



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on December 15, 2011 are subject to adoption at its next regularly scheduled meeting.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **DECEMBER 15, 2011** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Ms. Judi Cohen, Member
Mr. Chin Lee, Councillor & Member
Ms. Frances Nunziata, Councillor & Member
Mr. Andrew Pringle, Member

ABSENT:

Mr. Michael Thompson, Councillor & Vice-Chair
Dr. Dhun Noria, 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 DECEMBER 15, 2011**

#P316. MOMENT OF SILENCE

The Board observed a moment of silence in memory of Police Constable Vincent Roy of the Bromont Police Service in Quebec who was killed while on duty on December 01, 2011.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P317. INTRODUCTION

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

Promoted to the rank of staff superintendent:

Kimberley Greenwood

Promoted to the rank of superintendent:

David McCormack

David McLeod

Peter Lennox

Debra Preston

Promoted to the rank of staff inspector:

Neil Corrigan

Heinz Kuck

Mary Lee Metcalfe

Promoted to the rank of inspector:

Ian Stratford

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P318. TORONTO POLICE SERVICE 2012 – 2021 CAPITAL PROGRAM
SUBMISSION – UPDATE**

The Board was in receipt of the following report December 14, 2011 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE 2012 - 2021 CAPITAL PROGRAM
SUBMISSION – UPDATE

Recommendations:

It is recommended that:

- (1) the Board confirm the Toronto Police Service's 2012-2021 capital program, as approved at its special meeting on October 5, 2011; and
- (2) the Board forward a copy of this report to the City's Budget Committee for consideration, and the City's Deputy City Manager/Chief Financial Officer for information.

Financial Implications:

The Board-approved capital program is \$24.7 Million (M) in 2012, and \$316.8M for 2012-2021. This program meets the City-identified total debt affordability target for the ten-year program.

The City's Capital Budget Analyst Notes, presented to the City's Budget Committee, recommend a capital program for the Toronto Police Service (Service) that excludes the Board-approved project for the Progress Site - Future Use, resulting in a City Finance recommended program that is \$40M below the ten-year target provided by the City. No adjustment to the capital target is being recommended by City Finance staff at this time.

Background/Purpose:

At its special meeting of October 5, 2011, the Board approved the Service's 2012-2021 capital program at a net amount of \$24.7M in 2012 and \$316.8M for 2012-2021 (Min. No. P253/11 refers). This program meets the Service's total debt target for the ten-year program as provided by the City. However, as a result of the deferral of the contract award for the Integrated Records and Information System (IRIS) project, cash flow adjustments were required. Consequently, and as reported to the Board in the October 5, 2011 report, the Board-approved capital program does not meet the City's annual debt targets for the first three years (under target by \$8.7M in 2012; over target by \$4.8M in 2013, and over target by \$3.9M in 2014 for a net zero impact).

During their review of the Service's capital program, City Finance staff requested additional detail on the Progress Site - Future Use, which is included in the Board-approved capital program at an estimated cost of \$40M (for the years 2018-2021). Service staff provided more details for the project based on the best information available and current plans. At this time, the Progress Site - Future Use project contemplates the relocation of the Public Safety unit (estimated at \$15.5M) and the relocation of the Forensic Identification Services unit (estimated at \$54.5M, of which \$24.5M is within the ten-year period). The Board-approved capital program, which includes the Progress Site project, is provided in Attachment A. The City Finance recommended program that excludes the Progress Site project is provided in Attachment B.

This purpose of this report is to advise the Board that the capital program it approved at its October 5, 2011 meeting, has been revised by City Finance staff. A City staff-recommended 2012-2021 capital program, that is \$40M lower than the program approved by the Board and that deletes the Progress Site - Future Use project, was recently approved by the City's Budget Committee at its meeting on December 9 and 13, 2011.

Discussion:

The 2012-2021 capital program represents a budget for 2012 and a plan for 2013-2021 which forms the basis for developing future capital budgets, in accordance with the City's multi-year financial planning and budgeting policy.

Corporate targets for Agencies, Boards, Commissions and Departments (ABCDs) are allocated by the City's Deputy City Manager and Chief Financial Officer (City CFO). The Board-approved 2012-2021 capital program meets the City's total debt affordability target for the ten years and achieves the City's annual debt target in seven of the ten years.

In reviewing the Service's capital program, City Finance staff has not adjusted the Service's debt target. However, City Finance has recommended that the future use of the Progress Site project, which is scheduled to commence in 2018, be removed from the submission. The City's Capital Budget Analyst Notes indicate that the reason for recommending removal of this project is that *"the specific uses must be outlined and project details provided including operating costs and savings before these projects can be considered in a future 10 year capital plan"*.

The Service has identified the anticipated use of both the unused space in the current facility, and some of the unused land at the Progress site to accommodate the potential move of two Service units (Public Safety and Forensic Identification). While these units could be moved to the Progress Avenue site, there are other possibilities that the Service will be reviewing (e.g. Parking Enforcement) prior to finalizing the decision. The Service's capital program provides a long term plan that may change depending on needs. This is true of all future capital projects that have not commenced. The relocation of facilities to the Progress site will result in current facilities being declared surplus and returned to the City.

The City acquired the Progress site for the Service's new Property and Evidence Management (PEMU) facility, which is an approved capital project currently in progress. The site (facility and land) is much larger than what is required for the PEMU. Consequently, the site provides opportunities for the Service to move other functions to this site and free up the existing facilities. Whether the Service relocates Public Safety and Forensic Identification or some other functions to the Progress site, the intent is to utilize the site within the capital targets provided by the City. The 2012-2021 Board-approved capital program achieves this objective. However, because this project is not scheduled to commence until 2018, it is difficult to finalize the actual uses, and any operating costs or savings, with any degree of certainty at this time. It is the Service's position that any decision to remove or prioritize a project from the capital program rests with the Board.

Conclusion:

A detailed review of all projects in the Service's 2012-2021 capital program request has been conducted, to ensure the capital program reflects the priorities of the Service, is consistent with the Service's strategic objectives, and is in line with City targets. The Board-approved 2012-2021 capital program identifies the Service's plans for the next ten years, meets the City's total debt affordability target for the ten years and achieves the City's annual debt target in seven of the ten years.

City Finance's recommended capital program, approved by the City Budget Committee at its meeting on December 9 and 13, 2011 is \$40M below target (achieved through the removal of the future use of Progress Avenue project, affecting years 2018 to 2021).

While the City could reduce the funding in the Service's capital program, it is the Service's position that any decision to remove a specific project from the capital program should be considered by the Board, after consulting with the Chief of Police.

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 the following Motion:

THAT the Board forward this report to the Budget Committee and remind the Committee of the *Police Services Act* provision which stipulates that "in establishing an overall budget for the board, the council does not have the authority to approve or disapprove specific items in the estimates (sec 39.(4))."

BOARD-APPROVED 2012-2021 CAPITAL PROGRAM (\$000s)

Project Name	Plan to end of 2011	2012	2013	2014	2015	2016	Total 2012-2016 Request	2017	2018	2019	2020	2021	Total 2017-2021 Forecast	Total 2012-2021 Program	Total Project Cost
On-Going Projects															
State-of-Good-Repair - Police		4,510	4,565	4,594	4,469	4,621	22,759	4,331	4,529	4,841	5,113	5,238	24,051	46,810	46,810
Radio Replacement	23,018	5,371	0	0	0	0	5,371	0	0	0	0	0	0	5,371	28,389
14 Division - Central Lockup	26,605	8,910	0	0	0	0	8,910	0	0	0	0	0	0	8,910	35,515
Progress Site (Property & Evidence)	27,339	7,149	2,581	0	0	0	9,729	0	0	0	0	0	0	9,729	37,068
IRIS - Integrated Records and Information System	10,047	0	9,507	4,866	0	0	14,373	0	0	0	0	0	0	14,373	24,420
Upgrade to Microsoft 7	1,492	160	0	0	0	0	160	0	0	0	0	0	0	160	1,652
Total, On-Going Capital Projects	88,502	26,099	16,653	9,460	4,469	4,621	61,302	4,331	4,529	4,841	5,113	5,238	24,051	85,353	173,854
New Projects															
54 Division (includes land)	500	0	0	9,060	21,665	5,721	36,446	0	0	0	0	0	0	36,446	36,946
Data Warehouse Establishment	0	0	0	3,617	1,354	3,233	8,204	0	0	0	0	0	0	8,204	8,204
Electronic Document Management	0	0	0	49	441	0	490	0	0	0	0	0	0	490	490
HRMS Upgrade	0	0	0	155	682	0	836	0	0	0	0	0	0	836	836
TRMS Upgrade	0	0	0	1,943	1,470	0	3,413	0	0	0	0	0	0	3,413	3,413
Digital Content Manager	0	0	0	1,360	1,673	0	3,033	0	0	0	0	0	0	3,033	3,033
41 Division (includes land)	0	0	0	0	372	8,564	8,937	20,636	9,506	0	0	0	30,142	39,079	39,079
Expansion of Fibre Optics Network	0	0	0	0	881	5,585	6,466	5,585	0	0	0	0	5,585	12,051	12,051
Radio Replacement	0	0	0	0	0	10,193	10,193	2,836	4,622	1,174	4,954	11,581	25,167	35,360	35,360
13 Division (includes land)	0	0	0	0	0	0	0	372	8,645	19,903	10,159	0	39,079	39,079	39,079
AFIS (next replacement)	0	0	0	0	0	0	0	0	3,053	0	0	0	3,053	3,053	3,053
Disaster Recovery Site	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32 Division - Renovation	0	0	0	0	0	0	0	0	3,053	3,934	0	0	6,987	6,987	6,987
52 Division - Renovation	0	0	0	0	0	0	0	0	0	0	3,559	4,741	8,300	8,300	8,300
55 Division - Renovation	0	0	0	0	0	0	0	0	0	0	1,529	6,471	8,000	8,000	8,000
22 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	1,290	1,290	1,290	8,000
Progress (Future use)									5,088	10,440	15,005	9,467	40,000	40,000	40,000
Total, New Capital Projects:	500	0	0	16,183	28,539	33,296	78,018	29,429	33,967	35,452	35,205	33,550	167,603	245,621	252,831
Total debt funded Capital Projects:	89,002	26,099	16,653	25,643	33,008	37,917	139,320	33,760	38,496	40,292	40,318	38,788	191,654	330,974	426,685
Recoverable debt Project															
eTicketing Solution	0	1,719	0	0	0	0	1,719	0	0	0	0	0	0	1,719	1,719
Total, Recoverable debt project:	0	1,719	0	0	0	0	1,719	0	0	0	0	0	0	1,719	1,719
Total Reserve Projects:	130,369	13,926	23,854	18,259	18,654	23,054	97,747	17,451	24,325	19,567	19,519	24,525	105,387	203,134	333,503
Total Gross Projects	219,371	41,745	40,507	43,902	51,662	60,971	238,786	51,211	62,821	59,859	59,837	63,313	297,041	535,827	761,908
Funding Sources:															
Vehicle and Equipment Reserve	(130,369)	(13,926)	(23,854)	(18,259)	(18,654)	(23,054)	(97,747)	(17,451)	(24,325)	(19,567)	(19,519)	(24,525)	(105,387)	(203,134)	(333,503)
Infrastructure Stimulus Fund (ISF) (14D)	(8,572)	0	0	0	0	0	0	0	0	0	0	0	0	0	(8,572)
Recoverable debt - eTicketing	0	(1,719)	0	0	0	0	(1,719)	0	0	0	0	0	0	(1,719)	(1,719)
Funding from Development Charges	(7,230)	(1,434)	(231)	(1,721)	(2,565)	(1,596)	(7,547)	(273)	(1,651)	(3,161)	(1,530)	0	(6,615)	(14,162)	(21,392)
Total Funding Sources:	(146,171)	(17,079)	(24,085)	(19,980)	(21,219)	(24,650)	(107,013)	(17,724)	(25,976)	(22,728)	(21,049)	(24,525)	(112,002)	(219,016)	(365,187)
Total Net Debt-Funding Request:	73,200	24,665	16,422	23,922	30,443	36,321	131,773	33,487	36,845	37,131	38,788	38,788	185,039	316,811	396,721
5-year Average:							26,355						37,008	31,681	
City Target (= net approved in 2010):		33,339	11,619	20,051	30,443	36,321	131,773	33,487	36,845	37,131	38,788	38,788	185,039	316,812	
City Target - 5-year Average:							26,355						37,008	31,681	
Variance to Target:		8,674	(4,803)	(3,871)	0	(0)	0	0	0	(0)	(0)	0	0	1	
Variance to Target - 5-year Average:							0						0	0	

CITY-RECOMMENDED 2012-2021 CAPITAL PROGRAM (\$000s)

Project Name	Plan to end of 2011	2012	2013	2014	2015	2016	Total 2012-2016 Request	2017	2018	2019	2020	2021	Total 2017-2021 Forecast	Total 2012-2021 Program	Total Project Cost
On-Going Projects															
State-of-Good-Repair - Police		4,510	4,565	4,594	4,469	4,621	22,759	4,331	4,529	4,841	5,113	5,238	24,051	46,810	46,810
Radio Replacement	23,018	5,371	0	0	0	0	5,371	0	0	0	0	0	0	5,371	28,389
14 Division - Central Lockup	26,605	8,910	0	0	0	0	8,910	0	0	0	0	0	0	8,910	35,515
Progress Site (Property & Evidence)	27,339	7,149	2,581	0	0	0	9,729	0	0	0	0	0	0	9,729	37,068
IRIS - Integrated Records and Information System	10,047	0	9,507	4,866	0	0	14,373	0	0	0	0	0	0	14,373	24,420
Upgrade to Microsoft 7	1,492	160	0	0	0	0	160	0	0	0	0	0	0	160	1,652
Total, On-Going Capital Projects	88,502	26,099	16,653	9,460	4,469	4,621	61,302	4,331	4,529	4,841	5,113	5,238	24,051	85,353	173,854
New Projects															
54 Division (includes land)	500	0	0	9,060	21,665	5,721	36,446	0	0	0	0	0	0	36,446	36,946
Data Warehouse Establishment	0	0	0	3,617	1,354	3,233	8,204	0	0	0	0	0	0	8,204	8,204
Electronic Document Management	0	0	0	49	441	0	490	0	0	0	0	0	0	490	490
HRMS Upgrade	0	0	0	155	682	0	836	0	0	0	0	0	0	836	836
TRMS Upgrade	0	0	0	1,943	1,470	0	3,413	0	0	0	0	0	0	3,413	3,413
Digital Content Manager	0	0	0	1,360	1,673	0	3,033	0	0	0	0	0	0	3,033	3,033
41 Division (includes land)	0	0	0	0	372	8,564	8,937	20,636	9,506	0	0	0	30,142	39,079	39,079
Expansion of Fibre Optics Network	0	0	0	0	881	5,585	6,466	5,585	0	0	0	0	5,585	12,051	12,051
Radio Replacement	0	0	0	0	0	10,193	10,193	2,836	4,622	1,174	4,954	11,581	25,167	35,360	35,360
13 Division (includes land)	0	0	0	0	0	0	0	372	8,645	19,903	10,159	0	39,079	39,079	39,079
AFIS (next replacement)	0	0	0	0	0	0	0	0	3,053	0	0	0	3,053	3,053	3,053
Disaster Recovery Site	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32 Division - Renovation	0	0	0	0	0	0	0	0	3,053	3,934	0	0	6,987	6,987	6,987
52 Division - Renovation	0	0	0	0	0	0	0	0	0	0	3,559	4,741	8,300	8,300	8,300
55 Division - Renovation	0	0	0	0	0	0	0	0	0	0	1,529	6,471	8,000	8,000	8,000
22 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	1,290	1,290	1,290	8,000
Progress (Future use)									0	0	0	0	0	0	0
Total, New Capital Projects:	500	0	0	16,183	28,539	33,296	78,018	29,429	28,879	25,012	20,200	24,083	127,603	205,621	212,831
Total debt funded Capital Projects:	89,002	26,099	16,653	25,643	33,008	37,917	139,320	33,760	33,408	29,852	25,313	29,321	151,654	290,974	386,685
Recoverable debt Project															
eTicketing Solution	0	1,719	0	0	0	0	1,719	0	0	0	0	0	0	1,719	1,719
Total, Recoverable debt project:	0	1,719	0	0	0	0	1,719	0	0	0	0	0	0	1,719	1,719
Total Reserve Projects:	130,369	13,926	23,854	18,259	18,654	23,054	97,747	17,451	24,325	19,567	19,519	24,525	105,387	203,134	333,503
Total Gross Projects	219,371	41,745	40,507	43,902	51,662	60,971	238,786	51,211	57,733	49,419	44,832	53,846	257,041	495,827	721,908
Funding Sources:															
Vehicle and Equipment Reserve	(130,369)	(13,926)	(23,854)	(18,259)	(18,654)	(23,054)	(97,747)	(17,451)	(24,325)	(19,567)	(19,519)	(24,525)	(105,387)	(203,134)	(333,503)
Infrastructure Stimulus Fund (ISF) (14D)	(8,572)	0	0	0	0	0	0	0	0	0	0	0	0	0	(8,572)
Recoverable debt - eTicketing	0	(1,719)	0	0	0	0	(1,719)	0	0	0	0	0	0	(1,719)	(1,719)
Funding from Development Charges	(7,230)	(1,434)	(231)	(1,721)	(2,565)	(1,596)	(7,547)	(273)	(1,651)	(3,161)	(1,530)	0	(6,615)	(14,162)	(21,392)
Total Funding Sources:	(146,171)	(17,079)	(24,085)	(19,980)	(21,219)	(24,650)	(107,013)	(17,724)	(25,976)	(22,728)	(21,049)	(24,525)	(112,002)	(219,016)	(365,187)
Total Net Debt-Funding Request:	73,200	24,665	16,422	23,922	30,443	36,321	131,773	33,487	31,757	26,691	23,783	29,321	145,039	276,811	356,721
5-year Average:							26,355						29,008	27,681	
City Target (= net approved in 2010):		33,339	11,619	20,051	30,443	36,321	131,773	33,487	36,845	37,131	38,788	38,788	185,039	316,812	
City Target - 5-year Average:							26,355						37,008	31,681	
Variance to Target:		8,674	(4,803)	(3,871)	0	(0)	0	0	5,088	10,440	15,005	9,467	40,000	40,001	
Variance to Target - 5-year Average:							0						8,000	4,000	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P319. TOWING SERVICES IN DISTRICT NO. 5

The attached correspondence dated October 18, 2011 from John Paul Cruz, President, JP Towing Service & Storage Ltd. (TPS - Towing District No. 1) was deferred from the November 24, 2011 meeting to the December 15, 2011 meeting for consideration (Min. No. P312/11 refers).

Mr. Cruz was in attendance and delivered a deputation to the Board with respect to towing and pound services in District No. 5. Mr. Cruz also provided a written submission dated December 12, 2011 with regard to his deputation; copy appended to this Minute for information.

In response to questions by the Board, Chief Blair said that the reason for the earlier recommendation to authorize A Towing Service Ltd. to provide towing and pound services in District No. 5 for the duration of its current agreement with the Board, was based on the convenience that it would provide to the public given that A Towing has a pound which is located within District No. 5.

The Board noted that in order to consider Mr. Cruz's recommendation, that the Board divide District No. 5 towing services equally with the adjacent contract holders for the duration of the current agreement, the Board would need to open its previous decision to authorize A Towing Service Ltd. to provide towing and pound services in District No. 5 for the duration of the current agreement with the Board (Min. No. C297/11 refers).

The Board considered the following Motion:

THAT the Board open Min. No. C297/11.

Following a vote, the abovenoted Motion failed.

The Board approved the following Motion:

THAT the Board receive Mr. Cruz's correspondence, deputation and written submission.



Towing Service & Storage Ltd.

October 18, 2011

Toronto Police Services Board
40 College Street Road
Toronto, ON M5G 2J3

Attention Chair and Members of The Board;

I have a concern that I would like to bring to The Boards attention. On October 6th 2011 I was informed by a member of Traffic Services that there was a private board meeting to terminate 1504378 Ontario Inc. o/a Downtown Group's contract for District No. 5 and that there was a recommendation by members of Traffic Services to assign the entire district for the remainder of the contract to A Towing Service Ltd.

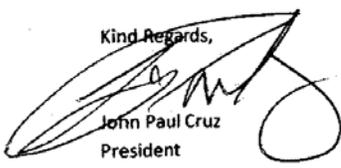
I believe this is not a fair proceeding. I have asked certain members of Traffic Services in the past why a contractor cannot be awarded more than one contract area and the answer provided was "We do not want to create a monopoly"! This decision also goes against the One Bidder Rule (section #7 of the contract).

Prior to the official contract award of District No. 5 to 1504378 Ontario Inc. o/a Downtown Group, the service area was divided by the adjacent contractors and the workload shared between them. This seems like a fair solution as this does not create the suggestion of favouritism. This solution is also in the best interest of the Public and Toronto Police Services. The distance and cost of cab fair to the public would be less if the service area was divided and a prompt service time would be provided as the workload would be shared equally. Please see the attached correspondence outlining the prior agreement in which District No. 5 was divided by adjacent contractors.

Hopefully this concern can be discussed at the next private Board Meeting on October the 20th. I hope that a fair resolution can come from this with all parties feeling satisfied.

Thank you for your time. Please do not hesitate to contact me so that we may discuss this further.

Kind Regards,


John Paul Cruz
President

24 Hour Service Tel: 416-203-9300 Fax: 416-203-9303

11 Glen Scarlett Road, Toronto, Ontario, Canada M6N-1P5

1-866-527-8225 (LAST CAL)



TORONTO POLICE SERVICES BOARD
REPORT (4-A)



March 31, 2008

To: Chair and Members
Toronto Police Services Board

From: William Blair
Chief of Police

Subject: AWARDING OF POLICE TOWING AND POUND SERVICES CONTRACTS

Recommendations:

It is recommended that:

- (1) the Board award the towing and pound services contracts effective June 1, 2008 to May 31, 2011 to the following towing companies:
 - (i) Towing District No. 1 – JP Towing Service and Storage
 - (ii) Towing District No. 2 – Walsh's Auto Service Ltd.
 - (iii) Towing District No. 4 – Williams Towing Service Ltd.
 - (iv) Towing District No. 6 – A Towing Service Ltd.;
- (2) the Board re-issue the towing and pound services quotation request for Towing District No. 5 and Towing District No. 3;
- (3) the Board request the current contract holder in Towing District No. 5 (Diamond Towing Limited) and the current contract holder in Towing District No. 3 (Abrams Towing Service Limited) extend their contracts for four months from June 1, 2008 to September 30, 2008;
- (4) in the event that either Diamond Towing Limited or Abrams Towing Service Limited is unwilling or unable to extend its current contract for the required period, the Board authorize the Chief of Police to request the towing operators in the adjacent towing districts to temporarily expand the boundaries of those districts until such time as a new contract for these districts can be awarded. Any such expansion of adjacent districts would be apportioned based on the respective towing and storage capacity of the adjacent operators.



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:

September 15, 2008

JP Towing Services Ltd.
11 Glen Scarlett Road
Toronto, Ontario
M6N 1P5

Dear Sir:

Re: Police Towing Contract

By previous letter of agreement (the "Agreement"), your towing company agreed to temporarily provide towing and pound services to the Toronto Police Service for the area identified in the Agreement, in addition to the police towing district for which your company was awarded a police towing contract. For your convenience, a copy of the Agreement is attached to this correspondence.

One of the terms of the Agreement was that your company provide the relevant services "for the period from June 1, 2008 up to and including September 30, 2008 or for such longer period, up to and including May 31, 2012, as may be directed by the Board, in its sole discretion, prior to September 27, 2008."

There has been a further delay in awarding the contract for Police Towing District No. 5. As a result, at its meeting held on August 21, 2008, the Board decided that, pursuant to the Agreement, it will direct your company to continue to provide the services identified in the Agreement, on the same terms and conditions as set out therein, for the period up to and including December 31, 2008 or for such longer period, up to and including May 31, 2012, as may be further directed by the Board, in its sole discretion, prior to December 23, 2008.

Please confirm your company's receipt and compliance with this direction by completing the attached copy of this letter and returning it to my attention.

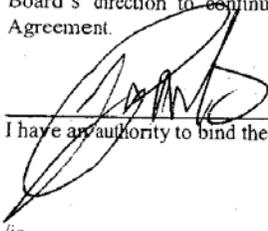
Thank you for your prompt attention to this matter.

Yours truly,

Judith Sacco
A/Manager, Purchasing Support Services

To Serve and Protect - Working with the Community

JP Towing Services Ltd. confirms its receipt of, and compliance with, the Toronto Police Services Board's direction to continue to supply towing and pound services in accordance with the Agreement.


I have authority to bind the corporation

9/23/08

/js
att.



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:

JP Towing
11 Glen Scarlett Road
Toronto, Ontario
M6N-1P5

*For ANITA KINASTOWSKI
City Solicitor*

Dear Sir:

Re: Police Towing Contract

As you are aware, at its meeting held on April 17, 2008, the Toronto Police Services Board (the Board) awarded various contracts for the provision of towing and pound services in the various police towing districts.

No contract was awarded at that time for Police Towing District No. 5 and the Board requested the current contract holder for that district to extend its current contract for four months from June 1 to September 30, 2008. If the current contract holder for that District was unable or unwilling to extend its contract, the Board also authorized the Chief of Police to request towing operators in the towing districts adjacent to District No. 5 to temporarily expand the boundaries of those districts until such time as a new contract for District No. 5 can be awarded.

As a towing operator in a district adjacent to District No. 5, as authorized by the Board, I am requesting that your company provide towing and pound services to the Toronto Police Service for an additional area with the following boundaries (the Services):

- North** Lawrence Avenue West, from Bathurst Street to Yonge Street.
- East** Yonge Street, from Lawrence Ave. West, to Church Street;
Southeast on Church Street to Bloor Street East.
- West** Bathurst Street from Lawrence Avenue West, south to Eglinton
Avenue; east on Eglinton Avenue to Spadina Road; South on
Spadina Road to Bloor Street West.
- South** Bloor Street West at Spadina Road to Bloor Street East at Church
St.

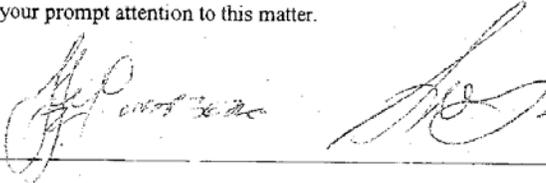
The offer is made on the following conditions:

- (i) Except as noted in (ii), below, your company provide the Services on the same terms and conditions as contained in its agreement for towing and pound services in District No. 1 and all references to the "District" contained in that agreement be deemed to include the area identified in this document for the period or periods identified in (ii), below.
- (ii) The Services be provided for the period from June 1, 2008 up to and including September 30, 2008 or for such longer period, up to and including May 31, 2012, as may be directed by the Board, in its sole discretion, prior to September 27, 2008. In the absence of such request, provision of the Services will automatically terminate after September 30, 2008.

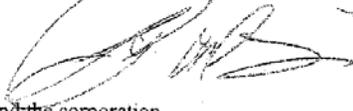
If this proposal is acceptable to your company, please have an authorized signing officer of your company sign and seal the attached copy of this letter in the appropriate spot and deliver it to 9 Hanna Avenue, Toronto, Ontario, to my attention no later than noon on May 29, 2008. If we do not receive an executed copy of this letter by that time and date, the Board and the Toronto Police Service will pursue other options with respect to the provision of towing and pound services for the area identified above.

Thank you for your prompt attention to this matter.

Yours truly,



JP Towing Services Ltd agrees to the expansion of its contract with the Toronto Police Services Board, dated May 31, 2008, on the terms and conditions set out in this letter.



I have an authority to bind the corporation



Towing Service & Storage Ltd.

December 12, 2011

Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3

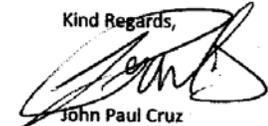
Attention Chair and Members of the Board.

Thank you for taking the time to address the following concerns. Attached is copy of my previous letter dated October 18, 2011, as well as correspondence from the prior arrangement detailing how District 5 would be divided by adjacent contractors. As per my previous letter below is a list of some concerns I would like to address in front of the Board today.

- There is no extra cost to the Toronto Police Services by assuming the previous arrangement of dividing the district between the adjacent contractors, instead it will mean a cost savings to Police Services as the division of the district will mean faster services provide to the Police Officers which will increase their efficiency.
- By dividing the district between the 4 adjacent contractors, a cost savings to the public will also be apparent as cab fares will cost less to the appropriate contractors impound yard.
- We have seen that this arrangement worked well as it was the arrangement prior to awarding the District 5 contract.
- In this current economy it would be beneficial to split up the Districts between the 4 adjacent contract providers to allow a fair distribution between the contractors as well as assist in the cost of recovery.

Thank you again for taking the time to review these concerns. Your consideration is greatly appreciated.

Kind Regards,



John Paul Cruz
President

24 Hour Service Tel: 416-203-9300 Fax: 416-203-9303

11 Glen Scarlett Road, Toronto, Ontario, Canada M6N-1P5

1-866-527-8225 (LAST CAL)

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P320. 2012 SERVICE PRIORITIES AND BUSINESS PLAN

The Board was in receipt of the following report November 28, 2011 from Alok Mukherjee, Chair:

Subject: 2012 SERVICE PRIORITIES AND BUSINESS PLAN

Recommendation:

It is recommended that the Board:

1. approve the 2012 Service Priorities;
2. extend the 2009 – 2011 Business Plan to December 31, 2012;
3. agree that the Business Planning Steering Committee will continue to meet to establish the objectives, performance measures and indicators for inclusion in the 2013 – 2015 Business Plan; and
4. forward a copy of the Business Plan and the 2012 Service Priorities to Toronto City Council.

Financial Implications:

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

Background/Purpose:

Section 30 (1) of the Adequacy and Effectiveness Regulation (O. Reg. 3/99) of the *Police Services Act* requires the Board to prepare a business plan, at least once every three years. In accordance with Ministry guidelines and the Board Business Plan Policy (attached), the Board, in partnership with the Chief of Police, prepares a strategy for the development of a business plan, consistent with the requirements of the Adequacy and Effectiveness Regulation.

The Board, at its meeting held on May 11, 2011 approved a recommendation that “interested Board Members, the Chief and Command Officers establish a Business Planning Steering Committee (the Steering Committee) to oversee the preparation of the draft 2012 – 2014 Business Plan, including the goals and priorities,” (Min. No. P112/11 refers).

Discussion:

Over the last year, the Toronto Police Service Corporate Planning Unit has conducted an environmental scan with respect to policing in the city. The scan examines a number of policing issues such as types of crime, calls for service, crime prevention initiatives, public disorder trends, and or any other policing and public safety matter within the community. Data collected from the scan was analyzed and used to identify and develop 2012 Service priorities. Corporate

Planning's methodology included community consultations, surveys, social media, focus groups, etc. Consultations with a number of internal and external stakeholders, included the following:

External

City Councillors
Businesses
Educational Institutions
Students (high school)
Academia
Social Services Agencies
Community Policing Liaison Committees
Youth in Policing Initiative Students
Criminal Justice

Internal

Executive Management Team
Senior Officers
Unit Representatives

Corporate Planning presented the scan information to the Steering Committee comprised of Board Member Judi Cohen, Chief Blair, Command Officers and myself. The Committee identified three new goals and has developed draft Service Priorities for 2012. However, given the current budget environment, and a number of ongoing initiatives including the *City of Toronto, Toronto Police Service: Service Efficiency Study*, the Toronto Police Service Efficiency Reviews and the Board's Budget Preparation Working Group, in order to ensure that Service priorities are aligned with the operating budget, the Steering Committee is recommending that the current business plan be extended for an additional year so that it can continue to develop the current process and take into consideration the results of the efficiency reviews and other initiatives in developing future Service priorities.

A copy of the draft 2012 Service priorities along with an explanatory note is attached for your consideration. An electronic copy of the 2009 to 2011 Business Plan is available for your review at: http://www.torontopolice.on.ca/publications/files/brochures/2009-2011business_plan.pdf.

Conclusion:

Therefore, it is recommended that the Board:

1. approve the 2012 Service Priorities;
2. extend the 2009 – 2011 Business Plan to December 31, 2012;
3. agree that the Business Planning Steering Committee will continue to meet to establish the objectives, performance measures and indicators for inclusion in the 2013 – 2015 Business Plan; and
4. forward a copy of the Business Plan and the 2012 Service Priorities to Toronto City Council.

The Board approved the foregoing report.

Briefing Notes for Board Members Concerning

<u>Subject:</u>	2012 Service Priorities	<u>Date:</u>	2012.01.19
<u>Board Agenda: Public/Confidential</u>		<u>From Chief of Police:</u>	
Board Date: 2011.12.15 Item No.:		William Blair	
<u>Recommendations</u>		<u>Analyst</u> Corporate Planning	
<u>General Information/Highlights:</u>			
<p>A pared-down version of the 2009-2011 Priorities and Goals has been prepared for discussion re: continuing through 2012.</p>			
<u>Significant Observations and Conclusions:</u>			
<p>A number of the current 2009-2011 goals have been removed, for one of two reasons:</p> <ul style="list-style-type: none"> • some goals were removed because they were not going to be recommended for continuation in a new business plan (<i>they were not going to be recommended to continue either because they were no longer believed relevant or necessary due to consultation and/or scanning information, or processes have already been put in place to address the issue</i>); • other goals were removed because they were not feasible in 2012 (<i>for example, the goal dealing with recruiting</i>). <p>However, to address Adequacy Standards requirements, some goals that were not going to be recommended for continuation in a new business plan have been left in the proposed 2012 document. The Adequacy Standards require that performance indicators address a number of specified areas (e.g. youth crime, traffic, assistance to victims, etc.); the goals and performance indicators remaining in this pared-down version of the Service Priorities cover all the required areas.</p> <p>The following changes have been made to the 2009-2011 version of the Service Priorities:</p> <ul style="list-style-type: none"> • ‘Focusing on Child and Youth Safety’ Priority – no changes made • ‘Focusing on Violence Against Women’ Priority – goal focusing on sexual assault removed (<i>due to bullet one above</i>) • ‘Focusing on People with Distinct Needs’ Priority – no changes made • ‘Targeting Violence, Organized Crime, and Gangs’ Priority – no changes made • ‘Delivering Inclusive Police Services’ Priority – goal dealing with recruitment/retention/promotion removed (<i>due to bullet two above</i>) 			

- ‘Addressing Community Safety’ Priority – goal dealing with emergency preparedness removed, goal addressing community perceptions of safety removed, and hate crime goal removed (*all due to bullet one*); “targeting seniors” added to cyber goal as requested in the September meeting
- ‘Ensuring Pedestrian and Traffic Safety’ Priority – “education” added to first goal as requested in September meeting; second goal dealing with traffic inclusion in divisional crime management removed (*due to bullet one*)

2012 Service Priorities

Priority: Focusing on Child & Youth Safety

Violence committed upon and by youth continues to be an issue of great concern for the community and the Toronto Police Service. It is vital that we work to address the safety and security needs of children and youth. The safety of youth in schools, bullying, youth non-reporting of victimization, and the need to build trust and positive relationships with youth were all identified as issues of particular concern in the 2008 Environmental Scan and consultations.

Goals:

Increase safety in and around schools and promote student trust and confidence in police.

Performance Objectives/Indicators:

- ◆ increase in student perception of safety in and around school
- ◆ increase in proportion of students who feel comfortable talking to police
- ◆ decrease in assaults, robberies, and weapons offences on school premises

Provide youth with crime prevention and safety information, and encourage reporting.

Performance Objectives/Indicators:

- ◆ increase in proportion of students who say they received some crime prevention/safety information
- ◆ increase in proportion of students who would be willing to report a crime to police
- ◆ an increase in the number of crimes that are reported by youth
- ◆ increase in proportion of students who would be willing to provide information to police about a problem or a crime

Reduce the impact and effects of bullying and cyber-bullying.

Performance Objectives/Indicators:

- ◆ increase in proportion of students who received information on bullying and/or cyber-bullying
- ◆ decrease in proportion of students who say they were victims of bullying and cyber-bullying
- ◆ decrease in the proportion of student who say they are concerned about bullying in/around their school

Focusing on violent crime, prevent and decrease the victimization of children and youth.

Performance Objectives/Indicators:

- ◆ decrease in number of children (0-11 years) victimized by violent crime
- ◆ decrease in number of youth (12-17 years) victimized by violent crime

Priority: Focusing on Violence Against Women

Women who have been victimized by violence remain a focus for the Toronto Police Service. Service goals will build on those of the previous Business Plan. The Service will continue to improve response to victims of sexual assault and domestic violence by providing needed supports and by increasing trust and confidence in the Police Service's ability to meet the diverse needs of victims. These goals address the Statistics Canada finding, noted in the 2008 Environmental Scan, that fewer than 1 in 10 sexual assault victims report to police, and address other issues raised in focus groups and telephone follow-up calls with victims of domestic violence.

Goal:

Focusing on domestic violence:

- (a) Improve the provision of support, follow-up information, and referrals to victims, and
- (b) Increase reporting by victims.

Performance Objectives/Indicators:

- ◆ increase in perception of agency workers of improved provision of follow-up information by police
- ◆ increase in perception of agency workers of improved provision of referrals by police
- ◆ increase in perception of agency workers of trust/confidence in police
- ◆ increase in number of domestic occurrences reported to police

Priority: Focusing on People with Distinct Needs

The concerns of and issues related to people with distinct needs were raised in a number of consultations held in early 2008 and are discussed in the 2008 Environmental Scan. Once again, the need to build trust between the police and these people was highlighted. With the aim of fostering mutually respectful and beneficial relationships, the Police Service is committed to providing professional and non-biased service to all those who need them.

Goals:

Develop trust between the police and groups such as seniors, Aboriginal people, newcomers to Toronto, homeless people, and those with mental illness.

Performance Objectives/Indicators:

- ◆ increase in perception of agency workers (dealing with each of the listed groups) of trust/confidence in police
- ◆ increase in perception of agency workers (dealing with each of the listed groups) of police understanding of the needs of their client population

Ensure that all victims of violence, including the families and friends of victims if appropriate, have access to victim services and support.

Performance Objectives/Indicators:

- ◆ increase the number of referrals to Victim Services

Priority: Targeting Violence, Organized Crime, and Gangs

In the Service's 2007 community survey, people identified guns and gangs as two of the most serious policing problems in Toronto. Drugs were identified as a serious problem for some neighbourhoods. In consultations with the public and with Service members, participants also stressed drug distribution and use as sources of violence and crime, and as having a strong negative impact on the quality of life in those affected communities. The perceived increase in crack houses and marijuana grow-ops in residential neighbourhoods was a particular concern for many in the community. Organized crime groups are frequently cited as using violence and facilitating drug production and distribution. The Police Service is committed to enforcement activities that will address these critical issues affecting community safety.

Goals:

Reduce violent crime, especially shootings, and illegal gun activity.

Performance Objectives/Indicators:

- ◆ decrease in number of shootings
- ◆ increase in number of firearms seized
- ◆ decrease in rate of violent crime
- ◆ increase in community perception of police effectiveness in dealing with gun crimes

Reduce the availability and impact of drug activity on neighbourhoods.

Performance Objectives/Indicators:

- ◆ increase in number of persons charged with drug offences
- ◆ decrease in proportion of community concerned about drugs in their neighbourhood
- ◆ increase in community perception of police effectiveness in enforcing drug laws

Priority: Delivering Inclusive Police Services

Although the members of the Service generally enjoy the good opinion of our communities, we must always strive to preserve and improve this positive regard. The manner in which members interact with the community, and each other, can be a major factor in the success of a police service. The Toronto Police Service is committed to providing, internally and externally, equitable and professional services. Further, recognizing and valuing the diversity of the city, the Police Service must ensure that we continue to strive to be representative of the communities we serve.

Goal:

Focusing on interactions with others:

- (a) Provide policing services to and/or interact with members of the community in a professional, non-biased manner, and
- (b) ensure interactions with other Service members are professional, non-biased, and respectful.

Performance Objectives/Indicators:

- ◆ increase in community perception of professionalism during contact with police
- ◆ decrease in proportion of community who believe that Toronto Police officers target members of minority or ethnic groups for enforcement
- ◆ decrease in member perception of internal discrimination
- ◆ decrease in number of internal complaints related to harassment and discrimination

Priority: Addressing Community Safety Issues

Members of the community should be able to move about and conduct their personal and business lives without fear of danger, crime, intimidation, or harassment. The Police Service must ensure that we have the ability and are prepared to deal with incidents that can affect a large number of people – large-scale emergency events, hate crime, crime facilitated by technology, or crimes which may affect entire communities. At the same time, the Service must strive to provide people with the information they need to realistically assess safety and levels of crime in their communities.

Goal:

Improve the Service's ability to analyze crimes committed using technology (computer-assisted crimes), particularly frauds and identity thefts **targeting seniors**.

Performance Objectives/Indicators:

- ◆ Service ability to track occurrences of computer-assisted frauds, computer-assisted identity thefts, and computer-assisted hate crimes
- ◆ increase in number of reported computer-assisted frauds
- ◆ increase in number of reported computer-assisted identity thefts

Priority: Ensuring Pedestrian and Traffic Safety

The traffic on Toronto's roadways affects almost everyone within the City and was a consistent theme at public meetings held early in 2008. It was also identified in the Service's community survey as one of the most serious problems affecting neighbourhoods. The safety of pedestrians, cyclists, and drivers and the safe and efficient flow of traffic are, therefore, of significant concern to the Toronto Police Service. Mobilizing local communities to respond to local traffic problems will assist in sustaining successful efforts and improving neighbourhood roadway safety.

Goal:

Increase traffic enforcement **and education** to better protect the safety of pedestrians, cyclists, and drivers.

Performance Objectives/Indicators:

- ◆ decrease in number of road-related injuries to pedestrians
- ◆ decrease in number of road-related injuries to cyclists
- ◆ decrease in number of road-related injuries to drivers
- ◆ increase in pedestrian perception of safety
- ◆ increase in cyclist perception of safety
- ◆ increase in driver perception of safety

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P321. TORONTO POLICE SERVICE – POLICE REFERENCE CHECK
PROGRAM OUTSOURCING SERVICES TO A THIRD PARTY
COMPANY**

The Board was in receipt of the following report November 24, 2011 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE – POLICE REFERENCE CHECK PROGRAM
OUTSOURCING SERVICES TO A THIRD PARTY COMPANY

Recommendations:

It is recommended that:

1. the Board receive this report for information

Financial Implications:

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

Background/Purpose:

At its meeting of September 14, 2011, the Board received a report entitled “2012 Operating Budget” with an attached discussion paper written by the Board Chair entitled “Avoiding Crisis, an Opportunity: Transforming the Toronto Police Service” (Min. No. P229/11 refers).

The following is an excerpt from the Board Chair’s discussion paper:

3.6 Use of Alternative Customer Service Methods

Each year, the Service receives a very large volume of requests for criminal records and police background checks. A user fee is charged for processing these requests and a team of dedicated staff is assigned to this task. Whether the user fee charged is sufficient to cover the true cost of the operation is open to question. And even if it did, this is not a core service. It is, however, an important service and there may be another method of providing it that is equally, if not more, efficient, creates less demand for human resources and costs less. I understand that there are private entities that provide this service on-line, for a fee, which they share with the police service. I further understand that the service they provide is fast, completely confidential, and being entirely on-line, does not involve any line-up. It would appear, then, that outsourcing of criminal records and police background checks to one of these providers can be beneficial to both, the Board and the requester of service. I, therefore, recommend that the Board approve, in

principle, the outsourcing of this particular service pending a full report from the Chief within two months, of the feasibility and financial implications as well as the human resources impact of this alternative method of providing this service.

As a result of this meeting, the Board received several recommendations, one of which included the following:

Use of Alternative Customer Service Methods

3(e) The Board approve, in principle, the outsourcing of police background and criminal record checks pending a full report from the Chief within two months, on the feasibility, financial implications and human resources impact of using this alternative method for providing this service as of 2012.

This report provides the Board with the history of, and current services provided by, the Toronto Police Service (Service) – Police Reference Check Program (PRCP), as well as other preliminary research material pertaining to online private screening companies (third party companies). Financial implications and human resource impacts of outsourcing PRCP services are broadly discussed but could not be comprehensively addressed due to the lack of supporting data available at this time. It is the intent that this information may assist the Board in determining if further examination of outsourcing criminal record checks to a third party company is warranted.

It has been determined that a Request for Information (RFI) will not be adequately responsive to the Board Chair's recommendation; an RFI does not solicit or contain financial information. A Request for Proposal (RFP) would contain financial information, however, proceeding with a RFP would not be appropriate until a decision to outsource background checks to a third party company has been rendered.

Discussion:

The PRCP has been established pursuant to the Service's mandated responsibilities under the *Police Services Act* (PSA).

Police Services Act

Stated in part:

Declaration of principles

1. Police services shall be provided throughout Ontario in accordance with the following principles:

1. The need to ensure the safety and security of all persons and property in Ontario.
2. The importance of safeguarding the fundamental rights guaranteed by the *Canadian Charter of Rights and Freedoms and the Human Rights Code*.

3. The need for co-operation between the providers of police services and the communities they serve.

Though not a “core function”, the PRCP fulfills the Services’ commitments as set out in its Mission and Vision Statements:

Stated in part:

Mission Statement

“We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.”

Vision Statement

“...We are committed to deliver police services, which are sensitive to the needs of the community, involving collaborative partnerships and teamwork to overcome all challenges...”

PRCP – History

Commencing in the 1980’s, the Ministry of Community and Social Services (MCSS) required that all of its directly operated programs have criminal reference check policies and procedures that would be part of the selection process for persons applying for positions involving direct service to vulnerable persons. The MCCS strongly recommended criminal reference checks as a preferred practice for the programs involving vulnerable persons that it directly or indirectly funded.

“Vulnerable persons” as defined in the *Criminal Records Act*, means persons who, because of their age, a disability or other circumstances, whether temporary or permanent,

- (a) are in a position of dependence on others or
- (b) are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.

At that time, the Service provided a small scale criminal reference check program, free of charge.

Effective March 1, 1995, a new mandatory MCSS screening policy was introduced. The policy directed all agencies, funded or licenced by the MCSS, providing direct service to vulnerable persons, be required to have criminal reference check policies and procedures in place. At a minimum, criminal reference checks had to be applied to all successful candidates for full and part time positions and agency volunteers having direct contact with vulnerable persons.

The Service began development of a more robust program to assist the agencies with their screening policy requirements.

At its meeting on May 25, 1995, the Board received a report establishing a formal program to address the MCSS policy for providing criminal reference checks, as well as cost recovery fees (Min. No. P212/95 refers).

At its meeting on January 29, 1998, the Board received an in-depth report that analyzed the initial two years of operating the criminal reference check program (renamed PRCP to better reflect the program's intent and focus), including staffing and cost recovery deficiencies. At that time, the Board approved additional processing fees and increased part time staffing (Min. No. P40/98 refers).

In August 2000, the federal government introduced new legislation (Bill C-7 "*An Act to Amend the Criminal Records Act*") which provided an indication in the national automated criminal records retrieval system of the existence of certain pardoned records. This indication would allow for such records to be disclosed in order to be used in screening individuals for positions of trust or authority in relation to vulnerable persons.

PRCP screenings increased dramatically due to heightened public awareness of the vulnerability of at-risk groups, as a result of the following of local high profile issues such as the historical assaults at Maple Leaf Gardens.

At its meeting June 27, 2002, the Board received a report regarding a comprehensive overview of the PRCP and addressed several issues concerning the Record Retention Schedule (Min. No. P162/02 refers).

At its meeting April 16, 2009, the Board received a report pertaining to the operational procedures established by the Service regarding disclosure of records relating to apprehensions under the *Mental Health Act* and partnered agency requirements under the *Human Rights Code* (Min. No. P29/09 and Min. No. P111/09 refers).

At its meeting November 15, 2010, the Board received a report from the Chair indicating that a comprehensive review of all Board policies had been completed to ensure they are clear, understandable, consistent, and accessible. At this time the PRCP policy had been retitled, "Vulnerable Sector Screening Program – Police Reference Check Program".

The PRCP has evolved over several years to incorporate a variety of components into its processes, including:

- Legislation
 - Federal – *Criminal Records Act* - disclosure of records and information
 - Provincial – *Human Rights Code*, - privacy issues and challenges regarding inclusion/suppression information
 - Municipal – *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, and Toronto Municipal Board, Chapter 219, *Record Retention Schedule* – privacy and record retention issues

- Royal Canadian Mounted Police (RCMP) – Canadian Criminal Real Time Identification Services – Dissemination of Criminal Record Information Policy (RCMP Policy)
 - dissemination of information contained in the Canadian Police Information Centre (CPIC) system
- Board Policy
 - “Management of Police Records”
 - “Vulnerable Sector Screening Program – Police Reference Check Program”
- Ontario Association of Chiefs of Police (OACP) – Law Enforcement & Records Network (LEARN) Guidelines
 - guidelines for conducting police record checks
- Partnerships with organizations/agencies in the community
 - volunteer/paid employee positions working with vulnerable persons
- Service response to community concerns
 - high profile investigations such as the historical assaults at Maple Leaf Gardens
 - challenges of disclosure of police records relating to *Mental Health Act* contacts with Service
- New technology
 - Development of online process for obtaining clearance letters

PRCP – Present

The two main services provided by the PRCP are the facilitation and issuance of “Clearance Letters”, as well as conducting vulnerable sector checks through the “Vulnerable Sector Screening Program”.

The Service is currently partnered with approximately 2,234 agencies for the purposes of the PRCP.

The staffing, management, and daily operations of the PRCP are administered by the Service’s Record Management Services (RMS).

A Class 7 - Group Leader oversees PRCP personnel, which is comprised of 20 civilian members including:

<u>No. of Staff</u>	<u>Pay Class</u>	<u>Status</u>	<u>Annual Salary (\$)</u>
1	Class 7	Permanent	62, 826.40
16	Class 5	Permanent	53, 999.40

3	Class 4	Temporary	40,640.60
1	Class 2	Permanent	38,038.00
Total Salaries			\$ 1,086,776.60

The services provided by the PRCP are as follows:

- Clearance Letters

A Clearance Letter is a formal document issued by the Service and produced on secured paper indicating that the subject applicant of the Clearance Letter has no criminal convictions in the National Repository of Criminal Records maintained by the RCMP. This process is based on RMS staff conducting a name and date of birth query of CPIC and then assessing the results.

There are three methods for obtaining Clearance Letters including; online, in-person, and authorized (third party) application.

All methods have applicant attendance requirements for identification verification purposes in order to meet mandated RCMP Policy:

- online applicants can submit an application via the Service's internet website and choose to attend one of nine designated Service locations with two pieces of identification to pick up a completed Clearance Letter
- in-person applicants must attend Service headquarters with two pieces of identification at the time of initial application and their completed Clearance Letter will be mailed to them
- an authorized third party may place a request on behalf of an applicant by attending Service headquarters with one piece of personal identification and two pieces of the applicant's identification along with an authorization letter. The completed Clearance Letter will then be mailed to the applicant

The processing fee is \$20.00 (plus tax) for all methods. There is an approximate turnaround time from one to three days (24 – 72 hours), however, PRCP staff may provide a Clearance Letter on demand for compassionate reasons and without additional charge.

These processes are described in detail on the Service's internet website and provide the public with in-depth information regarding requirements.

- Vulnerable Sector Screening Program

This program provides a comprehensive vulnerable sector check that is performed for people who will be working or volunteering with vulnerable persons. Unlike the criminal record check conducted for clearance letters, the vulnerable sector check includes name and date of birth queries of CPIC data bases, Pardoned Sex Offender Registry, and local records for the following information:

- Outstanding criminal and provincial statute warrants
- All outstanding charges before the courts
(Charged entries, including conditional release information)
- Missing person/Elopee Information
- Probation information
(Includes peace bonds, restraining orders, and reporting conditions)
- All prohibitions
(Includes firearms, driving, hunting and boating)
- Parolee information
(Federal and Provincial)
- Refused information
(Firearm acquisition certificates)
- Special Interest police information
(Includes persons who have attempted to commit suicide while in police custody or not; persons who are known to be violent towards the police, himself/herself or other persons; and persons who are foreign fugitives where no warrant is available or the fugitive is not arrestable in Canada)
- Persons of Interest
(Includes persons who are suspected of committing criminal offences; persons involved in a serious criminal investigation; and persons who feel they are in danger of family violence)
- Criminal Record Information
- Special Address Information
(Information pertaining to addresses involved in criminal activity or domestic situations)
- Non-Indictable Information

RCMP Policy dictates that a vulnerable sector check must be completed by the police agency in which the applicant resides, and results will only be released directly back to the applicant.

The Service charges \$50.00 (plus tax) for a vulnerable sector check for those who are seeking employment within the vulnerable sector, and \$15.00 (plus tax) for a vulnerable sector check for those who are seeking to volunteer within the vulnerable sector.

RCMP Policy also directs that a vulnerable sector check requires the submission of fingerprints whenever the gender and date of birth of the applicant matches to an existing pardoned sexual offence record. This is not an accusation of criminality, but is required to verify the person's identity and to protect personal privacy. This fingerprinting process must be completed by the Service and requires a \$25.00 fee from the applicant that is forwarded to the RCMP.

These vulnerable sector check processes are described in detail on the Service's internet website and provide the public with in-depth information regarding consent and disclosure requirements as well as online forms.

In compliance with Board Policy, the PRCP has also included a process to ensure that applicants may discuss the results of any police reference check completed regarding themselves with a member of RMS to ensure that they understand the information disclosed. This is also an opportunity to raise any concerns they may have regarding the appropriateness of specific disclosure relating to any contact with the Service under the *Mental Health Act*. The request to include disclosure of any *Mental Health Act* information is indicated by the requesting agency on the waiver form.

The PRCP also provides for the consideration, internally, of any concerns raised by an applicant relating to the suppression of any contact with the Service under the *Mental Health Act*. Applicants may submit a request in writing to the Manager of RMS. This process is also described in detail on the Service's internet website.

The following Appendices have been included in this report to assist the Board with an understanding of the current services provided by the PRCP, as well the required information provided to the public, as established by Board policy and contained on the Service's internet website:

- Appendix – A Records Management – Online Clearance Letter System
- Appendix – B Police Reference Check Program – Information about the Vulnerable Sector Screening
- Appendix – C Police Reference Check Program – Police Reference Check Process
- Appendix – D Police Reference Check Program – Suppression of Mental Health Apprehension Records Policy
- Appendix – E Information Sheet – Vulnerable Sector Screening Process

The following data reflects the number of requests and revenue generated by PRCP services in 2010:

<u>2010 PRCP Services</u>	<u>No. of Requests</u>	<u>Fees Received (\$)</u>	<u>Revenue (\$)</u>
Clearance Letters	34, 299	25.00	968,946.75
Vulnerable Sector Screening Program	47, 590		
(for employed positions)	11,543	45.00	586,961.55
(for volunteer positions)	36,047	15.00	610, 996.65
Toronto Grant Programs & Contact Persons (TGPCP)	3421*	0.00	0.00
Toronto Transit Commision (TTC)	439*	0.00	0.00
Total Revenue :			\$2,166,904.95
			(includes HST)

* These totals are Vulnerable Sector Screening Program checks conducted by the PRCP at “no charge” for the TGPCP and TTC.

There have been some changes to the PRCP fee structure in 2011. At its meeting in June 9, 2011, the Board approved the following (Min. No. P157/11 refers):

- a reduction of fees for Clearance Letters from \$25.00 to \$20.00.
- an increase of fees for Vulnerable Sector Screening – employment positions from \$45.00 to \$50.00

In 2010 (August to December), the Service fingerprinted approximately 1650 applicants as part of the PRCP process.

Outsourcing – Third Party Company

The online automating of a portion of the criminal record and/or vulnerable sector check process utilized by a police agency partnered with a third party company is regulated and referred to in the RCMP Policy as a “virtual front counter,” pursuant to an agreement between a police agency and a third party company. The process usually involves a third party company and must meet RCMP Policy requirements. An applicant’s personal information is securely transmitted to the police agency for the purposes of conducting a criminal record and/or vulnerable sector check. Based on the results and written consent of the applicant of a vulnerable sector check, a police

agency may only provide the results directly to the applicant or authorized vulnerable sector organization, pursuant to the *Criminal Records Act*.

A fundamental component, essential to a comprehensive criminal record or police background check is the utilization of the CPIC system. CPIC is a computerized information system providing all Canadian law enforcement agencies with information on crimes and criminals. CPIC has the ability to access the RCMP - National Repository of Criminal Records for active criminal files and pardoned criminal files associated with sexually-based offences.

CPIC is electronically accessed by authorized agencies (including police agencies) based on name and date of birth queries and cannot be directly accessed by a third party company for the purposes of providing criminal record or police background checks. A third party company must partner with a police agency to gain access to the information contained on CPIC.

A third party company, utilizing information received from a CPIC query conducted by any partnered police agency, may facilitate the process for providing a criminal record check to an applicant from any jurisdiction. The involvement of the local police agency from the jurisdiction in which the applicant resides is not mandatory.

Conceivably, this could relieve the Service of any of its involvement in the Clearance Letter portion of the PRCP. However, in consequence, the Service would completely lose this portion of revenue. This would be unprecedented, as all major Canadian police agencies have an involvement in the process of providing criminal record checks. The issue may require examination in a future review of Service functions.

Vulnerable sector checks require queries of CPIC, Pardoned Sex Offender Registry, and local police databases from the jurisdiction in which the applicant resides. In essence, the police agency is still required to conduct record checks. The Service could not relinquish this responsibility to another police agency.

The RCMP Policy governs the use of CPIC and the dissemination of information contained therein. The RCMP Policy was developed in accordance with federal legislation including, the *Criminal Records Act*, *Criminal Code*, *Youth Criminal Justice Act*, *Privacy Act*, etc.

The *Criminal Records Act* establishes the RCMP as the custodian of criminal records. This *Act* further stipulates that a vulnerable sector check may only be performed by a police service or other authorized body. The RCMP indicates that, currently, only British Columbia has a designated authorized body (Ministry of Public Safety and Solicitor General) with authority to conduct vulnerable sector checks.

The RCMP Policy also establishes numerous stringent conditions for agreements that have been entered into between a police agency and a third party company for whom they are conducting criminal record and/or vulnerable sector checks. All agreements must be reviewed and approved by the RCMP.

Excerpts from the RCMP Policy (Appendix - F) have been included to illustrate to the Board some of the responsibilities placed upon the police agency should they enter into an agreement with a third party company, as well the requirements to be met when incorporating a “virtual front counter”.

Preliminary research indicates that some third party companies will offer an applicant their results within twenty four hours. Due to the requirement to check local databases, a police agency would require the staffing available to meet those expectations.

For example, if the Service was partnered with a third party company that offered a 24 hour turnaround time for criminal record or vulnerable sector checks, it is estimated that additional staff would be necessary. This is based upon the current volume of record check requests and addresses weekends and holidays not currently covered by the Service.

A review of pricing for several third party companies indicates a range of \$30.00 – 59.00 (plus taxes) for a criminal record check that may include a certified police letter. As stated earlier in this report, the PRCP provides an applicant with a Clearance Letter for \$20.00 (plus tax).

Internet research of twenty Canadian police agencies revealed that only two have partnered with a third party company:

<u>Police Agency</u>	<u>Partnered</u>	<u>Police Agency</u>	<u>Partnered</u>
York Regional Police	No	Vancouver Police Department	No
Peel Regional Police	No	Victoria Police Department	No
Durham Regional Police Service	No	Edmonton Police Service	No
Ontario Provincial Police	No	Calgary Police Service	No
Halton Regional Police Service	No	Regina Police Service	No
Hamilton Police Service	No	Winnipeg Police Service	No
London Police Service	No	Montreal Police Service	No
Ottawa Police Service	No	Fredericton Police Force	No
Kingston Police Service**	No	Halifax Regional Police***	Yes
Gananoque Police Service***	Yes	Royal Newfoundland Constabulary	No

** This police agency has it’s own online application process (virtual front counter) for criminal record and vulnerable sector checks but is not partnered with a third party company.

*** These two police agencies offer an applicant the option of utilizing the online services provided by a third party company for criminal record checks but not vulnerable sector checks. These police agencies still conduct the CPIC queries on behalf of the third party company.

When contacted, the RCMP would not provide a list of either third party companies, or Canadian police agencies, that have partnered for the purpose of criminal record checks.

Conclusion

The PRCP has evolved over several years to encompass an accumulation of legislation, policies, guidelines, community concerns, and the integration of new technology. Though not a “core function”, the PRCP has the sensitive and finite task of providing a necessary public service, while balancing the rights of an individual with the needs and protection of the community. The PRCP does not prevent the abuse of vulnerable persons, however, it does assist in identifying persons convicted, charged, and/or investigated for such offences in the past.

In light of binding legislation and policies regarding third party companies and virtual front counters, the outsourcing of services is limited. A police agency that partners with a third party company is obligated to conduct record checks, assume management of third party compliance and accreditation requirements set out in the RCMP Policy, and may be pressured to sustain a company’s service delivery guarantee (i.e. 24 hour turnaround time for results).

Although the aspect of third party outsourcing may, on the surface appear to offer efficiencies, the Service will not be relieved of the need to maintain the PRCP initiative; it will mean that the work will continue to be completed, but the revenue (approximately 2.1 million dollars) will be shared with the third party company. Based upon the information available, there is limited or no benefit to outsourcing the Clearance Letter portion of the PRCP. Likewise, outsourcing the Vulnerable Sector Screening Program portion of the PRCP would still require Service resources and involvement for adherence to legislation and policy.

The Service must proceed carefully and should only consider an alternative process if it is able to provide the public and partnered agencies with more effective and cost efficient methods for obtaining criminal record and vulnerable sector checks, than that currently provided by the PRCP.

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

The Board approved the following Motions:

- 1. THAT the Board refer the foregoing report to the Chair for further analysis and request him to report back to the Board; and**
- 2. THAT the Chief of Police provide a further report to the Board’s February 2012 meeting on the following:**
 - the benefits and premium pay paid to and contributions made on behalf of the PRCP staff in the Records Management Services Unit in 2009, 2010 and 2011;**
 - the net revenue, excluding HST, for 2009, 2010 and 2011;**
 - the amount remitted in HST in 2009, 2010 and 2011; and**
 - any portion of the HST that was rebated in 2009, 2010 and 2011.**

**TORONTO POLICE SERVICE
POLICE REFERENCE CHECK PROGRAM**

**OUTSOURCING SERVICES
TO A THIRD PARTY COMPANY**

**APPENDIX
(A – F)**

Appendix - A

- I am looking for...
 - o Local Police Stations
 - o Criminal Background Check
 - o Police Reference Check
 - o Online Crime Reporting
 - o Bicycle Registration
 - o Newcomer Outreach
 - o A Guide to Police Services
 - o Employment Information
 - o Child Car Seat Safety
 - o Kids Safety Zone
 - o Elder Abuse Information
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 - o Telephone Directory

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Social Media Initiative

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- Crime Statistics
- Corporate Communications

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- Kids' Safety Zone
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- Community Consultative Process
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- Community Mobilization Workshop
- Volunteers & Auxiliary
- Employee Family Assist.
- ProAction Cops & Kids
- Youth In Policing Initiative

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Other Sites

Records Management Online Clearance Letter System

Overview

Toronto Police is pleased to introduce a new online Clearance Letter application. The new application provides you with an easy and more convenient way of requesting a Clearance Letter.

A Clearance Letter is a formal document **issued by the Toronto Police Service** and produced on secured paper indicating that the subject applicant of the Clearance Letter has no criminal convictions in the National Repository of Criminal Records maintained by the RCMP. With our new online program you can request a clearance letter at your convenience.

A Clearance Letter is not suitable for individuals being employed and/or volunteering with vulnerable persons*. A more comprehensive process is available through the Police Reference Check Program. Further information is available on our web-site under the link "Police Reference Check Program".

* Vulnerable person means a person who, because of their age, a disability, or other circumstances, whether temporary or permanent, are (a) in a position of dependence on others or (b) are otherwise at a greater risk than the general population of being harmed by person(s) in a position of authority or trust to them.

Are you eligible?

If you have charges at present before the courts, you may still be eligible for a Clearance Letter; however, your letter will state "before the courts".

A recent RCMP national broadcast has directed all Police Services that fingerprints be required for positive identification before criminal records are released. Therefore, should any criminal history about you be on file, your application will be returned back to you. It will then be necessary for you to have your fingerprints taken as a confirmation of identification. To do this, please attend one of the various private RCMP accredited fingerprinting agencies listed in your local telephone book or on-line under fingerprinting services. When you have received your confirmation of your identity back from RCMP, please attach it to your application and return to Toronto Police Service, 40 College St. Toronto, Ontario.

Further information on the new RCMP CPIC policy is available on their web-site www.cpic-cipc.ca. Information regarding the RCMP's Civil Fingerprinting Services can be found at <http://www.rcmp-grc.gc.ca/cr-cj/fing-empr-eng.htm>

If you require fingerprints a further confirmation of identification, for the purposes of immigration or any other civil matter, please attend one of the various private R.C.M.P. accredited fingerprinting agencies listed in your local telephone book, or on-line under fingerprinting services.

NOTE: The Toronto Police Service does not take fingerprints for civil purposes (e.g. visas, immigration, etc.) and is not affiliated with any private fingerprinting agency.

How to apply for a Clearance Letter

What you need

Two pieces of government issued identification are required, one of which must contain a photograph and signature. One must include your name and date of birth

[Click here to view suitable forms of Identification.](#)

Payment options

The processing fee is CA\$22.60 (taxes included), which can be paid by Visa or MasterCard for internet applications or by Visa, MasterCard, Interact or cash for in-person applications.

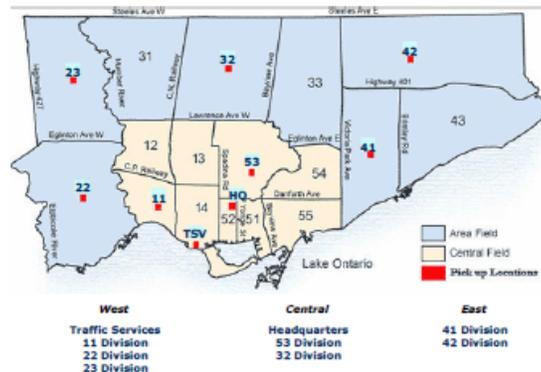
The processing fee is NON-REFUNDABLE.

Request Options

Online: By selecting this method, you can choose to pick-up your completed letter from one of our designated locations:

Appendix - A

- City of Toronto
- Male Chorus
- Police Services Board
- Provincial Rope Squad
- Toronto EMS
- Toronto Fire Services
- Links



Hours of Operation: All locations are open 24 hours a day, 7 days a week with the exception of HEADQUARTERS which is only open from 7am to 7pm.

For verification, the same two pieces of identification you indicated on your application must be presented at time of pick-up.
Note: a Clearance Letter will be ready for pick-up within a short time frame.

In person: Simply print and fill out the following Criminal Record Search Form then bring it, along with two pieces of identification, to police headquarters, 40 College Street, Toronto between the hours of 7:15 a.m. and 5 p.m., Monday to Friday (excluding holidays).

Authorized person (third party): You may authorize a third party to place a request on your behalf. The authorized third party must present two pieces of your identification, an authorization letter from you and one piece of personal identification, to police headquarters, 40 College Street, Toronto, between the hours of 7:15 a.m. and 5 p.m., Monday to Friday (excluding holidays).

A Clearance Letter does not satisfy the needs of the social agencies (e.g. Big Brothers, Scouts Canada, and Toronto Parks & Recreation etc.) that have entered into a memorandum of understanding with the Toronto Police Service for the purpose of a police reference check. For further information regarding this type of check, please go to the Police Reference Check Program link. It is also not accepted by the National Parole Board or the Ministry of Government Services for the purpose of obtaining a pardon or name change. Individuals requiring a record check for this purpose must submit the necessary documentation. For further information contact our information line at 416-808-7991.

If you have any questions about Clearance Letters, please contact the Clearance Letter and Criminal Check office 416-808-7991.

Terms and Conditions related to the use of this website

Please note that this website is provided "as is" and should be accessed and used by you at your own risk. Although reasonable efforts are made to ensure that the website will be current and will contain no errors or inaccuracies, no representations, warranties, guarantees or conditions (whether express or implied) are given as to the operation of this website or that this website and the information, content or materials included in this website will be error free or completely accurate or current at all times.

The Toronto Police Service also reserves the right at any time to modify or discontinue, temporarily or permanently, this website with or without notice.

Please note, personal information received by the Toronto Police Service through this website, with the exception of credit card information, will be retained in accordance with the Toronto Police Service Record Retention Schedule and subject to Ontario Privacy Laws.

For the purpose of payment, credit card information will be handled by Moneris Solution Corporation. Please refer to their website for their Privacy Policy at www.moneris.com.

By accepting the terms and conditions, you:

- acknowledge and agree that the City of Toronto, the Toronto Police Services Board, the Toronto Police Service and their agents are not liable in any way for failure of receipt of information submitted through this website and agree to hold harmless the City of Toronto, the Toronto Police Services Board, the Toronto Police Service and their agents; and
- agree to indemnify and hold harmless the City of Toronto, the Toronto Police Service and the Toronto Police Services Board and all of their respective agents, officials, servants, successors and assigns of and from any claim or demand, including reasonable legal fees, made by a third party due to or arising from the information you submit, your use of the website, your violation of the Terms and Conditions or your violation of any rights of another.

I have read, understood and agree to the terms and conditions.

Appendix - B

- I am looking for...
 - o Local Police Stations
 - o Criminal Background Check
 - o Police Reference Check
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 - o Bicycle Registration
 - o Newcomer Outreach
 - o A Guide to Police Services
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Inside the TPS

Police Reference Check Program

Information About the Vulnerable Sector Screening

Police Reference Check Program for Individuals Seeking Employment or Volunteer Opportunities Through Certain Agencies

If you are a potential candidate for employment and/or volunteer duties with a community agency or other organization, the agency or organization with which you wish to work may require that you have a police reference check performed.

Reference checks performed for people who will be working with children or vulnerable people are called "Vulnerable Sector Screening Program – Police Reference Checks".

The Toronto Police Service (the "Service") will carry out a Vulnerable Sector Screening Program – Police Reference Check about you when:

1. the agency with whom you want to work or volunteer (if you are requesting a reference check through an agency) certifies to the Service that it:
 1. is only requesting the reference check for the purpose of assisting it to determine your suitability for employment and/or volunteer duties because you will have direct contact with children or vulnerable persons;
 2. will only ask for a police reference check to be done after it has completed an initial review of your suitability and has tentatively selected you for employment or a volunteer opportunity;
 3. understands its obligations under the *Human Rights Code* with respect to evaluating, hiring and training volunteers or employees and what constitutes a "bona fide" reason for refusing to hire any individual or volunteer; and
 4. has paid the necessary fee to the Service;
2. you live in the City of Toronto; and
3. you have signed a written authorization permitting a reference check about yourself to be conducted (called a "Consent to Disclosure" form).

If the Service receives a Consent to Disclosure form signed by you authorizing it to carry out a police reference check, the Service will conduct an electronic search of the CPIC Investigative, Intelligence and Identifications data banks and any Service data banks for available information about you. Therefore, among other things, the Service will search for any information on file relating to: criminal convictions, outstanding charges before the courts, probation information (including peace bonds, restraining orders, and reporting conditions), any prohibitions relating to you (includes firearms, driving, hunting and boat), federal or provincial parole information, and information relating to whether you are suspected of committing a criminal offence or are involved in a serious criminal investigation. (Please note that this is not an exhaustive list and the Service may have access to other information about you through its database searches).

Police Reference Check Program

- Home
- Suppression of Mental Health Apprehension Records Policy
- Police Reference Check Process
- Vulnerable Sector Screening Process

Forms

- Memorandum of Understanding
- Consent to Disclosure
- Results of Ref. Check (example)

Appendix - B

- Careers
- Citizens Online Crime Reporting
- Clearance Letters
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- Access & Privacy Section
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- Conferences / Seminars
- Quotations/Proposals
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- Volunteers & Auxiliary
- Employee Family Assist.
- ProAction Cops & Kids
- Youth In Policing Initiative

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Other Sites

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- Male Chorus
- Police Services Board
- Provincial Rope Squad
- Toronto EMS
- Toronto Fire Services
- Links

A recent RCMP national broadcast has directed all Police Services that fingerprints be required for positive identification before criminal records are released. Therefore, should any criminal history about you be on file, your application will be returned back to you. It will then be necessary for you to have your fingerprints taken as a confirmation of identification. To do this, please attend on of the various private RCMP accredited fingerprinting agencies listed in your local telephone book. When you have received your confirmation of your identity back from RCMP, please attach to your application and return to: Toronto Police Service, 40 College Street, Toronto, Ontario, attention: Police Reference Check Program.

Further information on the new RCMP CPIC policy is available on their web-site www.cpic-cipc.ca. Information regarding the RCMP's Civil Fingerprinting Services can be found at <http://www.rcmp-grc.gc.ca/cr-cj/fing-empr2-eng.htm>.

In addition to the above categories of records, Service databases would also document contacts that you have had, if any, with the Service under the *Mental Health Act*. Specifically, there are provisions under the *Mental Health Act* according to which police officers may apprehend a person and take him or her to the hospital for assessment by a medical professional. When the police apprehend someone under the *Mental Health Act*, this is noted in a police database. The Service does not, however, disclose contact, if any, that you have had with the Service pursuant to the *Mental Health Act* as part of Vulnerable Sector Screening Program – Police Reference Check *unless* the agency with whom you are seeking employment or a volunteer position specifically requests such information and certifies to the Service that the information is required for the agency to properly complete its evaluation of your suitability for the position.

When the Service is being asked by the agency to disclose information relating to any contact it has had with you, if any, under the *Mental Health Act*, this will be indicated on the Consent to Disclosure form that you must sign before the reference check is conducted.

The Service will provide the results of any Vulnerable Sector Screening Program – Police Reference Check conducted *only* to you, the individual who has requested it. The results are mailed to you at the address given on the Consent to Disclosure form. The Vulnerable Sector Screening Program – Police Reference Check is *not* sent directly to the agency.

It is then your responsibility to decide whether you wish to discuss the results of a Vulnerable Sector Screening Program – Police Reference Check with the agency that you wish to work with or volunteer for. If you do not disclose the results of the Vulnerable Sector Screening Program – Police Reference Check with the agency, you may not be eligible for employment or a volunteer position, but that is an issue for the agency to decide.

Also, please note that the mere fact that the Service has information relating to you should not disqualify you from consideration for a position. It is the responsibility of every Agency to comply with the *Human Rights Code* in deciding whether to hire an applicant or volunteer. You can obtain information on the *Human Rights Code* through the website of the Ontario Human Rights Commission at www.ohrc.on.ca or by contacting the Commission at (416) 326-9511 (if you are within the Toronto area) or 1-800-387-9080 (Toll Free outside Toronto Area).

The role of the Service is simply to provide you with a copy of the information available through police databases. The agency that you want to work with is responsible for determining your suitability for the position that you have applied for; the result of any police reference check is just one component of the information available to and evaluated by the agency.

If you have any questions about the process by which a police reference check is carried out or if you have any questions about the specific results of your reference check, you may contact the Records Management Services department for more information. The Service aims to ensure that everyone understands the information disclosed about themselves.

If you have a specific concern regarding the appropriateness of specific disclosure relating to your contact with the Service under the *Mental Health Act*, you may discuss it with the Records and Information Management department. For more information, please request a copy of the Service's "Vulnerable Sector Screening Program – Police Reference Check Redaction of Records Policy" by contacting Records Management Services at the telephone numbers provided above.

Appendix - B

or by mail at the address provided below.

The Service is required by by-law to maintain records relating to any contact a person may have had with the Service under the *Mental Health Act* for a minimum of five years plus the current year (or approximately 6 years in total). After that time, you may contact Records Management Services to request that records documenting your apprehension under the *Mental Health Act* be destroyed. Such requests must be made in writing to Records Management Services.

Records Management Services can be reached by telephone at 416-808-7991 (or 416-808-8244, in the alternative) or by mail at Records Management Services Unit, Toronto Police Service, 40 College Street, Toronto, Ontario, M5G 2J3.



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Police Reference Check Program

Police Reference Check Process

Records Management Services ("RMS") will perform all police reference checks.

RMS will review the requesting agency's originating documents (for example, copy of licences for daycare centres or articles of incorporation for a charity).

RMS will then establish a contact person within each requesting agency to ensure consistent and accurate exchange of information and documentation, including invoices where applicable.

Where the Agency requires police reference checks from individuals applying for volunteer or employment opportunities (the "applicants"), the Service will only conduct police reference checks for an Agency with whom the Service has entered into a memorandum of understanding.

A consent to disclosure form must be signed by each applicant seeking to have a reference check conducted.

When an agency with whom the Service has executed a memorandum of understanding requests a police reference check for a specific applicant, RMS will search the CPIC Investigative, Intelligence and Identifications data banks and Service data banks for the following information:

- Outstanding criminal and provincial statute warrants
- All outstanding charges before the courts
(Charged entries, including conditional release information)
- Missing person/Elopee Information
- Probation information
(Includes peace bonds, restraining orders, and reporting conditions)
- All prohibitions
(Includes firearms, driving, hunting and boat)
- Parolee information
(Federal and Provincial)
- Refused information
(Firearm acquisition certificates)

Police Reference Check Program

- Home
- Suppression of Mental Health Apprehension Records Policy
- Police Reference Check Process
- Vulnerable Sector Screening Process

Forms

- Memorandum of Understanding
- Consent to Disclosure
- Results of Ref. Check (example)

Appendix - C

- Careers
- Citizens Online Crime Reporting
- Clearance Letters
- Police Reference Check Program
- Fingerprint Destruction
- Access & Privacy Section
- Procedure Information
- Conferences / Seminars
- Quotations/Proposals
- Honour Roll
- Museum
- Gift Shop

Programs

- Community Mobilization Workshop
- Volunteers & Auxiliary
- Employee Family Assist.
- ProAction Cops & Kids
- Youth In Policing Initiative

Contact Us

- Telephone Directory

Other Sites

- City of Toronto
- Male Chorus
- Police Services Board
- Provincial Rope Squad
- Toronto EMS
- Toronto Fire Services
- Links

- Special Interest police information
(Includes persons who have attempted to commit suicide whether in our out of police custody; persons who are known to be violent towards the police, himself/herself or other persons; and persons who are foreign fugitives where no warrant is available or the fugitive is not arrestable in Canada)
- Persons of Interest
(Includes persons who are suspected of committing criminal offences; persons involved in a serious criminal investigation; and persons who feel they are in danger of family violence)
- Criminal Record Information
- Special Address Information
(Information pertaining to addresses involved in criminal activity or domestic situations)
- Non-Indictable Information

Information, if any, with respect to whether an applicant has been apprehended under any provision of the *Mental Health Act* will not be disclosed to an applicant unless the agency specifically certifies on the Consent to Disclosure form that such information is required.

All results of a police reference check will be released only to the applicant.

The Service will not directly disclose the results of any police reference check to an agency.

After receiving their police reference check, an applicant may authorize a representative of RMS to speak with the applicable agency (with or without the applicant being present or participating) to confirm the general nature of the information included in the police reference check.

In the event that applicants disagree with the findings of the Service's police reference check, they can contact RMS to discuss the nature of the information included in the police reference check.

On the rare occasion when the identification of the applicant is in question, the applicant will be required to contact the R.C.M.P. to complete a fingerprint and criminal record check to positively determine the identity/record of the individual. The use of the R.C.M.P. database is required to complete a comprehensive fingerprint and criminal record check.



Appendix - D

- I am looking for...
 - o Local Police Stations
 - o Criminal Background Check
 - o Police Reference Check
 - o Online Crime Reporting
 - o Bicycle Registration
 - o Newcomer Outreach
 - o A Guide to Police Services
 - o Employment Information
 - o Child Car Seat Safety
 - o Kids Safety Zone
 - o Elder Abuse Information
 - o General Contact Information
 - o Telephone Directory



Non-Emergency 416-808-2222 - Emergency 9-1-1



Message from Chief William Blair
Social Media Initiative

Newsroom

- News Releases
- Major News Reports
- Publications
- Crime Statistics
- Corporate Communications

Community Safety

- TAVIS
- TPS Mailing Lists
- Traffic Services
- Newcomer Outreach
- Homicide Squad
- Sex Crimes Unit
- Crime Prevention
- Crime Stoppers
- Domestic Violence
- Kids' Safety Zone
- Victim Services
- Community Mobilization
- Community Consultative Process
- TPSlinks

Serving Toronto

- Command Officers
- Mission and Values
- Police Stations
- Find a Unit
- Organizational Chart

Inside the TPS

Police Reference Check Program

Suppression of Mental Health Apprehension Records Policy

An individual who has authorized a Vulnerable Sector Screening Program – Police Reference Check may seek to have information relating to their prior contact with the Service under the *Mental Health Act* excluded from the results of a reference check so that this information is not disclosed.

Such a request must be made by the **individual in writing** and submitted to:

Manager
Information Access, Records Management Services
Toronto Police Service
40 College Street
Toronto, Ontario
Canada
M5G 2J3

In considering whether suppression of any information is appropriate, the Service will assume that an individual is applying for a position with an agency that involves unsupervised contact with the most vulnerable.

All of the following information will be considered by the Service in processing a request for the suppression of records resulting from an individual's contact under the *Mental Health Act* with the Service.

1. All of the records about the individual available to the Service.
2. How long ago the incident that the individual seeks to have suppressed occurred.
3. The details of the incident that the individual seeks to have suppressed, including:
 - a. any information provided by the individual to explain the incident, including medical information provided by the individual and supporting medical documentation regarding any assessment with a medical professional related to their mental health;
 - b. the details on the occurrence report;
 - c. information provided by the officers who had contact with the individual at the time of that incident, if available; and
 - d. information provided by officers who have had contact with the individual on other occasions.

For example, among other things, the Service will consider whether the incident involved actual harm to the individual or others, and whether there were subsequent charges that arose as a result of the individual's contact with the Service on that occasion.

Police Reference Check Program

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- Police Reference Check Process
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- Quotations/Proposals
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- Museum
- Gift Shop

Programs

- Community Mobilization Workshop
- Volunteers & Auxiliary
- Employee Family Assist.
- ProAction Cops & Kids
- Youth In Policing Initiative

Contact Us

- Telephone Directory

Other Sites

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- Male Chorus
- Police Services Board
- Provincial Rope Squad
- Toronto EMS
- Toronto Fire Services
- Links

4. The age of the person at the time of the incident that the individual seeks to have suppressed.
5. Any other information provided by the individual.

The individual will be informed in writing of the decision of the Service in response to his or her request for suppression of information. The Service will not provide reasons for the decision.

If the individual is dissatisfied with the response provided, the individual may seek reconsideration of their request by the Manager, Records Management Services, within 30 days. The individual may provide additional information to address the factors under consideration as set out above at the time that they request reconsideration of the original decision.

An individual may submit a new request seeking the suppression of information regarding his or her contact with the Service under the *Mental Health Act* no more than once every 12 months.

Appendix - E



TORONTO POLICE SERVICE Vulnerable Sector Screening Process



Why do I need to have my fingerprints taken?

As per RCMP Policy; vulnerable sector checks now require the submission of fingerprints whenever the GENDER and DATE OF BIRTH of the applicant matches to an existing pardoned sexual offence record. This is not an accusation of criminality, but is required to verify the person's identity and to protect personal privacy.

How long does it take?

The process to have fingerprints taken with the Toronto Police Service can be completed in about 30 minutes. The RCMP indicates that when there is a match to a criminal record, wait times will frequently take 120 days or more.

How much does it cost and why?

Toronto Police Service is billed by the RCMP for every electronic fingerprint submission. The fee for this procedure is \$25.00. Payment can be made by Debit/Credit or Money Order/Certified Cheque made payable to 'Toronto Police Service'.

If an applicant did a vulnerable sector check the previous year why do they need to do it again?

A vulnerable sector check is a point -in- time search only. The Canadian Criminal Real Time Identification Service destroys fingerprint submissions when the search is completed; they're not added to any database nor stored for future screenings.

What does the RCMP do with the fingerprints after the check is complete?

The RCMP destroys the fingerprint submission after the check is completed and the results are sent back to the police service.

How do I obtain a vulnerable sector check to work in a position outside Canada?

Vulnerable sector checks can only be provided for positions within Canada. Police Services are not authorized to perform these checks for any position located outside Canada or if you presently reside outside of Canada. For further information, please go to the RCMP web-site www.rcmp-grc.gc.ca and follow the links to "How to obtain a Certified Criminal Record Check".

Revised 2011.08.16

Appendix - F

7. Agreement between CPIC Agency and For Profit Third Party Company

- 7.1 A CPIC Agency must enter into an Agreement with the For Profit Third Party Company for whom they are conducting Criminal Record and/or Vulnerable Sector Name Checks. This Agreement must be submitted to the RCMP for review and approval to ensure that the Agreement conforms to applicable legislation, the *Ministerial Directive* and CPIC policy. **The CPIC Agency is not permitted to conduct Criminal Record and/or Vulnerable Sector Name Checks on behalf of a For Profit Third Party Company until such time that the Agreement is approved by the Director General of the CPI Centre and the Director General of CCRTIS.**
- 7.1.1 The Agreement must identify that the CPIC Agency authorizes the For Profit Third Party Company to act as an Agent on behalf of the CPIC Agency for the purposes of conducting Criminal Record and/or Vulnerable Sector Name Checks, and as an Agent on behalf of the Applicant for the purposes of performing a Criminal Record and/or Vulnerable Sector Name Check.
- 7.1.2 The Agreement must identify all Agents involved with conducting Criminal Record and/or Vulnerable Sector Name Checks, including any subcontracting work.
- 7.1.3 Any applicable consent requirements between the Applicant and Agent(s) must be clearly identified.
- 7.1.4 The Agreement must identify the policies that apply to all involved Agents.
- 7.1.5 The Agreement must identify that the RCMP is indemnified of all claims or demands of any kind caused by the Agreement. This condition will also be included in any arrangements (e.g. Memorandum of Understanding) between the RCMP and the CPIC Agency for the purposes of accessing CPIC.
- 7.1.6 The Agreement must identify that the CPIC Agency is solely responsible for ensuring that any retained data, pursuant to Section 11 of this policy, is immediately made available to CPIC for auditing purposes.
- 7.1.7 The Agreement must identify that the For Profit Third Party Company has met all of the Accreditation Standards in this policy.
- 7.1.8 A CPIC Agency must make copies of all Agreements available to the appropriate CPIC Field Ops for auditing purposes.
- 7.1.9 Approval of an Agreement may be withdrawn at the discretion of the Director General of the CPI Centre and the Director General of CCRTIS.
-

Appendix - F

10. Online Criminal Record Checks

- 10.1 In accordance with Section 7 of this policy, an online Criminal Record and/or Vulnerable Sector Name Check process must undergo assessment by the RCMP to ensure policy compliance prior to approval for the implementation of an online Criminal Record and/or Vulnerable Sector Name Check process.
 - 10.1.1 An online Criminal Record and/or Vulnerable Sector Name Check process must be approved by the Director General of the CPI Centre and the Director General of CCRTIS.
 - 10.1.2 An online Criminal Record and/or Vulnerable Sector Name Check process must include all Physical Verification requirements in this policy, including requirements for Identity Verification and Informed Consent.
- 10.2 The CPIC Agency head or delegate thereof must be satisfied with the online Criminal Record and/or Vulnerable Sector Name Check process regarding the authentication of the Applicant's identity.
- 10.3 The online Criminal Record and/or Vulnerable Sector Name Checks process must be clearly identified in the Agreement between the CPIC Agency and the For Profit Third Party Company, pursuant to Section 7 of this policy.
 - 10.3.1 The Agreement between the CPIC Agency and the For Profit Third Party Company (Section 7) must clearly identify how the online Criminal Record and/or Vulnerable Sector Name Check process accounts for the applicable Physical Verification requirements in Sections 8 and 9 of this policy. Other forms of Informed Consent and Identity Verification may be used to supplement the requirements, but are not considered substitutes for the minimum requirements in this policy.
- 10.4 An audit trail of the process for each online Criminal Record and/or Vulnerable Sector Name Check must be retained by the CPIC Agency in accordance with the provisions of relevant privacy legislation, CPIC Agency retention and disposal schedules, and Section 11 of this policy.
- 10.5 The transmission of electronic data must be secure.
 - 10.5.1 The CPIC Agency is responsible for securing the electronic transmission of data involved with online Criminal Record and/or Vulnerable Sector Name Checks.
 - 10.5.2 The method for securing the electronic transmission of data must be clearly identified in the Agreement between the CPIC Agency and the For Profit Third Party Company, pursuant to Section 7 of this policy.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P322. RACE AND ETHNOCULTURAL EQUITY POLICY – STATUS REPORT

The Board was in receipt of the following report October 21, 2011 from William Blair, Chief of Police:

Subject: RACE AND ETHNOCULTURAL EQUITY POLICY: STATUS REPORT

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting of March 26, 1999, the Board received a report on the Service's Race Relations Plan (Min. No. P160/99 refers). Further submissions were made in 2000 (Min. No. P192/00 refers), 2002 (Min. No. P83/02 refers), 2003 (Min. No. P122/03 refers), and 2005 (Min. Nos. P115/05 and P384/05 refer). These submissions were provided with the intention of outlining annual unit-level self-audits of race relation efforts across the Service, and to update the Board on the status of the Race Relations Plan.

On March 23, 2006, the Board approved the Race and Ethnocultural Equity Policy (Min. No. P81/06). This policy replaces the Service's annual report to the Board on race relations and was to be provided to the Board annually in June of each year (Min. No. P211/06 refers).

This report will outline the Service's response to the Board's direction as contained in its Race and Ethnocultural Equity Policy. It also describes the Service's commitment to promoting and strengthening race and ethnocultural relations between members and the community. These goals are being achieved through progressive diversity management initiatives, as well as improved individual and organizational competencies that enable the Service to provide a workplace and service delivery without discrimination or harassment, regardless of race, ethnicity, culture, nationality, religion or language.

Discussion:

The Service has undertaken initiatives to enhance race and ethnocultural equity within the workplace and in service delivery. These include:

- i. The Human Rights Project Charter partnership. The goals are to (i) identify and eliminate any discrimination that may exist in the employment practices of the Service that may be contrary to the Ontario Human Rights Code, and (ii) identify and eliminate any discrimination that may exist in the provision of policing services by the Service to the residents of the City of Toronto that may be contrary to the Ontario Human Rights Code.
- ii. Human Rights training from The Ontario Human Rights Commission in conjunction with the Diversity Management Unit and Professional Standards delivered to all Professional Standards and Unit Complaints Investigators to ensure that investigations are done fairly and equitably with respect to human rights.
- iii. The process of running (three) 3 Employment System Reviews (ESR) over a period of three years. ESR 1 focused on the promotional process used for uniform officers to ensure that the Service's promotional policies and practices are equitable and that the practices associated with these systems are applied consistently, transparently and fairly to all employees. ESR 2 identified areas in the human resources systems that ensured fulfilment of the Service's commitment to creating an equitable workplace for all civilian members. Finally, ESR 3 identified barriers in the workplace for police officers in general and in particular, the adverse impacts of barriers for five designated groups (Aboriginal peoples, LGBT, persons with disabilities, racial minorities and women).
- iv. The establishment of Internal Support Networks (ISNs) supported by Command that provide peer support through guidance, assistance and mentoring to members on various aspects of policing. These ISNs represent various race and ethnocultural backgrounds including the Black ISN, South Asian ISN, East Asian ISN, Pilipino ISN and Aboriginal ISN.
- v. The on-going and proactive work of the Community Police Liaison Committees (CPLCs) and the Community Consultative Committees (CCC). The CPLCs are committees made up of community volunteers and Police Service representatives from the local division's geographic area. Each committee is inclusive to reflect the demographics of the local community. The CCCs are committees that are meant to serve specific communities on a city-wide basis. Their mandate is to work with the Service and be proactive in community relations, crime prevention, education, mobilization and communications initiatives. The CCCs also act as a resource to the police and the community and are integral to developing strategic long-term visions through knowledge, education, tolerance and understanding.
- vi. The Chief's Community Advisory Council (CAC) and the Chief's Youth Advisory Committee (CYAC) both exist to provide a voice for various community representatives, from business through to social agencies and spanning the various diverse communities as well as youth, on a wide variety of issues. The CAC and CYAC have direct access to the Chief of Police.

- vii. The Youth in Policing Initiative (YIPI) program aims to promote exposure and youth participation in the work environment through diverse, educational and productive work assignments. To enhance the link between the police and the community, the youth are selected from priority neighbourhoods and are reflective of our culturally diverse city.
- viii. The Toronto Anti-Violence Intervention Strategy (TAVIS) is an intensive, violence reduction and community mobilization strategy intended to reduce crime and increase safety in our neighbourhoods. Neighbourhoods are chosen using crime trend analysis, hotspot occurrence mapping and community consultations. One of the key elements of TAVIS is to expand current relationships and partnerships and create new ones with the diverse communities of Toronto.
- ix. The establishment of the Diversity Management Unit with a mandate to build strategic organizational and cultural change with respect to human rights, diversity and inclusive approaches. The DMU is responsible for ensuring that the Service reflects the diverse community it serves and further ensuring diversity, human rights and equity are defined, implemented and monitored for compliance.
- x. The Racially Biased Policing Conference hosted by the Diversity Management Unit in 2009 and 2010 that provided insight and information to law enforcement. This conference also provides communities with an opportunity to share their experiences and make recommendations to police with respect to community issues and concerns.
- xi. The Ambassador Program launched in 2007 by the Employment Unit. This initiative currently has 270 active and retired members along with citizens in the community who proactively promote the TPS as an “Employer of Choice”. Ambassadors assist police recruiters at job fairs, community events and mentoring sessions in an effort to attract individuals of diverse backgrounds to ensure the service is reflective of the community. Ambassadors also attempt to foster interest in the application process by promoting careers with the TPS whether on or off duty, in places of worship, sporting events, community gatherings or through friends.
- xii. The on-going cultural and community celebrations with Service members and communities. These include Khalsa Day Parade, Black History Month, Asian Heritage Month, Caribana Kick-Off, International Day for the Elimination of Racial Discrimination (IDERD), Aboriginal Pow Wow, Association of Black Law Enforcement Gala, Harry Jerome Awards Gala, Organization South Asian Police Officers Gala, International Francophone Day, Grenada Day, National Aboriginal Day Ceremony, Planet Africa Expo, Hispanic Fiesta, Pakistan Independence Day, China Town Festival, Taste of The Danforth and the Gerrard Street Festival of South Asia.

Furthermore, the Toronto Police Service has implemented the following procedures that address and incorporate the Board’s Race and Ethnocultural Equity Policy.

- i. Procedure 01-02 (Appendix D) - Search of Persons – Handling items of religious significance

- ii. Procedure 03-07 – Meal provision for persons in custody
- iii. Procedure 04-09 – Interpreters
- iv. Procedure 04-18 (Appendix C) – Crime and Disorder Management – Community Partnerships
- v. Procedure 05-16 – Hate/Bias Crime
- vi. Procedure 08-12 – Workplace harassment
- vii. Procedure 13-14 – Human Rights
- viii. Procedure 13-15 – Stereotyping prevention in the workplace
- ix. Procedure 13-18 – Anonymous reporting of discreditable conduct
- x. Procedure 14-02 – Evaluations, Reclassifications and appraisals – uniform
- xi. Procedure 14-16 – Diversity Awareness
- xii. Procedure 14-18 – Internal Support Networks
- xiii. Procedure 15-16 – Uniform, Equipment and Appearance Standards (exemptions made to accommodate members of various cultures and religions)

Conclusion:

The Service has and continues to develop and update initiatives and procedures to support the Board's policy concerning the Service's race and ethnocultural equity relations. These goals are being achieved through progressive diversity management initiatives, as well as improved individual and organizational competencies enabling the Service to provide better services and a workplace without discrimination or harassment, regardless of race, ethnicity, culture, nationality, religion or language.

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

The Board received the foregoing report and expressed its appreciation of the work being done by the Service in the important area of race and ethnocultural equity.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P323. QUARTERLY REPORT: MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT COMPLIANCE: JULY TO
SEPTEMBER 2011**

The Board was in receipt of the following report November 15, 2011 from William Blair, Chief of Police:

**Subject: QUARTERLY REPORT - MUNICIPAL FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT COMPLIANCE: JULY, AUGUST, AND
SEPTEMBER 2011.**

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting on September 23, 2004, the Board approved a motion that the Chief of Police provide the Board with quarterly reports identifying the Service's *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) compliance rates, and further, that the total number of overdue requests be divided into categories of 30, 60, or 90 days, or longer (Min. No. P284/04 refers).

Under the Act, compliance refers to the delivery of disclosure through the Freedom of Information process within 30 days of receipt of a request for information. The compliance rates for the period July 1, 2011, to September 30, 2011, divided into three categories as stipulated by the Board, are as follows:

Discussion:

Toronto Police Service
Compliance Rates
July 1, 2011 – September 30, 2011

30-Day	60-Day	90-Day or longer
72.72%	93.10%	97.01%
Requests to be completed during this time period: 1261	→ 344	→ 87
Requests completed: 917	Requests completed: 257	Requests completed: 50
Requests remaining: 344	Requests remaining: 87	Requests remaining: 37

A total of 1261 requests were required to be completed within 30 days. The running totals reflect, for the 30, 60, and 90 day (or longer) periods, the number of requests that were actually completed. The number of incomplete files is carried over as 'requests remaining.' All numbers shown are based on the number of files it was possible to be compliant with during this period.

A further breakdown of requests received July to September, 2011 is as follows:

Category	Total	Description
Individual/Public	927	- Personal
Business	313	- Witness contact information/Memobook notes/911 calls/reports - General reports - Law firms & insurance companies
Academic/Research	1	- Policies relating to TPS members involved in secondary employment
Media	10	- Use of anabolic steroids - Requests for G20 related information - Statistics relating to crime against taxi drivers - Records relating to Toronto's Mayor - Booking log for a specified Division - Death of cyclist
Association/Group	17	- Mental Health and Children's Aid - Legal - Colleges of Professionals (Sec. 32 of MFIPPA)
Government	18	- Industrial accidents, reports, notes, photographs - Ministries (Sec. 32 of MFIPPA)

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

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

July	2011	71.02%
August	2011	72.07%
September	2011	75.11%

Conclusion:

Deputy Chief Michael Federico, Corporate Command, will be in attendance to answer any questions that the Board members may have in relation to this report.

The Board received the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P324. RESULTS OF CANADA REVENUE AGENCY EMPLOYER
COMPLIANCE AUDIT – PARKING BENEFIT**

The Board was in receipt of the following report December 01, 2011 from William Blair, Chief of Police:

Subject: RESULTS OF CANADA REVENUE AGENCY EMPLOYER COMPLIANCE
AUDIT

Recommendation:

It is recommended that the Board approve the reimbursement of retroactive taxes owing and interest payable by Toronto Police Service members for the 2010 taxation year, as a result of the Canada Revenue Agency final assessment for the parking taxable benefit identified as part of its employer compliance audit.

Financial Implications:

It is estimated that for the 2010 taxation year, the value of the taxable benefit to be assessed to Toronto Police Service (TPS) members, for parking access, is \$3.1 Million (M).

As a result, the Board is responsible for remitting all retroactive statutory deductions to the end of 2010, such as Employer Health Tax (EHT). The EHT cost related to the taxable benefit is estimated at \$0.6M, which includes the value of the benefit applied to the 2011 taxation year. A liability has already been established for this amount. In addition, the annual value of EHT will be included in future operating budget requests.

The pension impact for the 2010 and 2011 year is approximately \$1.2M. A liability was established at the end of the 2010 fiscal year that will cover this amount. The OMERS impact will also be included in future operating budget requests.

Finally, the financial impact of reimbursing members for the taxes owing and interest payable for the 2010 taxation year (based on an average tax rate of 35%) is estimated to be \$1.2 Million (M). Subject to Board approval, the Service can absorb this amount from our projected 2011 operating budget surplus.

It should be noted that reimbursement of the 2010 taxes owing by TPS members will constitute a taxable benefit to those members. However, such a benefit becomes a cost to the member and not the TPS, as the payment is to be reported on individual member T4's in the year payment is made.

Background/Purpose:

In March 2010, the Canada Revenue Agency (CRA) commenced an employer compliance audit on the Service which included parking as a taxable benefit. Toronto Police Service staff have been working with the CRA to provide information necessary for them to conduct the audit.

This report provides information on the results of the audit and requests that the Board approve the reimbursement to members for taxes and interest owing for the 2010 taxation year.

Discussion:

The Service had not been assessing a parking taxable benefit in prior years because most TPS locations provide parking on a “scrambled” basis, meaning there are more individuals with access than spaces available in the parking lot. The scrambled parking criteria had been supported in 1995 when a CRA auditor advised the former Municipality of Metropolitan Toronto that only reserved parking spots were subject to the taxable benefit and others were considered “scrambled parking”.

However, the CRA’s current position is that a taxable benefit applies to any parking location that has a fair market value, regardless of whether “scrambled parking” exists or not. In addition, access to parking attracts the benefit, rather than the action of parking itself.

The Service is in the process of preparing amended T4’s for the 2010 taxation year and will also be including the value of the benefit for the 2011 taxation year in 2011 T4’s to be filed with the CRA by February 28, 2012. In addition, the taxable benefit will be applied to the bi-weekly payroll, for members with access, beginning in January 2012.

Conclusion:

The CRA has concluded its employer compliance audit on the Toronto Police Service. Members of the Service with access to parking will be assessed a taxable benefit for the 2010 and future taxation years.

The Service is now moving forward to provide members with amended T4’s for the 2010 taxation year, and expects that members should receive Notices of Re-Assessment from the CRA by the end of the first quarter, 2012.

In addition, it is recommended that the Board approve the reimbursement to Service members, of retroactive taxes owing and interest payable for the 2010 re-assessment. The cost of this reimbursement is approximately \$1.2M and funding is available in 2011, from the Service’s projected operating budget surplus.

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.

Additional information regarding this matter was also considered during the in-camera meeting (Min. No. C377/11 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P325. INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO
THE G20 SUMMIT – ACCOUNT FOR PROFESSIONAL SERVICES**

The Board was in receipt of the following report November 30, 2011 from Alok Mukherjee, Chair:

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

Recommendation:

It is recommended that the Board approve payment of an account dated November 22, 2011, in the amount of \$64,102.13, subject to City Council's approval of a transfer of funds, and that such payment be drawn from the Board's 2011 operating budget.

Financial Implications:

The total amount invoiced to date is \$722,222.64. The balance of the Special Fund as at August 31, 2011 is estimated at \$257,691.00.

Background/Purpose:

At its meeting on September 23, 2010, the Board approved the appointment of Justice John W. Morden to conduct the Independent Civilian Review (ICR) into matters relating to the G20 Summit. The Board also approved the use of the Special Fund as the source of funding for the ICR (Board Minute P271/10 refers).

Since September 2010, Justice Morden has submitted the following invoices for services rendered for the ICR:

Period Ending	Amount
October 14, 2010	\$24,008.99
November 14, 2010	\$45,402.32
December 17, 2010	\$42,462.62
January 14, 2011	\$19,899.15
February 10, 2011	\$43,165.19
March 14, 2011	\$84,775.57
April 14, 2011	\$64,935.58
May 13, 2011	\$28,365.43
June 13, 2011	\$64,385.37
June 28, 2011*	\$3,295.00

July 14, 2011	\$58,990.88
August 15, 2011	\$27,378.81
September 22, 2011	\$100,448.00
October 28, 2011	\$50,607.60
November 14, 2011	\$64,102.13

* Invoice from the City of Toronto related to the rental of a room for the public hearings.

Discussion:

One of the requirements of the Special Fund policy is that the Special Fund must maintain a minimum balance of \$150,000 in order to meet its corporate recognition obligations. Given the state of the Special Fund, at this time, the Board will not be able to fulfill those obligations in 2012.

Based on projections the Special Fund balance will be \$16,875.00 as at December 31, 2011. As a result, at its meeting of October 4, 2011, the Board determined that there is a need to explore a number of options so that it may continue to meet its obligations and bring the Special Fund back to health. At this time, the Board agreed to request the City's approval to fund the completion of the ICR.

At its meeting on November 1, 2011, the Executive Committee approved a one-time transfer of projected surplus funds from the Toronto Police Service's 2011 Operating Budget, in the amount of \$480,000.00 to fund the completion of the ICR, subject to City Council's approval.

I have attached a copy of Justice Morden's most recent account for services rendered up to and including November 14, 2011, in the amount of \$64,102.13. A detailed statement is included on the in-camera agenda for information. It should be noted that a reduction of \$4,267.52 for fees and disbursements have been applied to this account.

Conclusion:

It is, therefore, recommended that the Board authorize payment in the amount of \$64,102.13, subject to City Council's approval of a transfer of funds, from the Board's 2011 operating budget for professional services rendered by Justice John W. Morden.

The Board approved the foregoing report and noted that the detailed statement of account was considered during the in-camera meeting (Min. No. C378/11 refers).

Heenan Blaikie

Via Email and Regular Mail

Of Counsel

The Right Honourable Pierre Elliott Trudeau, P.C., C.C., C.H., Q.C., FRSC (1984 - 2000)
The Right Honourable Jean Chrétien, P.C., C.C., O.M., Q.C.
The Honourable Donald J. Johnston, P.C., O.C., Q.C.
Pierre Marc Johnson, G.O.Q., FRSC
The Honourable Michel Bastarache, C.C.
The Honourable René Dussault, O.C., O.Q., FRSC, Ad. E.
The Honourable John W. Morden
Peter M. Blaikie, Q.C.
André Bureau, O.C.

November 25, 2011

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



File No. 058057-0001

Dear Dr. Mukherjee:

Re: Independent Civilian Review of Matters Related to the G20 Summit

Enclosed please find our account for services rendered up to and including November 14, 2011, which we trust you will find satisfactory. Please note that we have provided the Toronto Police Services Board with a reduction of \$4,267.52 for fees and disbursements with respect to this account.

Ryan Teschner
T 416 643.6890
F 1 856 615.8283
rteschner@heenan.ca

Bay Adelaide Centre
333 Bay Street, Suite 2900
P.O. Box 2900
Toronto, Ontario
Canada M5H 2T4
heenanblaikie.com

Yours truly,

Heenan Blaikie LLP

A handwritten signature in black ink, appearing to read "R. Teschner".

Ryan Teschner

RT/dk
Encl.

c.c. Joanne Campbell [Toronto Police Services Board]
[By email and regular mail]

c.c. Sheri Chapman [Toronto Police Services Board]
[By email and regular mail]

HBdocs - 11515189v1

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LAWYERS

N^o 23022398

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November 22, 2011

PRIVATE & CONFIDENTIAL

Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

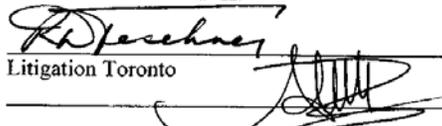
Attention : Joanne Campbell

Reference: File: 058057-0001 Confidential

FOR PROFESSIONAL SERVICES RENDERED for the period ending November 14, 2011

FEES	\$ 56,003.50
DISBURSEMENTS (TAXABLE)	\$ 567.46
SUB-TOTAL	\$ 56,570.96
HST (13%)	\$ 7,354.23
DISBURSEMENTS (NON TAXABLE)	\$ 176.94
AMOUNT DUE	\$ 64,102.13

HEENAN BLAIKIE LLP


Litigation Toronto

TERM: Payment due upon receipt in accordance with section 33 of the *Solicitors Act*. Interest will be charged at the rate of 3.3% per annum on unpaid fees, charge or disbursements calculated from a date that is one month after this statement is delivered

We have made every effort to include fees and disbursements incurred on your behalf for the current billing period. In the event additional fees or disbursements are subsequently incurred and/or recorded, a subsequent account will be forwarded.

Reference / File: 058057-0001

GST / HST N^o 864865936

Initials: Tit

PAYABLE UPON RECEIPT

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P326. DIGITAL VIDEO ASSET MANAGEMENT SYSTEM II PROJECT –
CLOSE OUT REPORT**

The Board was in receipt of the following report November 28, 2011 from William Blair, Chief of Police:

Subject: DIGITAL VIDEO ASSET MANAGEMENT SYSTEM II PROJECT – CLOSE
OUT REPORT.

Recommendation:

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

Financial Implications:

There are no financial implications relating to the recommendation contained within this report. The original approved capital budget for the Digital Video Asset Management System II Project was \$5.66M. The final cost of the project was \$5.48M, which is approximately \$0.186M under budget.

Background/Purpose:

The Digital Video Asset Management System II (DVAMS II) project is an initiative sponsored by Corporate Services with the Video Services unit as the business lead. In 2003-2004, the DVAMS I project successfully replaced video tape with digital video disc technologies for all divisions; and implemented TPS media monitoring, corporate communications and detention area monitoring. In 2005, the DVAMS II project was approved by the Toronto Police Services Board to implement a Digital Video Asset Management System that includes the acquisition, transportation and management of digital video assets over a secured network-based system (Min. Nos. P347/05, P4/06 refers).

DVAMS II went into full production with Traffic Services Unit, Video Services Unit, Homicide Squad, Sex Crimes Unit, 22, 32, and 41 Divisions on December 10, 2009. DVAMS II makes it possible to capture digital video assets at these locations and to submit an automated evidence disclosure for crown attorneys on all Service workstations. The project was officially completed on April 31, 2010 after a period of post implementation support with the vendor.

In accordance with the Service's project management framework, the purpose of this report is to advise the Board of the results of the project implementation. In addition, as with most projects, there were lessons learned that can assist the Service with future projects. These lessons are also summarized in this report.

Discussion:

The DVAMS II project was successfully completed under budget and achieved its stated objective of delivering all required functionality in a new infrastructure.

Budget:

The final capital cost of the project was \$5.48M which was approximately \$186,000 below the original budget.

The total cost saving from the approved funding for this project was due to:

- lower than budgeted costs for the prime vendor for system development hardware and software, much of which was made possible by the consolidation of hardware required for the system;
- dedicated project management and tight change control process;
- effective procurement and contract management; and
- strong and effective internal IT resources.

With respect to the surplus capital funds, the Board approved a budget transfer of \$136,000 to the in-car camera project (Min. No. P298/10 refers). The 4th quarter of 2010 capital variance report included a request for transfer of the remaining \$49,900 to the new Property and Evidence Management Facility project (Min. No. P80/2010 refers).

DVAMS II was successfully completed achieving the original objectives of the original business case (2006-2010), specifically:

- reducing operating costs (through cost avoidance)
- improving productivity
- increasing the value of TPS video assets
- enhancing the security of video evidence
- enhancing quality and risk management of video evidence

Lessons Learned:

DVAMS II was a unique and complex project, and various lessons were learned that will assist the Service in mitigating risks on future projects.

(i) International Vendors

Lesson: Important that additional time and costs associated with doing business with International vendors be considered when developing the project schedule and that these are factored into the budget process.

The selection of the vendor based in Washington, D.C. resulted in additional complexities and difficulty in scheduling face to face meetings because of time, distance and associated costs. Even though the overall project schedule was maintained, planned project activities were impacted by the vendor's location.

(ii) Vendor Transition

Lesson: In the case of an equity acquisition of a company, it is important to proactively manage the transition with the new vendor in order to minimize the impact on the project.

The original vendor (TranTech) solution was acquired by MediaSolv Solutions Corporation, partway through the completion of the project, resulting in some schedule delay. In such cases, it is important to proactively manage the transition and work closely with the new vendor in order to minimize the impact on the project.

The core management team worked diligently with the vendor transition team to ensure that the DVAMS functional requirements and contract continued to be provided by the new company (MediaSolv). The equity acquisition was actively managed to minimize the impact on the project objectives, cost and timelines.

(iii) Training

Lesson: Ensure that all potential users of the system are trained.

Training by the DVAMS project team was successfully delivered at DVAMS II designated divisions/units (i.e., TSV, D22, D32 and D41; Homicide and the H.Q. Sexual Assault unit) which had Video Evidence Touch Screens. The project plan did not include formal training of officers in all the other units who use DVAMS II to search view and order legacy videos or videos from a designated DVAMS II location. Instead the non DVAMS II locations relied on staff who had received training to teach all other officers as they came into the DVAMS II equipped units for interviews, bookings and breath tests.

It became apparent that many officers who use DVAMS II to view and order videos did not receive any training and experienced some difficulty using the system. In an effort to alleviate officer's frustration, the DVAMS II project team provided outreach training on the Intranet and handouts. The training focus should have been more global and formalized for all user groups. The Training Sergeants at each division should have been trained and then utilized to provide appropriate training to all officers who use DVAMS II to view and order videos.

Conclusion:

The Video Services unit and the Information Technology Services unit worked closely together, along with the vendor, to converge video and IT technologies to deliver a state of the art Digital Video Asset Management System that will assist the investigators and front line officers.

This was a complex project that included integration to the TPS technology infrastructure; interfaces to several existing systems; and implementation and utilization of a dedicated secured fibre optic network which is owned and operated by the Toronto Police Service. The project involved a full turnkey solution with multiple sub-projects including networking, hardware and software installation at the central computing centre and seven DVAMS II locations; software development; product customization, and systems integration to several legacy applications. The project overcame significant challenges in the areas of budget, technology and schedule constraints.

The success of this project resulted from the expertise and tremendous collaborative effort in the Video Services and Information Technology Services Units; the executive oversight of the DVAMS II Steering Committee, and an experienced core project management team which included the Project Sponsor, DVAMS II Business Lead, IT Lead and Project Manager and the DVAMS II solution vendor.

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

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 DECEMBER 15, 2011**

**#P327. SEMI-ANNUAL REPORT: POLICE TOWING CONTRACT
COMPLIANCE: JUNE TO NOVEMBER 2011**

The Board was in receipt of the following report November 15, 2011 from William Blair, Chief of Police:

Subject: SEMI-ANNUAL REPORT – JUNE 2011 TO NOVEMBER 2011 - POLICE
TOWING CONTRACT

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting of November 20, 2008, the Board received a report dated October 23, 2008, from the Chief of Police recommending the Board award the District No. 5 towing and pound services contract to 1505378 Ontario Inc., operating as The Downtown Group Towing and Storage, for the term January 1, 2009 to May 31, 2011 (Min. No. P309/08 refers). As part of its approval of the awarding of the contract, the Board also approved the following Motion:

“THAT the Chief provide semi-annual reports to the Board which summarize adherence to the terms of the contract, including information regarding street tows with police presence on the scene, complaints and compliments.”

In accordance with the direction provided by the Board, the following report is being submitted.

Discussion:

The Toronto Police Service (TPS) requires prompt and efficient towing and pound services on a 24 hour a day, 7 day a week basis. The need for this service arises from police contact with vehicles such as those recovered after being stolen, impounded for bylaw infractions or impounded following the arrest of the driver. At the same time, the TPS also has an obligation to ensure that the towing and pound services provided to the public through the police are fair, equitable and in adherence to the terms and conditions of the contract between the TPS and the contract towing agencies.

In an effort to ensure compliance, all contract towing service providers are subject to quarterly inspections of a random selection of invoices to ensure conformity with the billing requirements of the contract. A total of 618 receipts were inspected for all pounds during this audit. Every receipt in this statistically relevant sampling is checked for In/Out time stamps and the accurate calculation of tow fees and storage costs. Any irregularities are noted; the receipts are photocopied and filed with Traffic Services. The management at each contract tow service provider is counselled regarding contract requirements and arrangements are made for customer reimbursement, if applicable.

In addition, during these quarterly inspections all contract towing service providers are subject to inspections of their equipment, licences and pound facilities. Any shortcomings are noted and arrangements are made with management to remedy the situation and comply with the conditions and requirements of the contract. Management are also advised of the comments and concerns raised from the "Tow Service Feedback" forms completed by Parking Enforcement (PEN) officers. Areas of concern such as length of wait times or more specific concerns are discussed and expectations are highlighted if required.

The video system used for security of the pound continues to be sampled by examining recordings for three random dates in the preceding ninety days to ensure compliance with that contract requirement. No deficiencies with respect to video recordings were noted during this current audit.

The veracity of the information from tow cards inputted into the towing database (VIP) is also examined regularly. Pound managers have addressed past issues by reaffirming internal processes with the employees responsible for these entries. PEN will continue to assist TSV with compliance checking by auditing tow cards against entries made into the towing database (VIP).

The inspection period for this report was from June 2011 to November 2011.

District 1

JP Towing Service & Storage Limited

There were two quarterly audits and inspections conducted on JP Towing, District 1 during the inspection period using receipts from the following dates;

April 25 2011 – May 1 2011	
Total number of receipts inspected	152
Number of receipts contract compliant	148
Number of receipts contract overcharged	4

June 20 2011 – June 26 2011	
Total number of receipts inspected	138
Number of receipts contract compliant	138
Number of receipts contract overcharged	0

Comments:

- An inspection and audit of the pound facilities was completed on July 12, 2011. All inspected equipment, facilities and licences were found to be in compliance. There were four overcharged invoices identified. All were related to medium towing charges. A supervisor was notified and refunds were issued.
- A second inspection and audit of the pound facilities was completed on October 6, 2011. All inspected equipment, licences and pound facilities were found to be in compliance.
- There were no letters of complaint or compliment registered during the inspection periods.
- There were a total of 4138 street tows with police presence in District 1 during the inspection period.

District 2

Walsh's Auto Service Limited - o/a Bill & Son Towing

There were two quarterly audits and inspections conducted on Bill & Son Towing, District 2 during the inspection period using receipts from the following dates;

April 25 2011 – May 1 2011	
Total number of receipts inspected	42
Number of receipts contract compliant	36
Number of receipts contract overcharged	6

June 20 2011 – June 26 2011	
Total number of receipts inspected	33
Number of receipts contract compliant	32
Number of receipts contract overcharged	1

Comments:

- An inspection and audit of the pound facilities was completed on July 13, 2011. All inspected equipment, facilities and licences were found to be in compliance. Six invoices were found to be overcharged relating to winching fees and medium weight vehicles. A supervisor was advised and refunds were issued.
- A second inspection and audit of the pound facilities was completed on October 5, 2011. All inspected equipment, licences and pound facilities were found to be in compliance. One invoice for a medium weight vehicle was identified to have been overcharged. The issue was discussed with a supervisor. A refund was issued.
- There were no letters of complaint or compliment during the inspection period.
- There were a total of 994 street tows with police presence in District 2 during this inspection period.

District 3

1512081 Ontario Limited - o/a Abrams Towing Service Limited

There were two quarterly audits and inspections conducted on Abrams Towing Service Ltd, District 3 during the inspection period using receipts from the following dates;

April 25 2011 – May 1 2011	
Total number of receipts inspected	74
Number of receipts contract compliant	74
Number of receipts contract overcharged	0

June 20 2011 – June 26 2011	
Total number of receipts inspected	81
Number of receipts contract compliant	81
Number of receipts contract overcharged	0

Comments:

- An inspection and audit of the pound facilities was completed on July 13, 2011. Upon arrival the gate was open. Management was advised that it is to be closed at all times. Aside from this all other inspected equipment, facilities and licences were found to be in compliance.
- A second inspection and audit of the pound facilities was completed on October 6, 2011. All inspected equipment, licences and pound facilities were found to be in compliance.
- There were no letters of complaint or compliment during this period.
- There were a total of 1729 street tows with police presence in District 3 during the inspection period.

District 4

Williams Towing Service Limited

There were two quarterly audits and inspections conducted on Williams Towing Service Ltd, District 4 during the inspection period using receipts from the following dates;

April 25 2011 – May 1 2011	
Total number of receipts inspected	52
Number of receipts contract compliant	52
Number of receipts contract overcharged	0

June 20 2011 – June 26 2011	
Total number of receipts inspected	67
Number of receipts contract compliant	66
Number of receipts contract overcharged	1

Comments:

- An inspection and audit of the pound facilities was completed on July 11, 2011. All inspected equipment, facilities and licences were found to be in compliance.
- A second inspection and audit of the pound facilities was completed on October 4, 2011. All inspected equipment, licences and pound facilities were found to be in compliance. One towing invoice had an additional charge for winching which was disallowed as it could not be substantiated with photos as per policy. A refund was issued.
- There were no letters of complaint or compliment during this period.
- There were a total of 1256 street tows with police presence in District 4 during the inspection period.

District 5

1504378 Ontario Incorporated - o/a The Downtown Group Towing and Storage

There were two quarterly audits and inspections conducted on the Downtown Towing Group, District 5 during the inspection period using receipts from the following dates;

April 25 2011 – May 1 2011	
Total number of receipts inspected	83
Number of receipts contract compliant	83
Number of receipts contract overcharged	0

June 20 2011 – June 26 2011	
Total number of receipts inspected	96
Number of receipts contract compliant	96
Number of receipts contract overcharged	0

Comments:

- An inspection and audit of the pound facilities was completed on July 12, 2011. All inspected equipment, facilities and licences were found to be in compliance.
- A second inspection and audit of the pound facilities was completed on October 5, 2011. All inspected equipment, licences and pound facilities, except for the required number of vehicles were found to be in compliance. The operator advised that the company was transitioning some vehicles and at the time of the audit had less than the required number of vehicles as per the contract. The operator was encouraged to rectify the situation as soon as possible and to keep TSV advised of the status. The Unit Commander of TSV was advised and continues to monitor the situation.
- There were no letters of complaint or compliment on file for this period.
- There were a total of 3742 street tows with police presence in District 5 during the inspection period.

District 6

“A” Towing Service Limited

There were two quarterly audits and inspections conducted on A Towing Service Ltd., District 6 during the inspection period using receipts from the following dates;

April 25 2011 – May 1 2011	
Total number of receipts inspected	213
Number of receipts contract compliant	213
Number of receipts contract overcharged	0

June 20 2011 – June 26 2011	
Total number of receipts inspected	203
Number of receipts contract compliant	201
Number of receipts contract overcharged	2

Comments:

- An inspection and audit of the pound facilities was completed on July 11, 2011. All inspected equipment, licences and pound facilities were found to be in compliance.
- A second inspection and audit of the pound facilities was completed on October 4, 2011. Two overcharges related to special equipment usage or medium duty tows were identified. Management was reminded that without proper justification and reasonable proof for added charges that the regular tow rate will apply. Refunds were issued.
- There were no compliments or complaints filed during this period.
- There were a total of 5695 street tows with police presence in District 6 during the inspection period.

Conclusion:

The pound audit process revealed a continuing compliance rate in excess of 99% based on the samples examined. There were two letters of complaint from all sources which is down from the last period. All matters were resolved to the satisfaction of the TPS and the parties involved. The ongoing efforts of the contract tow service providers continue to improve their operations and provide consistent quality towing services to the TPS and the public.

Acting Deputy Chief Jeff McGuire, 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.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P328. SCHOOL CROSSING GUARDS – SALARY AND BENEFITS REVIEW

The Board was in receipt of the following report December 15, 2011 from Alok Mukherjee, Chair:

Subject: SCHOOL CROSSING GUARDS - SALARY AND BENEFITS REVIEW

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

The estimated cost to the Board of the increase is \$172,400 in 2012, which amount is included in the 2012 approved budget.

Background/Purpose:

At its meeting on December 15, 2011, the Board approved a 3% increase to the hourly rate of pay for school crossing guards effective January 1, 2012.

Discussion:

The Service currently appoints and pays approximately 772 School Crossing Guards.

A review of school crossing guard salaries in surrounding jurisdictions by the Service in October 2011, demonstrated that the Toronto salaries are currently competitive, but many have not yet reviewed the compensation levels for 2012. With the herein increase, Toronto's rates will continue to be competitive.

The changed rates are as set out below.

<u>Service</u>	<u>Hourly Rate 2011</u>	<u>Hourly Rate 2012</u>
1 st year	\$11.33	\$11.67
2 nd year	\$12.39	\$12.76
3 rd year	\$13.45	\$13.85
25+ years	\$13.74	\$14.15

The minimum wage in Ontario, pursuant to the Employment Standards Act, 2000 (R.S.O. 2000, c.41, as amended) was raised from \$9.50 per hour to \$10.25 on March 31, 2010.

Conclusion:

Given the above, it is recommended that the Board receive this report.

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

The Board received the foregoing report. Additional information with respect to school crossing guards' salaries and benefits was also considered during the in-camera meeting (Min. No. C379/11 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P329. LEGAL INDEMNIFICATION – CASE NO. P1228/2009

The Board was in receipt of a report dated September 21, 2011 from William Blair, Chief of Police, with respect to a request for legal indemnification in case no. P1228/2009. A copy of the report is on file in the Board office.

Following a request by the Chair, the foregoing report was withdrawn. A report on the in-camera agenda with respect to this matter was also withdrawn by the Board (Min. No. C381/11 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P330. LEGAL INDEMNIFICATION – CASE NO. P1280/2009

The Board was in receipt of the following report September 27, 2011 from William Blair, Chief of Police:

Subject: LEGAL INDEMNIFICATION - CASE NO. P1280/2009

Recommendation:

It is recommended that the Board deny payment of the legal account dated December 30, 2009, from Mr. Joseph Markson in the amount of \$2,737.88 for his representation of an officer in relation to a Special Investigations Unit (SIU) investigation.

Financial Implications:

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

Background/Purpose:

A police constable has requested payment of legal fees for \$2,737.88 as provided for in the legal indemnification clause of the uniform collective agreement. The purpose of this report is to recommend denial of the member's claim.

Discussion:

On May 16, 2009, a police constable was on-duty operating a marked police vehicle, southbound on Dawes Road from Victoria Park Avenue when he received a call to attend a robbery at the Royal Bank located at 2780 Danforth Avenue.

The police constable activated the siren and emergency lights of the police vehicle and proceeded towards the bank. It was determined he reached the speed of 114 km/h in a posted roadway of 50 km/h. The road had wet patches from earlier rain and just south of Ferris Road, the officer lost control of his vehicle crossing over the centre line. He collided with an oncoming Toyota Corolla that was travelling northbound on Dawes Road. The impact of the collision caused the police vehicle to spin counter clockwise leaving the roadway and sliding sideways across several front lawns before coming to a stop.

The driver of the Toyota suffered pelvic and internal injuries. The officer, who was rendered unconscious suffered facial and brain injuries. Both were transported to hospital, admitted and released several days later.

The SIU was notified and invoked its mandate. In a letter dated July 20, 2009, to the Service, the SIU Director advised that the investigation was complete, the file closed and no further action was contemplated. The officer was excluded of any criminality.

The Service conducted an administrative investigation pursuant to Section 11 of Ontario Regulation 673/98 of the *Police Services Act (PSA)*. An analysis of the Automated Vehicle Locator data showed that the loss of control of the police vehicle was the result of excessive speed with disregard to road and weather conditions. In addition, the injuries suffered by the officer were the result of not wearing a seatbelt. The scout car was extensively damaged and could not be repaired.

On October 21, 2009, the officer was charged with one count of Careless Driving and one count of Driver-Fail to Wear Complete Seatbelt Assembly, contrary to the *Highway Traffic Act (HTA)*. Furthermore, the officer was also charged under the *PSA* with Willfully or Carelessly Cause loss or damage to any article of clothing or equipment or to any record or other property of the police force.

The officer pled guilty to Unsafe Lane Change and Driver-Fail to Properly Wear Seat Belt contrary to the *HTA* and was fined. The officer also pled guilty to Cause Damage to Equipment contrary to the *PSA* and a penalty was imposed.

This report corresponds with additional information provided on the confidential agenda.

Conclusion:

While the officer was excluded of any criminality by the SIU, the officer pled guilty to the *HTA* and *PSA* charges. Upon conclusion of all the matters, a request for payment of legal fees was submitted pursuant to the uniform collective agreement.

Article 23:01 (b) states:

Subject to the other provisions of this Article, a member who is not charged with a criminal or statutory offence but who has been the subject of a criminal investigation because of acts done in the attempted performance in good faith of his/her duties as a police officer shall be indemnified for the necessary and reasonable legal costs incurred by the member during the investigation unless, arising from or as a result of such investigation, the member becomes the subject of a hearing under the Police Services Act and his or her conduct is found to constitute misconduct or unsatisfactory work performance, in which event the member shall not be eligible for indemnification hereunder.

Therefore, based on the foregoing, it is recommended that payment for the legal expenses incurred should be denied.

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

The Board approved the foregoing report. Additional information was also considered during the in-camera meeting (Min. No. C382/11 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P331. LEGAL INDEMNIFICATION – CASE NO. P1287/2010

The Board was in receipt of the following report December 01, 2011 from William Blair, Chief of Police:

Subject: LEGAL INDEMNIFICATION P1287/2010

Recommendation:

It is recommended that the Board deny payment of the legal account dated January 18, 2010, from Mr. Harry Black in the amount of \$71,143.82 for his representation of a sergeant in relation to Criminal Charges of Theft Under \$5,000 and Careless Storage of a Firearm.

Financial Implications:

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

Background/Purpose:

A sergeant has requested payment of his legal fees for \$71,143.82 as provided for in the legal indemnification clause of the uniform collective agreement. The purpose of this report is to recommend denial of the member's claim.

Discussion:

A sergeant and the complainant had been in a common law relationship for 12 years when it ended on March 31, 2007, when the sergeant left the family home. In April of 2007, the complainant went on vacation and allegedly advised the sergeant that she did not want him to enter the home while she was away. The sergeant ignored the request and went to the home and removed a few boxes from the residence. When the complainant returned from her trip, she believed that personal documents had been taken. On May 17, 2007, she contacted the Durham Regional Police Service to report a theft, and expressed concern with respect to the sergeant's behaviour and indicated that he kept his police issued firearm with him at all times in a black leather bag. The complaint further advised officers that the sergeant would be attending their son's hockey game that night.

Police officers of the Durham Regional Police Service stopped the sergeant while he was on his way to the hockey arena and located a loaded police issued 22 Glock and a loaded magazine in a black leather bag behind the driver's seat of his truck. The sergeant was scheduled to work later that evening and was authorized to travel to and from work with his firearm. He was subsequently arrested and charged with Theft Under \$5,000 and Careless Storage of a Firearm.

A trial was held on April 15 and April 17, 2008, with respect to the criminal charges. During the trial, it was revealed that the boxes the sergeant removed from the garage contained his own personal documents and tools. At that time, there was no order for exclusive possession of the home that prevented the sergeant from entering it.

On July 21, 2008, the Crown Attorney advised that upon reviewing the evidence of the witness, she was unable to prove the criminal charges before the court and invited the judge to withdraw the charges against the sergeant. The judge marked the charges as withdrawn by the crown.

Conclusion:

While the charges were withdrawn against the sergeant, he was not acting in the capacity as a Police Officer but rather as a private citizen. Pursuant to Article 23:08 (b) of the Uniform Collective Agreement, it states:

“For greater certainty, members shall not be indemnified for legal costs arising from the actions or omissions of members acting in their capacity as private citizens.”

Therefore, based on the foregoing, payment of the legal expenses incurred should be denied.

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

The Board approved the foregoing report. Additional information was also considered during the in-camera meeting (Min. No. C383/11 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P332. AWARDS GRANTED BY THE TORONTO POLICE SERVICES BOARD:
JANUARY TO DECEMBER 2011**

The Board was in receipt of the following report November 28, 2011 from William Blair, Chief of Police:

Subject: AWARDS GRANTED BY THE TORONTO POLICE SERVICES BOARD:
JANUARY TO DECEMBER 2011

Recommendation:

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

Financial Implications:

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

Background/Purpose:

The following Toronto Police Services Board awards were presented to members of the Toronto Police Service during the period from January to December 2011:

MERIT MARK:

PC	AGUIAR, Steven (7760)	Intelligence Division
PTCTO	BYRNES, Richard (90544)	Area Courts
PC	DaSILVA CRISTOPULO, Jimmy (9909)	Traffic Services
PC	McGREGOR, Jordan (9059)	43 Division
PC	McNAUGHTON, Robert (8566)	41 Division
Sgt.	MILLER, Duncan (4216)	12 Division
PC	MOHAMMED, Adil (10383)	41 Division
PC	PARKER, Todd (5422)	43 Division
PC	ROBERTS, Joel (10184)	33 Division
PTCTO	TAIMURI, Jehanzeb (90488)	Area Courts
PC	VERDOOLD, Lance (1253)	31 Division
PC	WIGGERMANN, Sven (9332)	Traffic Services
CTO	YUEN, Henry (99299)	Area Courts

COMMENDATION:

Sgt.	ADAMSON, James (807)	Mounted & Police Dog Services
PC	ASHTON, Michael (65712)	41 Division
S/Sgt.	BARKLEY, Mark (1470)	Risk Management Unit
PC	BENNETT, Brian (7885)	41 Division
PC	BLACK, Robert (9561)	12 Division
Civ.	BRUNTON, Sandra (82223)	Communications Services
PC	CATES, Steven (8192)	41 Division
Det.	CHOE, Robert (5392)	14 Division
PC	DEAN, Bertrand (90421)	53 Division
PC	GILL, Birender (5383)	14 Division
Civ.	HAYES, Mark (86508)	Video Services
CTO	JEHN, Mireille (99475)	Area Courts
PC	LANDRY, Adam (7939)	14 Division
S/Sgt.	LOWREY, Alan (2617)	22 Division
Sgt.	MacKAY, Shari (5251)	52 Division
PC	McGOVERN, Paul (5487)	14 Division
PC	MEGAHY, Ian (4844)	14 Division
Civ.	MOHAN, Catherine (87279)	Communications Services
S/Sgt.	MOYER, Ian (5869)	55 Division
Sgt.	MOYER, Jeffrey (4376)	12 Division
PC	NICHIPORIK, Darren (8943)	14 Division
PC	PAPE, Derek (8447)	55 Division
Det.	PERREAULT, Sean (974)	12 Division
Mgr.	SANDEMAN, John (87804)	Video Services
Det.	SARDELLA, Glenn (99634)	55 Division
PC	SEABAN, Michael (9993)	41 Division
PEO	STAM, Paul (99325)	Parking Enforcement West
D/Sgt.	STANLEY, William (321)	Court Services
PC	STEPANENKO, Elena (8890)	43 Division
Civ.	TAYLES, Kristi (86570)	Crime Information Analysis Unit
D/Sgt.	TRETTER, Madelaine (4649)	22 Division
Dr.	VIPARI, Carol (89559)	Human Resource Management
Sgt.	WALTHER, Timothy (8589)	51 Division
Civ.	WRETHAM, Brenda (88361)	Communications Services

TEAMWORK COMMENDATION:

PC	AJAZI, Sofokli (9942)	Traffic Services
PC	ALBRECHT, Irvin (5043)	Forensic Identification Services
PC	ANSTEY, Jason (7710)	33 Division
PC	ARMSTRONG, Robert (7637)	33 Division
Det.	ASSELIN, Glenn (1717)	Organized Crime Enforcement
PC	AWAD, Ashraf (7780)	Intelligence Division

Det.	BARATTO, Michelle (5641)	31 Division
Civ.	CAMPBELL, Una (87719)	Financial Management
Det.	CARTER, Scott (1554)	33 Division
PC	CHAKAL, Sarbjit (9905)	12 Division
PC	CIESLIK, Susan (3379)	Forensic Identification Services
PC	CLARK, Travis (7528)	Organized Crime Enforcement
PC	DHOUM, Munish (9286)	23 Division
Civ.	DINC, Huseyin (88707)	Information Technology Services
Det.	DIVIESTI, Tony (695)	33 Division
PC	DONAIS, Bradley (8015)	Forensic Identification Services
D/Sgt.	DZINGALA, Edward (3998)	33 Division
Det.	FERGUSON, Scott (1082)	Organized Crime Enforcement
Civ.	GASPARIAN, Elsa (86740)	Financial Management
Det.	GREKOS, Michael (770)	Drug Squad
PC	GRONDIN, Scott (7825)	Forensic Identification Services
Det.	HEWSON, Kent (3851)	33 Division
Sgt.	HOOPER, Kevin (8652)	55 Division
PC	HUBBARD, Simon (3999)	Forensic Identification Services
Det.	IMRIE, Thomas (5139)	55 Division
PC	JOHNSON, Daniel (5262)	43 Division
PC	JOHNSTON, Jeffrey (30)	Forensic Identification Services
PC	KARA, Sameer (10108)	51 Division
PC	KEEGAN, Jason (9645)	11 Division
Civ.	LA FLEUR, Paul (88916)	Financial Management
PC	LALONDE, Lisa (8360)	Traffic Services
PC	LIMSIACO, Michael (8803)	43 Division
PC	LUKINGS, Aimee (8504)	Forensic Identification Services
PC	MANCUSO, Francesco (7761)	Organized Crime Enforcement
PC	MARANAN, Kelvin (9386)	55 Division
PC	MARCHEN, Michael (4840)	Forensic Identification Services
PC	McCULLOUGH, Alan (8276)	Traffic Services
PC	McLAUGHLIN, Colm (6754)	55 Division
PC	METZGER, Katimarie (9797)	13 Division
PC	MINOGUE, Michael (7924)	43 Division
Civ.	MOTTOLA, Ruth (86678)	Financial Management
PC	MUTO, Jason (10137)	31 Division
PC	NAIR, Sajeev (8221)	33 Division
PC	NEGOGATOVA, Iryna (10210)	23 Division
PC	PANTON, Sarah (8933)	33 Division
PC	POOLE, Candice (9927)	22 Division
PC	RAMPERSAD, Steven (8139)	43 Division
PC	ROBB, Paul (8210)	43 Division
Det.	RUFFINO, Stephen (4973)	11 Division
PC	SALIHU, Kastriot (10373)	11 Division
Det.	SEDORE, Kevin (7568)	23 Division

Det.	SHANK, Richard (6045)	Organized Crime Enforcement
PC	SHIN, Jay (7701)	31 Division
PC	SNOW, Royan (9817)	51 Division
PC	STEHLIK, Julie (5485)	33 Division
Sgt.	STEINWALL, Andrew (5352)	32 Division
PC	STOYKO, Sandra (9168)	11 Division
PC	SYED, Hassan (10163)	31 Division
PC	TREMBLAY, Joseph (9637)	51 Division
PC	TRUEMAN, Maureen (1637)	55 Division
PC	UHER, Jason (8251)	Traffic Services
Civ.	VISCONTI, Rocco (87649)	Financial Management
Det.	WALTERS, Gregory (6842)	Organized Crime Enforcement
Det.	WILSON, Timothy (6094)	Drug Squad
PC	YEUNG, Patrick (90025)	55 Division
PC	YOUNGER, Chad (8451)	Drug Squad

AUXILIARY COMMENDATION:

PC	D'MELLO, Melville (51384)	43 Division
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Members who were unable to attend the ceremonies were presented with their awards at the unit level.

In summary, there were a total of 13 Merit Marks, 34 Commendations, 66 Teamwork Commendations and 1 Auxiliary Commendation during 2011.

The following Toronto Police Services Board awards were presented to members of the community during the period from January to December 2011:

COMMUNITY MEMBER AWARD

NAME	SUBMITTED BY:
BARBOROSSA, Peter	22 Division
BEDROSSIAN, Roubin	33 Division
BONK, Darren	42 Division
BORDMAN, Eli	14 Division
BROWN, Jevor Oshane	31 Division
CORMIER, Russell	14 Division
CUNHA, Manuel	12 Division
DE GABRIELIS, Joseph	14 Division
DERI, Garth	33 Division
DUGGAN, Gregory	43 Division
DUNNING, Lonna	42 Division
GAJIC, Slobodan "Jack"	14 Division
HALIMI, Shafee	55 Division

HANNAH, James	14 Division
HARRIS, Paul	54 Division
HARVEY, Paul	23 Division
HILLMER, Michael	Sex Crimes Unit
JUNG, Ted	32 Division
KARETNIK, Ivan	22 Division
KELLY, Patrick Wayne	14 Division
KIRKWOOD, Terry	14 Division
KNIGHT, Hailey	53 Division
KOVESKUTI, Myrtyl	Sex Crimes Unit
KOVESKUTI, Richard	Sex Crimes Unit
LOTTA, Roberto	12 Division
MATEUS, Ricardo	14 Division
McCAFFREY, Megan	54 Division
MUTIGER, James	32 Division
NOUSSIS, Alex	23 Division
O'BRIEN, George	Court Services
PALMER, Junior	31 Division
PAPADOPOULOS, Evangelina	41 Division
PAQUETTE, Ronald	23 Division
PATTERSON, Mark`	23 Division
RAYMOND, Shane	32 Division
RUSSO, John	22 Division
SERGENESE, Angelo	Hold Up Squad
SHARGALL, Asaf	14 Division
SKYBA, Volodymyr	22 Division
THOMAS, Mark	43 Division
YANG, Michael	14 Division
ZELENKA, Anthony	14 Division
ZLATANOV, Stefan Naydenov	43 Division
ZWUESTE, Richard	32 Division

PARTNERSHIP AWARD

NAME	SUBMITTED BY:
CHRISTEN, Jennifer	Traffic Services
DIMITROFF, Elaine	Traffic Services

In summary, there were a total of 44 Community Member Awards and 2 Partnership Awards presented during 2011. Members of the community who were unable to attend the ceremonies were presented with their awards by the units who had submitted them for nomination.

Conclusion:

The purpose of the report is to provide a record of awards granted by the Toronto Police Services Board during the period from January to December 2011.

The Board approved the following Motion:

THAT the Board receive the foregoing report with an amendment indicating that in 2011 the Board also awarded Medals of Merit to Deputy Chief Kim Derry and Deputy Chief Tony Warr upon their retirements.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P333. DISPOSITION REPORT – REVIEW OF CONCERNS REGARDING THE
CONDUCT OF COUNCILLOR FRANCES NUNZIATA**

The Board was in receipt of a report November 30, 2011 from Alok Mukherjee, Chair, containing a review of the concerns regarding the conduct of Councillor Frances Nunziata. A copy of the report is on file in the Board office.

The Board deferred consideration of the foregoing report to a future meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P334. DELEGATION OF AUTHORITY TO FILE PROOF OF CLAIM
DOCUMENTS ON BEHALF OF THE TORONTO POLICE SERVICES
BOARD**

The Board was in receipt of the following report November 22, 2011 from William Blair, Chief of Police:

Subject: DELEGATION OF AUTHORITY TO FILE PROOF OF CLAIM DOCUMENTS
ON BEHALF OF THE TORONTO POLICE SERVICES BOARD

Recommendation:

It is recommended that the Board delegate authority to the Chief of Police or his designate, to file Proof of Claim documents in all situations covered by the *Bankruptcy and Insolvency Act* (the "Act"), where the Toronto Police Service (Service) is a creditor for purposes of the Act.

Financial Implications:

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

Background/Purpose:

The Service provides some services to individuals and organizations for which there is a cost recovery payable to the Service at a later date. For example, when the Service provides paid duty services to an organization, an administrative fee and related vehicle and/or equipment rentals are charged to the user. Debtors are given the industry standard of 30 days to pay the outstanding balance on all the amounts owing to the Service. If amounts are not collected within the 30 day period, they are ultimately sent to the Service's collection agency for further action.

From time to time, the Service receives Notices of Bankruptcy from trustees appointed to administer the financial difficulties of a Service customer. In order to prove the amount that remains outstanding from the customer, the trustee requests that a Form 31 – Proof of Claim be filed prior to a date specified by the trustee. The Proof of Claim allows the Service to identify for the trustee the amount owed by the debtor and provide proof of that amount with invoices and account balances from the Service's financial system.

The Proof of Claim must be signed by the individual creditor, business owner or, in the case of the Board, an individual with delegated authority to submit such information on the Board's behalf. The individual to whom such authority is delegated only acts on behalf of the Board by attesting to the outstanding amount. In situations where settlements less than the original amount owing are recommended, the Service would seek the Board's approval for such settlement.

To date, the Service's Manager, Financial Management, has been signing the Proof of Claim on behalf of the Board. However, the question of authority to sign this document when filing the claim with a trustee was recently discussed with the Board's legal advisor. In past bankruptcy situations, the Board has always been an unsecured creditor and, therefore, no portion of the outstanding balance has been recovered. The Board was only notified of the bankruptcy when the Service provided its' semi-annual report on write-offs. The Service's Financial Control By-law does not provide any authority regarding this document. As a result, the Service considers it appropriate that the Board formally authorize the Chief or his designate to sign and file these documents on the Board's behalf.

Discussion:

The Act was established by the federal government to protect the rights of individuals and organizations and their creditors when financial difficulties arise for a debtor, and to establish the responsibilities, powers and duties of trustees and courts in bankruptcy circumstances.

The Act protects debtors and creditors in at least two circumstances:

1. Consumer proposals – Allows the debtor to settle outstanding debt at a certain point in time for an amount which is less than the actual amount owing; and
2. Bankruptcy – Allows the debtor to declare bankruptcy and initiates the dissolution of the business or sale of assets through which settlement will be made to creditors in order of priority.

The Service enters into a number of business arrangements with individuals or organizations, whereby the Service has provided a good or service and expects to receive future payment. In situations where debtors face financial difficulty, the Act requires that a trustee, responsible for administering the requirements of the Act, be appointed. It is the trustee's responsibility to administer proposals and bankruptcies and manage assets held in trust for the creditors. In addition, trustees ensure that both debtors and creditors are aware of all information relating to the bankruptcy, ensure both are aware of all processes available and protect the rights of both.

The Service is an unsecured creditor as open account terms were offered to the individual or organization based solely on an evaluation of the debtor's ability to pay and not supported by any form of collateral or security. When the Service provides paid duty services to an organization, as mentioned above, the fees charged are invoiced with net 30 day terms, allowing the customer to take up to 30 days to pay the invoice. The Service monitors the account to ensure payment is made within the payment terms and takes various steps to encourage payment, including sending accounts overdue for more than 90 days to the Service's collection agency.

From time to time, the Service receives bankruptcy or proposal notices from trustees for amounts owed by debtors. The trustee appointed to manage a proposal or bankruptcy contacts all creditors and requests confirmation of the balance they are owed. In order to ensure that the Service can vote in situations of consumer proposals, or potentially has a stake in asset distribution in a dissolved business, a Proof of Claim is filed. Form 31 – Proof of Claim, a copy

of which is attached to this report, is a prescribed form that is sent to all creditors, along with the Notice of Bankruptcy or Notice of Proposal. Creditors are required to fill out and return this form to the trustee, or administrator of the consumer proposal, in order to prove their claim. Supporting documents, such as invoices and financial system reports, are also submitted along with the form. The Proof of Claim must be signed by the creditor, which can be the owner of a business or in the case of the Board, an individual to whom authority to sign such documents has been provided by the Board.

Financial Management (FMT) is the Service unit responsible for managing the amounts owed by customers to the Board. As a result, FMT serves as the Service contact with debtors and with trustees in consumer proposal or bankruptcy situations. When such notices are received, quick turnaround of the Proof of Claim and supporting documents is required to ensure that creditor information is logged with the trustee as soon as possible. By delegating authority to the Chief of Police, or his designate, timely filing of the documents is ensured and, therefore, the best interests of the Board are represented in all Proof of Claim filings.

Conclusion:

When Service customers file consumer proposals or bankruptcy assignments with trustees, under the Act, the Service must ensure that timely filing of the Form 31 - Proof of Claim is made with the trustee. The Board is being requested to delegate authority to the Chief of Police, or his designate, to act on its behalf in all situations where a Proof of Claim must be signed and returned to the trustee within a specified period of time, in order to allow the Service's claim to be considered as part of the proposal or bankruptcy proceedings.

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 the following Motion:

THAT the Chief advise the Board annually in the years in which this delegated authority has been exercised.

Form 31

Proof of Claim

**Section 50.1, subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 102(2), 124(2), 128(1),
and paragraphs 51(1)(e) and 66.14(b) of the Act**

All notices or correspondence regarding this claim must be forwarded to the following address:

In the matter of the bankruptcy (or the proposal, or the receivership) of _____ (name of debtor) of _____ (city and province) and the claim of _____, creditor.

I, _____ (name of creditor or representative of the creditor), of _____ (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am _____ (state position or title) of _____ (name of creditor or representative of the creditor)).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of bankruptcy (or the date of the receivership, or in the case of a proposal, the date of the notice of intention or of the proposal, if no notice of intention was filed), namely the _____ day of _____, _____, and still is, indebted to the creditor in the sum of \$ _____, as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.)

4. *(Check and complete appropriate category.)*

A. UNSECURED CLAIM OF \$ _____

(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and

(Check appropriate description)

Regarding the amount of \$ _____, I claim a right to a priority under section 136 of the Act.

Regarding the amount of \$ _____, I do not claim a right to a priority.

(Set out on an attached sheet details to support priority claim.)

B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based.)

C. SECURED CLAIM OF \$

That in respect of this debt, I hold assets of the debtor valued at \$ as security, particulars of which are as follows:

(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)

D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$

(Attach a copy of sales agreement and delivery receipts.)

E. CLAIM BY WAGE EARNER OF \$

That I hereby make a claim under subsection 81.3(8) of the Act in the amount of \$

That I hereby make a claim under subsection 81.4(8) of the Act in the amount of \$

F. CLAIM AGAINST DIRECTOR \$

(To be completed when a proposal provides for the compromise of claims against directors.)

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based.)

G. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based.)

5. That, to the best of my knowledge, I am (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of section 4 of the Act, and have (or has) (or have not or has not) dealt with the debt or in a non-arm's length manner.

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Act, within the 12 months) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: *(Provide details of payments, credits and transfers at undervalue.)*

(Applicable only in the case of the bankruptcy of an individual.)

I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

Dated at _____, this _____ day of _____.

Witness

Creditor

Creditor

Phone Number:

Fax Number:

E-mail Address:

Note: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

Warnings: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

Note: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P335. TORONTO POLICE SERVICES BOARD SPECIAL FUND – 2010
SPECIFIC PROCEDURES REPORT**

The Board was in receipt of the following report November 14, 2011 from Alok Mukherjee, Chair:

Subject: TORONTO POLICE SERVICES BOARD SPECIAL FUND – 2010 SPECIFIC PROCEDURES REPORT

Recommendation:

It is recommended that:

1. the Board receive the annual Specific Procedures report, performed by Price Waterhouse Coopers LLP; and
2. the Chair be requested to amend items number 8 and 10 of the special fund policy to reflect changes to the audit and the administrative process.

Financial Implications:

There are no financial implications associated with the recommendations in this report.

Background/Purpose:

Attached is the 2010 Specific Procedures report for the Police Services Board Special Fund, performed by independent external auditors, to assist the Board in evaluating the application and disbursement procedures and processes related to the Special Fund for the year ended December 31, 2010. It was determined that an assessment of the Special Fund procedures and processes is a more useful approach because it tests the degree to which the Board is adhering to its policy governing the Special Fund.

The assessment revealed that although the Special Fund Policy allow for exceptions to the funding criteria on a case by case basis, such exceptions are not always clearly stated in the request for funding being considered by the Board. Thus, an amendment to the policy is recommended in order to ensure transparency. In addition, an amendment to the policy is recommended as a result of changes to the audit process.

I will provide the Board with a revised Special Fund Policy for its consideration in February 2012.

Conclusion:

Therefore, it is recommended that:

1. the Board receive the annual Specific Procedures report, performed by Price Waterhouse Coopers LLP; and
2. the Chair be requested to amend items number 8 and 10 of the special fund policy to reflect changes to the audit and the administrative process.

The Board approved the foregoing report.

[Date]

To the Toronto Police Services Board:

We have performed the procedures agreed with you and enumerated in Appendix 1 to this report with respect to the Toronto Police Services Board Special Fund (TPS Special Fund)

The procedures were performed solely to assist you in evaluating the application and disbursement procedures and processes related to the TPS Special Fund for the year ended December 31, 2010.

As a result of applying the procedures detailed in Appendix 1, we set out our findings in our report attached as Appendix 2.

Because the above procedures do not constitute an audit of the account balances or transactional activity within the TPS Special Fund as at and for the year ended December 31, 2010 we express no opinion on these account balances as at December 31, 2010 or the transactional activity for the year ended December 31, 2010. Had we performed additional procedures or had we performed an audit of the account balances and transactional activity of the TPS Special Fund, other matters might have come to our attention that would have been reported to you.

This report has been prepared solely for the use of the Toronto Police Services Board, and should not be used by anyone other than this specified party. Any use that a third party makes of this report, or any reliance or decisions made based on it, are the responsibility of such third party. We accept no responsibility for any loss or damages suffered by any third party as a result of decisions made or actions taken based on this report.

Chartered Accountants, Licensed Public Accountants

Appendix 1

Agreed upon procedures

Application and disbursement procedures

Haphazardly select 25% of the annual disbursements (cheques) from the TPS Special Fund and:

1. Ensure that Board approval has been obtained
2. Ensure that the cheque amount agrees to the approved amount, and that such amount is recorded in the TPS Special Fund general ledger (book of accounts).
3. Ensure that an application form was submitted and approved in accordance with the TPS Special Fund approval guidelines and policies.
4. Ensure that the cheque is signed by the appropriate signatories in accordance with the TPS Special Fund approval guidelines and policies.
5. Ensure that the cheque was cashed.

General procedures

6. Haphazardly select ten disbursements from the TPS Special Fund and ensure that the funding is provided prior to the date of the event/activity.

7. Haphazardly select six bank statements and ensure that the account balance does not fall below \$150,000 as set out in the TPS Special Fund Policy.
8. Request the Board office to provide a listing of disbursements which were exceptions to the policy, and ensure that the Board approved the disbursement despite the exception.
9. Haphazardly select ten deposits and ensure that they are from authorized revenue sources as allowed by the Police Services Act.

Findings

Haphazardly select 25% of the annual disbursements (cheques) from the TPS Special Fund and:

1. Ensure that Board approval has been obtained
2. Ensure that the cheque amount agrees to the approved amount, and that such amount is recorded in the TPS Special Fund general ledger (book of accounts).
3. Ensure that each general ledger entry is supported by an application form that was submitted and approved in accordance with the TPS Special Fund approval guidelines and policies.
4. Ensure that the cheque is signed by the appropriate signatories in accordance with the TPS Special Fund approval guidelines and policies.
5. Ensure that the cheque was cashed.

We haphazardly selected twenty-seven disbursements from the TPS Special Fund for testing, itemized below, for the year ended December 31, 2010, representing 25% of the total number of annual disbursements for the year ended December 31, 2010.

For each disbursement selected, we completed procedures 1 through to 5 and have the following exception to note:

- Cheque # 605 was signed by only one signatory

Disbursements (cheque #'s)						
504	538	551	562	579	587	602
508	540	552	566	581	588	605
524	541	554	571	583	589	610
526	542	558	577	586	592	

6. Haphazardly select ten disbursements from the TPS Special Fund and ensure that the funding is provided prior to the date of the event/activity.

We haphazardly selected ten disbursements from the TPS Special Fund for testing, itemized below, and have no exceptions to report as a result of completing this procedure.

Disbursements (cheque #'s)	
504	562
524	579
538	588
540	589
541	592

7. Haphazardly select six bank statements and ensure that the account balance does not fall below \$150,000 as set out in the TPS Special Fund Policy.

We haphazardly selected six bank statements of the TPS Special Fund, itemized below, and have no exceptions to report as a result of completing this procedure.

Monthly Bank statement	
January 2010	September 2010
March 2010	October 2010
April 2010	December 2010

8. Request the Board office to provide a listing of disbursements which were exceptions to the policy, and ensure that the Board approved the disbursement despite the exception.

Based on enquiry of Sandra Califaretti, Manager, Financial Management, there were two exceptions, itemized below, to the policy during the year ended December 31, 2010. We have reviewed the minutes to the Board meeting for each of these exceptions and have no exceptions to report as a result of completing this procedure.

Exceptions to the Policy	
Independent Civilian Review into matters relating to the G20 Summit (Board Minute numbers P189/2010, P243/2010, P271/2010, C376/2010 and P299/2010).	
Human Rights Project performed by Ryerson University (Board Minute number BMP117/2010).	

9. Haphazardly select ten deposits and ensure that they are from authorized revenue sources as allowed by the Police Services Act.

We haphazardly selected ten deposits to the TPS Special Fund, itemized below, and have no exceptions to report as a result of completing this procedure.

Deposit date	
January 29, 2010	June 29, 2010
February 8, 2010	July 27, 2010
May 5, 2010	September 15, 2010
May 5, 2010	October 22, 2010
June 23, 2010	December 7, 2010

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

**#P336. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:
REVIEW OF PAYROLL FUNCTION**

The Board was in receipt of the following report December 02, 2011 from William Blair, Chief of Police:

Subject: REVIEW OF PAYROLL FUNCTION – REQUEST FOR EXTENSION

Recommendation:

It is recommended that the Board approve a one month extension to submit the report on the review of options for delivering required payroll services.

Financial Implications:

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

Background/Purpose:

At its September 14, 2011 Board meeting (Min. No. 229/11), the Board approved a number of measures to be considered in achieving the 2012 budget target set by the City of Toronto. The measure below pertains to Payroll Services:

Use of Alternative Business Practices

3(g) The Chief report to the Board within two months on the options for divesting the payroll function, or parts of this function, such as transferring the function to the City or contracting out to another provider, with a cost-benefit analysis and an implementation plan beginning in the 2012 budget cycle.

The purpose of this report is to request an extension of time to submit the requested report.

Discussion:

Service staff have commenced work on the review of this request. The processing of payroll involves more than the Payroll unit as other areas of the Service (e.g. Human Resources, Information Technology operating units) play a role in processing information in order to issue a pay. As a result, the review requires more time to complete and a one month extension for submitting the report is therefore being requested

Conclusion:

The Board requested a report on the options for the delivery of payroll services for the Service. Work has commenced on reviewing various alternatives. However, due to the complexities of the process, more time is required to complete the review, and a one month extension to the January 2012 Board meeting is requested.

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.

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TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2011**

#P337. TORONTO POLICE SERVICES BOARD SPECIAL FUND

The Board was in receipt of the following report December 15, 2011 from Alok Mukherjee, Chair:

Subject: ANNUAL COMMUNITY EVENTS 2012: TORONTO POLICE SERVICES BOARD SPECIAL FUND

Recommendation:

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

Financial Implications:

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

Background/Purpose:

The Special Fund is created through the sale of unclaimed property. The Board has the sole legislated authority to expend the Special Fund. Section 132(2) of the *Police Services Act* states, "The chief of police may cause the property to be sold, and the board may use the proceeds for any purpose that it considers in the public interest". The Board has used its Special Fund to support co-operative community/Toronto Police Service initiatives and employee recognition (long service, awards for performance, etc), subject to funds being available.

The Special Fund Policy outlines the criteria for the approval of special fund expenditures and the administrative process. The policy requires that the Fund must maintain a minimum balance of \$150K (one hundred and fifty thousand) in order to meet its corporate recognition obligations. A copy of the Special Fund Policy is attached.

Discussion:

In November 2010, the Board imposed a moratorium on expenditures from the Special Fund, pending a review of the Special Fund's status. At its meeting held on April 7, 2011, the Board approved the continuation of the moratorium, as well as a motion that the Chair and the Vice Chair identify and implement options and strategies regarding Special Fund expenditures so that the Board can continue to meet its commitments to the Independent Civilian Review of the policing of the G20 Summit and corporate recognition programs (Min. No. P100/11 refers). The objective of the Chair/Vice Chair review was to identify options/strategies the Board could employ to continue to meet its Special Fund commitments and bring the Special Fund back to good health.

In keeping with Board direction, a further review of all Special Fund expenditures was conducted in late April 2011 which resulted in the Board's decision to eliminate or reduce a number of expenditures in 2011. The following recommendations were approved and implemented:

- 2011 expenditures which were previously approved by the Board but not yet expended were eliminated, this included all community outreach initiatives, for example community events hosted by the Service and Board/community initiatives
- Expenditures associated with corporate recognition programs remained intact, however, catering cost associated with the events were reduced by 20%
- Reduction of Board's share of the cost of joint Board/TPA retirement dinners by 20% (Board committed to total annual cost of \$10,600)
- Reduced Consultative Committees expenditures by 50%
- Ryerson University evaluation of Human Rights Project Charter (deferred to 2012)
- Established a reserve of \$15,000 for evidence and held money (remaining balance will move from liability to revenue)

An estimate of the Fund's 2011 year-end balance is \$293,800.00. A final year-end accounting is expected at the February or March Board meeting. Based on Board decisions made to date it is estimated that \$245,600.00 will be expended in 2012. These expenditures will not comprise the Board's ability to meet its Special Fund Policy.

Conclusion:

Therefore, it is recommended that the Board receive this report for information.

The Board deferred consideration of the foregoing report to a future in-camera meeting and requested that a presentation on the Special Fund be delivered to the Board at that time as well as examples of events and programs that will receive funding or will be eligible to receive funding in 2012.



TORONTO POLICE SERVICES BOARD

SPECIAL FUND

DATE APPROVED	November 4, 1993	Minute No: P624/93
DATE(S) AMENDED	May 1, 2000 January 25, 2007 May 21, 2009 November 15, 2010	Minute No: P156/00 Minute No: P32/07 Minute No: P149/09 Minute No: P292/10
DATE REVIEWED	May 12, 2005 November 15, 2010	Minute No: P157/05 Minute No: P292/10
REPORTING REQUIREMENT	Quarterly unaudited financial reports Annual Audited Financial Statement Chair to report annually on requests authorized by Chair and Vice Chair Program evaluation report	
LEGISLATION	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, ss. 31(1)(c), 132(2).	
DERIVATION		

Section 132(2) of the *Police Services Act* establishes that the Toronto Police Services Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the police service. The *Act* stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest."

It is the policy of the Toronto Police Services Board with respect to the approval of expenditures from the Special Fund that expenditures will fall within one of the following five categories:

1. Community Outreach

Initiatives supporting community-oriented policing that involve a co-operative effort on the part of the Toronto Police Service and the community.

- a. Initiatives benefiting children and/or youth and/or their families. Initiatives must involve members of the Toronto Police Service. For example, the project must reduce the need for policing intervention or strengthen the relationship between police and the community, particularly with marginalized youth; and

- b. Initiatives addressing violence prevention or prevention of repetition of violence or the root causes of violence. Initiatives must involve members of the Toronto Police Service.

2. Awards and Recognition Programs

Expenditures related to recognition of the work of Board Members, Toronto Police Service members, auxiliary members, other volunteers and school crossing guards.

- a. The Chair and the Vice Chair have been granted standing authority to approve expenditures from the Special Fund for costs associated with the Board's awards and recognition programs; and
- b. The Chair is required to report to the Board annually, all approved requests.

3. Toronto Police Amateur Athletic Association

Funding to offset the expenses of members participating in Toronto Police Amateur Athletic Association ("TPAAA") sponsored events and competitions

- a. The Special Fund will be used for funding the TPAAA sponsored sporting events and competitions to a maximum of \$200.00 per member, per event;
- b. The Chair and the Vice Chair have been granted standing authority to approve these requests; and
- c. The Chair is required to report to the Board annually, all approved requests.

4. Fitness Facilities

Shared funding of fitness equipment for police facilities.

- a. The Board will offset the cost of equipment located in police facilities;
- b. To offset the cost of equipment for fitness facilities, and, as referenced in the collective agreement, the Board will endeavour to obtain the maximum amount of government funding possible. The balance of the cost will be shared according to the Board's current policy: 1/3 payable by the Board; 1/3 payable by the TPAAA (assuming that the TPAAA agrees) and 1/3 payable by the members;
- c. The Chair and the Vice Chair have been granted standing authority to approve these requests; and
- d. The Chair is required to report to the Board annually, all approved requests.

5. Consultative Committees

In accordance to the Board's Community Consultative Groups Policy, the Board will provide an annual contribution to each of the following:

- a. Divisional and Traffic Services Community Policing Liaison Committee
- b. Chief's Consultative Committees
- c. Chief's Advisory Council
- d. Chief's Youth Advisory

Application Assessment Criteria

Requests for funding will be evaluated according to the following criteria:

- a. Falls within one of the five delegated categories;
- b. Proposes clear, measurable objectives and benefits;
- c. Involves both community partners and the Toronto Police Service;
- d. Clearly indicates how funded initiatives will be evaluated;
- e. Where appropriate, applicants must indicate how they propose to sustain the initiative after Board funding has been utilized; and
- f. Provides evidence of management and fiscal responsibility with respect to funds granted by the Board.

Application Procedures

Request for funding must be made in writing, signed and forwarded to the Chair of the Toronto Police Services Board.

In addition to the requirements stated in the Application Assessment Criteria section, requests must include:

- a. Project mandate
- b. Budget
- c. Timelines for completion
- d. One or more letters of endorsement

Assessment Procedures

Requests for funding will be forwarded to the Board's regular monthly meeting for consideration, with a recommendation from the Chair, based on assessment of the request for completeness, accuracy and compliance with this policy.

Applications not complying with this policy will be deemed incomplete and will not be forwarded to the Board for consideration.

Administration

It is the policy of the Toronto Police Services Board with respect to the administration of the Special Fund that:

1. All requests for funding will be considered as part of the Board's public agenda;
2. The Board will not commit to recurring donations or to the on-going funding of particular initiatives/projects. The approval of funding for a particular purpose will not be considered as a precedent which binds the Board;
3. The Special Fund will not support retroactive funding of events that have already taken place;
4. The Special Fund must maintain a minimum balance of \$150K (one hundred and fifty thousand) in order to meet its corporate recognition obligations;
5. Recipients of funding will be advised that as a condition of receiving funds, they must file a report that accounts for and evaluates the effectiveness of the event or project which was funded, the use of the funds and, further, they must return any unexpended monies;
6. Recipients of funding must provide this report to the Board within 60 days of the conclusion date noted in their application;
7. All unaudited expenditures will be reported to the Board on a quarterly basis. Expenditures will be compared to the Fund balance;
8. The Board will receive audited financial statements annually;
9. The cost of auditing the Special Fund will be borne by the Special Fund; and
10. The Board, on a case-by-case basis, may consider exceptions to this policy.

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#P338. LAST MEETING: MS. JUDI COHEN

Chair Mukherjee noted that this was the last meeting for Ms. Judi Cohen who had been a member of the Board for the past six years. Chair Mukherjee extended his appreciation to Ms. Cohen on behalf of the Board.

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#P339. IN-CAMERA MEETING – DECEMBER 15, 2011

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:

Chair Alok Mukherjee
Dr. Dhun Noria
Mr. Andrew Pringle
Councillor Chin Lee
Councillor Frances Nunziata

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#P340. ADJOURNMENT

Alok Mukherjee
Chair