraordinary arrangements and measures can be undertaken to facilitate the recovery from all emergencies and disasters that may affect the City of Toronto.

The focus of our Enhanced Emergency Preparedness Initiative is for members of the TPS to work in partnership with our immediate partners from Fire and Medical Services (EMS), along with broader external agencies including Toronto Transportation, Toronto Water and Toronto Public Health, in collaboration with Provincial and Federal agencies to provide a coordinated and effective emergency preparedness capability to any level of emergency in Toronto.

Discussion:

As part of our ongoing commitment to emergency preparedness, the TPS in conjunction with many of the partner agencies mentioned previously will be hosting its 3rd annual Emergency Management Symposium – “Working Together, the Road to Resiliency”. This 2-day

symposium will take place on November 17 and 18, 2010 at The Old Mill Inn and will feature plenary and break-out sessions dealing with many issues directly related to planning for and recovering from an emergency situation of significant proportion.

The symposium is expected to attract 200 attendees and will include professionals, experts and community leaders committed to enhancing their practical knowledge of emergency preparedness.

Our Corporate partners recognize the importance of this type of training and planning for emergency service providers and have offered to provide financial assistance in support of the symposium. These funds will be used to support the financial responsibilities incurred in presenting the symposium, including training materials, fees for guest speakers and/or presenters.

Appended to this report is a complete outline of the 2 day symposium.

TPS Procedure 18-08 "Donations" requires that the Board approve corporate donations that exceed \$1,500. Section 1.32 of the Standards of Conduct entitled "Donations and Solicitation of Donations" requires that the Board approve corporate donations that exceed \$1,500. The acceptance of these donations will not compromise the integrity, objectivity or impartiality of the Service. The acceptance of these donations are consistent with the criteria outlined in TPS Procedure 18-08.

Conclusion:

The TPS is widely recognized as being leaders in the areas of community policing and emergency preparedness. By drawing upon the knowledge, expertise and practical experiences of the guest speakers featured at this symposium, the TPS and our partner agencies will strive to find new and innovative methods to mobilize our available resources in the most meaningful and effective manner possible.

The objectives of this symposium are consistent with the community mobilization strategy employed by the TPS and the overall goals, objectives and priorities of the Toronto Police Service.

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

The Board approved the foregoing report.

Working Together - The Road to Resilient

EMERGENCY MANAGEMENT SYMPOSIUM 2010

 TORONTO

November 17, 2010



Toronto Emergency Management Symposium Wednesday, November 17

PROGRAM – DAY 1

8:00 am	Registration
8:00 am	Welcome Refreshments
9:00 am	Opening Ceremonies

10:45 am	Refreshment Break & Networking		
11:15 am	Breakout Session 1-A Session Topic TAPPS, BOMA, SAFE Private Sector G20 planning	Breakout Session 1-B Session Topic John Ash, City of Ottawa Ottawa's Journey in Implementing IMS - Change Management not Training	Breakout Session 1-C Session Topic Jack Saul, NY City Psychologist Experience in building resilient communities after 911 – a personal and professional experience

12:30 pm	Lunch		
1:45 pm	Refreshment Break & Networking • Breakout Rooms		

1:15 pm	Breakout Session 2-A Session Topic Tim Burrows, Social Media Panel	Breakout Session 2-B Session Topic Sandy Di Felice, Toyota Canada Organizational Resiliency	Breakout Session 2-C Session Topic Rick Shirran, Salvation Army Haiti Response
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2:30 pm	Social Event - Cocktail Reception & Networking		
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Working Together - The Road to Resilience

EMERGENCY MANAGEMENT SYMPOSIUM 2010

November 17-18, 2010

 TORONTO



Toronto Emergency Management Symposium Thursday, November 18

PROGRAM - DAY 2

8:00 am Welcome Refreshments

9:00 am Tie-Back Session

10:45 am Refreshment Break & Networking

11:15 am **Breakout Session 3-A**
Session Topic

Deputy Chief Peter Sloly,
Toronto Police Service
Loretta Chandler, Director -
Toronto Office of Emergency
Management
G20 Planning - A Municipal
Perspective

Breakout Session 3-B
Session Topic

Ken Doig, Commercial Real
Estate - Financial District
Group
Public/Private partnerships

Breakout Session 3-C
Session Topic

CCAC, Dara Zarnett and the City of Toronto
Vulnerable populations

3:15 pm Final Comments - Symposium Concludes

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P279. SEMI-ANNUAL REPORT: STATUS OF THE PROGRESS OF THE
IMPLEMENTATION OF IMPROVEMENTS IN TRAINING ON SEXUAL
ASSAULT INVESTIGATIONS: JANUARY TO JUNE 2010**

The Board was in receipt of the following report August 25, 2010 from William Blair, Chief of Police:

Subject: SEMI-ANNUAL REPORT – STATUS OF SEXUAL ASSAULT
INVESTIGATIONS AND PROGRESS UPDATE: JANUARY 1 TO JUNE 30,
2010

Recommendations:

It is recommended that:

- (1) the Board receive the following report for information; and
- (2) forward a copy of this report to the Auditor General, City of Toronto.

Financial Implications:

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

Background/Purpose:

At its meeting on May 21, 2008, the Board requested that the Chief of Police provide a semi-annual report to the Board on the progress of the implementation of The Auditor General's follow-up report and improvements in training on sexual assault investigations. (Min. No. P126/08 refers.)

The second follow-up review was completed in early 2010. The purpose of the review was to determine the extent to which the 2004 recommendations have been implemented by the Toronto Police Service. The results of the 2010 follow-up review are discussed in this report. (Min. No. P194/10 refers.)

Discussion:

The ongoing implementation of the recommendations with regard to sexual assault investigations and the impact within the community is an important responsibility of the Service. Great effort has been undertaken to implement the recommendations made by the Auditor General and to work with the community through the Sexual Assault Advisory Committee (SAAC) and direct community contacts.

Update of the Auditor General's Second Follow-up Review on the Police Investigation of Sexual Assaults:

The 2010 review determined that 19 of the 25 recommendations from the 2004 review have been fully addressed and implemented. In addition, the review identified three additional areas requiring attention by the Toronto Police Service. Two of the three recommendations pertain to the existing internal review process for sexual assault occurrence reports and one pertains to the need for adequate tracking of supervisory review records. (Min. No. P194/10 refers.)

The Auditor General noted that the Toronto Police Service has made significant strides in its implementation of the 2004 recommendations and that the review findings by and large attest to the many improvements with investigations of sexual assault since the original 1999 audit. The Auditor General also acknowledged that after years of criticism, the Toronto Police Service should be recognized for its work and commitment in the way it has improved the investigation of sexual assaults. (Min. No. P194/10 refers.)

Following are the 2004 Audit Recommendations assessed as partially implemented, a summary of the 2010 Audit Findings, and the Service's response to the recommendations.

Recommendation 7:

The Chief of Police direct that all occurrence reports relating to sexual assault be reviewed by supervisory staff at the divisional level upon receipt of the initial reports and at the completion of the investigation. Evidence of the review be appropriately documented in the information system. Incomplete or inappropriate occurrence reports be discussed with the officer concerned and amendments made where necessary. Continued deficiencies in the preparation of occurrence reports be dealt with through existing training, and if necessary, discipline. Occurrence reports prepared by members of the Sex Crimes Unit be reviewed and approved by supervisory staff within the Unit.

2010 Audit Findings: Partially Implemented:

Although Procedure 05-05 clearly states the requirements for adequate supervisory review of occurrence reports, our review of 2009 reports found a lack of supervisory review after the initial police response and incomplete reports.

Toronto Police Service Action Plan/Time Frame:

The business process that dictates supervisory approval of "reports" is driven by Service Governance and is captured under Part III - Duties and General Responsibilities 2.8.3 (Staff Sergeant and Detective Sergeants). This responsibility has been delegated to both Detectives and Sergeants as part of their evaluation of personnel.

The Toronto Police Service will reemphasize the importance of full compliance to this risk management process in the near future by way of a Routine Order that encompasses this business process – specifically with the submission of a report under Procedure 05-05 (Sexual Assaults).

In addition, the requirement for supervisory approval will be included in the self audit tool being implemented in the Action Plan captured in Audit Recommendation # 1 – 2010.

Recommendation 9:

The Chief of Police ensure that under no circumstances should a first-response officer make a determination as to whether a sexual assault is unfounded. The determination of this matter be reviewed and approved by a sexual assault investigator. The Chief of Police further ensure that all occurrence reports contain an appropriate level of information to substantiate conclusions and that all such reports be approved in writing by supervisory officers.

2010 Audit Findings: Partially Implemented:

Of the 2009 reports reviewed, the determination of the “unfounded” status was made by a sexual assault investigator. However, in certain instances, information substantiating the “unfounded” conclusion or evidence of supervisory approval was not provided in the occurrence report.

Toronto Police Service Action Plan/Time Frame:

This requirement is clearly defined in Toronto Police Service Procedure 05-05 Sexual Assaults – under responsibilities of the Detective Sergeant.

The Toronto Police Service will reemphasize the importance of full compliance to this risk management process in the near future by way of a Routine Order that encompasses this business process – specifically with the submission of an “unfounded” report under Procedure 05-05 (Sexual Assaults).

This requirement for Detective Sergeant approval will be included in the self audit tool being implemented in the Action Plan captured in Audit Recommendation # 1 – 2010.

Recommendation 10:

The Chief of Police ensure that divisional investigators are in compliance with Criminal Investigations Procedure 05-05, Sexual Assault, as it applies to maintaining consistent and regular contact with women who have been sexually assaulted. Such contact be maintained throughout the investigative and legal process and be appropriately documented.

2010 Audit Findings Partially Implemented:

Of the 2009 reports reviewed, officers provided memorandum books and notes to file to attest to their follow-up contact with women. Nonetheless, the information relating to the contact was not consistently documented in occurrence reports as directed by Procedure 05-05, and the lack of such information was not noted during the supervisory review process.

Toronto Police Service Action Plan/Time Frame:

The Toronto Police Service, as noted by the Auditor, is satisfied that regular and consistent follow-up contact with women occurs and that such contact is documented by officers. The challenge is consistent documentation of a variety of communication forms utilized by both investigator and sexual assault complainant.

To ensure consistent documentation of follow-up contact with women, the Toronto Police Service amended Procedure 05-05 to contain a mandatory requirement for investigators to maintain a chronological record of contacts on a newly created TPS 262 – Victim Contact Sheet. This TPS form, whether electronic or hard copy, will provide details in chronological order of victim contact. This information will be readily available for review and will be included in the self audit tool being implemented in Phase II of the Action Plan, captured in Audit Recommendations # 1 – 2010.

Recommendation 11:

The Chief of Police revise the internal administrative accounting structure in order to accurately account for all costs relating to sexual assault investigative training activities throughout the Toronto Police Service. The accounting for these costs include training expenditures incurred at the C. O. Bick College, expenditures incurred by the Sex Crimes Unit, including all costs relating to attendance at outside training courses and conferences, and any expenditures incurred relating to decentralised training at the divisions.

2010 Audit Findings: Partially Implemented:

Since 2004, the Service has improved tracking of training activities by introducing a new information system. However, information relating to training activities and costs are currently captured in different systems, making it difficult and time-consuming to compile all training related costs for any type of police training, including the training for sexual assault investigators.

Toronto Police Service Action Plan/Time Frame:

The Toronto Police Service is satisfied with the internal process for approval and accounting structure in place to accurately account for all costs relating to sexual assault investigative training activities.

The Service does not believe there is sufficient benefit in alteration of the existing systems in order to retrieve selected training for sexual assault investigators. Rather, it is more important to ensure the appropriate approvals are in place to determine the cost/benefit value of training; these processes are currently in place.

The accounting for costs of training occurs in a multi-fold process. The Financial Management Unit has a global budget for all training costs inclusive of individual unit training budgets, Toronto Police College and centralized accounts. External learning opportunities require prior approvals and costs are tracked through the use of Travel / External Training and Cost Estimate Forms (TPS 620) and a Travel / Training Expense Report (TPS 622).

The Time and Resource Management System (TRMS) allows for the measurement of time spent in training activities, which can be monetized if required. No further work is contemplated with respect to this recommendation.

Recommendation 20:

The Chief of Police ensure that the project pertaining to the electronic transmission of ViCLAS data to the Provincial ViCLAS Centre in Orillia is expedited as quickly as possible. Staff responsible for this project be required to provide specific deadlines for completion. Periodic updates regarding the progress of the project be reported to the Chief of Police.

2010 Audit Findings: Partially Implemented:

The Toronto Police Service as well as other police services within Ontario, have not been able to successfully implement the electronic version provided by the Royal Canadian Mounted Police (RCMP). Staff are currently testing a Web-based system for electronic transmission of ViCLAS reports.

Toronto Police Service Action Plan/Time Frame:

Implementation of this recommendation is outside the control of the Toronto Police Service.

A web-based ViCLAS book application has been written by the Ontario Provincial Police (OPP) ViCLAS Centre in Orillia. It is currently being tested in Ontario by the ViCLAS Centre with some of the smaller police agencies and OPP detachments. The testing has been completed and they are in the process of making some cosmetic changes. A tentative meeting with the Provincial ViCLAS Centre personnel at TPS Headquarters to ascertain our requirements needed for the roll out of the electronic ViCLAS book.

It should be noted that the new "IRIS" Records Management System (RMS) for the Service will have a ViCLAS component integrated within its architecture that will be linked to the secure web-based ViCLAS. The Vendor has had meetings with the RCMP National ViCLAS Centre in Ottawa to ensure that the RMS will be compliant with the ViCLAS database structure.

While the Service continues to work with the OPP and the RCMP, it must be noted that deadlines for the completion are outside of the Toronto Police Service.

Recommendation 21:

The Chief of Police, in consultation with the Sex Crimes Unit, ensure that all police officers have a clear understanding of the revised consent procedures relating to the sexual assault medical evidence kit. In particular, women who have been sexually assaulted be provided with detailed explanations pertaining to the consent form by Divisional Sexual Assault Investigators only.

2010 Audit Findings: Partially Implemented:

Our review of 2009 occurrence reports noted that in certain instances investigators did not attend Sexual Assault Care Centres where women underwent forensic examinations, as a result, it was not be possible for the investigators to ensure the women fully understood the legal implications of signing the consent form.

Toronto Police Service Action Plan/Time Frame:

This requirement is clearly defined in Toronto Police Service Procedure 05-05 Sexual Assaults – under responsibilities of the Divisional Sexual Assault Investigator.

The Toronto Police Service will re-emphasize the importance of full compliance to this risk management process by way of a Routine Order that addresses the requirement of the Detective to ensure women fully understand the legal implications of signing the consent form, pursuant to Procedure 05-05 (Sexual Assaults).

The requirement stipulating that Detectives will ensure the victim is advised and fully understands the legal implications of signing the Consent to Release Forensic Evidence to Police form will be included in the self audit tool being implemented in Audit Recommendation # 1 – 2010.

The following are the Summary of Audit Findings, New 2010 Audit Recommendations, and the Service's response to the recommendations.

Recommendation 1: New

The Chief of Police ensure the internal monitoring process for sexual assault reports is implemented consistently and effectively. In particular:

- a. The Service compliance results should be regularly provided to and reviewed by senior officers in charge of Divisional Policing Command, the Sex Crimes Unit, and the Training and Education Unit. Areas showing below expected compliance level should be identified and adequately addressed through measures including training and disciplinary action.**

- b. Divisions should adhere to the internal monitoring requirements, and that the case assessment completion rates are monitored and reported to senior officers.**

2010 Audit Findings:

Although the Service has implemented an internal monitoring process for sexual assault reports, the process can be enhanced to improve its effectiveness. Our review noted that:

- Based on the 2009 results provided by staff, a number of areas showed below expected officer compliance with police directives.
- The process was not consistently implemented at divisions.

Toronto Police Service Action Plan/Time Frame:

The Toronto Police Service will enhance the internal monitoring process for sexual assault reports across the Service. This will be accomplished through Divisional Policing Command Planners who will audit compliance by ensuring all sexual assaults are recorded on the Unit Commander Morning Report (UCMR). This will facilitate daily quality assurance and internal monitoring efforts across the city.

In 2010, the UCMR will be updated to include a self audit tool reflecting heightened risk management items. All sexual assaults will be subjected to an internal review by quality assurance personnel at the divisional unit. Occurrences will be classified as compliant, non-compliant, and in-progress. Issues of non-compliance will be reported to the applicable Staff Superintendent for appropriate action.

Recommendation 2: New

The Chief of Police give consideration to the inclusion of sexual assault reports investigated by the Sex Crimes Unit in the internal monitoring process for sexual assault reports.

2010 Audit Findings:

Currently sexual assaults investigated by the Sex Crimes Unit are not subject to the internal monitoring process. Since the Unit is responsible for investigating the high-risk cases, they should be included in the internal monitoring process.

Toronto Police Service Action Plan/Time Frame:

The Toronto Police Service will enhance the internal monitoring process for sexual assault reports investigated by the Sex Crimes Unit. The Detective Sergeant (SCU) will audit compliance by ensuring all sexual assaults are recorded on the Unit Commander Morning Report (UCMR) to facilitate daily quality assurance and internal monitoring efforts across the city.

In 2010, the UCMR will be updated to include a self audit tool reflecting heightened risk management items. All Sexual Assaults investigated by the Sex Crimes Unit will be subjected to an internal review by a Detective Sergeant of that unit. Occurrences will be classified as compliant, non-compliant, and in-progress. Issues of non-compliance will be reported to the applicable Staff Superintendent for appropriate action.

Recommendation 3: New

The Chief of Police ensure that the new information system acquired by the Toronto Police Service to replace the existing information systems is properly designed to accurately and efficiently track records of supervisory review.

2010 Audit Findings:

There appears to be certain gaps in the design of the supervisory review function within the Enterprise Case and Occurrence Processing System (eCOPS). In addition, the Service currently uses a number of different information systems to record police information relating to sexual assault investigations. Since the Service is in the process of procuring an integrated information system to replace the existing systems, staff should ensure that the supervisory review function in the new system is properly designed and can be operated in an efficient manner.

Toronto Police Service Action Plan/Time Frame:

The Toronto Police Service has just selected the vendor to partner with to provide the new Records Management System. The Service is about to enter into the process of defining the Statement of Work (SOW) with the vendor.

The SOW will define the scope of the project such as requirements, enhancements, interface detailing and training. The new system will address the need for the supervisory review function with proper design and efficient operation.

Progress Update on Community Initiatives:

In 2010, the Sexual Assault Advisory Committee (SAAC) met on two occasions due to exigencies of the Service and is committed to at least two additional meetings prior to the end of the year. The SAAC remains committed to improving the response to victims of sexual assault and will continue to identify areas of concern that require attention.

The SAAC has recognized the need to update the public on the progress of the Committee on how we address issues of concern regarding persons who have been sexually assaulted. The Committee is currently drafting an appropriate format within the Toronto Police Service Sex Crimes Unit website in order to update the public on issues addressed by the committee.

The Sex Crime Unit is engaged with the Ontario Women's Directorate in consulting on the development of a Provincial Sexual Violence Action Plan (SVAP). It is a coordinated plan to target sexual violence by examining key issues, while laying the groundwork for long-term solutions. As part of this initiative, the Sexual Assault Coordinator and the Detective Sergeant of Operations participated in a Toronto regional meeting with service providers and other professionals who offer assistance to persons who have experienced sexual violence. Members of the Sex Crime Unit also participated in an expert panel consultation on sexual violence to assist in the development of this plan.

The Sex Crimes Special Victims Unit has produced an information pamphlet in Russian and Chinese as well as simplified Chinese. This pamphlet has been provided to community agencies and further steps are being taken to continue circulating more pamphlets in the future. The Special Victims Unit continues to develop trusting relationships with these communities and agencies to overcome cultural barriers.

The Special Victims Unit continues to improve working relations with downtown hostels and through ongoing dialogue resulting in improved partnerships between agencies. The Unit is working closely with the Salvation Army and the Rotary Club to assist sex trade workers in the court process and in obtaining housing.

Conclusion:

The Toronto Police Service will continue to work diligently on implement all of the recommendations contained in the Auditor General's report. Significant changes have been made in regard to the handling of sexual assault investigations. The Service has made tremendous progress on the recommendations and recommend that it would be more beneficial to provide the Board with updates on an annual basis. The Service will continue its efforts with the SAAC to ensure the needs of the community continue to be addressed.

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

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P280. INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO
THE G20 SUMMIT (ICR) TERMS OF REFERENCE – ACCOUNT FOR
PROFESSIONAL SERVICES**

The Board was in receipt of the following report October 05, 2010 from Alok Mukherjee, Chair:

Subject: INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO THE
G20 SUMMIT (ICR) TERMS OF REFERENCE - ACCOUNT FOR
PROFESSIONAL SERVICES

Recommendation:

It is recommended that the Board approve payment of accounts dated July 31, 2010 and August 31, 2010 in the amount of \$24,845.93 and that such payment be drawn from the Special Fund.

Financial Implications:

The balance of the Special Fund as at September 31, 2010 is approximately \$549,000.00.

Background/Purpose:

At its meeting on July 6, 2010, the Board approved the use of the Special Fund as the source of funding for the development of Terms of Reference for the ICR (Board Minute P189/10 refers). At its meeting on July 22, 2010 (Board Minute P192/10 refers), the Board agreed to retain Mr. Douglas C. Hunt, Q.C. to prepare Terms of Reference for the ICR.

Discussion:

Mr. Hunt has submitted accounts for the months of July and August 2010. The detailed statements are included on the in-camera agenda of the Board's October 21, 2010 for information. The total of the two accounts is \$24,845.93.

Conclusion:

I recommend that the Board authorize payment in the amount of \$24,845.93 for professional services rendered by Mr. Hunt for the months of July and August 2010.

The Board approved the foregoing report. A detailed breakdown of the legal costs was considered during the in-camera meeting (Min. No. C327/10 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P281. SPECIAL CONSTABLES – UNIVERSITY OF TORONTO -
APPOINTMENTS**

The Board was in receipt of the following report September 16, 2010 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLES FOR THE UNIVERSITY OF
TORONTO ST. GEORGE CAMPUS

Recommendation:

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

Financial Implications:

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

Background/Purpose:

Under Section 53 of the Police Services Act of Ontario (the Act); the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the University of Toronto (U of T) for the administration of special constables (Min. No. P571/94 refers).

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

The Service has received a request from the U of T to appoint the following individuals as a special constable:

1. Courtney Jane BELLIS-DANN
2. Nathaniel Gates DENIG
3. Ryan Allan DOW

Discussion:

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

The agreement between the Board and the U of T requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constables. The Service's Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as a special constable for a five-year term.

The U of T has advised that the individuals satisfy all the criteria as set out in the agreement between the Board and the U of T for appointment as a special constable. These appointments will not reflect any change in the U of T special constable personnel strength, as these individuals will be filling vacancies created by members transferring to police services.

Conclusion:

The Service and the U of T work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well-being of persons engaged in activities on U of T property. The individuals currently before the Board for consideration have satisfied the criteria contained in the agreement between the Board and the University of Toronto.

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

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

#P282. REQUEST FOR FUNDS: 2010 HARMONY AWARD BANQUET

The Board was in receipt of the following report October 07, 2010 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: 2010 HARMONY AWARD BANQUET

Recommendation:

It is recommended that the Board approve the purchase of tickets for individual Board members who wish to attend the 2010 Harmony Award Banquet, to a maximum of 7 tickets at a cost of \$150.00, for a total cost of up to \$1,050.00.

Financial Implications:

If the Board approves recommendation contained in this report the Board's Special Fund will be reduced by an amount not to exceed \$1,050.00. The balance of the Special Fund is approximately \$549,000.00 as of September 30, 2010.

Background/Purpose:

The Harmony Movement was founded with a mandate to promote diversity and to combat all forms of discrimination that act as social and cultural barriers to individuals' full participation in society. It empowers youth to become leaders for social change by implementing diversity education in schools and communities.

This year's event honours Ms. Jessica Yee, Founder and Executive Director of the Native Youth Sexual Health Network for her work in breaking down barriers of discrimination and fighting for social justice. Her invaluable contributions and achievements garnered her "2009/2010 Role Model for the National Aboriginal Health Organization".

The banquet will take place on Tuesday, November 2, 2010 at 5:30PM (Reception); 6:30PM (Dinner) , at the Arcadian Court in Toronto, Ontario.

Conclusion:

I, therefore, recommend that the Board approve the purchase of tickets for individual Board members who wish to attend the 2010 Harmony Award Banquet, to a maximum of seven tickets at the cost of \$150.00, for a total cost of up to \$1050.00.

The Board approved the foregoing report.

Harmony Movement

BE THE CHANGE.

Educating Youth to be Leaders for Social Change

Mr. Alok Mukherjee
Chair
Toronto Police Services Board
40 College St.
Toronto, ON M5G 2J3

Dear Mr. Mukherjee *Alok*

I am writing to invite you to come and support our 2010 Harmony Award Banquet to be held at the Arcadian Court in downtown Toronto on Tuesday, November 2.

Harmony Movement will pay tribute to this year's Harmony Award recipient, Jessica Yee, a young woman who epitomizes the ideal of a youth leader for social change. The Harmony Educator Award and ten Harmony Scholarship recipients will be also be announced at the banquet.

Your participation in the Harmony Award Banquet is important.

Gordon Cressy, Mary Anne Chambers and Dr. Joseph Wong founded the Harmony Movement in 1994 as a national organization to promote the value of diversity. Today the Harmony Movement stands as a unique organization that engages people from a wide range of backgrounds to champion a multicultural and pluralistic Canadian identity. Last year, Harmony Movement conducted over 130 diversity leadership programs for schools and communities in the GTA and southern Ontario.

Sadly, the 'Us vs. Them' attitude that existed in 1994 is still pervasive today. In June of this year, Statistics Canada reported a 35% increase in hate crimes, one indicator that, as our country becomes more diverse, the more we must take an active role in promoting diversity as an integral part of who we are as Canadians.

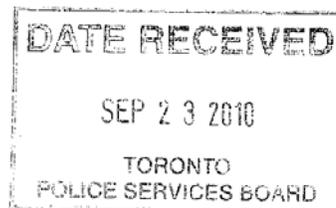
Whether you buy one ticket, sponsor a table or make a charitable donation, the Harmony Award Banquet provides you an opportunity to show your support for diversity. Your participation in our event supports our diversity education programs and community youth projects and allows us to continue to be proactive in ensuring that equitable and inclusive education remains paramount in communities.

I hope you can join us on November 2. Enclosed are our banquet flyer and ticket order form.

Sincerely,



Cheuk C. Kwan
Executive Director



8th Floor

*Received
5:20
Dino
6:21*

FOUNDING CO-CHAIRS

Mary Anne Chambers
Gordon Cressy
Joseph Wong

HONOURARY PATRONS

Hon. Eric S. Alexander
Pamela Appel
Isabelle Bissett
Tony Connor
Wendie Green
Murray B. Kellier
Hon. David C. Lam
Chief Justice Roy McMurtry
Bahadur Madhani

PARTNERS IN HARMONY

BMO Financial Group
CAW Canada
CBC
OPSEU
RBC Financial Group
Scotiabank Group
TD Bank Financial Group

HARMONY MOVEMENT HARMONY EDUCATION FOUNDATION

256 Duncan Mill Road
Suite 205
Toronto, ON
M3B 3H9

tel: 416 385 2660
fax: 416 385 2644
E-mail: info@harmony.ca
Website: www.harmony.ca

HARMONY AWARD BANQUET

TUESDAY NOVEMBER 2, 2010

HARMONY MOVEMENT

Harmony Movement was founded with a vision to encourage Canadians to value diversity and to foster a commitment to a just and caring society. We promote equity, diversity and inclusion in Canada by educating and empowering youth to become leaders for social change.

Harmony's diversity leadership programs address such core issues as social exclusion and marginalization, citizenship and belonging, as well as youth leadership. We work proactively with educators, parents and communities to develop inclusive and equitable educational environments for our youth.

The **Harmony Award** is presented annually to individuals or organizations who have made significant contributions in the promotion of harmony and equity in Canada. Award recipients are also leaders in Canada who have a commitment and have worked tirelessly to enrich the diversity of our country. Past Harmony Award recipients included Sol Guy and Josh Thome, Roméo Dallaire, Stephen Lewis and Michele Landsberg.

Ten **June Callwood Harmony Scholarships** are awarded each year to university or college-bound students who are active and exemplary in combating discrimination and fighting for social justice in our society.

The **Harmony Educator Award** is given to an educator who has dedicated his/her teaching careers to inspiring and educating our youth to be leaders for social change.

The Harmony Award Banquet, presented annually by **Harmony Education Foundation**, welcomes individuals, companies and community groups who are committed to celebrating the diversity of our society and who support the work of the Harmony Movement.

We invite you to celebrate diversity with us!

HARMONY AWARD RECIPIENT



Jessica Yee
Founder and Executive Director
Native Youth Sexual Health Network

At the age of 20, Jessica Yee founded Native Youth Sexual Health Network and became a respected international youth leader who organizes United Nations forums on indigenous youth and writes, edits and produces books, videos and theatre about youth sexuality.

Yee is a strong believer in the power of the youth voice and is also involved in media literacy and activism for youth. She is 2009/2010 Role Model for the National Aboriginal Health Organization, as well as the author and editor of *Sex Ed and Youth: Colonization, Communities of Colour, and Sexuality*.

For these and other achievements, Harmony Education Foundation honours Jessica Yee for her work in breaking down barriers of discrimination and fighting for social justice. Her advocacy and activism for a more inclusive and equitable Canada epitomizes our ideal of a "youth leader for social change".

Photo: Michael Tenaglia





Educating Youth to Be Leaders for Social Change

**2010 Harmony Award Banquet
Tuesday, November 2**

TICKET PRICES:

\$150 per person (a \$100 charitable tax receipt will be issued)

\$75 per person for students, schools, not-for-profit and community organizations

ORDER OPTIONS: (Circle as appropriate)		
<input type="checkbox"/>	I would like to purchase ___ ticket(s) @ \$150 for a total of \$_____	
<input type="checkbox"/>	I would like to purchase ___ community ticket(s) @ \$75 for a total of \$_____	
<input type="checkbox"/>	Please note the following dietary restrictions: _____	
<input type="checkbox"/>	I cannot attend but would like to make a charitable donation of \$_____ to support our youth. <ul style="list-style-type: none"> ▪ \$1,000 will support 10 youth to the banquet ▪ \$2,000 will support 20 youth to the banquet 	
<input type="checkbox"/>	Please acknowledge my organization's support in your program book.	
PAYMENT OPTION: (Circle one)		
<input type="checkbox"/>	Enclosed is my cheque payable to Harmony Education Foundation.	
<input type="checkbox"/>	I will pay by credit card or PayPal. (Go to http://harmony.ca/events/banquet/ and send funds via PayPal)	
SEND BANQUET TICKETS AND TAX RECEIPTS TO:		
Name:		Title:
Organization:		
Address:		
City:	Prov:	Postal:
Tel:	Fax:	Email:
Signature:		
Date:		

Harmony Award Banquet is presented by Harmony Education Foundation
(Registered Canadian charity # 87188 9168)

Harmony Movement, 255 Duncan Mill Road, Suite 705, Toronto, ON M3B 3H9
Tel: (416) 385-2660 / Fax: (416) 385-2644 / e-mail: banquet@harmony.ca / Website www.harmony.ca

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P283. REQUEST FOR FUNDS: ORGANIZATION OF SOUTH ASIAN POLICE
OFFICERS 14TH ANNUAL GALA**

The Board was in receipt of the following report October 06, 2010 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: ORGANIZATION OF SOUTH ASIAN POLICE
OFFICERS 14TH ANNUAL GALA

Recommendation:

It is recommended that the Board approve the purchase of a table (10 seats @ \$60.00/seat) to support the 14th Annual Gala of the Organization of South Asian Police Officers. Tickets are for interested individual Board members, staff and any excess ticket/s will be forwarded to Volunteers and Auxiliary members in Community Mobilization Unit.

Financial Implications:

If the Board approves the recommendation contained in this report, the Board's Special Fund will be reduced by an amount not to exceed \$600.00. The current balance as at September 30, 2010 is approximately \$549,000.00.

Background/Purpose:

The Organization of South Asian Police Officers (OSAPO) was established in 1997, approved by former Chief of Toronto Police Service, Chief David Boothby. Since its inception, OSAPO has made positive contributions to diversity, promoted co-operative relationships between the police and the public through social and other community events and enhanced the image of policing.

Discussion:

The Annual Gala is a dinner and dance which, this year, will be held Saturday, November 13, 2010 at 6:00PM at the Hilton Garden Inn, 3201 Highway 7, Ontario. Each year an active member from the police community is selected to be the keynote speaker. I had the pleasure to be a keynote speaker last year and this year's keynote speaker is Chief of Police Matthew Torigian of the Waterloo Regional Police Service.

I am encouraging board members to attend as this is a great opportunity to meet our South Asian officers and enjoy their cultural performances and food.

Conclusion:

Therefore, it is recommended that the Board approve the purchase of table at a cost of \$600.00 to support the 14th Annual Gala of South Asian Police Officers.

The Board approved the foregoing report.



ORGANIZATION OF SOUTH ASIAN POLICE OFFICERS - ONTARIO -

Chair Alok Mukherjee,

The Organization of South Asian Police Officers (Ontario) was created in 1997 with a mandate to enhance and contribute to the Mission, Vision, and Core Values of Police Services throughout Ontario.

OSAPO is a non-profit and non-politically affiliated organization which has positively contributed to the promotion of diversity, the building of cooperative relationships between the police and communities, and has upheld the professional image and integrity of police agencies in Canada.

OSAPO is hosting their 14th annual dinner banquet on Saturday November 13, 2010. This event provides the opportunity for Recruiting Units of all Ontario Police Services to participate and interact with attendees to the event, to be role models and encourage young men and women considering policing as a career.

The purpose of this letter is to request the presence and pleasure of your company, together with your friends or, sponsor a table. Tickets are \$60.00 per person or \$600.00 for a table of ten.

Our 2010 keynote speaker at the 14th Annual Banquet is Chief of Police Matthew Torigian, Waterloo Regional Police Service. The banquet will be held at the Hilton Garden Inn, 3201 Hwy 7 West, east of Hwy 400, Vaughan, Ontario, on **Saturday November 13, 2010 at 6:00 pm.**

The evening program will include demonstrations of classical Indian dances, a buffet of Indian-food and an opportunity to meet with police officers, civilian members, their families, and members of South East Asian business communities.

About four hundred people comprised of police personnel, business and community members are expected to be in attendance. Should you be unable to attend, OSAPO would be honoured to have you designate a command officer represent your police service.

Please confirm your attendance by email to ross.fernandes@torontopolice.on.ca, by telephone at (416) 808 5204, or by letter to 52 Division, 255 Dundas street west, Toronto, Ontario, M5T 2W5, no later than Friday October 1, 2010.

Yours truly,

Ross Fernandes
Detective Constable
2010 Organizing Committee



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P284. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: G8/G20
SUMMIT MEETINGS PROCUREMENT**

The Board was in receipt of the following report October 01, 2010 from William Blair, Chief of Police:

Subject: G8/G20 SUMMIT MEETINGS PROCUREMENT – REQUEST FOR FURTHER
EXTENSION

Recommendation:

It is recommended that the Board approve an extension of time, to the end of the year, for the submission of a report on the goods/services purchased through a modified procurement process for G8/G20 requirements.

Financial Implications:

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

Background/Purpose:

The Board, at its meeting of March 8, 2010, approved a recommendation that the Chief of Police and the Chair provide reports to the Board's 2010 August meeting identifying goods/services procured and agreements entered into through a modified procurement process for the G8/G20.

The purpose of this report is to obtain an extension of time to properly comply with the Board's request.

Discussion:

During the planning phase for the G8/G20 Summit, the Service determined that it would be very difficult to comply with the terms of the Board's Financial Control By-law No. 147 as amended (the By-law), and still meet the tight deadlines for the planning and provision of security for the Summit. As a result, a modified procurement process and authority for awards and commitments were required to meet the G8/G20 requirements.

The Service recommended and the Board approved, at its meeting of March 8, 2010, that the Chief of Police could make commitments and awards for the G8/G20 that would otherwise require Board approval in accordance with the By-law and also authorized the Chair to enter into any agreements with respect to the G8/G20 summit meetings, as approved to form by the City Solicitor (Min. No. P55/10 refers).

The Board, at its meeting of August 26, 2010, approved a two month extension for the submission of a report on the goods/services purchased through a modified procurement process for G8/G20 requirements (Min. No. P237/10 refers).

Conclusion:

The information in response to the Board's request is being compiled. However, this information will not be available for the Board's 2010 October meeting. A time extension to the end of the year is therefore being requested.

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

Following a discussion, the Board agreed to a one month extension and Mr. Veneziano agreed to provide the report to the Board for its November meeting. The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P285. TORONTO POLICE SERVICE 2011-2020 CAPITAL PROGRAM
REQUEST - REVISED**

The Board was in receipt of the following report October 15, 2010 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE 2011-2020 CAPITAL PROGRAM REQUEST –
REVISED

Recommendations:

It is recommended that:

- (1) the Board approve a revised 2011-2020 Capital Program with a 2011 net request of \$44.6M (including the impact of the Harmonized Sales Tax and excluding cashflow carry forwards from 2010), and a net total of \$322.7M for 2011-2020, as detailed in Attachment A; and
- (2) the Board forward a copy of this report to the City of Toronto Budget Committee for approval, and to the City’s Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

The revised 2011-2020 Capital Program request meets the City’s debt affordability target for 2011 and on average for the ten years. Table 1 provides a summary of the revised 2011-2020 Capital Program request compared to the City of Toronto’s ten-year debt affordability target. Additional detail on debt-funded and Reserve-funded projects can be found in Attachments A and B respectively.

Table 1. 2011-2020 Capital Program Request (\$Ms)

	2011	2012	2013	2014	2015	2016- 2020 Total	2011- 2020 Total
Debt-funded projects*	55.4	34.9	11.7	21.4	32.6	190.0	346.1
Recoverable debt projects*	0.0	0.4	2.8	1.1	0.0	0.0	4.3
Reserve-funded projects*	26.1	13.7	23.9	18.1	18.1	129.0	229.0
Estimated HST Impact	0.4	(0.3)	0.1	0.3	0.3	0.9	1.8
Total gross projects	81.9	48.8	38.5	41.0	51.0	319.9	581.2
Funding sources	-37.3	-15.5	-26.9	-20.9	-20.6	-137.3	-258.5
NET DEBT FUNDING	44.6	33.3	11.6	20.1	30.4	182.6	322.7
CITY DEBT TARGET	44.6	31.2	10.5	20.1	33.7	182.6	322.7
Variance to target	0.0	(2.2)	(1.1)	0.0	3.2	0.0	0.0

* figures exclude HST

Service staff continue to evaluate and update the operating budget impact of capital projects. Attachment C provides a revised summary of estimated operating impacts for current projects.

Background/Purpose:

At its September 23, 2010 meeting, the Board approved the Service's 2011-2020 Capital Program at a net request of \$50.1M for 2011 (including the impact of the Harmonized Sales Tax and excluding cashflow carry forwards from 2010) and a net total of \$324.4M for 2011-2020, as detailed in Attachment D (Min. No. P259/10 refers).

The purpose of this report is to provide the Board with a revised capital program for approval.

Discussion:

As part of the City review process, the Board-approved Capital Program was presented and discussed with the City Manager at a meeting on September 24, 2010. The City Manager asked whether it was possible to achieve the City debt target in 2011, as the Board-approved program was above target by \$5.5M in 2011. Following these discussions, Service staff revisited the cashflow allocations and, taking into account more recent information, the Service was able to adjust cashflows and achieve the debt target in 2011, without impacting the overall program.

As a result, attachments A and B provide the details of the revised program that is being recommended for Board approval. Attachment C provides information regarding the revised operating impact, also based on more up-to-date information.

Revised 2011-2020 Capital Program:

The revised 2011-2020 capital program that is being recommended for approval has changed in the following areas:

- *Property and Evidence Management Storage Facility:* The total cost for this project remains unchanged. However, \$4.9M of the cashflow amount previously allocated in 2011 has been deferred to 2012 and 2013. The initial cashflow assumed a renovation schedule for completion of the new facility by the end of 2012. This schedule was driven by the need to have sufficient storage capacity for the Service's evidence storage needs. Given some of the temporary work done at the current facility to manage storage requirements, it is possible to extend the completion of the new facility by approximately six months without impacting on storage.
- *54 Division:* The total cost for this project also remains unchanged. However, \$0.5M has been accelerated to 2011 to commence the project.

- *Development Charges (DC) Funding:* The level of DC funding that is available to the Service for specific facility projects is estimated based on anticipated development activity in the City. The level of DC funding that can be applied to any specific facility project is also subject to change whenever cashflows are adjusted. Taking into account updated information regarding available DC funding from the City, and the impact of cashflow changes for the previously mentioned two projects, DC funding estimates have changed, and the revised program reflects these changes.
- *Future use of 330 Progress:* The total cost assigned to this project remains unchanged. Funding for this project had been deferred from 2020 to 2021, in light of the ten-year debt target. As a result of the other changes listed above, we are able to more closely reflect original cashflow assumptions while remaining within the overall debt target.

Revised Operating Budget Impacts:

The decelerated cashflow for the Property and Evidence Management Storage project results in a deferral of the operating impact for this project. In addition, as the development of the operating budget for 2011 continues, operating impacts for other capital projects have been refined. The following summarizes changes made to the operating impact from capital, summarized in Attachment C:

- *In-Car Camera (ICC) project:* The original business case identified an operating impact of five positions required to maintain the ICCs. The salary estimates for these five positions did not adequately reflect projected costs. In addition, as many of the cameras are now installed and operational, it has become evident that there are additional operating costs that had not been foreseen (for example, the need to replace microphones on a more frequent basis, based on their failure rate). Estimated operating costs have therefore increased to \$0.6M annually from \$0.2M annually.
- *Property & Evidence Management Storage Facility:* The operating impact for this project has been deferred by one year.
- *Digital Video Asset Management II* and *Major Incident Command Centre:* These projects are now complete, and operating impacts have been adjusted marginally to reflect costs based on more current information.

Conclusion:

The revised 2011-2020 Capital Program, with a 2011 net request of \$44.6M (excluding cashflow carry forwards from 2010), and a net total of \$322.7M for the ten-year period, will meet the Service's cashflow requirements. Taking into account adjusted DC funding, this revised capital program also meets the City's debt-affordability target for 2011 and for the ten years in total. An arbitrary cashflow adjustment, inconsistent with anticipated spending, would be required for the Service to meet City targets on an annual basis. This is neither possible nor appropriate, and is therefore not recommended.

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

The Board approved the foregoing report and agreed to forward copies to the City's Budget Committee for approval and to the City's Deputy City Manager and Chief Financial Officer for information.

2011-2020 REVISED CAPITAL PROGRAM (\$000s)

Project Name	Plan to end of 2010	2011	2012	2013	2014	2015	Total 2011-2015 Request	2016	2017	2018	2019	2020	Total 2016-2020 Forecast	Total 2011-2020 Program	Total Project Cost
On-Going Projects															
State-of-Good-Repair - Police	0	1,535	3,685	4,642	4,814	4,312	18,988	4,110	4,320	4,540	4,820	5,060	22,850	41,838	41,838
Radio Replacement	16,133	7,700	5,700	0	0	0	13,400	0	0	0	0	0	0	13,400	29,533
11 Division - Central Lockup	20,527	8,918	0	0	0	0	8,918	0	0	0	0	0	0	8,918	29,445
14 Division - Central Lockup	7,374	18,666	8,883	0	0	0	27,549	0	0	0	0	0	0	27,549	34,923
Property & Evidence Management Storage	23,258	3,694	7,061	1,246	0	0	12,000	0	0	0	0	2,000	2,000	14,000	37,258
Acquisition, Impl'n of New RMS	2,114	8,092	8,752	4,670	990	0	22,504	0	0	0	0	0	0	22,504	24,618
911 Hardware / Handsets	757	420	0	0	0	0	420	0	0	0	0	0	0	420	1,177
Total, On-Going Capital Projects	70,162	49,025	34,081	10,558	5,804	4,312	103,779	4,110	4,320	4,540	4,820	7,060	24,850	128,629	198,791
New Projects															
5th floor workspace rationalization	0	1,334	0	0	0	0	1,334	0	0	0	0	0	0	1,334	1,334
AFIS	0	3,000	0	0	0	0	3,000	0	0	3,000	0	0	3,000	6,000	6,000
Upgrade to Microsoft 7 (new in 2011)	0	1,492	160	0	0	0	1,652	0	0	0	0	0	0	1,652	1,652
SmartCard (new in 2011)	0	0	706	826	0	0	1,531	0	0	0	0	0	0	1,531	1,531
54 Division (includes land)	0	500	0	0	8,900	21,348	30,748	5,564	0	0	0	0	5,564	36,312	36,312
Data Warehouse Establishment	0	0	0	336	3,224	1,331	4,891	3,177	0	0	0	0	3,177	8,068	8,068
Electronic Document Management	0	0	0	0	50	450	500	0	0	0	0	0	0	500	500
41 Division (includes land)	0	0	0	0	0	366	366	8,416	20,279	9,342	0	0	38,037	38,403	38,403
HRMS Upgrade	0	0	0	0	152	670	822	0	0	0	0	0	0	822	822
TRMS Upgrade	0	0	0	0	1,909	1,445	3,354	0	0	0	0	0	0	3,354	3,354
Digital Content Manager	0	0	0	0	1,388	1,707	3,095	0	0	0	0	0	0	3,095	3,095
Expansion of Fibre Optics Network	0	0	0	0	0	1,000	1,000	5,625	5,625	0	0	0	11,250	12,250	12,250
Disaster Recovery Site	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13 Division (includes land)	0	0	0	0	0	0	0	0	366	8,495	21,040	8,502	38,403	38,403	38,403
Long Term Facility Plan	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	9,000	9,000	9,000
Radio Replacement	0	0	0	0	0	0	0	10,280	2,980	5,200	1,550	5,420	25,430	25,430	33,560
Future use of 330 Progress (new in 2011)	0	0	0	0	0	0	0	0	0	5,000	10,000	16,336	31,336	31,336	40,000
Total, New Capital Projects:	0	6,326	866	1,162	15,623	28,317	52,294	33,062	29,250	34,037	35,590	33,258	165,197	217,491	234,285
Total Capital Projects:	70,162	55,351	34,946	11,719	21,427	32,629	156,073	37,172	33,570	38,577	40,410	40,318	190,047	346,120	433,076
Other than debt expenditure (Recoverable debt)															
E-Ticketing	0	0	428	2,798	1,104	0	4,330	0	0	0	0	0	0	4,330	4,330
Other than debt expenditure (Recoverable debt)	0	0	428	2,798	1,104	0	4,330	0	0	0	0	0	0	4,330	4,330
Total Reserve Projects:	106,017	26,137	13,719	23,897	18,133	18,111	99,997	21,568	18,017	23,829	20,760	44,791	128,964	228,960	334,977
Estimated HST Impact		408	(255)	124	314	298	889	307	187	(110)	508	(1)	891	1,780	2,669
Total Gross Projects	176,179	81,897	48,837	38,538	40,978	51,038	261,288	59,046	51,774	62,296	61,678	85,108	319,901	581,190	775,051
Funding Sources:															
Vehicle and Equipment Reserve	(106,017)	(26,137)	(13,719)	(23,897)	(18,133)	(18,111)	(99,997)	(21,568)	(18,017)	(23,829)	(20,760)	(44,791)	(128,964)	(228,960)	(334,977)
ISF estimate for 11 and 14 Div	(8,421)	(8,862)	0				(8,862)							(8,862)	(17,283)
Funding from Development Charges	(4,966)	(2,264)	(1,352)	(224)	(1,691)	(2,483)	(8,014)	(1,157)	(269)	(1,623)	(3,787)	(1,530)	(8,366)	(16,380)	(21,346)
Recoverable debt (eTicketing)	0		(428)	(2,798)	(1,104)	0	(4,330)	0	0	0	0	0	0	(4,330)	(4,330)
Total Funding Sources:	(119,404)	(37,263)	(15,499)	(26,919)	(20,928)	(20,594)	(121,203)	(22,725)	(18,286)	(25,452)	(24,547)	(46,321)	(137,330)	(258,532)	(377,936)
Total Net Debt-Funding Request:	56,775	44,634	33,339	11,619	20,050	30,444	140,085	36,322	33,488	36,844	37,131	38,787	182,572	322,657	397,115
5-year Average:							28,017						36,514	32,266	
City Target (= net approved in 2010):		44,633	31,163	10,528	20,067	33,693	140,085	27,417	39,581	38,111	38,731	38,731	182,572	322,657	
City Target - 5-year Average:							28,017						36,514	32,266	
Variance to Target:		(0)	(2,175)	(1,091)	17	3,249	(0)	(8,904)	6,093	1,267	1,600	(56)	0	(0)	
Variance to Target - 5-year Average:							(0)						0	(0)	

ATTACHMENT B

2011-2020 - DETAIL FOR RESERVE-FUNDED PROJECTS (\$000s)

Project Name	Plan to end of 2010	2011	2012	2013	2014	2015	Total 2011-2015 Request	Total 2016-2020 Forecast	Total 2011-2020 Program	Total Project Cost
Vehicle and Equipment (LR)	36,464	12,116	2,773	2,773	4,669	5,617	27,948	28,085	56,033	92,497
Workstation, Laptop, Printer (LR)	22,958	2,817	3,043	3,695	3,227	3,506	16,288	16,514	32,802	55,760
Servers (LR)	13,236	3,120	3,230	3,340	3,122	3,164	15,976	29,409	45,386	58,622
IT Business Resumption (LR)	8,511	1,644	1,701	1,761	1,339	1,607	8,050	14,747	22,797	31,308
Mobile Workstations (LR)	7,970	0	250	7,500	1,500	0	9,250	9,435	18,685	26,655
Network Equipment (LR)	3,803	500	520	2,603	1,165	1,054	5,842	11,407	17,249	21,052
Locker Replacement (LR)	2,200	0	179	50	50	50	329	671	1,000	3,200
Furniture Replacement (LR)	2,250	0	1,500	750	750	750	3,750	7,650	11,400	13,650
AVL (LR)	316	593	639	0	316	593	2,141	954	3,095	3,411
In - Car Camera (LR)	0	0	0	688	818	0	1,506	1,536	3,042	3,042
Voice Logging (LR)	459	324	0	370	0	459	1,153	1,176	2,329	2,788
Electronic Surveillance (LR)	0	1,100	0	0	0	0	1,100	1,122	2,222	2,222
Digital Photography (LR)	126	130	0	0	0	126	256	261	517	643
DVAM I (LR)	1,109	0	0	0	0	1,109	1,109	1,131	2,240	3,349
Call Centre Application (ACD-X) (LR)	315	0	0	0	0	315	315	321	636	951
DVAM II (LR)	0	0	0	0	1,417	0	1,417	1,445	2,862	2,862
Asset and Inventory Mgmt.System (LR)	0	127	0	0	0	0	127	130	256	256
Property & Evidence Scanners (LR)	0	120	0	0	0	0	120	122	242	242
DPLN (LR)	0	0	0	778	0	0	778	794	1,572	1,572
Small Equipment (e.g. telephone handset) (LR)	230	230	230	230	230	230	1,150	1,221	2,371	2,601
Video Recording Equipment (LR)	70	70	70	70	70	70	350	372	722	792
Radios - Replacement	6,000	0	0	0	0	0	0	0	0	6,000
Livescan Machines (LR)	0	435	0	0	0	0	435	444	879	879
Wireless Parking System (LR)	0	3,060	0	0	0	0	3,060	3,060	6,120	6,120
EDU/CBRN Explosive Containment (LR)	0	487	0	0	0	0	487	0	487	487
Additional reduction - Estimated HST Impact		(736)	(416)	(711)	(539)	(539)	(2,941)	(3,043)	(5,984)	(5,984)
Total Reserve Projects:	106,017	26,137	13,719	23,897	18,133	18,111	99,997	128,963	228,960	334,977

LR = Lifecycle Replacement

2011-2020 CAPITAL BUDGET (\$000s)
OPERATING IMPACT FROM CAPITAL (incremental over 2010)

ATTACHMENT C

Project Name	2011	2012	2013	2014	2015	By 2020	Comments
On-Going Projects							
In - Car Camera	625.5	625.5	625.5	625.5	625.5	625.5	5 FTEs+ other costs
Digital Video Asset Management II	142.5	142.5	142.5	142.5	142.5	142.5	Third party system support
11 Division - Central Lockup	101.0	202.0	202.0	202.0	202.0	202.0	Building Operations, Service Contracts and Utilities
14 Division - Central Lockup	0.0	104.0	208.0	208.0	208.0	208.0	Building Operations, Service Contracts and Utilities
State-of-Good-Repair - Police (MICC)	78.9	78.9	78.9	78.9	78.9	78.9	MICC operating costs
Property & Evidence Management Storage	0.0	0.0	41.5	83.0	83.0	83.0	High Level estimate
Acquisition, Impl'n of New RMS	200.0	1,575.0	2,950.0	3,450.0	4,950.0	4,950.0	Maintenance costs; 55 FTEs and lifecycle contribution
HRMS - Additional functionality	60.0	60.0	60.0	60.0	60.0	60.0	1 FTE
Replacement of Voice Mail	25.0	50.0	50.0	50.0	50.0	50.0	Incremental maintenance cost. Year 2011 is for half year
Fuel Management System	5.0	5.0	5.0	5.0	5.0	5.0	Card replacement and system maintenance
911 Hardware / Handsets	0.0	25.0	50.0	50.0	50.0	50.0	System maintenance cost. Year 2012 is for half year
Total on-going Operating Impact	1,237.9	2,867.9	4,413.4	4,954.9	6,454.9	6,454.9	
New Projects							
SmartCard	0.0	0.0	0.0	-40.0	-40.0	-40.0	e-token is being replaced by smart cards; total operating impact still being reviewed
AFIS	0.0	50.0	50.0	50.0	50.0	50.0	Incremental maintenance cost (currently costs \$350k)
Upgrade to Microsoft 7	0.0	35.0	70.0	70.0	70.0	70.0	Maintenance costs
Electronic Document Management	0.0	0.0	0.0	0.0	0.0	-77.9	Reduction in paper & printing cost, off-set by increase in maintenance cost
Data Warehouse Establishment	0.0	0.0	0.0	0.0	0.0	1,056.0	\$0.6M for salaries for 5 people; \$0.5M for maintenance; starting 2017
54 Division	0.0	0.0	0.0	0.0	0.0	144.0	Building Operations, Service Contracts and Utilities; starting 2016 (3 1/2 years)
41 Division	0.0	0.0	0.0	0.0	0.0	144.0	Building Operations, Service Contracts and Utilities; starting half a year 2018 (1 1/2 years)
13 Division	0.0	0.0	0.0	0.0	0.0	TBD	Building Operations, Service Contracts and Utilities; starting 2020
Long Term Facility Plan	0.0	0.0	0.0	0.0	0.0	TBD	TBD
HRMS Upgrade	0.0	0.0	0.0	0.0	22.0	22.0	Incremental maintenance cost of \$22K per year from 2015
TRMS Upgrade	0.0	0.0	0.0	0.0	0.0	22.0	Incremental maintenance cost of \$22K per year from 2016
Digital Content Manager	0.0	0.0	0.0	0.0	0.0	178.0	\$94K for support and maintenance; \$84K for 1 FTE; starting 2016
eTicketing	0.0	0.0	0.0	134.0	845.5	845.5	Maintenance costs offset by staff savings; note: staff savings are project-specific; assume FTEs saved would offset other pressures
Total New projects Operating Impact	0.0	85.0	120.0	214.0	947.5	2,413.7	
Contribution to Reserve (estimated)	1,100.0	2,200.0	3,300.0	3,300.0	3,300.0	3,300.0	Based on current assumptions; under review
Total Reserve Operating Impact	1,100.0	2,200.0	3,300.0	3,300.0	3,300.0	3,300.0	
Incremental Operating Impact	2,337.9	5,152.9	7,833.4	8,468.9	10,702.4	12,168.6	

2011-2020 CAPITAL PROGRAM (\$000s) - As Approved by the Board, September 23, 2010

Project Name	Plan to end of 2010	2011	2012	2013	2014	2015	Total 2011-2015 Request	2016	2017	2018	2019	2020	Total 2016-2020 Forecast	Total 2011-2020 Program	Total Project Cost
On-Going Projects															
State-of-Good-Repair - Police	0	1,535	3,685	4,642	4,814	4,312	18,988	4,110	4,320	4,540	4,820	5,060	22,850	41,838	41,838
Radio Replacement	16,133	7,700	5,700	0	0	0	13,400	0	0	0	0	0	0	13,400	29,533
11 Division - Central Lockup	20,527	8,918	0	0	0	0	8,918	0	0	0	0	0	0	8,918	29,445
14 Division - Central Lockup	7,374	18,666	8,883	0	0	0	27,549	0	0	0	0	0	0	27,549	34,923
Property & Evidence Management Storage	23,258	8,600	3,400	0	0	0	12,000	0	0	0	0	2,000	2,000	14,000	37,258
Acquisition, Impl'n of New RMS	2,114	8,092	8,752	4,670	990	0	22,504	0	0	0	0	0	0	22,504	24,618
911 Hardware / Handsets	757	420	0	0	0	0	420	0	0	0	0	0	0	420	1,177
Total, On-Going Capital Projects	70,162	53,931	30,420	9,312	5,804	4,312	103,779	4,110	4,320	4,540	4,820	7,060	24,850	128,629	198,791
New Projects															
5th floor workspace rationalization	0	1,334	0	0	0	0	1,334	0	0	0	0	0	0	1,334	1,334
AFIS	0	3,000	0	0	0	0	3,000	0	0	3,000	0	0	3,000	6,000	6,000
Upgrade to Microsoft 7 (new in 2011)	0	1,492	160	0	0	0	1,652	0	0	0	0	0	0	1,652	1,652
SmartCard (new in 2011)	0	0	706	826	0	0	1,531	0	0	0	0	0	0	1,531	1,531
54 Division (includes land)	0	0	0	300	9,100	21,263	30,663	5,649	0	0	0	0	5,649	36,312	36,312
Data Warehouse Establishment	0	0	0	336	3,224	1,331	4,891	3,177	0	0	0	0	3,177	8,068	8,068
Electronic Document Management	0	0	0	0	50	450	500	0	0	0	0	0	0	500	500
41 Division (includes land)	0	0	0	0	0	366	366	8,416	20,279	9,342	0	0	38,037	38,403	38,403
HRMS Upgrade	0	0	0	0	152	670	822	0	0	0	0	0	0	822	822
TRMS Upgrade	0	0	0	0	1,909	1,445	3,354	0	0	0	0	0	0	3,354	3,354
Digital Content Manager	0	0	0	0	1,388	1,707	3,095	0	0	0	0	0	0	3,095	3,095
Expansion of Fibre Optics Network	0	0	0	0	0	1,000	1,000	5,625	5,625	0	0	0	11,250	12,250	12,250
Disaster Recovery Site	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13 Division (includes land)	0	0	0	0	0	0	0	0	366	8,495	21,040	8,502	38,403	38,403	38,403
Long Term Facility Plan	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	9,000	9,000	9,000
Radio Replacement	0	0	0	0	0	0	0	10,280	2,980	5,200	1,550	5,420	25,430	25,430	33,560
Future use of 330 Progress (new in 2011)	0	0	0	0	0	0	0	0	0	5,000	10,000	15,686	30,686	30,686	40,000
Total, New Capital Projects:	0	5,826	866	1,462	15,823	28,232	52,209	33,147	29,250	34,037	35,590	32,608	164,632	216,841	234,285
Total Capital Projects:	70,162	59,757	31,286	10,774	21,627	32,544	155,988	37,257	33,570	38,577	40,410	39,668	189,482	345,470	433,076
Other than debt expenditure (Recoverable debt)															
E-Ticketing	0	0	428	2,798	1,104	0	4,330	0	0	0	0	0	0	4,330	4,330
Other than debt expenditure (Recoverable debt)	0	0	428	2,798	1,104	0	4,330	0	0	0	0	0	0	4,330	4,330
Total Reserve Projects:	106,017	26,137	13,719	23,897	18,133	18,111	99,997	21,568	18,017	23,829	20,760	44,791	128,964	228,960	334,977
Total Gross Projects	176,179	85,895	45,432	37,468	40,864	50,655	260,314	58,825	51,587	62,406	61,170	84,459	318,446	578,760	772,383
Funding Sources:															
Vehicle and Equipment Reserve	(106,017)	(26,137)	(13,719)	(23,897)	(18,133)	(18,111)	(99,997)	(21,568)	(18,017)	(23,829)	(20,760)	(44,791)	(128,964)	(228,960)	(334,977)
ISF estimate for 11 and 14 Div	(8,421)	(8,862)	0	0	0	0	(8,862)	0	0	0	0	0	0	(8,862)	(17,283)
Funding from Development Charges	(4,966)	(1,170)	(1,290)	(1,420)	(1,560)	(1,600)	(7,040)	(1,650)	(750)	(2,700)	(1,810)	0	(6,910)	(13,950)	(18,916)
Recoverable debt (eTicketing)	0	0	(428)	(2,798)	(1,104)	0	(4,330)	0	0	0	0	0	0	(4,330)	(4,330)
Total Funding Sources:	(119,404)	(36,169)	(15,437)	(28,115)	(20,797)	(19,711)	(120,229)	(23,218)	(18,767)	(26,529)	(22,570)	(44,791)	(135,874)	(256,102)	(375,506)
Total Net Debt-Funding Request:	56,775	49,725	29,996	9,354	20,067	30,944	140,086	35,607	32,820	35,877	38,600	39,668	182,572	322,658	396,876
5-year Average:							28,017						36,514	32,266	
City Target (= net approved in 2010):		44,633	31,163	10,528	20,067	33,693	140,085	27,417	39,581	38,111	38,731	38,731	182,572	322,657	
City Target - 5-year Average:							28,017						36,514	32,266	
Variance to Target:		(5,092)	1,168	1,175	(0)	2,749	(0)	(8,190)	6,761	2,234	131	(937)	(0)	(0)	
Variance to Target - 5-year Average:							(0)						(0)	(0)	
Estimated HST Impact		408	(255)	124	314	298	889	307	187	(110)	508	(1)	891	1,780	2,669
Total Net Debt-Funding Request, w/HST:	56,775	50,134	29,740	9,477	20,381	31,242	140,974	35,914	33,007	35,767	39,108	39,667	183,463	324,437	399,545
Variance to Target w/HST:		(5,500)	1,423	1,051	(314)	2,451	(889)	(8,496)	6,574	2,344	(377)	(936)	(891)	(1,780)	
Variance to Target - 5-year Average w/HST:							(178)						(178)	(178)	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

**#P286. REQUEST FOR FUNDS: TORONTO POLICE SERVICE CRICKET
CLUB**

The Board was in receipt of the following report September 29, 2010 from Alok Mukherjee, Chair:

Subject: SPECIAL FUND REQUEST: TORONTO POLICE SERVICE CRICKET CLUB

Recommendation:

It is recommended that the Board approve \$9,000.00 from the Board's Special Fund to help offset the maintenance cost of the Toronto Police Service Cricket Club (TPSCC) playing field.

Financial Implications:

If the Board approves this request, the Special Fund will be reduced by \$9,000.00. The Special Fund balance as at October 12, 2010, is approximately \$549,000.00.

Background/Purpose:

The Toronto Police Service Cricket Club was founded in 1992. Over the last 18 years the club has developed and sustained positive relationships with various communities including a wide cross section of youth organizations. In 1994 the TPSCC acquired land which the club dedicated to the memory of Police Constable Percy B. Cummins who was fatally shot in Toronto on September 23, 1981. The sustainability of the TPSCC is being threatened as a result of the downloading of land taxes to the club.

Discussion:

In 1994 the TPSCC negotiated a 5 year lease with Hydro valued at \$1 dollar a year for a plot of land officially described as Lot 21 and 22, Concession 4, located at the south east corner of Whitheheather Blvd and McNicol Avenue and is 7. acres. The lease has been renewed at the same rate since 1994. The agreement was made on the condition that the TPSCC would maintain and upkeep the land. Expenses associated with the cost of maintaining the ground is paid for from funds received annually from the Toronto Police Amateur Athletic Association, membership dues and social functions.

Prior to 2008 the cost of the land tax was absorbed by Hydro One. However since 2008 the land tax has been downloaded to the TPSCC. The TPSCC has reviewed and explored various sources of funding and has managed to carry the costs, with some difficulty, for the past two years. But, the additional cost of approximately \$9,000.00 annually has created a financial burden which is threatening the club's sustainability.

The Club has formed ongoing partnerships with local and US based cricket clubs to enhance the reputation of the Service. It continues to partner with community members and organizations to address and assist youth and at risk youth issues. Further, the Percy Cummins Cricket Ground is the only visible community tribute to Toronto's only Black officer killed in the line of duty.

Since its inception over 18 years ago, the TPSCC continues to build positive relationships in our communities, address youth issues and promotes the Service in positive ways. Appended to this report is a list of some of the community events/initiatives the TPSCC has initiated or participated in over the years.

Conclusion:

Therefore, it is recommended that the Board approve \$9,000.00 from the Board's Special Fund to help offset the maintenance cost of the Toronto Police Service Cricket Club (TPSCC) playing field.

The Board approved the foregoing report.

TORONTO POLICE SERVICE CRICKET CLUB COMMUNITY INITIATIVES

Since its inception in 1992, the TPSCC has initiated or participated in the following community events:

- Fundraising dance with proceeds to Variety Village to support athletic program.
- Partnership with schools to coach cricket and provide mentoring to students.
- Annual picnic hosting children from various social service agencies (over 1000 hosted to date). This even is jointly supported by ProAction and is an ongoing initiative.
- Collecting and distributing education material to less privileged children.
- Partnership with the Toronto Breakfast Club to raise funds in support of its program. TPSCC members have also volunteered and served breakfast to participating children.
- Christmas parties for children and mothers fleeing abusive homes.
- Fundraising and participation in Camp Jumoke walkathon to raise funds to send Sickle Cell afflicted children to summer camp (over \$50,000.00 raised thus far). This initiative is ongoing.
- Fundraising dance and ongoing drive to raise funds to assist the hurricane ravaged island of Grenada. The TPSCC has undertaken to assist in rebuilding two schools damaged by the hurricane. Thus far the TPSCC has raised over \$20,000.00 and have contracted the building of two kitchens to be shipped. The TPCC has secured and shipped ten computers to Grenada. Doreen Guy, a retired TPS member and former secretary and president of the TPCC is coordinating our efforts in Grenada.
- Fundraising partnership with the Canadian Cricket Academy to raise funds for the Canadian Cancer Society. \$10,000.00 raised and donated from recent event.
- Partnership with the Chartered Institute of Management Accountants and Mayor David Miller to raise awareness of cricket in Toronto.
- Ongoing partnership with local and U.S. based cricket clubs to enhance the reputation of the Service. (The club includes community members on its team to further this objective).
- Annual Percy Cummings Memorial game. This game is played in July at the Percy Cummings Grounds and commemorates the life and service of Const. Percy Cummings who was killed on duty in 1981. This event is publicized in local media and attracts large community participation.

- Partnership with the Employment Office to host cricket events aimed at targeted recruiting
- Partnership with Canadian Women's cricket association.
- Partnership with other community cricket clubs.

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TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

#P287. INTRODUCTIONS

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

Staff Inspector Nicholas MEMME
Manager, Communications Services, Dion EVELYN
Staff Sergeant Michael RICHMOND
Detective Sergeant Graham GIBSON
Sergeant Stacyann CLARKE
Sergeant Dale CORRA
Sergeant David CORREA
Sergeant Tricia JOHNSTON
Sergeant Lori KRANENBURG
Sergeant Michael MULLEN
Sergeant Stefan PRENTICE
Sergeant Patrick ROBITAILLE
Sergeant Kirby REDDIN
Sergeant Lester ROSETE
Sergeant Kelly SKINNER
Sergeant Christopher SLOAN
Sergeant Andrew STEINWALL
Sergeant Amanda THORNTON
Sergeant John WINTER
Sergeant Julie WILSON
Sergeant Winston WONG

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 21, 2010**

#P288. IN-CAMERA MEETING – OCTOBER 21, 2010

In addition to the public meeting conducted by the Board today, an in-camera meeting was held to consider a number of matters which were exempt from the public agenda in accordance with the criteria for considering confidential matters set out in s.35(4) of the *Police Services Act*.

The following members attended the in-camera meeting:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Mr. Hamlin Grange, Member
Mr. Adam Vaughan, Councillor & Member
Ms. Judi Cohen, Member

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#P289. ADJOURNMENT

Alok Mukherjee
Chair