



**The following *draft* Minutes of the meeting of the Toronto Police Services Board held on January 23, 2013 are subject to adoption at its next regularly scheduled meeting.**

**The Minutes of the special meeting held on December 10, 2012 and the regular meeting held on December 14, 2012, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on January 23, 2013.**

**MINUTES OF THE PUBLIC MEETING** of the Toronto Police Services Board held on **JANUARY 23, 2013** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

**PRESENT:**

**Dr. Alok Mukherjee**, Chair  
**Mr. Michael Thompson**, Councillor & Vice-Chair  
**Mr. Mike Del Grande**, Councillor & Member  
**Ms. Marie Moliner**, Member  
**Ms. Frances Nunziata**, Councillor & Member  
**Mr. Andrew Pringle**, Member

**ABSENT:**

**Dr. Dhun Noria**, Member

**ALSO PRESENT:**

**Mr. William Blair**, Chief of Police  
**Mr. Karl Druckman**, 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 JANUARY 23, 2013**

**#P1. APPOINTMENT AND RE-APPOINTMENTS TO THE BOARD:  
COUNCILLOR MIKE DEL GRANDE  
COUNCILLOR FRANCES NUNZIATA  
COUNCILLOR MICHAEL THOMPSON**

The Board was in receipt of the attached correspondence dated December 6, 2012 from Ulli Watkiss, City Clerk, with regard to the City Council appointment of Councillor Mike Del Grande and the re-appointments of Councillors Frances Nunziata and Michael Thompson.

Dr. Alok Mukherjee, Chair, administered the oath of office and the oath of secrecy to Councillor Del Grande.

**The Board received the correspondence from Ms. Watkiss and congratulated Councillors Del Grande, Nunziata and Thompson on their appointments to the Board.**



City Clerk's Office

Ulli S. Watkiss  
City Clerk

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Secretariat  
Cathrine Regan  
Striking Committee  
City Hall, 12th Floor, West Tower  
100 Queen Street West  
Toronto, Ontario M5H 2N2

December 6, 2012

Ms. Deirdre Williams, Administrator  
Toronto Police Services Board  
40 College Street, 7th Floor  
Toronto ON M5G 2J3

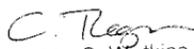
Dear Ms. Williams:

City Council, at its meeting on November 27, 28 and 29, 2012, adopted as amended, Striking Committee Item ST8.1, headed "Council Member Mid-term Appointments to Committees, Agencies and Advisory Bodies".

Council appointed the following Members of Council to the Toronto Police Services Board for a term of office starting January 1, 2013 to November 30, 2014, and until successors are appointed:

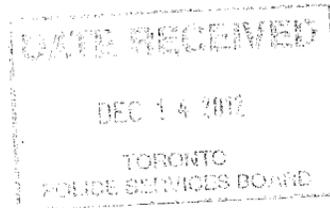
Councillor Mike Del Grande  
Councillor Frances Nunziata  
Councillor Michael Thompson.

Yours truly,

  
for Ulli S. Watkiss  
City Clerk

CR/ms

c. Appointees  
ABC Files



**Toronto Police Services Board  
Appointees Contact Information**

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**#P2. ELECTIONS OF THE CHAIR AND VICE CHAIR**

**Election of the Chair, Toronto Police Services Board**

In accordance with section 28 of the *Police Services Act*, which provides that the Board is required to elect a Chair at its first meeting in each year, the Board Administrator requested nominations for the position of Chair of the Toronto Police Services Board.

Councillor Michael Thompson nominated Dr. Alok Mukherjee which was seconded by Mr. Andrew Pringle. Dr. Mukherjee indicated that he accepted the nomination. There were no further nominations and nominations were closed.

**The Board voted and, based upon there being only one nomination for the office of Chair, Toronto Police Services Board, Dr. Mukherjee was declared elected Chair of the Board for the year 2013 and until his successor is appointed.**

**Election of the Vice-Chair, Toronto Police Services Board**

In accordance with section 5(4) of the Toronto Police Services Board Procedural By-Law No. 107 which provides that the Board shall elect a Vice-Chair at its first meeting in each year, the Board Administrator requested nominations for the position of Vice-Chair of the Board.

Dr. Alok Mukherjee nominated Councillor Michael Thompson which was seconded by Councillor Frances Nunziata. Councillor Thompson indicated that he accepted the nomination. There were no further nominations and nominations were closed.

**The Board voted and, based upon there being only one nomination for the office of Vice-Chair, Toronto Police Services Board, Councillor Thompson was declared elected Vice-Chair of the Board for the year 2013 and until his successor is appointed.**

**Following the elections, Chair Mukherjee advised the Board that he would not be available to perform the duties of Chair during the period between February 21, 2013 and February 24, 2013, inclusive, and that Vice-Chair Thompson would be Acting Chair during that time. Chair Mukherjee noted that an Acting Vice-Chair would be required. Councillor Frances Nunziata advised the Board that she would be available and willing to act as Acting Vice-Chair between February 21, 2013 and February 24, 2014, inclusive. The Board agreed to appoint Councillor Nunziata as Acting Vice-Chair during that period of time.**



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**#P3. OPENING OF THE MEETING**

Last Meeting:

Chair Mukherjee noted that this would be the last Board meeting for Mr. Angelo Cristofaro, Director of Finance and Administration, who would be retiring at the end of January after 27 years of service with the Toronto Police Service.

Chair Mukherjee and the members of the Board extended their appreciation to Mr. Cristofaro for the significant contributions he made during his service with the TPS and, specifically, with respect to the way in which he managed the challenging budget process during the past few years.

Chair Mukherjee also noted that Ms. Aileen Ashman would be leaving the Toronto Police Service at the end of January after five years as the Director of Human Resources Management. Ms. Ashman was recognized for the work that she did with regard to labour relations and human resources issues during her time with the Toronto Police Service.

Introductions:

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

To the position of Manager, Occupational Health and Safety:

Wendy Ryzek

To the rank of Staff Sergeant:

Donald Belanger

To the rank of Probationary Sergeant:

Jeff Bassingthwaite  
Ryan Chung  
Curtis Ducie  
Kevin White



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**#P4. SAFE HARBOUR FALSE ALARM FEES RECEIVABLE**

The Board was in receipt of the following report January 08, 2013 from William Blair, Chief of Police:

Subject: SAFE HARBOUR FALSE ALARM FEES RECEIVABLE

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

As of December 18, 2012, Safe Harbour Security Incorporated (aka Alarm Central) owes the Toronto Police Service (TPS) \$26,438 in outstanding false alarm fees and interest. The TPS paid \$3,626 in legal costs to obtain legal advice on the feasibility of bringing suit against the company in Nova Scotia, which is the province in which the parent company is registered.

False alarm revenues average approximately \$1.9 million annually, and so while the amount owing from Safe Harbour is very small relative to the annual revenue from false alarm fees, the TPS nonetheless feels strongly about the need to take further action to recover the outstanding receivable.

At this time, the total cost of any legal action related to this account is not certain, and will also be dependent on whether the action is initiated by City Legal or an outside legal firm. Funds to cover the cost of any further action taken on this account would come from the TPS' Legal Reserve.

Background/Purpose:

At its meeting of December 14, 2012, the Board approved the following recommendations:

- (1) that City Legal investigate the options for pursuing legal proceedings against Safe Harbour Security Incorporated for outstanding false alarm fees and accumulated interest; and
- (2) that the Chief of Police, based on the advice of City Legal, initiate legal proceedings in Ontario and/or Nova Scotia to recover the outstanding fees and interest and to instruct Counsel in those proceedings.

The Board also requested “that the Chief submit a public report informing the Board on the action that has been and will be taken with regard to recovering the outstanding false alarm fees and accumulated interest owed by Safe Harbour (Min. No. C360/12 refers).

In April 2007, Safe Harbour Security Incorporated (Safe Harbour) of Halifax, Nova Scotia registered as a monitoring station with TPS. The company has often paid its invoices outside the normal 30-day term provided to all TPS customers. However, it eventually paid off outstanding balances well before the 120 day suspension period contained in the By-law. Similar to all other TPS customers, Safe Harbour was provided with monthly statements and progressively assertive reminder letters for each month its account had an overdue balance. In April 2011, the company was advised that its account was approaching 120 days overdue and that suspension action would be taken if the amount over 120 days old was not paid within the ten day grace period provided to all TPS customers. The company did not comply and was therefore suspended from the program.

Despite the suspension of service, Safe Harbour continued to place calls for response to the TPS through the dedicated alarm line.

#### Discussion:

On January 1, 1990, the TPS implemented an Alarm Response Policy aimed at reducing the high number of false alarms. On August 22, 1996, the Board adopted the By-law authorizing the charging of fees to recover the cost of providing police services in response to false alarms. On September 26, 1996, the cost recovery program was implemented. The intent of this program was to focus on three key areas of concern to the TPS:

- alarm events made up between 5% and 10% of calls for service within most major communities. Many of these alarms were false, taking up valuable police resources;
- despite the low accuracy of the alarm industry's performance, the alarm industry continued to reap significant financial rewards as a result of police response; and
- the public pays for the overall demand on police resources, but alarm system owners obtained preferential use of police resources.

#### *Alarm Event Management:*

The TPS Alarm Unit uses customized software to manage all accounts related to monitoring stations, alarm dealers and premises/devices. Monitoring stations must register with the TPS prior to requesting a police response. Upon registration, monitoring stations are provided access to a special telephone number to contact police. Premises are not registered as there are too many addresses or devices to register and they frequently change.

There are two types of suspension of service:

1. A premise may be suspended after incurring four false alarms within a 365 day period; and

2. A monitoring station may be suspended due to fees and/or interest outstanding more than 120 days.

When a monitoring station is suspended, the status of both the monitoring station and the associated alarm dealers and users change from active to suspended within the monitoring software.

It has been the experience of the Alarm Unit that any monitoring station that has reached a suspended status has submitted payment to Financial Management in a timely manner and has been reinstated to active status or has ceased placing calls for service. The Safe Harbour situation, where the alarm company continues to request police response despite the suspension, has not previously been encountered.

In October 2012, the Alarm Unit implemented process changes to help address the Safe Harbour situation. The Alarm Unit continues to research other available alternatives to reduce false alarm calls for service.

*False Alarm Fees and Invoicing Process:*

Safe Harbour is subject to the terms and conditions of both the Alarm Response Policy and the By-Law. The dispatch fee is \$130.00 for each false alarm in accordance with Board By-law No. 160 (Min. No. P4/10 refers). The fee is payable within 30 days of the date of the invoice and is subject to 2% interest per month. The Alarm Unit can authorize the suspension of response calls when payment of all or any fees and interest owing is outstanding for a minimum of four months (120 days) from the date of the invoice.

The Alarm Unit provides Financial Management with a monthly report indicating the number of false alarms for each alarm monitoring company. Financial Management uses this report as the basis for invoicing the monitoring companies.

Based on invoices to December 18, 2012, and interest calculated to November 15, 2012, Safe Harbour owes the TPS \$26,438, broken down as follows:

Current (0 – 31 days)	\$2,971
31 to 60 days	\$460
61 to 90 days	\$422
91 to 120 days	\$473
Over 121 days	\$22,112
Outstanding balance	\$26,438

The principal and interest split is as follows:

Alarm fees	\$21,301
Interest	\$5,137

*Action Taken to Collect the Safe Harbour Balance Owing:*

On April 18, 2011, Safe Harbour was advised that fees and interest were outstanding for more than 120 days. As part of TPS's normal collection process, the company had received, and continued to receive, monthly statements and progressively assertive collection letters, which detailed the actions allowed by the By-law governing the cost recovery and alarm response program.

On May 18, 2011, the Alarm Unit provided written correspondence to Safe Harbour and the TPS Financial Management Unit informing both that responses to alarm signals had been suspended. Every month onwards, Safe Harbour was informed in writing of the invoked suspension of service.

On August 30, 2011, Safe Harbour's account was transferred to the TPS's collection agency. The collection agency began its collection calls through its normal process, which resulted in several payments being received towards the account. The last payment received from Safe Harbour was dated December 6, 2011. No further payment has been received. In compliance with the by-law, interest continues to be charged on the remaining outstanding balance.

Financial Management and the TPS collection agency continued to pursue collection of the account, including several follow up calls directly to the key official from Safe Harbour and a payment plan proposal that would allow recovery of the outstanding amount over a period of time. Safe Harbour did not accept the proposal and severed communication with the TPS.

It is important to note that the Board's business relationship for false alarm cost recovery is with Safe Harbour as a monitoring station, not with the alarm users. The by-law allows the TPS to discontinue responses to calls from an alarm business when payment of all or part of any fees and interest owing under the By-law is outstanding for a minimum of four months from the date of invoice. TPS Legal Services' original opinion was that the TPS does not have the authority to notify alarm users that the TPS has suspended a monitoring station from the alarm response program.

Subsequent discussions took place between TPS Legal Services and the Alarm Unit regarding concerns about the TPS not notifying alarm dealers or users of the suspension because of the significant safety risk to individual subscribers. As a result, TPS Legal Services conducted a further review of the TPS' authority to notify alarm dealers about the suspension of police response to alarm calls. On October 4, 2011, TPS Legal Services offered the opinion that should notification to alarm dealers be provided, the TPS should notify Safe Harbour of the TPS' intent to inform alarm dealers of the suspension with 14 calendar days' time period between notifying Safe Harbour and the alarm dealers.

On October 5, 2011, the Alarm Unit provided written correspondence to Safe Harbour of the TPS' intent to disclose the imposed suspension of service to alarm dealers. On June 12, 2012, an additional written correspondence was provided to Safe Harbour informing them of the TPS' intent to disclose the imposed suspension of service to alarm dealers. On June 26, 2012, the

Alarm Unit provided written correspondence to registered alarm dealers of Safe Harbour alarm services, notifying them of the imposed suspension of service.

*Legal Advice on the Collection of the Outstanding Amount:*

The TPS' collection agency has indicated that its representatives have jurisdiction to register claims against organizations in Ontario only. In situations where action is filed outside of the province, it utilizes the services of a legal firm inside the applicable province. As a result, when requested to determine the feasibility of judgement and possible recovery of the outstanding amount, the collection agency (with the TPS' approval) engaged a legal firm from the province in which Safe Harbour is registered as a business. Since Safe Harbour is registered as a business in Nova Scotia, but operates in Ontario, the Board has several options available, should legal action be pursued. City Legal has indicated that the claim against Safe Harbour can potentially be filed in Ontario, since the business operates in Ontario.

However, the Nova Scotia firm hired by the TPS' collection agency has indicated that any judgement received in Ontario would also have to be filed in Nova Scotia so that an order against Safe Harbour's real and personal property could be executed. Filing the judgement in Ontario and again in Nova Scotia would result in higher costs to the Board than filing the judgement only in Nova Scotia. However, the Ontario filing could be performed by City Legal on behalf of the Board, rather than an outside agency, potentially reducing overall costs.

Conclusion:

The TPS' Alarm and Financial Management units have spent considerable time attempting to collect the outstanding monies owed by Safe Harbour.

With a Certificate of Judgment and the applicable Execution Order, the Board is entitled to register a judgment against Safe Harbour's real and personal property. Since Safe Harbour continues to be a going concern as its operations have not ceased, it is the TPS' position that legal action be pursued against this company in either Ontario and/or Nova Scotia.

Accordingly, as approved by the Board and based on the advice of City Legal, TPS will initiate proceedings in Ontario and/or Nova Scotia to recover the outstanding fees and interest.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, and Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions from the Board.

**The Board received the foregoing report.**

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**#P5. YOUTH IN POLICING INITIATIVE AFTER-SCHOOL PROGRAM**

The Board was in receipt of the following report January 03, 2013 from William Blair, Chief of Police:

Subject: YOUTH IN POLICING INITIATIVE AFTER-SCHOOL PROGRAM

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:

At the Board's Budget Subcommittee Meeting on September 19, 2012, the Chief of Police was directed to provide the Board with a report on the Youth in Policing Initiative (YIPI) expansion.

This report provides a brief overview of the expansion, including the assignments, costs and how the successes will be measured.

Discussion:

In 2006, the Ministry of Children and Youth Services announced that the Ontario Government would be funding various youth opportunity initiatives, as part of the government's new strategy to address the growing needs of our youth. Part of that strategy, was and is a partnership with the Toronto Police Services Board, the Toronto Police Service, and the Ministry of Children and Youth Services to hire 150 youth for the summer.

In September 2012, the Ministry of Child and Youth Services launched the Government of Ontario's Youth Action Plan, which cited an enhanced collaboration for the YIPI to also incorporate an after-school program. This initiative was established to recognize the importance of providing support and employment opportunities for young people throughout the year. This afterschool employment initiative focuses on diverse youth between the ages of 15 and 18 years residing in our priority identified neighbourhoods within the City of Toronto. The goal of the Service is to employ 63 youth to work alongside our members in Divisional Policing Command.

The program is targeted to commence on January 2, 2013. There will be 3 days of training and then the youth will report to their assigned divisions on Monday, January 7, 2013. The program will conclude on April 26, 2013.

### Assignments

The newly created after-school program will focus mainly on community engagement and will consist of assigning youth to the 17 police stations. Their responsibilities will include working with members of the Community Response Unit to assist with community events, crime prevention and community outreach initiatives. They will also work with the Community Police Liaison Committees (CPLCs) and the Youth CPLCs. Where possible, the students will be assigned to their local School Resource Officer to work on various projects. The students will be exposed to the work environment, as well as to the world of policing.

The after-school program will employ 126 youth per year (63 per semester) from 15 priority identified neighbourhoods.

The students will receive approximately 33 hours of orientation and training throughout the course of the program. The training will include, but is not limited to, workshops on financial management, life skills, business etiquette, and interview skills. The purpose of this training is to facilitate personal and professional development of the youth.

### Costs

The Ministry of Children and Youth Services will provide the funding to cover the following costs:

- Salaries and benefits for 126 students (63 per semester)
- Salary and Benefits for Administrative support (one Class 4)
- Background checks
- Uniforms
- All program related overtime/callback expenses

This funding is in addition to the funding provided for the administration of the summer YIPI program.

### Evaluation

The program will be evaluated in several capacities through its duration, and a variety of measurement tools will be utilized.

### *Site Visits:*

The visits will be conducted throughout the semester to gather information on how the program is running, how it is being implemented, and also to deal with concerns, and/or disciplinary issues. The visits are used to conduct program and student evaluation.

*Evaluations:*

- Final Student Evaluations: students will have an opportunity to evaluate their overall experience with the program. They are to assess their overall views of the Service, their personal and professional development, as well as provide valuable feedback on how to improve the program for the coming years.
- Final Supervisor Evaluation: supervisors will be asked to evaluate the students' overall progress and development over the course of the program. They will also be asked to evaluate the program, in relation to the student.
- Final Program Evaluation: supervisors will be asked to evaluate the program as a whole, and will be asked to provide candid feedback as to what worked and what did not.

*Journal Entry:*

The students will be asked to complete a 1 day journal entry to describe one working day. They will be given the option to write about a topic of their choice.

*Program Debriefing:*

A program debriefing session will be held upon completion of the program. This session will allow for all the supervisors and participants from an administrative perspective to offer their insights, challenges and opportunities for the program. All recommendations will be documented and will be used in future planning.

Conclusion:

Deputy Chief Peter Sloly, Divisional Policing Command, will be in attendance to answer any questions that the Board may have regarding this report.

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

**THAT the Chief of Police provide a report to the Board for its February 19, 2013 meeting identifying the areas of the City in which the YiPi After-School Program would be implemented.**

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**#P6. REVIEW OF FORM 208 AND FORM 306**

The Board was in receipt of the following report December 07, 2012 from William Blair, Chief of Police:

Subject: REVIEW OF FORM 208 AND FORM 306

Recommendation:

It is recommended that the Board receives this report.

Financial Implications:

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

Background/Purpose:

The Board, at its meeting of November 14, 2012, considered a report from the Chief of Police entitled: 'Issuing Receipts to Persons Who Are Stopped by the Police' and subsequently approved two motions pertaining to the receipts that required further action by the Chief. (Min. No. P271/12 refers).

- (1) That the Board request the Chief to defer the distribution of the receipts until the Board has had an opportunity to review the copy of the receipt, to consider the deputations received at its meeting today and to determine what direction the Board will provide to the Chief based on its deliberations at its meeting in December; and
- (2) That the Board request the Chief to review the Form 208 and any successor form to ensure that they are in compliance with the Board's policies including the Race and Ethno-Cultural Equity policy and that he provide a report to the Board on results of the review for the December 14, 2012 meeting.

The purpose of this report is to provide the Board with the results of the Services' review of the Form 208 and any successor form to ensure that they are in compliance with the Board's policies and to provide the Board with a sample copy of the new 'Street Check' (Form 306) receipt as requested.

Discussion:

Form 208 Field Information Card and Form 306, Community/Officer Contact Receipt (Attachment 1 refers) have been reviewed and examined to ensure that they are in compliance

with the Board's policies entitled "Race and Ethno-Cultural Equity Policy", "Human Rights" and "Conduct of Service Members".

The Forms are in compliance with the Board's policies. The successor (modified) Form 208, would contain a simple addition indicating that a receipt (Form 306) issued to a person stopped by the police had been accepted or rejected by the person stopped: and therefore would not substantially alter the Form to the extent that it would no longer be in compliance with the policies of the Board.

The Service continues to comply with existing Procedure 04-14 (Field Information Report) when recording information about contacts with persons of interest.

Conclusion:

A review of Form 208 and proposed Form 306 found that they are in compliance with the policies of the Board. The Service will continue to apply its current procedure relating to contact cards until the Board has had an opportunity to review the copy of the receipt, in conjunction with the deputations made at the November 2012 meeting and provides further direction to the Chief.

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

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

- **John Sewell, Toronto Police Accountability Coalition \***
- **Noa Mendelsohn Aviv, Director, Equality Program, Canadian Civil Liberties Association \***
- **Vickie McPhee, Executive Director, Rights Watch Network**
- **Paul Copeland, Lawyer \***
- **Odion Fayalo \***
- **Howard Morton, Law Union of Ontario \*\***

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

\*\* also provided two written submissions (dated November 12, 2012 and January 23, 2013); copies on file in the Board office.

**The Board noted that Mr. Morton's written submission dated November 12, 2012 contained a reproduction of a Form 208.**

**In response to questions by the Board, Chief Blair explained the purpose for each section on the Form 208 and the types of circumstances in which the various sections of the form would be completed by a police officer.**

**Deputy Chief Mark Saunders, Specialized Operations Command, was also in attendance and responded to questions by the Board.**

**The Board approved the following Motions:**

- 1. THAT the Board request the City Solicitor to review all the reports and deputations submitted to the Board on the issues of carding and issuance of receipts and report back to the Board at its meeting on March 27, 2013 on the legality of these practices;**
- 2. THAT the Board establish a subcommittee of three members (M. Thompson, A. Pringle and M. Moliner) to review the reports and the deputations and to work with the Chief of Police to consider a course of action and propose a policy, taking into account the concerns that have been raised;**
- 3. THAT the Board receive the deputations and the written submissions; and**
- 4. THAT the Board receive the foregoing report from the Chief of Police.**



TPS 306, 2012/10

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## Community/Officer Contact Receipt

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Name of Person: \_\_\_\_\_

You have been spoken to by:

1) \_\_\_\_\_  
*(Name, Badge No. & Unit)*

2) \_\_\_\_\_  
*(Name, Badge No. & Unit)*

on: \_\_\_\_\_ at: \_\_\_\_\_  
*(YYYY/MM/DD) (24 Hr. Clock)*

Location: \_\_\_\_\_

For:

- |  |   |
|--|---|
| <input type="checkbox"/> Call for Service      | <input type="checkbox"/> Federal Statute    |
| <input type="checkbox"/> Community Engagment   | <input type="checkbox"/> Provincial Statute |
| <input type="checkbox"/> General Investigation | <input type="checkbox"/> Bylaw              |

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**#P7. TAVIS INITIATIVES – WESTON COMMUNITY**

The Board was in receipt of the following report January 03, 2013 from William Blair, Chief of Police:

Subject: TAVIS INITIATIVES - WESTON COMMUNITY

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 February 16, 2012, Board member Councillor Nunziata submitted the following motion, which was approved by the Board:

“That the Board request the Chief to report on TAVIS initiatives in the Weston Community in 2011 and include reasons for not installing security cameras that may have been part of the program” (Min. No. P47/2012 refers).

Discussion:

In April 2011, 12 Division was selected to receive the Neighbourhood TAVIS Initiative (NTI), specifically the Lawrence Avenue and Weston Road corridor (Weston - Mount Dennis Community).

From June 13, 2011, to September 25, 2011, 12 Division implemented and managed the Neighbourhood TAVIS Initiative (NTI) in the Weston - Mount Dennis community. This community had experienced heightened levels of violence such as street robberies, shootings and homicides connected to gangs, guns and drug activities.

The NTI program provided 12 Division with 26 additional officers from across the Service for assignment to Primary Response Unit (PRU) patrol duties. This in turn allowed the division to hand select and deploy 26 of its own officers, who would have been normally assigned to PRU, to foot and bicycle patrol.

The NTI officers focused on reducing the violence and improving the quality of life in the neighbourhoods by interrupting criminal and disorderly behaviour at key locations and times in the community. They implemented a variety of law enforcement activities and also paid special attention to engage the community through meetings, events, conversation, and other means to develop trust, partnerships and mobilization opportunities.

The NTI placed emphasis on creating mobilization opportunities by participating and encouraging resident involvement in many information sharing events, which included but was not limited to:

### Youth Programs

The local youth were engaged using a variety of mediums including sporting events, the arts, and faith based programs.

A few examples of youth programs that 12 Division NTI officers were involved in included:

- TPAAA Playground Games attended by Chief Blair and Chair Mukherjee
- Triple Balance Summer Camp
- Frontlines Summer Camp
- Doorsteps Boys Club
- Boys to Men Summer Camp
- Iron Sisters Fitness
- Weston Collegiate Institute Summer Camp
- ProAction Cops & Kids York Lions Steel Band
- Brookhaven Public School Summer Camp

The NTI officers received continuous positive feedback from camp-goers and organizers alike, particularly with regards to the increased officer presence in their respective areas.

Officers also organized and participated in numerous community youth-focused barbeques and meet and greet events throughout the division, such as:

- NTI Kickoff BBQ with over 100 community members in attendance
- St. John Evangelist Catholic School BBQ
- Corbrook Awakening Abilities BBQ
- Jane Street Hub BBQ which was attended by Councillor Nunziata and Provincial MPP
- Albanese Weston King Neighbourhood Centre BBQ
- Urban Arts BBQ

### Crime Prevention Activities/ Business Partnerships

Local residents and businesses were engaged by officers on a daily basis with a focus on crime prevention information. Partnerships were forged with local businesses to work together on future community programs.

A few businesses and organizations that partnered with the NTI in 12 Division included the Weston BIA, Irving Tissue, Weston Road Farmer's Market and Frontlines Youth Centre.

### Beautification Projects/Graffiti Eradication

The NTI officers of 12 Division were involved in various graffiti eradication and beautification projects throughout the summer initiative, such as the partnership with Urban Arts Toronto, a youth centre, where a wall mural at 1901 Weston Road was unveiled.

Officers also participated in a graffiti eradication project at the rear of 30 Denarda Street, a Toronto Community Housing facility; the area of graffiti was approximately 6,000 square feet. By working in concert with local residents and businesses, all of the necessary supplies and resources were obtained to remove the graffiti.

### CCTV Cameras

Further to the aforementioned activities, the Service endeavoured to have closed circuit television (CCTV) cameras installed. A survey of the residential and business community resulted in overwhelming support, and installation was supported by the Information and Privacy Commission.

The Service performed a land survey of the community, mapped out locations for potential cameras, and then sought assistance from Toronto Hydro Electrical Services Limited (THESL) to install the CCTV cameras on their hydro poles.

In June 2011, just prior to the TAVIS NTI launch in the Weston - Mount Dennis Community, THESL required that the Service enter into a formalized Attachment Agreement. The Agreement is intended to cover the terms and conditions for using THESL poles, their power sources and other installation costs required to facilitate CCTV operations for the Service.

The scope of the Attachment Agreement relates to both existing and proposed CCTV installations for the Service. A key component of this agreement was to perform an extensive audit of existing CCTV locations and optical fibre connections located in the downtown core in use by the Service.

The CCTV Service infrastructure audit has been completed. The Toronto Police Service Information Technology Services unit (ITS) is utilizing the audit information and remains actively engaged in negotiations with THESL to complete the Attachment Agreement referenced above.

### Conclusion:

CCTV cameras are one of many tools that the Service uses to prevent, detect and solve crimes. The Attachment Agreement was not completed in time to allow for CCTV cameras to be installed in the Weston Community. The Service continues to work with THESL to complete the

Agreement and ensure that CCTV cameras are a viable tool in the future of neighbourhood safety.

Strong community and police partnerships are based on mutual trust, respect and understanding. Community members have told officers assigned to the NTI program that they had an improved sense of public safety and quality of life in their neighbourhoods, including a sense of growing community spirit.

The constructive partnerships and positive outcomes that occurred as a result of community and police interaction in the Weston - Mount Dennis Community support the continuation of the NTI program leading to safer, more secure, and healthier neighbourhoods.

Deputy Chief Peter Sloly, Divisional Policing Command, will be in attendance to answer any questions that the Board may have regarding this report.

**Deputy Chief Mark Saunders, Specialized Operations Command, was in attendance and responded to questions by the Board.**

**The Board received the foregoing report and approved the following Motions:**

- 1. THAT the Chief of Police provide a further report to the Board, no later than March 2013, updating the Board on the status of the installation of CCTV cameras in the Weston Community and, if necessary, seeking the Board's assistance in facilitating the necessary approvals for the installation of these cameras; and**
- 2. THAT the Board ask Toronto City Council to request that Toronto Hydro review the terms, conditions and fees associated with its Attachment Agreement for the use of poles for the installation of TPS CCTV cameras.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P8. IN-CAR CAMERA PROJECT – CLOSE OUT REPORT**

The Board was in receipt of the following report December 24, 2012 from William Blair, Chief of Police:

Subject: IN-CAR CAMERA PROJECT – CLOSE OUT REPORT

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

The initial In-Car Camera (ICC) capital budget was approved at a total estimated cost of \$11.03 Million (M), of which \$10.47M was designated for the implementation of ICC systems within 450 marked patrol vehicles, including the cost of all associated infrastructure. The remainder was allocated for the cost of the pilot program.

In order to meet the City Budget Committee's debt funding targets for the Toronto Police Service's (Service) 2007-2011 capital program, the scope of the ICC project was reduced to include only "traffic" cars (140), rather than all marked cars (450). As a result, the overall ICC project budget was reduced to \$8.66M, with the understanding that the rollout to the remaining cars would be evaluated and included in future capital program requests, as appropriate and feasible (Min. No. P91/07 refers). Accordingly, during the course of the project and as reflected in the various capital program requests, a total of \$1.19M was transferred to the ICC project from other projects in the Service's capital program. This increased the total ICC project budget to \$9.85M, which enabled the implementation of ICC systems in a total of 428 vehicles.

The final cost of the project was \$9.62M, and the unspent funds of \$0.23M were returned to the City.

Background/Purpose:

At its meeting of March 25, 2004 (Min. No. P82/04), the Toronto Police Services Board requested that the Chief of Police provide the Board with a report on the feasibility of establishing a pilot project involving cameras in police patrol cars in the most cost-effective manner possible, and that the implementation of this proposed pilot project be considered by the Board as part of the 2005 capital budget request process.

At its meeting of June 21, 2004, the Board received a report from the Chief of Police outlining the feasibility of establishing an In-Car Camera (ICC) pilot project involving the installation of cameras in police patrol cars (Min. No. P197/04 refers). The main objective of the pilot was to ascertain the benefit and effectiveness of installing video camera equipment in front-line Service vehicles.

The Board received this report and requested that the implementation of the pilot project be considered as part of the 2005 capital budget request process. This item was included in the 2006-2010 Capital Program submission to the Board and was approved on October 14, 2005 (Min. No. P347/05 refers).

At its December 15, 2005 meeting, the Board received a report on the implementation status of the ICC project (Min. No. P393/05 refers), and the decision was made to proceed with the Service-wide implementation of in-car cameras in all front-line vehicles. In the subsequent years, the capital budget for this project was reduced to meet the City's debt funding target and then increased (within the City debt targets) to enable the full scope of the project to be achieved.

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, including any key success factors and or lessons learned.

#### Discussion:

A total of 428 ICC systems have been installed in front-line vehicles, including 13 ICC systems in TAVIS vehicles. This number is less than the original 450 vehicles that were expected to require the ICC systems. The lower number of ICC systems required followed a review and tightening of the criteria for the installation of these systems.

#### *Project Results:*

The project did experience some budget adjustments and delays during its implementation lifecycle due to overall funding pressures and the requirement to meet City capital debt targets. However, in the end the ICC project was successfully completed under the original (\$11.03M) and revised (\$9.85M) budgets, while achieving the initial objectives and expectations of the project, as defined in the project charter.

#### *Project Objectives/Performance Indicators:*

In order to assist the Service and the Board in determining the success and value of the significant investment made in the implementation of ICC systems in front-line patrol cars, specific objectives, with related performance indicators, were established at the outset of the project.

These are summarized below.

1. Enhance officer safety.
  - decrease in assaults against officers

- increase in officer perception of safety while patrolling
  - increase in officer perception of decrease in aggressive behaviour of those contacted
2. Reaffirm the commitment to professional and unbiased policing in all encounters between officer and citizen.
    - increase in public perception of police accountability
    - increase in public perception of positive relations between police and members of the public
  3. Protect officers from unwarranted accusations of misconduct in the lawful performance of duties.
    - decrease in complaints related to officer conduct
    - increase in withdrawal of complaints
    - decrease in length of time of conduct investigations
    - decrease in number of frivolous, vexatious, made in bad faith complaints
  4. Improve the quality of evidence for investigative and court purposes.
    - increase in number of accused pleading guilty
    - increase in convictions
    - positive Crown perception of video evidence from front-line investigators
    - positive investigative officer perception of video evidence

The measures/results for the above objectives/performance indicators are reported and discussed in Appendix A – Toronto Police Service In-Car Camera Project: Performance Measurement Report 2006-2011. Highlights include the following:

- there was an average decrease of almost 5% in the number of violent offences (primarily assaults) against officers in each year since 2006;
- almost half of police officers responding to a survey on the impact of in-car cameras said that, in their opinion, in-car cameras had a positive impact on officer safety while patrolling;
- about three in four participants in a Virtual TownHall poll said that having a video camera in marked police cars made the police more accountable to the community and a similar proportion said they have improved or could improve relations between the police and the public;
- six in ten officers felt that in-car cameras had a positive impact on the professionalism of officers when dealing with the public and nine in ten said that they had a positive impact on protecting officers from unwarranted accusations of misconduct; and
- more than half of investigative officers said that in-car cameras had a positive impact on investigations, court preparation and presentation.

*Key Success Factors/Lessons Learned:*

During the implementation of ICC within Information Technology Services front line vehicles, some key success factors and lessons learned were identified that may assist the Service in

mitigating risks on future information technology and other capital projects, and enhancing the likelihood of successful implementations. These are summarized below.

(i) Importance of Conducting Trials

*Success Factor: Wherever possible and particularly for certain types of technology projects, it is important that vendors participate in a full end to end trial of their system for a reasonable period of time. Failure to do so could result in costly mistakes, specifically the purchase of equipment which does not function reliably within the Service's operational and physical environment.*

The ICC bid evaluation process was conducted in several steps. During the first iteration, the ICC evaluation team reviewed all the responses to the Request for Proposal on an individual basis, and then met to discuss and evaluate each response in detail.

As a result of the detailed review of the bids, the two top-scoring vendors were short-listed and invited to present their products to the team. Both vendors were asked to install their system, at their own cost, in three vehicles for a test period of 90 days, scheduled to begin April 2007. Each vendor was expected to document and implement a fully functional, end-to-end solution.

The final selection was made at the end of the evaluation period. During the initial pilot, it became apparent that reliability and performance were key issues. A major component of the 90 day trial focussed on determining which vendor best met our reliability expectations (e.g. minimal number of breakdowns).

The 90 day pilot was conducted at 13 Division, from June through to August 2007. Officers at the pilot division were asked to fill out surveys during the first week of September 2007 regarding the functionality and ease of use of both short-listed ICC systems. On the whole, officers found the equipment from the successful vendor easier to use and more reliable. Despite the fact that both vendors scored well during the initial evaluation of written responses, one vendor failed to demonstrate that they could meet the Service's reliability requirements during the 90 day trial (i.e. problems downloading videos to central servers, equipment failure, lack of support). As a result, the ICC project team was able to confidently recommend the purchase of the Panasonic ICC systems based on proven performance within the Service environment.

(ii) Importance of Identifying On-going Operating Impacts

*Lesson: It is important to research and identify the on-going operating impacts when preparing a project business case and cost estimate for consideration.*

The original operating impact for this capital project estimated staffing costs at \$200,000 per year, but did not consider the cost of replacing miscellaneous items such as batteries, wiring, microphones, mounting material, etc. As a result, the operational impact increased from \$200,000 to \$387,500 per year. In addition, the ICC systems will need to be replaced based on their expected lifecycle. As such, during the project the annual contribution to the Vehicle and Equipment Reserve was increased to reflect the funds required for the lifecycle replacement.

It is sometimes very difficult to estimate the full cost of all operating impacts at the beginning of a project, particularly one as complicated as the ICC project. However, it is important that steps be taken to ensure, as best possible, that all operating costs resulting from the implementation of the project be identified and costed. The Service has taken steps to ensure annual operating impacts from capital projects are carefully identified and considered.

### Conclusion:

The ICC project evolved from initial discussions with the Board in December 2003 regarding the advantages and disadvantages of installing video cameras in Toronto Police Service vehicles, to the implementation of a total of 415 ICC systems within Service front-line vehicles as of July 2011 (Min. No. P350/03 refers). An additional 13 ICC systems have since been installed within TAVIS vehicles for a final total of 428 ICC systems. A total 833,312 videos are currently stored within the ICC database and available for investigative and court purposes.

The project was delivered ahead of schedule and has achieved its defined objectives. The project was also completed under budget, and the surplus funds of \$230,860 have been returned to the City.

The successful implementation of this project was the result of a collaborative effort between the field and Information Technology Services units; the executive oversight of the ICC Steering Committee; a knowledgeable and experienced core project management team, which included the project sponsor, ICC user representatives, information technology lead and project manager; and the ICC solution vendor.

In addition, in February 2011, as a result of the successful implementation of both the ICC and DVAMS II projects, the Police Services Board approved the acquisition of an integrated iDVD system for centralized evidence disclosure and work order tracking management for both the ICC and DVAMS II digital video assets. The iDVD system was successfully implemented in December 2011 and has enabled the streamlining of the evidence disclosure process and a reduction in the time involved in investigations by consolidating, within one system, access to all videos associated to a case.

The objectives and performance indicators for the ICC system will continue to be measured and reviewed to ensure the benefits and value received are worth the investment required to replace the systems and the on-going costs to support/maintain the systems.

As the ICC project is now complete and once this close-out report is received by the Board, the Service's Chief Administrative Officer will advise the City's Deputy City Manager and Chief Financial Officer to close this capital project.

Deputy Chief Peter Sloly, Divisional Policing Command and Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

**The Board received the foregoing report.**

## TORONTO POLICE SERVICE IN-CAR CAMERA PROJECT – PERFORMANCE MEASUREMENT REPORT 2006-2011

The current in-car camera project evolved from discussions between the Police Services Board and the Toronto Police Service (TPS) that began in December 2003. At that time, the Board requested a report on the advantages and disadvantages of installing video cameras in Toronto Police Service cars; this was followed in June 2004 with a report on the feasibility of establishing a pilot project involving cameras in patrol cars. The Board supported a pilot project as part of the 2005 Capital Budget Program. At that time, four outcome goals were set by the In-Car Camera Pilot Project Steering Committee. For each of these goals, a number of general performance objectives and indicators were approved. Goals and performance objectives/indicators are as follows:

### Enhance officer safety

- decrease in assaults against officers
- increase in officer perception of safety while patrolling
- increase in officer perception of decrease in aggressive behaviour of those contacted

Re-affirm the commitment to professional and unbiased policing in all encounters between officers and citizens.

- increase in public perception of police accountability
- increase in public perception of positive relations between police and members of the public

Protect officers from unwarranted accusations of misconduct in the lawful performance of duties.

- decrease in complaints related to officer conduct
- increase in withdrawal of complaints
- decrease in length of time of conduct investigations
- decrease in number of frivolous, vexatious, made in bad faith complaints

Improve the quality of evidence for investigative and court purposes.

- increase in number of accused pleading guilty
- increase in convictions
- positive Crown perception of video evidence from front-line investigators
- positive investigative officer perception of video evidence

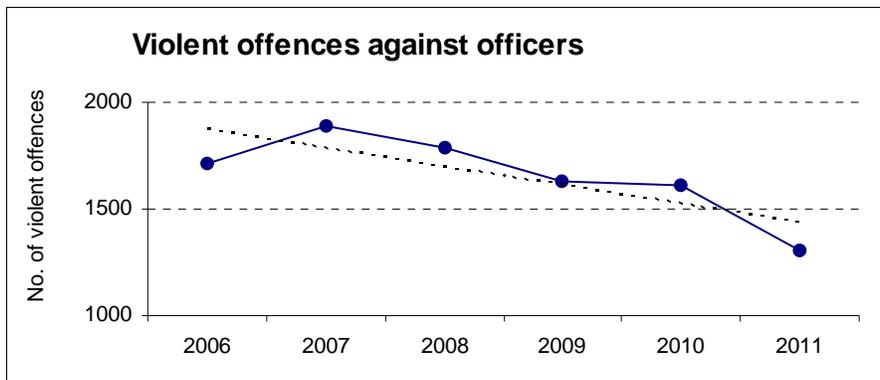
Results for these indicators were initially reported in the evaluation of the pilot project in January 2007. Updated measurement results for each indicator in each goal are provided below.

### **ENHANCE OFFICER SAFETY**

#### *Decrease in Assaults against Officers:*

As shown in the chart below, after 2007, there was a decrease in the number of violent offences (primarily assaults) against officers in each year. The applied trend line (dashed line) indicates

an average decrease of 4.4% per year since 2006. The number of violent offences against officers decreased 24% from 1,712 in 2006 to 1,306 in 2011. It is important to note that the installation of cameras in marked vehicles was phased in over five years – only two units (13 Division and Traffic Services) were involved in the In-Car Camera Pilot Program in 2006.



Source: 2011 Annual Report

#### *Increase in Officer Perception of Safety While Patrolling:*

According to the results of the In-Car Camera Survey administered on Thursday, June 17, 2012, almost half (47%) of police officers said that, in their opinion, in-car cameras had a positive impact on officer safety while patrolling; only one in ten officers said there was a negative impact.<sup>1</sup> Constables were less likely (42%) than supervisors (60%) or senior officers (89%) to say that the cameras had a positive impact on officer safety when patrolling.

These recent survey results showed a small decrease from a similar survey question asked in the general personnel survey of TPS members in December 2006; again, almost half (49%) of police constables agreed or somewhat agreed with the statement “I believe in-car cameras increase officer safety” and almost three-quarters (74%) of other uniform members (supervisors, managers, senior officers) agreed or somewhat agreed with the statement. However, of the participants in the 2006 pilot evaluation interviews, most front-line officers (89%) said the presence of the in-car camera did not help them feel safer when on general patrol; on the other hand, management/supervisory officers (40%) believed officers felt safer when patrolling in cars equipped with the cameras.

#### *Increase in Officer Perception of Decrease in Aggressive Behaviour of Those Contacted:*

According to the results of the recent In-Car Camera Survey, just over half (52%) of police officers said that, in their opinion, in-car cameras had a positive impact on aggressive behaviour of members of the public when they know they are being videotaped. Constables were less

<sup>1</sup> For the purposes of measuring program outcomes specific to the perceptions of police officers assigned to divisions, an In-Car Camera Survey was created and administered to primary and community response officers (B Platoon), senior officers, investigative officers and Unit Complaint Coordinators on Thursday June 17, 2012. Although 468 surveys were returned, not all questions were answered by all respondents. Unless specified, the results (percentages) reflect the respondents who provided an answer to the question. Based on the total number of surveys returned, the responses overall are considered accurate within  $\pm 4.2\%$ , 19 times out of 20.

likely (49%) than supervisors (62%) or senior officers (75%) to say that the cameras had a positive impact on aggressive behaviour of members of the public when they know they are being videotaped.

Results of the 2012 survey indicate a substantial increase from a similar survey question on the 2006 TPS personnel survey when only 38% of police constables agreed or somewhat agreed with the statement “When the public knows there are cameras in the police cars, I think they are less likely to be aggressive with officers.” Over half (57%) of other uniform members (supervisors, managers, senior officers) agreed or somewhat agreed with this statement.

## **RE-AFFIRM THE COMMITMENT TO PROFESSIONAL AND UNBIASED POLICING IN ALL ENCOUNTERS BETWEEN OFFICERS AND CITIZENS**

### *Increase in Public Perception of Police Accountability:*

On September 10, 2012, participants in a Virtual TownHall dedicated to a discussion of police professionalism and accountability were asked “Do you think that having a video camera in marked police cars make the police more accountable to the community?”<sup>2,3</sup> About three in four respondents (74%) said “yes” and a further 19% said “don’t know”.<sup>4</sup> It is interesting to note that when officers were asked in the June 2012 survey about the impact of in-car cameras on police accountability to the public, almost six in ten (59%) responded that the impact was positive. Constables were less likely (52%) than supervisors (80%) or senior officers (89%) to say that the cameras had a positive impact on police accountability to the public.

According to the results of a general community survey carried out for the Toronto Police Service in November and December 2006, more than three-quarters (77%) of Toronto residents said they believed that having video cameras in marked police cars had made the police more accountable to the community.

### *Increase in Perception of Positive Relations between Police and Members of the Public:*

Just over three in four respondents (77%) in the September 10<sup>th</sup> Virtual TownHall indicated “yes” to “Do you think that having video cameras in marked police cars have improved or could improve relations between the police and the public?”; a further 19% indicated that they did not know.<sup>5</sup>

According to the results of the 2006 general community survey, 7 in 10 Toronto residents (70%) said they believed that having video cameras in marked police cars had improved relations

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<sup>2</sup> On September 10<sup>th</sup>, Divisional Policing Command hosted a Virtual TownHall to discuss police professionalism and accountability to the public, specific to the use of in-car cameras. Of the 20,000 randomly selected Toronto residents invited to participate in the TownHall, 3,908 participated for an average of 16 minutes in the one-hour Virtual TownHall. Deputy Chief Peter Sloly, A/Staff Superintendent Tom Russell, and Staff Superintendent Rick Stubbings responded to 15 questions and comments from participants.

<sup>3</sup> Of the 451 participants who responded to “Before you joined this Virtual TownHall, did you know that all marked police vehicles were equipped with video cameras?” just under four in ten (39%) indicated “yes”. Almost nine in ten (88%) of 94 respondents indicated “yes” when asked “In general, do you think having video cameras in marked police cars is a good idea?”

<sup>4</sup> 241 responses to poll question: “Do you think that having a video camera in marked police cars make the police more accountable to the community?”

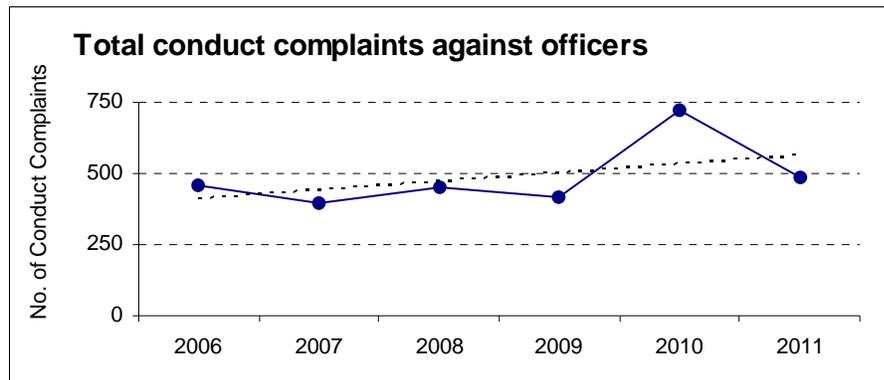
<sup>5</sup> 132 responses to poll question: “Do you think that having video cameras in marked police cars have improved or could improve relations between the police and the public?”

between the police and the public. For those who said they weren't aware of cameras in cars (only 23% of all people surveyed), 55% said they believe that video cameras in cars could improve relations between the police and the public.

## **PROTECT OFFICERS FROM UNWARRANTED ACCUSATIONS OF MISCONDUCT IN THE LAWFUL PERFORMANCE OF DUTIES**

### *Decrease in Complaints Related to Officer Conduct:*

As shown in the chart below, the number of complaints related to officer conduct in 2011 was relatively similar to 2006 and the intervening years, with the exception of a substantial increase in 2010, largely due to G20 activities. The number of complaints related to officer conduct increased by 23 (5%) from 461 in 2006 to 484 in 2011. The applied trend line (dashed line) indicates an overall trend of increase since 2006; however, this trend is notably influenced by the unusual level of complaints in 2010.

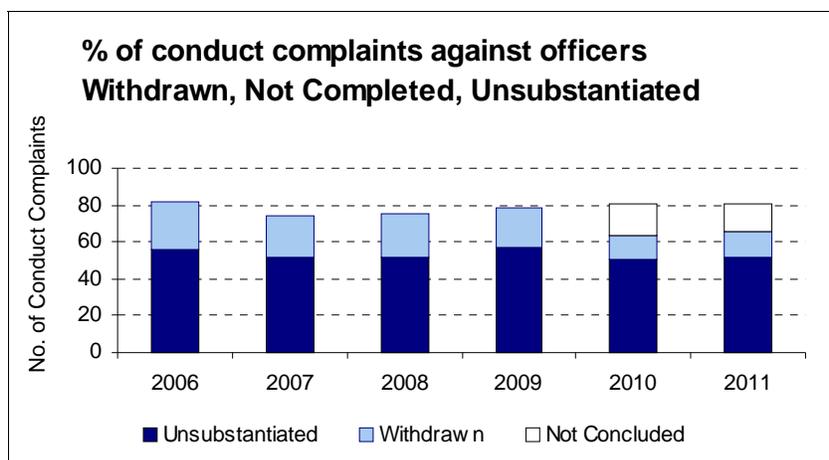


Source: 2011 Annual Report

Notwithstanding an increase in conduct complaints against officers between 2006 and 2011, in the June 2012 survey, almost six in ten officers (58%) felt that the in-car cameras had a positive impact on the professionalism of officers when dealing with the public.

### *Increase in Withdrawal of Complaints:*

The chart below shows the percentage of conduct complaints against officers that were withdrawn, not completed, or unsubstantiated, since 2006.



Source: 2011 Annual Report

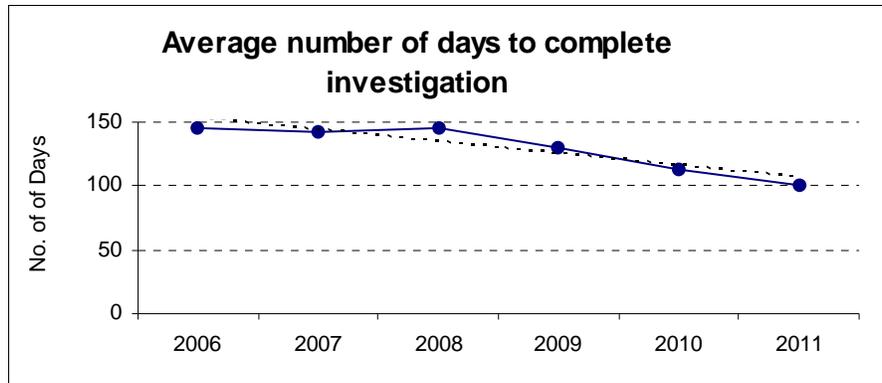
The proportion of complaints that were withdrawn by the complainant subsequent to the completion of the investigation has generally decreased each year since 2006. In 2006, 26% of all complaints were ‘Withdrawn’ at the conclusion of the investigation. Between 2007 and 2009, the proportion dropped somewhat to between 21% and 23% of all conduct complaints. However, in the past two years, the proportion dropped to 12% in 2010 and rose slightly to 14% in 2011. It is important to note that the decrease in the proportion of complaints withdrawn is at least to some extent the result of investigations which had not been concluded to date (18% of investigations in 2010 and 15% in 2011). It is reasonable to assume that some portion of these complaints, at the conclusion of the investigation, will be withdrawn by the complainant.

On the other hand, the proportion of complaints that were investigated and found to be unsubstantiated ranged between 51% in 2010 and 57% in 2009, with an overall average of about 52% of conduct complaints concluded in this manner. In 2011, 52% of conduct complaints were found to be unsubstantiated – about average for the past six years. Again, it is likely that some portion of complaint investigations not yet concluded will be found to be unsubstantiated.

When asked in the June 2012 survey, almost three in four officers (74%) said that in-car cameras had a positive impact in protecting officers from unwarranted accusations of misconduct. Nine in ten (90%) Unit Complaint Coordinators said that in-car cameras had a positive impact in protecting officers from unwarranted accusations of misconduct.

*Decrease in Length of Time for Conduct Complaint Investigations:*

As evident in the chart below, the average length of time to investigate a conduct complaint remained relatively constant between 2006 and 2008, but decreased 31% in the following four years from 146 days in 2008 to 101 days in 2011. The applied trend line (dashed line) indicates an average decrease of almost 6% per year since 2006.

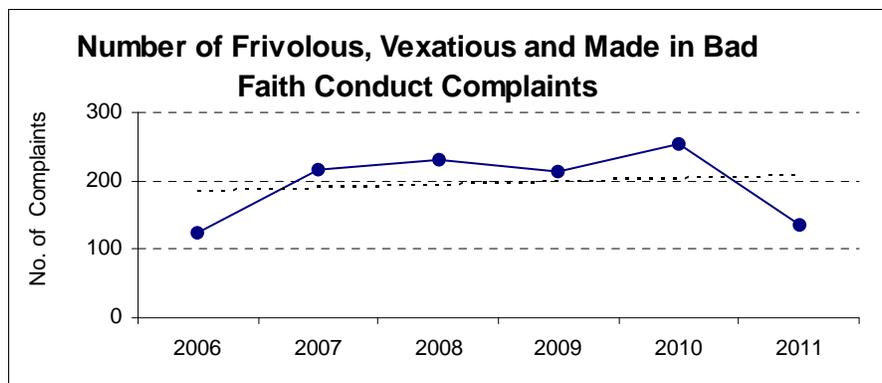


Source: Professional Standards

The extent to which the use of the in-car camera videos contributed to the decrease in the average number of days to complete a conduct investigation is not known. However, of the ten Unit Complaint Coordinators who completed the recent in-car camera survey, all said that the in-car cameras had a positive impact on police accountability, responding to public complaints, and investigations. And all but one said that in-car cameras had a positive impact on the professionalism of officers when dealing with the public and protecting officers from unwarranted complaints. While it is reasonable to assume that the in-car camera had a positive impact on the time taken to complete an investigation, strict guidelines in the *Police Services Act* and oversight of the Office of the Independent Police Review Directorate established in October 2009 must also be considered to have had an impact.

*Decrease in Number of Frivolous, Vexatious, and Made in Bad Faith Conduct Complaints:*

As shown in the chart below, the number of frivolous, vexatious and made in bad faith conduct complaints in 2011 was only slightly higher than in 2006 (124 in 2006 and 135 in 2011); however, the number of these complaints in the intervening years, particularly in 2010, was notably higher. The applied trend line (dashed line) indicates an overall slightly increasing trend since 2006.



## **IMPROVE THE QUALITY OF EVIDENCE FOR INVESTIGATIVE AND COURT PURPOSES**

### *Increase in Number of Accused Pleading Guilty:*

Statistics specific to the number of accused pleading guilty is not reasonably or reliably available in the TPS databases and is, therefore, not reported.

### *Increase in Convictions:*

Statistics specific to the number of convictions is not reasonably or reliably available in the TPS databases and is, therefore, not reported.

### *Positive Crown Perception of Video Evidence from Front-Line Investigators:*

A telephone interview was conducted with a Crown attorney who has extensively used in-car camera video in impaired driving criminal trials. The Crown was very positive about the use of in-car camera video, particularly in impaired cases where precision in the timing of events and other technical issues (e.g. administering the road-side test) are critical to a conviction; he referred to the video as an irrefutable witness. The Crown noted that the quality of video has been excellent of late, although there had been some audio, video, and other technical issues in early cases. Specific to impaired trials and other 'car-side' criminal offences such as Assault Peace Officer, the use of the video has been largely responsible for securing a conviction.

Although the Crown was unable to speak to an increase in the number of accused pleading guilty, he believed that the video increased the probability of a conviction. He further noted that officers should be encouraged to video and audio record all contact with the public as the on-scene comments and actions of an accused or witness may be useful, and possibly critical, to the prosecution.

A telephone interview was conducted with a Traffic Services officer to discuss his experience with Crowns specific to the use of in-car camera video in traffic and criminal cases. The officer said he believed that the video was very well received, and often requested by Crowns he had worked with, and increased both the number of accused pleading guilty and the probability of conviction. He supported this belief with an example: The officer attended court for 40 cases of stop sign offences scheduled; of the 40 accused, 10 pled guilty prior to the court date and 30 requested a trial. The Crown played the video of the specific offence to each of the 30 accused who had requested a trial; 28 then pled guilty and two went to trial. Each of the two trials lasted no longer than 30 minutes and, in both instances, the accused was convicted; the officer estimated that a typical stop sign offence trial without video evidence typically takes about one hour.

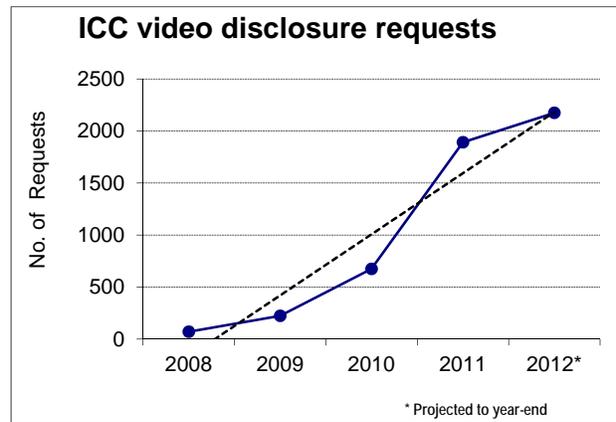
### *Positive Investigative Officer Perception of Video Evidence:*

Of those respondents in the June 2012 survey who identified themselves as working in an investigative role, almost six in ten (57%) said that in-car cameras had a positive impact on investigations and just over half (52%) said they had a positive impact on court preparation and

presentation. About one in five investigators said that the in-car cameras had a negative impact on investigations (21%) and court preparation and presentation (20%).

In an interview with Video Services personnel, the primary concern expressed mirrored those that were cited in interviews conducted in 2006 - the potential requirements for disclosure with Criminal Code and Highway Traffic Act (HTA) charges. The number of requests has increased from 71 requests in 2008 to 1,892 in 2011.

To date, the increases in disclosure requests reflect the phased installation of the cameras in marked vehicles and the increased awareness of the availability of potentially vital evidence. As all marked vehicles are now equipped with cameras, future increases will reflect a growth in requests from Crown Attorneys and Defense counsels, particularly in respect of *Provincial Offence Act (POA)* charges. At present, disclosure requests for *POA* charges account for only about 20% - 25% of total requests; a very small portion of all *POA* charges. With about 30,000 *POA* charges per month, Video Services staff was concerned that they may not be able to meet demand for disclosure, particularly if defense lawyers demand disclosure on all client charges.



Source: Video Services

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P9. NEW 11 DIVISION FACILITY – CLOSE OUT REPORT**

The Board was in receipt of the following report December 31, 2012 from William Blair, Chief of Police:

Subject: NEW 11 DIVISION FACILITY - PROJECT CLOSE-OUT REPORT

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

The original project budget for the new 11 Division facility project was \$30 Million (M). This amount was reduced to \$29.1M in 2012, as a result of a 0.6M budget transfer to the Property and Evidence Management Facility capital project and a technical adjustment of \$0.3M related to the Federal Infrastructure Stimulus Fund (ISF) funding.

The final project cost is \$110,000 below the \$29.1M budget.

Background/Purpose:

The Toronto Police Service's (Service) project management framework requires the completion of a close-out report for all major projects. The project close-out report documents the final results of the project and provides:

- confirmation that project objectives and deliverables were successfully completed;
- an analysis of project performance in terms of budget, schedule and use of resources;
- a summary of any key success factors and or lessons learned; and
- any outstanding items that need to be resolved.

Discussion:

The construction of a new 11 Division at 2054 Davenport Road was a complex project. The project involved the retention of a 1913 three-storey façade, unknown site conditions, and the complexities of integrating new construction with the old structure.

The Service's project team dealt with the complexities and delivered all of the requirements of the project, under budget. Details on the project deliverables, budget and schedule are provided in this report.

### *Project Management Framework/Project Steering Committee:*

The use of a formal project management framework was adopted by the Service in 2006, to help ensure large facility and information technology projects are properly managed and successfully implemented. This framework requires the establishment of a project steering committee, comprised of senior Service members and key stakeholders, to provide oversight and guidance to the project. It also requires the completion of a project charter that documents the project deliverables, in and out-of scope items, known or anticipated risk and mitigation strategies, cost estimates and related assumptions, schedule, and the role and responsibilities of project team members.

The steering committee for the 11 Division project proved to be effective in ensuring the project remained on course, and achieved its objectives from a scope, schedule and budget perspective. It also made key decisions and ensured that various issues that arose during the project were properly considered and effectively addressed.

### *Project Scope and Deliverables:*

Property searches for the replacement of 11 Division commenced in the late 1990s. However, finding a suitable site within the City proved to be very challenging. Finally, working with City Real Estate, two unused schools were acquired from the Toronto District School Board for the new 11 and 14 divisional facilities. As a result, the old Carleton Village school at 2054 Davenport Road became the site of the new 11 Division facility.

The scope as identified within the project charter included the construction of a 50,000 to 55,000 square foot building on a green field property. One of the design challenges faced by the design team was the three-storey existing façade that was retained. Consequently, the new 11 Division facility, at 70,000 square feet, is the largest division built due to the reclaimed third floor in the heritage portion of the building. The Service is currently using this space for the 2015 PanAm Games security planning, and this space can be utilized for future special projects or to house other Service units.

The site did present a variety of challenges as it was larger than required. The site was bordered by three residential roadways and a neglected parkette on the northwest corner. It included a 90,000 square foot building comprised of a 1913 “heritage” building along with a fairly large 1965 addition.

One of the greatest challenges associated with the construction of this facility was the retention of the 1913 façade. The complexities of maintaining such a façade included the erection of an exterior steel shoring system required to remain in place while the new structure was erected and poured. The shoring system presented logistic construction challenges as the new structure needed to be in place before the shoring could be removed.

### *Project Schedule:*

An initial schedule was developed to target a substantial completion date of March 31, 2011. This date was derived based on the conditions required to obtain the Federal Government's Infrastructure Stimulus Funding. The Service was aware that meeting the deadline would present challenges and, along with the construction manager, decided that it would be beneficial to divide the project into two phases; one being the heritage restoration and the other new construction. The method proved to be successful as the construction proceeded swiftly. However, the complexities of the restoration component and unknown site conditions delayed the substantial completion to July 2011. Following the fit up of the facility, staff moved into the new facility in late September 2011, as scheduled.

### *Project Budget:*

The original capital budget for the new 11 division was \$30.0 Million (M), excluding the cost of land (\$8.8M was funded through the City's Land Acquisition Reserve Fund (LARF) in accordance with City policy at that time, and not debt).

As requested by City Council, the Service worked with the City and the community to preserve some heritage components of the original building. The cost of the heritage component totalled approximately \$2.5M, and was part of the \$30.0M construction cost. The project was eligible for funding from sources other than debt. Funding from the federal ISF program is \$9.4M and development charges funding amount to \$4.1M.

In April 2012, the Board approved the transfer of \$0.6M from the 11 Division project to the Property and Evidence Management Unit (PEMU) facility project, to help restore funding for the PEMU project that had been lost due to the City's one year carry forward rule (Min No. P95/12 refers). This transfer combined with a \$0.3M technical adjustment in ISF funding (as a result of a lower project cost), reduced the project budget to \$29.1M.

The final project cost is \$110,000 below the project budget.

### *LEED Silver Certification:*

The Canadian Green Building Council (CaGBC) has performed their initial review of the submission documents for LEED Silver Certification. The CaGBC has requested additional information that is currently being compiled for submission and their further review, after which the Service will be advised if the LEED Silver designation has been achieved.

### *Key Success Factors and Lessons Learned:*

The new 11 Division was a unique and complex project and lessons learned will assist the Service to mitigate risks on future projects. A key success factor and lesson learned are outlined below.

(i) *Key Success Factor: Community Consultative Process.*

The design process included a community consultative process. Some members of the community initially had some concerns with relocating the 11 Division facility to 2054 Davenport Road. However, several meetings with the community to respond to their issues and questions as well as community involvement in the design of the facility alleviated many of the concerns.

The design of the new 11 Division had representation from the community on two separate groups, the first being a Heritage Advisory Group and the other the Design Team. The Heritage Advisory Group was established in response to a request from City Council and was comprised of representatives from City Planning and Urban Design as well as members of the community. This group was required to work closely with the prime architect, the heritage architect, and the Service on the design of the building and on the determination of what components of the existing 1913 building could be preserved. It was key members of the community who played an active role in this task and contributed to the building design as we see it today. With respect to the Design Team, there were four members of the community who formed part of the design team and had input as to community spaces, such as the building exterior, community room and to some degree police areas that interact with the community.

As the Service has done with other projects, engaging the community in the design of the facility and addressing as best possible their concerns and questions, were instrumental to ensuring overall community satisfaction with the facility.

(ii) *Lesson Learned: The LEED consultant must not be the same as the prime consultant/ architect.*

The document gathering component of a LEED submission is very labour intensive. When a key member of the architect team is also the LEED consultant, his/her focus will be directed towards the design and construction of the building, somewhat to the detriment of the LEED related work that must also be completed. Consequently, in future, the LEED consultant should be a sub-consultant to the prime consultant. This will allow them to focus strictly on LEED requirements and the achievement of a complete and timely application to the CaGBC.

Conclusion:

The new 11 Division facility is another example of what can be achieved when the Service works cooperatively with the community to design a policy facility that meets the Service's operational requirements and also fits well into the neighbourhood. Maintaining the heritage of the old building was important to both the community and the City, and by working with the City and the community, the façade of the old school was retained. In addition, the neglected parkette has been restored and is now available for use by the community.

The new facility has received positive feedback from the community, members of the Service and the City. All of the planned requirements and scope of the project were met and it was

delivered under budget. The facility is energy efficient and has a reduced carbon footprint. The new building is anticipated to meet the Service's requirements for the next 50 years.

Upon receipt of this report by the Board, the Service's Chief Administrative Officer will advise the City's Deputy City Manager and Chief Financial Officer to close this capital project, thereby returning surplus funds of \$120,000 to the City.

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

**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 JANUARY 23, 2013**

**#P10. CENTRAL JOINT HEALTH & SAFETY COMMITTEE**

The Board was in receipt of a copy of the Minutes from the Central Joint Health and Safety Committee meeting held on December 03, 2012. A copy of the Committee Minutes is appended to this Minute for information.

Chair Mukherjee noted that the Minutes were to be considered in conjunction with confidential Minutes that were also prepared for the same meeting (Min. No. C06/13 refers).

**The Board received the Minutes from the CJHSC meeting held on December 03, 2012.**



## *Central Joint Health and Safety Committee*

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### **- MEETING MINUTES -**

**Meeting Room  
Property & Evidence Management Unit  
Toronto, Ontario**

**Monday,  
December 03, 2012  
at 10:00 AM**

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Meeting No. 47

Members: Present: Dr. Alok Mukherjee, TPSB, Committee Co-Chair  
Mr. Larry Molyneaux, TPA, Committee Co-Chair  
Deputy Chief Mike Federico, TPS, Command Representative

Absent: Mr. Rick Perry, TPA, Executive Representative

Also Present: Ms. Wendy Ryzek, Acting Manager, Occupational Health & Safety  
Sgt. Gary Haitzer, Safety Officer, Occupational Health & Safety  
Mr. Rob Duncan, Occupational Health & Safety  
Ms. Deirdre Williams, Recording Secretary

Guests: Ms. Brenda Radix, Property & Evidence Management Unit \*  
Ms. Virginia Fry, Property & Evidence Management Unit \*  
Ms. Jayne Pickering, Property & Evidence Management Unit \*  
Mr. Tony Pagliaroli, Property & Evidence Management Unit \*

\* Members of the Property & Evidence Management Unit Local Joint Health and Safety Committee

Chair for this Meeting: Mr. Larry Molyneaux, Co-Chair

**Opening of the Meeting:**

1. Mr. Molyneaux noted that, given the absence of Mr. Perry, the meeting would not conform with the established standard for conducting an official meeting as outlined in its *Terms of Reference – Quorum*, which states that:

*The Committee shall have an equal number of Management and Association members present in order to conduct business.*

The Committee agreed to waive the abovenoted portion of the *Terms of Reference* and determined that it would consider this meeting to be officially constituted.

Mr. Molyneaux extended a welcome to the guests, provided an overview of the Central Joint Health and Safety Committee and explained how it works in conjunction with the Local Joint Health and Safety Committees (“Local JHSCs”), which are operating throughout the Toronto Police Service.

2. The Committee approved the public and confidential Minutes from its meeting held on September 11, 2012.

**The Committee considered the following matters:**

3. Barn Swallows at the Marine Unit  
Update by: Deputy Chief Mike Federico, Command Representative

Deputy Chief Federico advised that, as a result of concerns that were raised at the last Committee meeting, the Toronto Police Service - State of Good Repair and Tenant Initiated Renovations Committee had approved a recommendation to remove the bird feces that covered some areas at the Marine Unit due to an infestation of barn swallows. Deputy Chief Federico said that, while no specific cleaning plan had been identified at this time, the TPS will work with the City of Toronto to ensure that a safe cleaning method for removing the feces is identified and that appropriate steps are taken to prevent the barn swallows from returning.

Deputy Chief Federico also said that the Marine Unit’s Local JHSC had been advised about the State of Good Repair and Tenant Initiated Renovations Committee’s decision to remove the feces and attempt to prevent a reoccurrence.

Written notes provided by Deputy Chief Federico on this matter are attached to these Minutes for information.

<b>Status:</b>	<b>Barn Swallows at the Marine Unit: <u>Ongoing</u></b>
<b>Action:</b>	<b>Deputy Chief Federico will provide an update on the progress of the cleaning at the next meeting.</b>

4. Update on the TPS 2012 Occupational Health and Safety Awareness Day  
Update by: Sgt. Gary Haitzer, Safety Officer, Occupational Health & Safety

Sgt. Haitzer provided the Committee with the results of the Occupational Health and Safety Awareness Day that was held at the Toronto Police College on Wednesday, October 03, 2012. Specific details of the speakers and the topics that were discussed are contained in written notes that Sgt. Haitzer provided and are attached to these Minutes for information.

Dr. Mukherjee said that, while it was an informative day and that a lot of good information was presented to TPS members, the presentations were delivered directly to the members as opposed to actively engaging the members. Dr. Mukherjee recommended that the format of the presentations be revised in the future so that the speakers encourage the members to participate in dialogue, ask questions regarding the information that is being presented and provide comments about relevant situations that have occurred in their workplaces.

Sgt. Haitzer said that he would ask the LJHSCs for ideas on potential topics that could have an interactive component as well as how to improve the manner in which the value of the Occupational Health and Safety Awareness Day is promoted internally so that more members may be interested in attending in the future. Sgt. Haitzer also said that he would review the feedback notes from the 80 TPS members who attended the 2012 Occupational Health and Safety Awareness Day to determine whether there were any suggestions for improvements.

<b>Status:</b>	<b>2012 Occupational Health and Safety Awareness Day: <u>Resolved</u></b>
	<b>Suggestions for Improvements for the 2013 Occupational Health and Safety Awareness Day: <u>Ongoing</u></b>
<b>Action:</b>	<b>Sgt. Haitzer will provide an update in six months.</b>

**Quarterly Update:**

5. TPS Wellness Issues and Initiatives  
Update by: Deputy Chief Mike Federico, Command Representative

Deputy Chief Federico updated the Committee on the wellness initiatives that are in place and the new initiatives that are being developed across the TPS. Specific details of the initiatives are contained in written notes that Deputy Chief Federico provided and are attached to these Minutes for information.

Deputy Chief Federico spoke directly to the guests attending this meeting and encouraged them to familiarize themselves with all of the TPS wellness initiatives and to share that information with the members within the Property & Evidence Management Unit.

Ms. Radix said that the Property & Evidence Management Unit has an active wellness committee and that many wellness improvement initiatives have been developed. Every Wednesday is known as “Wellness Wednesday” and, on these days, helpful or interesting information is shared with all members within the Unit.

Deputy Chief Federico said that the TPS Wellness website, workstation screensavers and unit bulletin boards contain a lot of helpful information on a wide range of wellness and healthy living topics such as healthy menu planning, nutrition, disease protection and tips for better sleeping and fitness improvement. Deputy Chief Federico said that the members of the Toronto Police Service Board and the TPA Board of Directors are also invited to review the information that is available and to participate in any of the wellness activities.

<b>Status:</b>	<b>Quarterly Update: TPS Wellness Issues and Initiatives: <u>Ongoing</u></b>
<b>Action:</b>	<b>Deputy Federico will provide a further update in three months.</b>

**Tour of the Property & Evidence Management Unit:**

6. Following the meeting, Ms. Radix conducted a tour of the Property & Evidence Management Unit for the Committee members.

**\*\*Confidential Matters\*\***

The Committee also considered several confidential matters.

Details of the Committee’s discussions and decisions regarding these matters have been recorded in confidential Minutes which form part of the Minutes for this meeting.

**Next Meeting:**

Date: Thursday, February 07, 2013  
 Time: 10:00 AM  
 Location: Conference Room 7-A  
 Toronto Police Headquarters

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**Members of the Central Joint Health and Safety Committee:**

Dr. Alok Mukherjee, Co-Chair Toronto Police Services Board	Mr. Larry Molyneaux, Co-Chair Toronto Police Association
Deputy Chief Mike Federico, Command Representative, Toronto Police Service	Mr. Rick Perry, Executive Representative Toronto Police Association

**Briefing Notes**  
2012.12.03. CJHSC Meeting

The following is an update for the upcoming Central Joint Health and Safety Committee (CJHSC) Meeting No. 47, on Monday, December 3, 2012 at 10:00 a.m. at the Property and Evidence Management Unit.

As per the meeting agenda, Deputy Mike Federico is required to provide the Committee with an update on the following:

Carry Forward of Agenda Matters from the Previous Meeting No. 46:

New Matters - Update:

**Agenda item #3 (Public): Barn Swallows at the Marine Unit**

The State of Good Repair and Tenant Renovation Committee has approved cleaning the area, and will explore options to prevent a reoccurrence of this situation.

Quarterly Update:

**Previous Agenda item #8 (Public): TPS Wellness Issues and Initiatives**

- 1) Emotional Survival Training for Civilians is currently running, specific to policing environment.
- 2) Health Screenings (testing Cholesterol, Blood Pressure, Blood Sugar), on-going, can be booked through Kim McClelland.
- 3) On-going Fitness Pin Testing every Monday & Thursday at the Toronto Police College; There are 49 Fitness Pin Appraisers across the Service conduct testing at each division.
- 4) Fitness Pin Course to run the week of November 19th; upon completion of course individuals will be certified to conduct Fit Pin Testing – Tim Finlay currently preparing for this.
- 5) Platoon Training Wellness dates (Topic examples: Fatigue Management; Sugar & Disease), can be booked through the Wellness Team.
- 6) Nutrition Consultations (menu planning, sleep tips, supplement recommendations etc.), on-going, conducted at the Toronto Police College, HQ and other TPS locations.
- 7) Fitness Consultations (stretching, injury prevention, improving physical fitness, full movement screening), on-going, conducted at the Toronto Police College and other TPS locations.

**Briefing Notes**  
2012.12.03. CJHSC Meeting

- 8) On-going development of the On-line/E-learning version of the Healthy Eating Program (currently in development is Session #2, Menu Planning).
- 9) Toronto Police Wellness Website (<http://wellness.torontopolice.on.ca/> UN: tps PW: 123); on-going-weekly updates; articles and videos generated by TPS wellness Team; NEW Recipe section launched.
- 10) Fitness Pin Test revised and updated this year to include the NEW! Core Endurance Test (videos and information available on TPS wellness website).
- 11) Movement screening added to Fitness Pin Test to support injury prevention and increased member wellness.
- 12) Emotional Survival Training for Police Officers continues to be delivered as part of the 2012 In Service Training Program.
- 13) ISTP Wellness Training currently being developed for 2013.
- 14) Your Health Matters, Cancer Screening Program run by the Canadian Cancer Society, two sessions at HQ on Nov 29<sup>th</sup> and a session at the TPC on Nov 15<sup>th</sup>.
- 15) Currently working on 2013 Wellness Development and Strategy (Wellness lectures targeted to specific TPS locations based on requests and identified needs).
- 16) Program development for anticipated arrival of recruits in December (focus on fitness, nutrition and wellness).

**Briefing Notes**  
2012.12.03. CJHSC Meeting

The following is an update for the Central Joint Health and Safety Committee (CJHSC) Meeting No. 47, on Monday, December 3, 2012 at 10:00 a.m. at the Property and Evidence Management Unit.

As per the meeting agenda, Sergeant Gary Haitzer is required to provide the Committee with an update on the following:

Carry Forward of Agenda Matters from the Previous Meeting No. 46:

**Agenda item #4 (Public): 2012 Occupational Health and Safety Awareness Day - Results**

The Service's 5<sup>th</sup> Annual Occupational Health and Safety Awareness Day was held on Wednesday October 3<sup>rd</sup>, 2012 at the Toronto Police College. Invitees included a management and worker member from each of the Service's local Joint Health and Safety Committees (JHSC). Approximately 80 members of the Service attended. Each of the Services' 38 local JHSCs were provided with a copy of a 2012 *Occupational Health & Safety Act & Regulations – Consolidated Edition*. Official welcoming speakers included Dr Alok Mukherjee, representing the Toronto Police Services Board, Director Aileen Ashman, representing the Service and Director Richard Perry, representing the Toronto Police Association. Toronto Public Health (TPH) and Cardiac Safe City – Toronto Emergency Medical Services (EMS) each had an information booth set up at the event.

Topics and guest speakers included the following:

**Occupational Health & Safety Unit Overview**

- Acting Manager Wendy Ryzek and the members of the Service's Occupational Health and Safety Unit

**Toronto Public Health Overview**

- Norine Schofield, TPH Public Health Inspector

**Workplace Safety & Insurance Board Overview of Work Reintegration**

- John Mutch, WSIB Assistant Director Work Transition

**The Service's Response to Critical Incidents**

- Avis Ottey, TPS A/Co-ordinator, EFAP Liaison & CIRT/PSV

**Bicycle Related Critical Injuries**

- Sergeant Matthew Hofland, TPS Police Vehicle Operations

A copy of the agenda has been provided, which was printed on pink paper in support of *October is Breast Cancer Awareness Month*.

*Briefing Notes from Sergeant Gary Haitzer*



**5<sup>th</sup> Annual  
Toronto Police Service  
Occupational Health & Safety Awareness Day**

**Wednesday, October 3, 2012  
Toronto Police College  
7:30 a.m. – 12:00 p.m.**

***Agenda***

- 7:30 a.m. Official Welcome**
- Dr. Alok Mukherjee, TPSB Chair & CJHSC Co-chair
  - Director Aileen Ashman, TPS Human Resources Management
  - Director Richard Perry, TPA & CJHSC Member
- 7:45 a.m. Occupational Health & Safety Unit Overview**
- Acting Manager Wendy Ryzek & members of OHS
- 8:30 a.m. Toronto Public Health Overview**
- Norine Schofield, TPH Public Health Inspector
- 8:50 a.m. Stretch Break**
- 9:00 a.m. WSIB Overview of Work Reintegration (RTW)**
- John Mutch, WSIB Assistant Director Work Transition
- 9:45 a.m. Healthy Break – Refreshments and Snacks**
- 10:10 a.m. The Service's Response to Critical Incidents**
- Avis Ottey, TPS A/Co-ordinator, EFAP Liaison & CIRT/PSV
- 10:55 a.m. Stretch Break**
- 11:00 a.m. Bicycle Related Critical Injuries**
- Sgt. Matthew Hofland, TPS Police Vehicle Operations
- 11:45 a.m. Open Forum - Questions and Answers**
- 11:55 a.m. Closing Remarks**



October is **Breast Cancer Awareness Month** visit [cbcf.org](http://cbcf.org) for further information.



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P11. ANNUAL REPORT: TORONTO POLICE SERVICE - 2011 INSURANCE  
CLAIMS ACTIVITY REPORT**

The Board was in receipt of the following report November 26, 2012 from Giuliana Carbone, Acting Deputy City Manager and Chief Financial Officer, City of Toronto:

**SUMMARY**

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To provide an updated annual public report to the Board containing a financial summary of property, automobile and general liability insurance claims.

**Financial Impact**

There are no financial implications relating to this report.

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**ISSUE BACKGROUND**

This is the annual public report to the Toronto Police Services Board containing a summary of financial insurance claims information including property, automobile and general liability insurance claims.

**COMMENTS**

Financial reports on Toronto Police Service insurance claims activity are intended to support the Board's governance mandate to ensure effective management of the police service. Knowledge of what claims are occurring and potential financial exposure resulting from such claims will enhance the Board's ability to manage risk through implementation of loss control measures. The Insurance & Risk Management section of the City's Corporate Finance Division manages the insurance and claim process and liaises on a regular basis with Toronto Police Legal Services, as well as internal and external defence counsel, to examine claims and implement measures to reduce the impact of insured claims involving the Toronto Police Service.

Claims statistics change daily as payments are made, new files opened, old files closed and reserves (funds set aside to pay claim and related costs) adjusted. Unless otherwise indicated, the data contained in this report reflects the Toronto Police Service claim status at December 31, 2011.

## Property Insurance Claims

The City's Property Insurance policy provides coverage for direct physical loss or damage that results from an insured event to buildings, contents, equipment, stock supplies and furniture, owned by or under the care, custody and control of the Board.

Property claims are generally resolved within a six-month period. Table One is a summary of Police Service property claims incurred in 2010 and 2011.

**Table One**  
**Property**  
**Insurance Claims Incurred in 2010 and 2011**

<b>Year</b>	<b>No. of Claims</b>	<b>Paid \$</b>	<b>Reserve \$</b>	<b>Total Incurred \$</b>	<b>Average Incurred \$</b>	<b>Largest Loss \$</b>
2011	1	25	0	25	25	25
2010	11	101,387	1,116	102,503	9,318	90,817

The total "incurred" amount consists of two components; amounts paid and amounts in reserve. For property losses, amounts paid are damage payments covered by the policy. The second component includes reserves which may have to be paid in the future on a claim by claim basis. Accordingly, the incurred figure reflects the total of amounts which have been paid and an allowance for possible future payments.

## Automobile Insurance Claims

The City's automobile insurance covers physical damage, bodily injury and property damage liability for all Service owned and leased vehicles. Every qualified, licensed driver operating a Police Service vehicle is insured under the policy. Similar to property claims, auto physical damage claims are generally resolved within months of the claim being opened. Auto liability and accident benefit claims can take considerably longer to settle.

Table Two provides a summary of Police Service auto claims incurred in 2010 and 2011.

**Table Two  
Automobile  
Insurance Claims Incurred in 2010 and 2011**

<b>Year</b>	<b>No. of Claims</b>	<b>Paid \$</b>	<b>Reserve \$</b>	<b>Total Incurred \$</b>	<b>Average Incurred \$</b>	<b>Largest Loss \$</b>
2011	763	1,759,110	175,871	1,934,981	2,536	62,000
2010	766	2,291,691	4,826,059	7,117,751	9,292	2,465,000

For automobile losses, amounts paid can include (i) auto physical damage claim amounts, (ii) auto accident benefit payments, (iii) automobile liability claim payments and settlements, including damages, interest and costs, and (iv) court ordered judgments and all expenses pertaining to the claims process which can include legal fees, adjusting costs, and defence expert costs.

### **Liability Claims**

The liability insurance policy responds to civil actions alleging negligence causing a third party bodily injury, property damage and/or economic loss.

It may be several years before a claimant commences a claim against the Police Service and it can take years before claims are settled due to the judicial process. Table Three provides a summary of Police Service liability claims incurred in 2010 and 2011.

**Table Three  
General Liability  
Insurance Claims Incurred in 2010 and 2011**

<b>Year</b>	<b>No. of Claims</b>	<b>Paid \$</b>	<b>Reserve \$</b>	<b>Total Incurred \$</b>	<b>Average Incurred \$</b>	<b>Largest Loss \$</b>
2011	33	75,759	701,604	777,363	23,556	69,680
2010	103	634,115	2,870,428	3,504,544	34,024	125,000

For liability losses, amounts paid include (i) settlements, including damages, interest and costs, (ii) court ordered judgements and (iii) all expenses pertaining to the claims process which can include legal fees, adjusting costs, and defence expert costs.

In 2011, 33 new liability claims arose from incidents and activities of the Toronto Police Service that have been reported and/or served as of December 31, 2011. This number will rise in the future as new claims are submitted in respect of alleged incidents in 2011.

The number of liability claims made each year against the Police Service over the past 10 has risen to over 100.

## **CONCLUSION**

This report summarizes insurance claims related to the Toronto Police Service during 2010 and 2011. Attached is a separate page with the tables containing data in a larger font which was requested by the Board at its May 18, 2006 meeting.

## **CONTACT**

Jim Kidd, Supervisor, Insurance & Risk Management, Corporate Finance Division,  
416-392-3917, [jkidd@toronto.ca](mailto:jkidd@toronto.ca)

Jeff Madeley, Manager, Insurance & Risk Management, Corporate Finance Division,  
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Joe Farag, Director, Corporate Finance, 416-392-8108, [jfarag@toronto.ca](mailto:jfarag@toronto.ca)

**The Board received the foregoing report.**

## Annual Report on Insurance Claims Activity for 2010 & 2011 Data Tables

### Property

Year	No. of Claims	Paid \$	Reserve \$	Total Incurred \$	Average Incurred \$	Largest Loss \$
2011	1	25	0	25	25	25
2010	11	101,387	1,116	102,503	9,318	90,817

### Automobile

Year	No. of Claims	Paid \$	Reserve \$	Total Incurred \$	Average Incurred \$	Largest Loss \$
2011	763	1,759,110	175,871	1,934,981	2,536	62,000
2010	766	2,291,691	4,826,059	7,117,751	9,292	2,465,000

### General Liability

Year	No. of Claims	Paid \$	Reserve \$	Total Incurred \$	Average Incurred \$	Largest Loss \$
2011	33	75,759	701,604	777,363	23,556	69,680
2010	103	634,115	2,870,428	3,504,544	34,024	125,000

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P12. ANNUAL REPORT: 2012 SECONDMENTS**

The Board was in receipt of the following report December 12, 2012 from William Blair, Chief of Police:

Subject: ANNUAL REPORT - 2012 SECONDMENTS

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

In 2012, forty one (41) uniform members and five (5) civilian members were seconded to various agencies at full cost recovery for salaries and benefits to the Service. The total estimated cost recovery for funded secondments is \$6,215,000.

In addition, for the same time period, eighteen (18) uniform members were seconded to various agencies with no cost recovery to the Service. The estimated cost for salaries and benefits in 2012 for these members is \$2,420,000 and this amount is included in the approved 2012 operating budget for the Service.

The unfunded secondment positions include partnerships with federal and provincial government agencies operating in the Greater Toronto area, with both the Service and the partner agencies benefitting from the efficiencies arising from the working relationship.

Background/Purpose:

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

Conclusion:

A list of secondment positions filled by Service members during 2012 is appended to this report.

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

**The Board received the foregoing report.**

**APPENDIX**

<b>No. of Members</b>	<b>RANK</b>	<b>LOCATION</b>	<b>TERM</b>			<b>COST</b>
1	D/Sergeant	Royal Canadian Mounted Police CFSEU	2010.01.01	to	Ongoing	UFD
2	Detective	Royal Canadian Mounted Police CFSEU	2010.01.01	to	Ongoing	UFD
5	D/Constable	Royal Canadian Mounted Police CFSEU	2010.01.01	to	Ongoing	UFD
1	Inspector	Royal Canadian Mounted Police INSET	2011.04.01	to	2012.03.31	FCR
1	PC	Royal Canadian Mounted Police INSET	2011.04.01	to	2012.03.31	GFD
1	PC	Royal Canadian Mounted Police INSET	2011.12.01	to	2012.12.01	UFD
1	D/Constable	Royal Canadian Mounted Police INSET	2011.04.01	to	2012.03.31	UFD
1	Z32	Royal Canadian Mounted Police IPOB	2011.10.14	to	2012.10.14	FCR
2	S/Sergeant	Royal Canadian Mounted Police IPOB	2011.05.06	to	2012.06.01	FCR
1	S/Sergeant	Royal Canadian Mounted Police IPOB	2012.01.03	to	2013.01.03	FCR
3	Sergeant	Royal Canadian Mounted Police IPOB	2011.05.06	to	2012.06.01	FCR
1	PC	Royal Canadian Mounted Police IPOB	2011.10.14	to	2012.10.14	FCR
1	PC	Royal Canadian Mounted Police IPOB	2011.05.06	to	2012.06.01	FCR
1	D/Constable	Royal Canadian Mounted Police Missing Exploited Children	2011.06.30	to	2014.06.30	FCR
2	PC	Royal Canadian Mounted Police MSERT	2010.01.01	to	2014.01.01	FCR
1	PC	Royal Canadian Mounted Police MSET	2012.04.01	to	2013.04.01	FCR
1	A11	Royal Canadian Mounted Police NWEST	2009.11.02	to	2012.11.02	FCR
1	C06	Royal Canadian Mounted Police NWEST	2010.04.01	to	2013.04.01	FCR
2	D/Constable	Royal Canadian Mounted Police Pearson International Airport	2007.02.22	to	Ongoing	UFD
1	D/Constable	Royal Canadian Mounted Police Source Development	2009.01.01	to	Ongoing	FCR
1	Detective	Royal Canadian Mounted Police TADEU	2009.11.08	to	2011.11.08	UFD
1	D/Constable	Royal Canadian Mounted Police TADEU	2009.11.08	to	2011.11.08	UFD

No. of Members	RANK	LOCATION	TERM			COST
				to		
1	D/Constable	Royal Canadian Mounted Police TIPOC	2011.04.01	to	2013.04.01	GFD
1	PC	Corrections Canada CCLO Liaison Officer	2010.08.16	to	2012.08.16	FCR
1	D/Constable	Ministry of Community Safety & Correctional Services Chief Firearms Office	2010.01.02	to	2013.02.02	FCR
1	PC	Ministry of Community Safety & Correctional Services Chief Firearms Office	2010.01.02	to	2013.02.02	FCR
1	D/Sergeant	Ministry of Solicitor General CISO	2011.03.01	to	2014.02.28	UFD
1	A/D/Sergeant	Ministry of Solicitor General CISO	2011.04.11	to	2014.04.25	FCR
1	A/D/Sergeant	Ministry of Solicitor General CISO	2011.04.01	to	2013.03.31	FCR
1	Detective	Ministry of Solicitor General CISO	2011.10.06		2013.10.05	FCR
1	Detective	Ministry of Solicitor General CISO	2011.03.15	to	2012.02.14	UFD
1	A/Detective	Ministry of Community Safety & Correctional Services Justice Sector Security	2011.05.16	to	2013.05.15	FCR
2	PC	Ministry of Solicitor General VICLAS	2012.01.05	to	2012.07.05	FCR
1	A/S/Sergeant	Ontario Police College Basic Constable Training	2010.08.30	to	2012.08.03	FCR
1	Sergeant	Ontario Police College Basic Constable Training	2011.01.04	to	2012.12.02	FCR
1	A/Sergeant	Ontario Police College Basic Constable Training	2011.08.29	to	2013.08.02	FCR
1	A/Sergeant	Ontario Police College Basic Constable Training	2011.01.04	to	2012.12.02	FCR
1	A/Sergeant	Ontario Police College Basic Constable Training	2010.01.04	to	2012.04.05	FCR
1	D/Constable	Ontario Chief Coroner Coroner's Inquest	2010.07.27	to	2011.07.27	UFD
1	Inspector	Ontario Provincial Police ROPE	2009.09.01	to	2012.08.31	FCR
2	Detective	Ontario Provincial Police ROPE	2009.09.01	to	2012.08.31	FCR
7	D/Constable	Ontario Provincial Police ROPE	2009.09.01	to	2012.08.31	FCR
1	C04	Ontario Provincial Police ROPE	2009.09.01	to	2012.08.31	FCR

No. of Members	RANK	LOCATION	TERM			COST
				to		
1	T/C04	Ontario Provincial Police ROPE	2009.09.01	to	2012.08.31	FCR
1	Detective	US Immigration and Customs ICE	2010.03.13	to	2013.03.13	UFD
1	Detective	New York Police Department Liaison	2012.03.31	to	2013.03.31	FCR
2	D/Constable	Ministry of Community Safety & Correctional Services Child Exploitation	2011.04.01	to	2013.03.31	CR
1	D/Constable	United States Postal Service Telemarketing	2012.01.31	to	2013.01.31	CR
1	T/04	United States Postal Service Telemarketing	2012.01.31	to	2013.01.31	CR

**Legend:**

FCR - Full Cost Recovery  
GFD - Grant Full (Partial Recovery)  
UFD - Unfunded  
CR - Cost Recovery

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P13. ANNUAL REPORT: 2013 COMMUNITY EVENTS FUNDED BY THE  
SPECIAL FUND**

The Board was in receipt of the following report January 07, 2013 from William Blair, Chief of Police:

Subject: REQUEST FOR FUNDS: ANNUAL COMMUNITY EVENTS - 2013

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

The Board's Special Fund will be reduced by \$80,300.00, which is the total cost of expenditures related to the annual events listed in this report. The costs are based on the funding requests for 2012, as well as any projected increases in costs.

Background/Purpose:

The Board at its meeting of July 22, 2010, granted standing authority to the Chair and the Vice Chair to approve expenditures from the Board's Special Fund for a total amount not to exceed \$10,000.00 per individual event for internal and community events annually hosted in whole or in part by the Board and the Service. The Standing Authority would only apply to events that are to be identified in a list which is provided to the Board for information at the beginning of each calendar year (Min. No. P208/10 refers).

This report provides the internal and community events that are scheduled to take place in 2013.

Discussion:

The Board and the Toronto Police Service participate in and/or organize many community events and/or initiatives, both internally and externally throughout the year. These events serve to increase public awareness of significant contributions made by community members in Toronto. They also provide a unique opportunity for members of the Service and members of the public to join together and celebrate the diversity that makes Toronto a vibrant city.

The Service's participation in these community events serves to increase awareness amongst Service members about the traditions and contributions of the many diverse communities.

The Service also participates in raising money for worthwhile charitable causes such as the United Way. The consultative groups have contributed financially to these events through funding that they receive from the Board and donations. They are permitted to generate supplementary funds by way of committee approved fundraising initiatives in accordance with the stipulations outlined in the Community Volunteer and Consultation Manual.

The Board and the Service recognize the importance of engaging members of the community along with police officers in various programs, initiatives and events that provide opportunities for community members to interact with police officers in positive ways.

The Divisional Policing Support Unit (DPSU) is responsible for co-ordinating many events at Police Headquarters and other locations throughout the City during the year. These events are intended to promote positive relations between the police and the diverse communities which showcase our advancements and continued partnerships in these areas.

The community events coordinated by DPSU for which funding has been provided by the Board are:

- Black History Month
- Asian Heritage Month
- National Aboriginal Day
- Caribana Kick-Off Celebration and Caribana Float
- Annual Community Police Consultative Conference
- LGBT Youth Justice Bursary Award
- Board and Chief's PRIDE Reception
- International Francophone Day

2013 Events:

The following chart provides a list of annual events hosted/co-hosted by the Service that are scheduled to take place in 2013, as well as a breakdown of the historical requests for funding for the years 2011 and 2012.

Event	2011	2012	2013
Black History Month Celebration	6,000	6,000	6,000
Torch Run / Special Olympics	5,000	5,000	5,000
United Way Campaign	10,000	10,000	10,000
Asian Heritage Month Celebration	5,000	5,000	5,000
TPSB & Chief's Pride Reception	3,000	3,000	3,000
National Aboriginal Day	5,000	5,000	5,000
Victim Services Program Volunteer Recognition Event	8,000	8,000	8,000
LGBT Youth Justice Bursary Award	3,000	3,000	3,000
Caribbean Carnival Kick-off Event & Float	10,000	10,000	10,000
Youth in Policing Initiative Luncheons	1,500	1,500	2,800
Native Child & Family Services of Toronto Annual Children in Care Holiday Party	5,000	5,000	5,000
Annual Community Police Consultative Conference	10,000	8,500	8,500
Chief of Police Fundraising Gala / Victim Services Toronto	4,000	4,000	4,000
International Francophonie Day	5,000	5,000	5,000
<b>Total</b>	<b>80,500</b>	<b>79,000</b>	<b>80,300</b>

All requests for funding have remained consistent with the immediately preceding years having regard to the financial constraints imposed on expenditures from the Special Fund (Min. No. P100/11 and P337/11 refer). In 2011, due to the budget restraints, the Board was only able to provide funding for Black History Month, Asian Heritage Month and International Francophonie Day (Min. No. P307/11 refers). Those events that received no funding from the Board, although still hosted and / or supported by the Service, had to be scaled back significantly, creating considerable disappointment within the respective communities, who look forward to the opportunity to celebrate partnerships with the Service through an expression of cultural heritage, diversity and community building. In 2012, events were organized on a lesser scale attributable to the continuing fiscal uncertainty, respective timelines, and operational and personnel pressures.

Due to the expansion of the Youth in Policing Initiative (YIPI) program, an additional \$1,300.00 has been requested for the program luncheons. The Service will begin hosting three sessions of YIPI intakes: January to April, 63 students; July to August, 155 students; and September to December, 63 students.

The following list includes the areas that are considered when establishing a budget for a particular community / cultural event:

- Venue
- Food and Refreshments
- Posters, Frames & Printing
- Exhibits & Displays
- Speakers/presenters
- Entertainment
- Honourariums
- Transportation
- Incidentals

Any funds not utilized will be returned to the Board. The Service also considers alternative sources of funding to help offset the costs that are incurred when hosting a particular community event. For example, when an event has been held in a particular community, in addition to funding from the Board, the Community Consultative Committee, where one exists, has contributed funds towards the cost of the event from monies received by the Board for their respective Consultative Committee. Community members have also absorbed some of the cost associated with a particular event.

All of the abovenoted requests for funding from the Board's Special Fund have been reviewed to ensure that they meet the criteria set out in the Board's Special Fund Policy and that they are consistent with the following Service Priorities:

- Focusing on People With Distinct Needs
- Focusing on Child and Youth Safety
- Focusing on Violence Against Women
- Delivering Inclusive Police Services

The Service will notify the Board office six weeks in advance of each event approved to receive funds, so that a cheque can be issued.

Conclusion:

Strong community/police partnerships are based on mutual trust, respect, understanding and are essential for the safety and well-being of all members of our community. The Board and the Service's participation in these events reinforces a continued commitment to working with our diverse communities and it also aims at fostering mutually respectful and beneficial relationships.

Deputy Chief Peter Sloly, Divisional Policing Command, will be in attendance to respond to 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 JANUARY 23, 2013**

**#P14. RESPONSE TO THE JURY RECOMMENDATIONS FROM THE  
CORONER'S INQUEST INTO THE DEATH JUNIOR ALEXANDER  
MANON**

The Board was in receipt of the following report November 21, 2012 from William Blair, Chief of Police:

Subject: RESPONSE TO THE JURY RECOMMENDATIONS FROM THE  
CORONER'S INQUEST INTO THE DEATH OF JUNIOR ALEXANDER  
MANON

Recommendations:

It is recommended that:

- (1) the Board receive this report for information; and
- (2) the Board forward a copy of this report to the Chief Coroner for the Province of Ontario.

Financial Implications:

There are potential financial implications related to inquest recommendation #2. These financial implications cannot be determined at this time until further research has been conducted, as noted in the response to this recommendation.

Background:

A Coroner's Inquest into the death of Junior Alexander Manon was conducted in Toronto during the period of January 16, 2012 to May 8, 2012. As a result of the inquest, the jury directed five recommendations to the Toronto Police Service (Service).

The following is a summary of the circumstances of the death of Junior Alexander Manon and issues addressed at the inquest, as delivered by Dr. Dan Cass, Presiding Coroner.

Summary of Circumstances of Death

*Junior Alexander Manon was an 18 year old male who died following a foot pursuit and struggle with police officers. As Mr. Manon was in police custody at the time of his death, a coroner's inquest was mandatory under Section 10(4.6) of the Coroners Act.*

*On May 5, 2010, at approximately 1830h, Mr. Manon was driving a vehicle westbound on Steeles Avenue West approaching Founders Road in Toronto. The vehicle was stopped by Toronto Police Service officers because of an expired validation tag on the vehicle's license plate. As part of the process of conducting the vehicle stop, the officers became aware that Mr. Manon was subject to conditions related to a prior offence which prohibited him from operating or being in the driver's seat of a motor vehicle. Violation of these conditions required that Mr. Manon be placed under arrest. The officers asked Mr. Manon and his passenger to step out of the vehicle, and one of the officers indicated to Mr. Manon that he was being placed under arrest.*

*At this point, Mr. Manon began to flee, with both officers giving chase on foot. Based on the timing of radio transmissions, the pursuit began at approximately 1835h. The pursuit proceeded south across Steeles Avenue West onto the grounds of York University, crossed Founders Road twice (once east-to-west, and then west-to-east) and ended on the east side of Founders Road. The total distance of the pursuit was estimated to be between two and three hundred meters.*

*The two officers and Mr. Manon ended up on the ground on a grassy area between the curb and sidewalk on the east side of Founders Road. A struggle ensued between the two officers and Mr. Manon as the officers attempted to place Mr. Manon into handcuffs. During this struggle, one of the officers used his police radio to call for assistance from other officers. Once additional officers arrived on the scene, Mr. Manon was placed into handcuffs. Based on the timing of radio transmissions, Mr. Manon was taken to the ground at approximately 1837h, and was handcuffed at approximately 1840h.*

*Once handcuffs were applied, Mr. Manon was noted to be unconscious and was subsequently determined by paramedics to be vital signs absent when they arrived on scene. Cardiopulmonary resuscitation was initiated along with advanced cardiac life support at the scene and en route to Humber River Regional Hospital, Finch Avenue site, where Mr. Manon was pronounced dead at 1942h. Because the death occurred in custody and following a struggle with police, the Special Investigations Unit (SIU) invoked their mandate and initiated an investigation.*

*A post mortem examination was conducted at the Provincial Forensic Pathology Unit on May 7, 2010. Prior to conducting the post mortem, the forensic pathologist received a briefing by the SIU investigators, during which time the forensic pathologist was provided with information from the SIU's investigation up to that point regarding the circumstances of the death. This information included a history of Mr. Manon having been positioned in the prone (stomach-down) position with the weight of the two police officers applied to his back for a period of time.*

*The post mortem examination revealed a number of minor traumatic injuries to Mr. Manon's body (predominately the face, head and extremities), but none which were felt by the forensic pathologist to have caused or contributed to Mr. Manon's death. Specifically, there were no findings present which supported choking or strangulation (although the forensic pathologist indicated in his testimony that choking or*

*strangulation could occur despite the lack of objective findings at post mortem examination). There was no natural disease identified that could cause death, including genetic testing for inheritable causes of abnormal cardiac rhythms. During the post mortem examination, a small vial containing a crystalline material (thought to be illicit drugs) was found in Mr. Manon's gluteal cleft (buttocks). Toxicology testing performed on Mr. Manon's blood and urine revealed the presence of metabolites of marijuana (tetrahydrocannabinol (THC) and carboxy-THC), but was otherwise negative. [During the inquest, the jury heard evidence from the passenger in Mr. Manon's car that they had both smoked marijuana a short while before the incident.] Of note, toxicology testing on Mr. Manon was negative for the presence of cocaine or cocaine metabolites.*

*Based on the history and documentation provided, and on the findings from the post mortem examination, the forensic pathologist gave his opinion on the cause of death as, "Positional Asphyxia Following Struggle and Exertion". In his opinion statement, the forensic pathologist listed six factors which led him to his conclusion. The forensic pathologist also included two "balancing" points: first, that prone restraint may not always interfere with breathing; and second, that his opinion relied upon the history of weight being applied to Mr. Manon's back, and that, "...if sufficient weight was not actually applied to the back, the restraint is unlikely to have caused death without the involvement of a co-factor".*

*The jury heard testimony from fourteen civilians and eleven police officers who observed various parts of the events which took place between the time of the vehicle stop on Steeles Avenue West and the time that Mr. Manon was transported to hospital. Apart from the two police officers who pursued and struggled with Mr. Manon, none of the witnesses saw the entire sequences of events from start to finish. Further, the testimony of the witnesses varied widely on many details, including but not limited to: the duration and course of the pursuit; the way in which Mr. Manon was taken to the ground; the positioning of the two officers and Mr. Manon during the struggle on the ground; whether or not pressure was applied to Mr. Manon's neck during the struggle; whether or not Mr. Manon was struck with a police radio; the position of the two officers relative to Mr. Manon at the end of the struggle; and whether Mr. Manon was breathing or had a pulse immediately after he was placed in handcuffs. In brief, there were discrepant observations on all of these critical points, with significant differences both among and between civilian and police witnesses. Given the fact that the cause of death was not able to be determined by the post mortem findings alone, the precise details of the events immediately prior to Mr. Manon's cardiac arrest were central to the jury arriving at their verdict.*

*The Jury also heard from an expert witness who testified regarding the training provided to police officers in use of force, and the relevant policies and procedures of the Toronto Police Service.*

*In addition to the forensic pathologist who performed the post mortem examination, the jury heard testimony from a forensic pathologist called as an expert witness by counsel for the two officers involved in the struggle with Mr. Manon. The opinion of this forensic*

*pathologist differed significantly from that of the pathologist who performed the post mortem examination. The second forensic pathologist gave his opinion as to the cause of death as, "Cardiac arrhythmia, due to exhaustion, due to fleeing, eluding and struggle with police". Contributing factors were given as "Hypertensive cardiovascular disease and cocaine abuse". The opinions of both forensic pathologists and the bases for their conclusions were explored fully through detailed examinations-in-chief, cross-examinations, and questions posed to the two forensic pathologists by the jury.*

*The jury heard evidence over twenty court days. These dates were spread out over fifteen weeks due to significant scheduling challenges. A total of thirty-one witnesses gave testimony, and seventy-three exhibits were entered over the course of the inquest. The jury deliberated for six days before returning their verdict.*

### Discussion:

Corporate Planning was tasked with preparing responses for the jury recommendations directed to the Service from the Coroner's Inquest into the death of Junior Alexander Manon.

Service subject matter experts from the Toronto Police College, Occupational Health and Safety, Professional Standards and the Telecommunications Services unit, as well as the Chief's Special Investigations Unit (SIU) Designate, contributed to the responses contained in this report.

### Response to the Jury Recommendations:

#### Recommendation #1a

*Procedure 01-01 should be revised in order to separate the discussion regarding the risks of prone positioning from the discussion of the management of excited delirium.*

#### Response:

The Service concurs with this recommendation.

In response to this recommendation, Procedure 01-01, entitled "Arrest," has been amended. The information concerning positional asphyxia has been separated from the Excited Delirium section and is now contained under its own heading within the Medical Considerations section of the Procedure. A caution regarding positional asphyxia has been kept within the Excited Delirium section to highlight the heightened risk it may pose to persons exhibiting the symptoms of excited delirium.

#### Recommendation #1b

*The above procedure should reinforce current understanding and knowledge regarding the risks of prone positioning.*

Response:

The Service concurs and is in compliance with this recommendation.

The Toronto Police College was consulted with respect to this recommendation and confirmed that Service Procedure 01-01, entitled "Arrest," reflects the current understanding and knowledge regarding the risks of prone positioning (stomach down).

In addition to the direction and information contained in Procedure 01-01, the Toronto Police College fully addresses the risks inherent to prone positioning and the associated risk of excited delirium within Service training. This training has been incorporated into the defensive tactics curriculum within the In-Service Training Program since 2001 and firmly established since 2010 by way of:

1. Defensive Tactics Course Training Standards;
2. Defensive Tactics Lesson Plans; and
3. Delivery of the above noted training to all front line officers on a yearly basis.

This information is also incorporated into the Conducted Energy Weapon training at both the user and instructor level. Similar training will be included in the 2013 program. The training will focus on the risks of prone positioning while stressing the importance of obtaining immediate medical attention for individuals exhibiting any symptoms of distress.

Recommendation #2

*Consider equipping all primary response vehicles and supervisor vehicles with automated external defibrillators (AEDs) and bag-valve-mask ventilation devices, and training road officers in their use.*

Response:

The Service agrees in principle with this recommendation.

The Service recognizes the benefits that AEDs and bag-valve-mask ventilation devices can provide and sees value to having primary response vehicles and supervisor vehicles equipped with them. However, before the Service can fully agree to this recommendation further research will need to be conducted to examine all aspects involved (e.g. implementation, review of various models available, training, and maintenance). This research is necessary to ensure that the implementation would be operationally feasible, and to ensure that any equipment required is capable of withstanding the conditions to which it would be subjected.

This additional research will allow the Service to make an informed decision in regard to this recommendation.

### Recommendation #3

*Implement mandatory advanced first aid training every two years.*

#### Response:

The Service does not concur with this recommendation for the following reasons.

The Toronto Police College currently facilitates Standard First Aid with Level “C” CPR and AED training for all front-line officers. This training is two days in length and officers are required to attend for renewal training at least once every three years. The course is delivered by certified St. John Ambulance instructors and meets the provincial standard as set by the Ministry of Community Safety & Correctional Services. All units have training coordinators that audit and schedule officers to ensure compliance with first aid training.

The St. John’s Ambulance Standard First Aid training is designed to meet industry, business, and government requirements. Provincially recognized certificates which meet Canadian Labour Code certification, valid for three years, are issued upon successful completion of the course. Some of the topics addressed in the training include: Emergency Scene Management, Choking, Severe Bleeding, Wound Care, Burns, Poisons, One-person and Two-person CPR, Chest Injuries, AED, Head and Spinal Injuries, Infant and Child Resuscitation and Cardiovascular Emergencies.

The Advanced Medical First Responder course involves five days of training and is more suitable for emergency medical personnel. This course covers many of the topics described above over a five day period. In addition to the topics noted above, the training syllabus for this course also notes topics such as: roles and responsibilities, ethical and legal issues, infection control, establishing and maintaining the airway, artificial ventilation, oxygen administration and respiratory conditions.

The Service utilizes a three-tiered emergency response program in conjunction with Toronto Fire Services and Toronto Emergency Medical Services. As such, we rely upon our emergency response partners to deliver qualified, advanced medical attention to individuals as required. It is the position of the Service that the Standard First Aid with Level “C” CPR and AED training is appropriate given our role in the three-tiered emergency response program.

### Recommendation #4

*Provide every officer with a radio microphone whip.*

#### Response:

The Service concurs with the intent of this recommendation and recognizes the benefits that radio speaker microphones (radio microphone whips) provide. Radio speaker microphones clip to an officer’s epaulette and attach to the portable radio on the use of force belt via a flexible

cord. This allows officers to communicate via radio without the need to handle the radio itself. The Service has issued speaker microphones for use with every radio.

At the time of receipt of this jury recommendation, the Service's Telecommunication Services unit was in the process of conducting a Radio Replacement Lifecycle Project. As part of this Project, an audit of radios and speaker microphones is being conducted. At the conclusion of the audit, unit commanders will be notified of any discrepancies between the number of radios and the number of speaker microphones. Should discrepancies exist, unit commanders will be directed to take the necessary steps to ensure their unit is equipped with a sufficient number of speaker microphones for use with each radio.

Not all areas of policing are conducive to the use of radios with speaker microphones (e.g. non-uniform functions), and not all officers perform functions requiring the use of a hand held radio. Therefore, although this recommendation suggests providing every officer with a speaker microphone, it is the Service's position that by ensuring speaker microphones are available for use with every radio, the spirit of this recommendation is met in a more efficient and cost effective way.

#### Recommendation #5

*Direct all subject officers involved in a potential SIU investigation to another division or to headquarters for isolation and note making.*

#### Response:

The Service has reviewed this recommendation and will not be modifying its current operating practice for the following reasons.

Members of the Toronto Police Service are governed by *Ontario Regulation 267/10 "Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit"*, and the amending statute *Ontario Regulation 283/11*. The governing statutes direct officers' duties and responsibilities with respect to SIU investigations. The Service developed Service Procedure 13-16 "Special Investigations Unit" in compliance with the regulations.

It is the position of the Service that the spirit of the jury's recommendation is captured and addressed within the statutes and Procedure. Respectfully, the recommendation if adopted would unnecessarily complicate and impede a highly regulated legislated scheme.

The statutes require all involved officers, both witness and subject, to be segregated as practicable. It would be impracticable and would hinder the contemporaneous investigations to segregate the subject officers in uninvolved divisions or at headquarters.

Isolating officers at other locations presents an unnecessary logistical challenge. For example, when an SIU investigation has commenced it is the Chief's Designates responsibility to facilitate the seizure and surrender of pertinent equipment from the officers involved. It is therefore necessary for those officers to have access to their assigned lockers at their divisions.

There are frequently parallel on-going criminal investigations taking place in relation to the same matter as the SIU investigation. As a result, it is essential that the involved officers be accessible to the involved division's investigative personnel to advance the criminal investigation.

It should also be noted that on August 1, 2011, *Ontario Regulation 283/11* came into force, amending *Ontario Regulation 267/10*. The amending regulation further clarified and re-enforced the legislative requirements during the isolation process of an SIU investigation. Specifically, subsection 6(2) of *Ontario Regulation 267/10* was amended by striking out “shall not communicate with any other police officer” and substituting “shall not communicate directly or indirectly with any other police officer”. Additionally, all officers must complete their notes before segregation is discontinued and reporting off duty.

Further, it remains that any breach of the guiding regulations is considered being in neglect of duty and is captured as an offence under *Ontario Regulation 268/10*, Code of Conduct.

Finally, directing officers to another location, as specified in the recommendation, will not necessarily address the concerns raised or prevent a similar situation from presenting itself at the other location.

It is the Service's position that the jury's concern can be addressed through heightened awareness of Service members during SIU investigations.

While the legislative and Service governance is clear with respect to SIU investigations, to further enhance this direction and bring a heightened awareness to Service members a Routine Order has been published by the Chief of Police. This Order:

- highlights for members the concerns raised in the Coroner's comments regarding this recommendation;
- directs members to be cognizant of the segregation process during an SIU investigation and the requirement to complete their notes before reporting off duty; and
- reminds Officers in Charge of their responsibility contained in Service Procedure 13-16 to segregate officers involved in an SIU Investigation by placing them in separate offices, where practicable, and to restrict contact with the involved officers to authorized personnel only.

It is the position of the Service that the existing legislation under the *Police Services Act*, the current Service governance and the heightened awareness brought about through the publication of the Routine Order accomplishes the intent of this recommendation.

Conclusion:

As a result of the Coroner's Inquest into the death of Junior Alexander Manon, and the subsequent jury recommendations, the Service has conducted a review of Service governance, training and current practices.

In summary, the Service concurs with recommendations #1a, #1b and #4 and is either currently in compliance with or taking steps to ensure compliance with these recommendations. The Service agrees in principle with recommendation #2 and will conduct further research in order to make an informed decision with respect to this recommendation. The Service does not concur with recommendations #3 and #5 for the reasons identified within this report.

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

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P15. TORONTO PORT AUTHORITY REQUEST FOR ARMED SPECIAL  
CONSTABLES**

The Board was in receipt of the following report December 19, 2012 from William Blair, Chief of Police:

Subject: TORONTO PORT AUTHORITY REQUEST FOR ARMED SPECIAL  
CONSTABLES

Recommendations:

It is recommended that:

- 1) The Board not approve the Toronto Port Authority's request for armed special constables.
- 2) The Board advise the Harbour Master and Chief of Security of the Toronto Port Authority that the Board will not approve the appointment of armed special constables for the Toronto Port Authority; and
- 3) The Board advise the Toronto Port Authority that the Service will continue to work with the Toronto Port Authority in order to establish the required policing functions at the Billy Bishop Toronto City Airport (BBTCA).

Financial Implications:

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

Background/Purpose:

The Toronto Port Authority is seeking to re-establish the Toronto Port Police function at the BBTCA through the use of armed special constables.

At its confidential meeting of July 19, 2012, the Board approved the following motions:

- 1) Board asked whether or not the Toronto Port Authority had provided any recent information supporting its request for armed special constables; and
- 2) Chief Blair advised the Board that to date, no new information had been received. Chief Blair further advised the Board that, a dedicated armed police presence was required at the airport and that the Toronto Police Service (TPS) was waiting for the Toronto Port Authority to propose a specific staffing model and that in the meantime, the TPS would continue to participate in discussions with the Toronto Port Authority (Min. No. C213/2012 refers).

On September 20, 2012, the Chief's Office received written correspondence from the Toronto Port Authority, which included a proposal for armed special constable status at the BBTCA along with a specific staffing model.

On November 2, 2012, Operational Services received correspondence from Mr. Angus Armstrong (Harbour Master & Chief of Security). This communication contained supplemental information to be considered for the application.

The purpose of this report is to inform the Board on the results of the Chief's review of the Toronto Port Authority's request for armed special constables at the BBTCA.

## Discussion:

### *Proposed Staffing Model*

The Toronto Port Authority has proposed a staffing model which requires nine armed special constables (two supervisors and seven constables). They are requesting this staffing between the hours of 6:00 am and 11:59 pm, seven days a week.

### *Proposed Duties*

The Toronto Port Authority proposed that armed special constables would be expected to:

- Enhance the current contracted security service;
- Enforce the approved statutes;
- Ensure compliance of the policies and procedures of the Toronto Port Authority;
- Respond to alarm calls;
- Provide investigative services;
- Meet the requirements of the Aerodrome Security Measures.

### *Requested Enforcement Authorities*

The Toronto Port Authority has requested the following enforcement authorities and has provided justifications for obtaining these, as required by the Ministry of Community Safety and Correctional Services (Ministry).

#### *1. Criminal Code of Canada R.S.C., 1985, c. C-46*

The Toronto Port Authority is requesting special constable status as the designation would confer the status of peace officer. This would enable broader powers of arrest as contained in Section 495(1) of the *Criminal Code of Canada* and the ability to release an arrested person as identified in section 497.

Currently, employees of the Toronto Port Authority or any citizen are authorized to make an arrest under section 494 of the *Criminal Code of Canada*. The arrested person must however, be turned over to a Police Officer forthwith.

## *2. Trespass to Property Act R.S.O. 1990*

The Toronto Port Authority has requested authorities to enforce section 9(1): arrest without warrant on premises, section 9(3): deemed arrest and section 10: arrest without warrant off premises.

Presently, by virtue of their employment as a security guard, and as a citizen, the ability to arrest under the *Trespass to Property Act* is already conferred upon Toronto Port Authority employees who are acting as agents for the property that they are protecting.

## *3. Safe Streets Act S.O. 1999*

The Toronto Port Authority has requested authority to enforce section 6 of the *Safe Streets Act* in order to ensure that their customers are not intimidated by aggressive solicitors.

Any activity relating to aggressive soliciting would be enforceable under the *Trespass to Property Act* and therefore, negates the requirement for the authority to enforce the *Safe Streets Act*.

## *4. Provincial Offences Act*

Dependant on the Board's decision regarding the proposal, an application would be submitted by the Toronto Port Authority to the Ministry for the purpose of acquiring Provincial Offences Officer status.

## *Preclearance Designation*

Prior to the submission of this proposal, the Toronto Port Authority applied for preclearance to fly into the United States of America. The *Preclearance Act* authorizes the United States to preclear travellers and their goods, in Canada, for entry into the United States.

Preclearance provides considerable flexibility for airlines. An advantage of preclearance is that, passengers arrive in the United States as domestic travellers.

In order to obtain this preclearance designation, the Toronto Port Authority is required to meet conditions as set out in Section 17.2(1) of the *Aerodrome Security Measures*, namely, that;

*“Every operator of an aerodrome that has a United States Preclearance area shall ensure the continuous presence of at least one armed police officer at the preclearance area during the hours that the area is in operation. The aerodrome operator shall ensure that the armed police officer makes regular patrols within the preclearance area and responds rapidly and in person to emergency calls from, or alarms activated by, United States preclearance personnel.”*

## *Risks and Liabilities*

In addition to the responsibilities placed upon the Board as identified in section 2.3 of the Ministry guidelines, section 6 refers to supplementary risks and liabilities placed upon the Board when approving the authorization for the Toronto Port Authority special constables to carry or have in their possession any firearm, restricted weapon or prohibited weapon while engaged in carrying out their duties.

In accordance with section 6 of the Ministry guidelines, for the Ministry to consider the Board's request to authorize the Toronto Port Authority to carry firearms, the Board must:

- 1. submit information to the Minister on the responsibilities of the special constables that require them to carry or possess a firearm, restricted or prohibited weapon;*
- 2. obtain liability coverage in order to indemnify the Province of Ontario and the Minister in respect of any claim arising out of the conduct of a special constable that involves the use of a firearm, restricted or prohibited weapon;*
- 3. ensure, as applicable, that the employer of the special constable has policies and procedures on the safe storage of firearms, restricted weapons and prohibited weapons that are consistent with Ministry standards and the Criminal Code;*
- 4. ensure, as applicable, that the employer has a policy describing when it is appropriate for a special constable to carry and use a firearm, restricted weapon and prohibited weapon;*
- 5. ensure that the special constable has received and successfully completed a police training course specific to the firearm, restricted or prohibited weapon assigned;*
- 6. ensure that the employer of the special constable has policies and procedures on the use of force that are consistent with the Ministry standards on the police use of force, including Regulation 926 of the Act; and*
- 7. ensure that a special constable who is authorized to carry or use a firearm or a restricted weapon, has successfully completed police use of force training (including annual re-qualification training) given by a qualified use-of-force trainer at, or approved by, a police service or the Ontario Police College.*

As a result of a demand made by the Ontario Association of Chiefs of Police (OACP), the Ministry has recently undertaken a review of the special constable programs within the Province of Ontario. This review is currently examining the need for any legislative changes that may be necessary, with respect to use of force, training and oversight.

The area of oversight is an area of concern as special constables are not governed by the Special Investigations Unit (SIU) or the Office of the Independent Police Review Director (OIPRD).

Conclusion:

After careful consideration and review of the Toronto Port Authority's submission, Provincial and Federal legislation and considered legal opinion, the Service recommends that, due to the enhanced liability, responsibility and risk inherent in granting this armed special constable status, that the Board not approve the Toronto Port Authority's request for armed special constables.

The Toronto Police Service continues to engage in discussions with the Toronto Port Authority surrounding the matter of staffing the BBTCA.

Staffing models are being examined, these models would require an increase in overall Service strength to support the additional policing functions identified. As such, the Service will be undertaking a review on the process for allocating the proper funding to the Toronto Police Service.

Deputy Chief Mark Saunders, Specialized Operations 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 defer the foregoing report to allow the Chair to consult with the Ministry of Community Safety and Correctional Services and seek its input with respect to the appointment of special constables for the Toronto Port Authority and report on the results of the consultation to the Board and advise the Board of any other steps that should be followed with respect to any such appointments; and**
- 2. THAT the Chair provide his report to the Board for its April 25, 2013 meeting.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P16. REQUEST FOR A REVIEW OF A COMPLAINT INVESTIGATION  
PERTAINING TO A POLICY OF THE TORONTO POLICE SERVICE-  
CASE NO. PRS-048310 – DOWNLOADING IMAGES FROM A TAXI'S  
ON-BOARD CAMERA**

The Board was in receipt of the following report December 01, 2012 from William Blair, Chief of Police:

Subject: REQUEST FOR A REVIEW OF A COMPLAINT INVESTIGATION  
PERTAINING TO A POLICY OF THE TORONTO POLICE SERVICE -  
PROFESSIONAL STANDARDS CASE NUMBER PRS-048310

Recommendations:

It is recommended that:

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

Financial Implications:

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

Background/Purpose:

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

Legislative Requirements:

Section 63 of the *Police Service Act (PSA)* directs the Chief of Police to review every complaint about the policies of or services provided by a municipal police force that is referred to him or her by the Independent Police Review Director.

The Chief of Police shall, within 60 days of the referral of the complaint to him or her, notify the complainant in writing of his or her disposition of the complaint, with reasons, and of the complainant's right to request that the Board review the complaint if the complainant is not satisfied with the disposition. A complainant may, within 30 days after receiving the notice,

request that the board review the complaint by serving a written request to that effect on the board.

#### Review by Board:

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

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

#### Nature of Complaint and Discussion:

On Saturday, June 2, 2012, at approximately 2:30 am the complainant parked his taxi in the underground parking garage of his residence and as he was walking out of the garage a male asked to be let in. The complainant complied with this request and continued on his way.

The complainant returned to the garage a few minutes later as he was concerned about the male he had let in. As he entered the garage the complainant observed this same male inside his taxi looking through the contents of the glove box.

The complainant confronted the male and pulled him from the car. A scuffle ensued, however, the complainant managed to bring the suspect to the exit door and remove him from the garage. The complainant followed the suspect but lost sight of him.

The complainant contacted police and based on the information provided, a radio call for a Suspicious Event was created (Event number F6166 refers). Police attended and an initial investigation was conducted and a report completed (occurrence number 4052691 refers). The occurrence was entitled "Assault, Theft from Vehicle, and Mischief to Vehicle".

The complainant received minor scrapes during the incident but did not require medical attention. A small window on the driver's side rear door was broken for the suspect to gain entry to the taxi, however, nothing was stolen.

On Tuesday June 5, 2012, a part time driver of the taxi, who was also the investigations coordinator for a Toronto security company, wanted to continue the investigation as the taxi was camera equipped and may have captured the incident.

This other driver attended the TPS Forensic Identification Services (FIS) unit where he was told that the images would not be downloaded due to the TPS taxi download policy.

The Service has authorized members of FIS to download taxi camera images for certain offences which take place in a taxi. Those offences are:

- Murder
- Attempted Murder
- Assault Causing Bodily Harm
- Robbery
- Sexual Assault
- Any other offence where circumstances dictate at the discretion of the investigator assigned

The complainant and the other driver filed a complaint about this matter with the Office of the Independent Police Review Director (OIPRD). The OIPRD classified the matter as a policy complaint and assigned it back to the TPS for investigation.

The TPS continued the investigation into what occurred in the underground garage and on June 2, 2012, arrested the suspect and placed him before the courts (CIPS case 2490528 refers).

### The Chief's Decision

The TPS received a call from the complainant at 2:41 am on June 2, 2012, in regards to this incident. Police attended and an initial investigation was conducted and a report completed. That report was entitled as "Assault, Theft from Vehicle and Mischief to Vehicle".

On June 5, 2012, another driver of the involved taxi took the vehicle to FIS to have the camera images downloaded to determine if the offence was captured by the camera. The FIS investigator advised that the camera's images could not be downloaded as the offences did not meet the criteria in the Service policy.

The complainant and this other driver filed a policy complaint with the OIPRD and that complaint was investigated by Professional Standards. The investigation was in compliance with the direction of the OIPRD and pursuant to the *PSA*. The conduct and/or actions of individual Service members did not form part of the scope of the investigation.

Based on the information provided by the complainant when he contacted police, a Suspicious Event call was created. Officers attended and conducted an initial investigation and completed a report entitled "Assault, Theft from Vehicle and Mischief to Vehicle". At the time the other driver took the taxi to FIS several days later the offences that occurred did not meet the Service's criteria for the images to be downloaded.

Investigators, however, continued the investigation and on June 26, 2012, were able to arrest the suspect responsible for these offences.

I am satisfied with the investigator's findings and the review by Professional Standards. I concur that the six criteria in the Service policy regarding the downloading of images from a taxi camera are appropriate as they include five very serious offences as well as allowing for the investigator's discretion for other offences.

## Conclusion

This complaint was classified by the OIPRD as a policy complaint involving the TPS. As such, the scope of the investigation was limited to an examination of the Service policy in regards to the downloading of images from a taxi's on-board camera. Given the information available the Service's policy is appropriate.

Pursuant to the notice provided, the complainant requested that the Board review my decision. It is the Board's responsibility to review this investigation to determine if they are satisfied that my decision to take no further action was reasonable.

In reviewing a policy or service complaint, the Board may:

- Review the complaint and take action, or no action, in response to the complaint, as it considers appropriate; or
- Appoint a committee of not fewer than three Board members, two of whom constitute a quorum for the purpose of this section, to review the complaint and make recommendations to the Board after the review and the Board shall consider the recommendations and shall take any action, or no action, in response to the complaint as the Board considers appropriate; or
- Hold a public meeting with respect to the complaint.

To assist the Board in reviewing this matter, Board members will receive confidential information in a separate report.

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

**The Board was also in receipt of correspondence dated January 11, 2013 from Gary Walsh and Francis Kelly with regard to the review of this complaint. A copy of the correspondence is attached to this Minute for information.**

**The Board approved the following Motions:**

- 1. THAT the Board receive the complaint summarized in this report and the written submission provided by Mr. Gary Walsh and Mr. Francis Kelly; and**
- 2. THAT the Board establish a committee of at least three Board members (A. Mukherjee, M. Thompson and M. Del Grande) to review the complaint in the foregoing report and make recommendations to the Board, with reasons, at the conclusion of its review.**

**The Board noted that it considered additional information with regard to the review of this complaint during its *in camera* meeting (Min. No. C05/13 refers).**

**GARY R. WALSH**  
**FRANCIS H. KELLY**

6021 Yonge Street, Suite 926  
Toronto, ON M2M 3W2  
TEL: (416) 876-4160

January 11, 2013

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



Dear Board Members:

Subject: An Appeal of OIPRD Complaint 120004509

This appeal is to be considered by the Board on Wednesday, January 23<sup>rd</sup>, 2013. It centers around TPS policy regarding the downloading of images captured on the mandatory cameras installed in all Toronto licenced taxicabs. The five criteria have been expanded to include a new 6<sup>th</sup> criteria as a direct result of this complainant. Specifically empowering all TPS to acquire these photos simply by asking for them if they believe it would assist them in any investigation.

However:

Simple assault without bodily harm on a taxi driver is presently not covered in an existing download criteria nor is transportation fraud, both acts are criminal offences.

There exists a ludicrous situation where a cab driver can be assaulted by a customer who then flees with \$50 or \$60 on the meter. TPS has the option of refusing to download the evidence photos and this is unacceptable. All criminal acts, committed in a taxi cab, must fall within TPS's taxicam download criteria.

At this time the Board is requested to expand TPS's download policy to address the aforementioned issues.

Thank you for your attention and consideration regarding our concerns.

Yours truly,

Gary R. Walsh

Francis H. Kelly

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P17. CURRENT TORONTO POLICE SERVICE PROCEDURES AND/OR  
PRACTICES WITH RESPECT TO NAMING RIGHTS, SPONSORSHIP  
AND HONOURIFIC NAMING**

The Board was in receipt of the following report December 03, 2012 from William Blair, Chief of Police:

Subject: CURRENT TORONTO POLICE SERVICE PROCEDURES AND/OR  
PRACTICES WITH RESPECT TO NAMING RIGHTS, SPONSORSHIP AND  
HONOURIFIC NAMING

Recommendation:

It is recommended that:

- (1) the Board requests through correspondence with the City of Toronto, that all Service properties be included on the list of certain properties not available for naming right proposals, as contained in the City's policy.

Financial Implications:

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

Background/Purpose:

At its meeting of July 19, 2012, the Board received a report from the Chair entitled "City of Toronto Protocol Policies: Individual and Corporate Naming Rights, Sponsorship, and Honourific and Street Naming" (Min. No. P173/12 refers).

At this time the Board put forth the following recommendation directed to the Chief:

*That the Chief of Police provide the Board with a report on current Toronto Police Service procedure and/or practices with respect to naming rights, sponsorship and honourific naming.*

The purpose of this report is to provide an overview of applicable Toronto Police Service (Service) governance that may assist the Board in its decision to consider developing its own policies pertaining to naming rights, sponsorship and honourific naming rights, aligned to the City of Toronto (City) policies.

Corporate Planning was tasked with preparing this report that included a review of current Service governance. Legislation under the *Police Services Act* (PSA) was also examined for relevancy.

#### Discussion:

In compliance with the Board's policy entitled "Donations and Sponsorship", the Service has established Procedure 18-08 entitled "Donations" as well as associated governance contained in the Standards of Conduct, including section 1.32 entitled "Donations and Solicitation of Donations" and section 1.33 entitled "Endorsements".

#### Board Policy - "Donations and Sponsorship"

##### *States in part:*

Donations from the community to the Service are a valuable form of public support. It is important that the acceptance of these donations be subject to a clear, transparent, and accountable process. Donations must not compromise the integrity, impartiality or objectivity of the Service and must not be seen to do so. It is critical that donations be consistent with the goals, objectives and priorities of the Service and that they be beneficial to the community at large. In addition, donations must not be made or accepted with any conditions attached to their use.

Donations include monetary gifts, service, donations in-kind and cultural property, as well as sponsorship, that is, a donation received from a person and/or organization which will be used to finance the costs of an event and/or activity organized by the Service.

#### Service Procedure (18-08) – "Donations"

##### *States in part:*

##### Rationale

This Procedure governs the acceptance of donations to the Toronto Police Service (Service). Outreach to all communities, including the public and business sectors, is an integral component of community based policing. In recent years, community support has been offered in the form of donations. Control must be maintained in evaluating the acceptance of these donations while continuing to maintain and promote community relations. The integrity of the Service must always be considered when evaluating these requests.

## Definitions

**Donation** means a gift to an organization to be used by the organization in the performance of its business or service. Donations include several different types of gifts: monetary, service, donations-in-kind and cultural property.

Only new items can be accepted as donations. All donations must be permanent, as ownership is transferred with all donations and there is no expectation of return.

**Sponsorship** means any services provided without fee, such as legal or consultative services. The donation of services will not qualify for an income tax receipt as a gift must involve property.

## Standards of Conduct – Section 1.32 – Donations and Solicitation of Donations

*States:*

Unless authorized by the Chief of Police, members shall not use their official title, rank or membership in the Service, or the name of the Service:

- a) to solicit or accept a donation, reward, special favour, consideration, promise, gift, gratuity, or contribution of any kind from any person, organization or corporation;
- b) to circulate subscriptions, sell tickets or collect money for any purpose other than for religious, charitable or athletic organizations;
- c) to solicit or accept any monetary or other form of contribution from any person or organization for the purpose of sponsoring intra-Service sports teams;
- d) to solicit any form of contribution from any person by any means either directly or indirectly, for any person leaving the Service or for any police social function.

## Prohibitions

When in a position to influence the hire of future members, a member shall not solicit or accept donations or gifts from anyone seeking employment with the Service, nor shall they permit a member of their family to do so.

Donations or any form of contribution for members who have been dismissed are strictly forbidden.

## Standards of Conduct – Section 1.33 – Endorsements

*States:*

Unless authorized by the Chief of Police, members shall not:

- a) knowingly endorse, subscribe or authorize their name or photograph to be used to endorse any product or service as a representative of the Service;
- b) make mention of their official title, rank or membership in the Service in connection with any testimonial or advertisement for a product, service, corporation, profession or other organization;
- c) use or permit the use of the Service logo, badge or uniform in any unauthorized manner, or for any private purpose.

A review of the PSA found no legislation that would prohibit or restrict the Service from developing new policies (similar to the City's); however, it may be of interest to the Board to review the PSA – Item 1, when considering this issue:

### Declaration of principles

*States in part:*

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.
  4. The importance of respect for victims of crime and understanding of their needs.
  5. The need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario society.
  6. The need to ensure that police forces are representative of the communities they serve. R.S.O. 1990, c. P.15, s. 1.

The Service has no governance pertaining to naming rights and/or honourific naming at this time.

Currently, Service properties are named by division number (determined by geographical boundaries) or by the generic function/service performed by the occupying unit (e.g. Mounted Unit, Marine Unit, Intelligence Division, etc.). This practice ensures that the Service does not give any real or perceived advantage to any person(s) organization(s), corporation(s), etc., and is representative of the communities it serves.

In the past, a Service building that did receive honourific naming was the previous training facility named the Charles O. Bick College. This facility was named after Charles O. Bick, the first chair of the Metropolitan Board of Commissioners of Police (now known as the Toronto Police Services Board).

In 2009, the C.O. Bick College was replaced with the Service's current training facility, the Toronto Police College.

The City policy includes a section for exclusion of some City properties (e.g. City Hall, Community Council sites, Union Station, etc.) that are not available for naming rights proposals:

City of Toronto Individual and Corporate Naming Rights Policy – Appendix 2 – Sec. 3.7

*States:*

3.7 Certain City properties, such as City Hall, Community Council sites, Union Station and others, as determined by Council, are not available for naming rights proposals.

Conclusion:

The Service has developed and established governance pertaining to donations, sponsorships, and endorsements. However, there is no current governance or legislation (under the PSA) with respect to naming rights or honourific naming rights.

The Service is not in favour of any of its properties (e.g. buildings, facilities, equipment, etc.) being available for naming rights or honourific naming proposals.

It is vital for the integrity and transparency of the Service, that it distinguishes itself as an equitable and impartial body. The Service must mitigate any advantage (real or perceived) to any person(s) organization(s), corporation(s), etc., and must continue to strive to be truly representative of the all the communities it serves.

The Service recommends the Board requests through correspondence with the City, that all Service properties be included on the list of certain properties not available for naming right proposals, as contained in the City's policy.

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 foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P18. COMMENCEMENT OF PROCESSES TO FILL POSITION VACANCIES  
FOR THE DIRECTOR OF FINANCE AND ADMINISTRATION AND  
THE DIRECTOR OF HUMAN RESOURCES MANAGEMENT**

The Board was in receipt of the following report January 07, 2013 from William Blair, Chief of Police:

Subject: COMMENCEMENT OF PROCESSES TO FILL POSITION VACANCIES FOR  
THE DIRECTOR OF FINANCE AND ADMINISTRATION, AND THE  
DIRECTOR OF HUMAN RESOURCES MANAGEMENT

Recommendation:

It is recommended that the Board approve the job posting/promotional and/or recruitment/hire processes as necessary to fill upcoming director position vacancies in Finance and Administration and in Human Resources Management.

Financial Implications:

The funding for these two positions is approximately \$340,000 and is included in the Toronto Police Service's (Service) 2013 operating budget request.

Background:

On December 21, 2012, Angelo Cristofaro, Director, Finance and Administration, submitted a notice of retirement from the Service, effective January 26, 2013. On January 2, 2013 Aileen Ashman, Director, Human Resources Management, submitted a notice of retirement from the Service, effective March 4, 2013.

Discussion:

These director positions are critical to effective business continuity and the operational needs of the Service. Both positions require specific qualifications and expertise, including significant executive level experience in the administration of the executive portfolios which each oversees and maintains.

*Director, Finance and Administration:*

The Director of Finance and Administration oversees significant administrative and financial resources of the Service. Reporting directly to the Chief Administrative Officer, he or she is responsible for executive level decision-making and oversight of an establishment of

approximately 180 staff employed in significant support units: Budgeting and Control; Facilities Management; Financial Management; Fleet and Materials Management; and Purchasing Support Services. The position requires the incumbent to hold a professional designation (e.g. accounting) or the equivalent demonstrated experience/education and at least ten years of management experience.

The Director of Finance and Administration is a key contributor to the Service on financial and budgetary matters. The position is also responsible for maintaining the integrity of all financial, accounting and payroll reporting, as well as overseeing the performance of the fleet, facilities and purchasing support units. This is a key strategic leadership role, critical to the on-going financial and administrative health of the organization, including the efficiency and cost-effectiveness of essential support units. The Director ensures legislative and policy compliance in changing political and economic environments, to protect, support and advance the financial and operational requirements of the Service.

*Director, Human Resources Management:*

The Director of Human Resources Management oversees all human resources and training initiatives. Reporting directly to the Deputy Chief, Corporate Command, he or she is responsible for executive level decision-making and oversight of an establishment of approximately 256 staff employed in significant support units, including the: Toronto Police College; Benefits and Employment (including Background and Human Resources Management Systems Administration); Human Resources Support Services; Occupational Health & Safety (including Workplace Safety and Insurance Act Administration and Medical Advisory Services); Psychological and Chaplaincy Services; Diversity Management; Employee and Family Assistance Program; Labour Relations (including Human Rights case management); and Staff Planning in respect of uniform deployment. The position requires post-secondary education, preferably post-graduate in a related field, and extensive experience in human resources management.

The Director of Human Resources Management is a key advisor to the Service on all matters within the human resources portfolio, and a key advisor with respect to labour relations, collective bargaining, grievance and employment-related human rights administration and case management, and in collective agreement interpretation, application and administration. This is a key strategic leadership role critical to the on-going recruitment, retention and support of significant human resources and related activities on behalf of the Service. It ensures legislative and policy compliance in human resources and training requirements to protect, support and advance the organizational goals in the delivery of efficient and effective policing services.

In summary, both positions are critical to the interests of the Service.

Conclusion:

In order to address current and ongoing operational needs and professional oversight of significant financial, operational support and human resources on behalf of the Service, it is strongly recommended that the Board approve the commencement of job posting/promotional

and/or recruitment/hire processes (as necessary) to backfill upcoming Director position vacancies in Finance and Administration and in Human Resources Management.

I 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 defer the foregoing report and request the Chief of Police to provide a further report that contains detailed business cases for the recommendations to fill the two vacant director positions in accordance with Min. No. P299/12; and**
- 2. THAT the Chair consult with the City Manager regarding the recommendations to fill the two director vacancies and inquire whether the responsibilities of these positions would be included in the City's Shared Services Study.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P19.           AGREEMENTS WITH THE CANADIAN POLICE KNOWLEDGE  
NETWORK**

The Board was in receipt of the following report January 08, 2013 from William Blair, Chief of Police:

Subject:       AGREEMENTS WITH THE CANADIAN POLICE KNOWLEDGE NETWORK

Recommendation:

It is recommended that the Board ratify the arrangement the Toronto Police Service (Service) previously entered into with the Canadian Police Knowledge Network (CPKN) for:

- (1) CPKN's provision of e-learning training courses to the Service; and
- (2) The Service's provision of training materials to CPKN for CPKN to use as part of the on-line training materials it provides to other police services, in return for credits made to the Service to offset the cost of the Service's access to CPKN's materials.

Financial Implications:

The cost of the one-year pilot course catalogue subscription agreement with CPKN is \$65,000 to purchase access to the full course offering (currently 94 courses). The Service has accumulated \$12,000 in credits to apply towards the pilot project, which reduces the overall cost to the Service to approximately \$53,000. Funding for this initiative is available within the 2013 operating budget.

Background/Purpose:

The City of Toronto Auditor General commenced a review of the Service's training program in 2006. The Review of Police Training Opportunities for Improvement resulted in a final report that contained 39 recommendations, which were presented to the Board on January 25, 2007, together with the Service's responses (Min. No. P53/07 refers). This review contained several recommendations that addressed training delivery, and specifically, online or electronic learning (e-learning). The recommendations that encouraged e-learning were as follows:

*Recommendation #2: The Chief of Police assess the Toronto Police Service's relationships with police training organizations both within and outside Canada. The Training and Education Unit be directed to investigate best practices in all areas of police training including e-learning and simulation training and develop working relationships with other major international police service training*

*organizations. Such a relationship to concentrate on the exchange of training practices, information and training technology. Further, the Chief of Police evaluate the costs and benefits of joining the Canadian Police Knowledge Network (CPKN). The Training and Education Unit be required to report to the Chief of Police on a regular basis with details of the relationships formed along with information collected on best practices.*

*Recommendation #29 : The Chief of Police assess the training programs delivered by the Training and Education Unit to determine whether or not there are alternative and more cost effective methods of delivery. All new training requirements be evaluated in regard to the most appropriate method of delivery. In addition, the concept of e-learning should be further developed particularly for “refresher” training. Procedures be developed in regards to the evaluation of e-learning opportunities, as well as the scheduling of such training. In addition, the increased use of simulation training should also be reviewed and special consideration be given to an evaluation of the simulation training technology currently in use in the UK and elsewhere.*

To address these recommendations, the Training and Education Unit, now the Toronto Police College (TPC), identified opportunities to enhance the online learning environment within the Service. Members worked with the Ontario Police College (OPC) and the CPKN to identify e-learning opportunities suitable for Service training needs.

#### Discussion:

To secure the greatest utility in the move to an online platform, the TPC considered the following factors:

- the appropriateness of e-learning for the course or material being presented;
- the availability of material through the intranet and/or internet;
- the use of Service equipment, including the availability of hardware and software to support an e-learning environment;
- the availability of technical support; and
- the ability to access materials from sites outside of the Service’s network.

The assessment also included the need to track training results to ensure legislative requirements were met and organizational goals achieved. The commitment of human resources, as well as technical (hardware and software), maintenance, and financial resources necessary for this new initiative were also factored into the decision. Finally, the potential for revenue sharing between the Service and the online service provider for training produced in partnership with the Service and approved for release to other police services was also considered when assessing the practicality of the options that existed at the time.

### *Existing Agreement with CPKN:*

The available options, which included partnering with e-learning companies, developing and delivering course material in-house, and the availability of learning management systems in the marketplace at the time, were assessed. The analysis resulted in the current partnership with the CPKN. This arrangement was established in 2008, and has been reported to the Board in the Annual Report on The Effectiveness of Police Training, as well as through the annual operating budget process.

Since 2008, this arrangement has enabled the Service to purchase selected courses from the CPKN library, as well as to utilize a custom e-learning portal provided by CPKN. In cases where the Service develops a course and makes it available to CPKN for inclusion in the CPKN library, CPKN applies its standard pricing policy to determine the course price, unless a price has been otherwise agreed to by CPKN and the Service. CPKN will then share a portion of the net revenue derived from these courses with the Service. The share credited to the Service is agreed upon on a course-by-course basis, and generally amounts to 20%.

The credits earned are applied against fees owed to CPKN. Furthermore, Service subject matter experts are provided the opportunity to review courses before purchases are made to ensure that the training material is appropriate for Service members. The current agreement with CPKN runs until January 31, 2016.

### *One Year Catalogue Subscription Agreement Pilot:*

In 2012, CPKN recognized that its current pricing model, which involved licensing or pay-per-use fees, was not always meeting the needs of police services. In an effort to better align itself with the needs of the policing community, and to maintain its position as a cost-effective training alternative, CPKN offered the Service participation in a one year pilot of a catalogue subscription model. Instead of access to selected courses provided under the existing agreement, this pilot will allow access to the entire catalogue of e-learning course material.

The total cost of this initiative is \$65,000, less approximately \$12,000 in credits that will be applied against this amount.

The benefits of participating in this pilot catalogue subscription agreement include increased access to a wide variety of courses (94 instead of four) at a decreased cost, a reduction in costs associated with administering enrolments and billing, and increased opportunities for members to take an active role in their professional development. Furthermore, the Service will be involved in a pilot that may determine CPKN's long term pricing strategy. Participation will enable the Service to provide direct input through its experience, as the Unit Commander of the Toronto Police College is a member of the CPKN Board of Directors, which will assist in evaluating the pilot.

*Legal Agreement:*

In the course of preparing an agreement with CPKN for the new arrangement, legal counsel identified issues regarding the need for Board approval for the arrangement previously entered into with CPKN. Although the cost of CPKN's services are within the procurement and commitment authority delegated to Service staff through Board By-law No. 147, the Board's Financial Control By-law, various aspects of the arrangement go beyond traditional procurement and acquisition of services. Specifically, the arrangement involves the "sale" of Service property (i.e. training materials) to CPKN in return for which the Service receives credits from CPKN to offset the cost of CPKN's services. This "sale" of Service property is not something delegated to Service staff under the Financial Control By-law.

As well, by virtue of the provision of Service training materials to CPKN for use by other police services, a potential liability might arise due to other police services' reliance on those materials. While co-operative involvement with CPKN and other police services in this training initiative may necessitate this limited type of exposure, legal counsel suggested that the Board ratify this arrangement as it involves potential financial liability that goes beyond traditional liabilities arising from typical contractual relationships involving the purchase of services.

Conclusion:

This report notifies the Board of an opportunity that has arisen from an existing relationship with CPKN. Specifically, the Service has been asked to participate in a one-year pilot subscription to the CPKN catalogue. As well, this report seeks Board ratification of the existing arrangement and agreement between the Service and CPKN as identified in the report.

Acting Deputy Chief Richard Stubbings, Corporate Command, will be in attendance to respond to 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 JANUARY 23, 2013**

**#P20. REQUEST FOR FUNDS: TORONTO POLICE SERVICE LESBIAN GAY  
BISEXUAL AND TRANSGENDER BULLYING PREVENTION VIDEO**

The Board was in receipt of the following report January 03, 2013 from William Blair, Chief of Police:

Subject: REQUEST FOR FUNDING FOR THE TORONTO POLICE SERVICE  
LESBIAN GAY BISEXUAL AND TRANSGENDER BULLYING  
PREVENTION VIDEO - "TOGETHER. WE CAN MAKE IT BETTER. STOP.  
BULLYING. NOW."

Recommendation:

It is recommended that the Board approve expenditure not to exceed \$5,000.00 from the Board's Special Fund to cover expenses incurred for the Toronto Police Service Lesbian, Gay, Bisexual and Transgender, Bullying Prevention Video, "Together. We Can Make It Better. Stop. Bullying. Now."

Financial Implications:

Funding to cover the cost of this project would be drawn from the Board's Special Fund and would not exceed \$5,000.00

Background/Purpose:

Toronto has the third largest Lesbian Gay Bisexual Transgender (LGBT) community in North America. The results from a recent national survey of Canadian high school students emphasize the importance of an anti-bullying initiative. LGBT youth continue to be among the most marginalized youth in the City of Toronto; some lack support from their families, face a high risk of conflict with the law and developing substance abuse issues at a very early stage in life, and are more likely to attempt suicide than straight youth.

Discussion:

It is important for the Service and their community partners to be seen as leaders regarding issues affecting the LGBT youth. Members of the Service's LGBT-ISON have been videoed as they share their personal experiences on growing up LGBT and issues around bullying. By depicting sworn and civilian members both in uniform and non-uniform attire in their professional capacities, these images show that the Service includes members who have experienced bullying, demonstrates awareness of the negative impact of bullying, and reinforces the availability of all Service members to help LGBT youth who experience bullying.

This bullying prevention video is one way to demonstrate the Service’s leadership and our organization’s sensitivity to the needs of the LGBT community.

The theme for the video is **“Together. We Can Make It Better. Stop. Bullying. Now.”**

The Service’s Divisional Policing Support Unit (DPSU) and the LGBT-ISON will coordinate a video release launch and reception for April 2013. Members of our Service, as well as many community partners, will be invited to the premier viewing of the video. Of the many community partners, the Toronto District School Board and members of their Gay-Straight Alliances will also be invited to take part in the release.

As part of the release, packaging is currently being created to distribute the video to all schools through DPSU’s Bullying Prevention Initiative.

“Together. We Can Make it Better. Stop. Bullying. Now.” Video Budget

Video Packaging	\$ 4,000.00
Refreshments	\$ 1,000.00
Total:	\$ 5,000.00

*\*Any funds not utilized will be returned to the Board.*

Conclusion:

Strong community/police partnerships are based on mutual trust, respect, understanding and are essential for the safety and well-being of all members of our community. The Service’s participation in this initiative reinforces the Service’s continued commitment to working with our diverse communities and it also aims at fostering mutually respectful and beneficial relationships.

Deputy Chief Peter Sloly, Divisional Policing Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board approved the foregoing report.**

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P21. USE OF THE FORMER 23 DIVISION FACILITY**

During its meeting today, the Board considered a report containing project close-out information regarding the construction of the new 11 Division facility at 2054 Davenport Road (Min. No. P09/13 refers).

**The Board subsequently approved the following Motion:**

**THAT the Chief of Police submit a report for the Board's March 27, 2013 meeting on the current use of the facility located at 2126 Kipling Avenue which was the former 23 Division.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P22. IN-CAMERA MEETING – JANUARY 23, 2013**

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

The following members attended the in-camera meeting:

Dr. Alok Mukherjee, Chair  
Mr. Michael Thompson, Councillor & Vice-Chair  
Mr. Mike Del Grande, Councillor & Member  
Ms. Marie Moliner, Member  
Ms. Frances Nunziata, Councillor & Member  
Mr. Andrew Pringle, Member

Absent: Dr. Dhun Noria, Member

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 23, 2013**

**#P23. ADJOURNMENT**

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Alok Mukherjee  
Chair