



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on December 15, 2014 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on November 13, 2014, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on December 15, 2014.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **DECEMBER 15, 2014** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Dr. Dhun Noria, Acting Vice-Chair
Ms. Shelley Carroll, Councillor & Member
Mr. Chin Lee, Councillor & Member
Ms. Marie Moliner, Member
Mr. Andrew Pringle, Member
Mr. John Tory, Mayor & 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 DECEMBER 15, 2014**

#P267. NEW MEMBERS OF THE BOARD

The Board was in receipt of correspondence dated December 08, 2014 from Ulli Watkiss, City Clerk, City of Toronto, with respect to the Council member appointments to the Toronto Police Services Board. A copy of the correspondence is appended to this Minute for information.

The Board received Ms. Watkiss' correspondence and Dr. Dhun Noria, Acting Vice-Chair, administered the oath of office and the oath of secrecy to Mayor Tory and Councillors Carroll and Lee.

Moved by: A. Pringle



City Clerk's Office

Ulli S. Watkiss
City Clerk

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December 8, 2014

Dr. Alok Mukherjee, Chair
Toronto Police Services Board
40 College Street, 7th Floor
Toronto, Ontario
M5G 2J3

Dear Dr. Mukherjee:

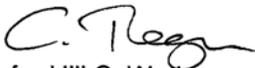
City Council, at its First Meeting on December 2 and 3, 2014, adopted as amended, Striking Committee Item ST1.1, headed "Council Member Appointments to Committees, Agencies and External Bodies".

Council has appointed the following Members of Council to the Toronto Police Services Board for a term of office ending December 31, 2016, and until successors are appointed:

Councillor Shelley Carroll
Councillor Chin Lee.

Mayor John Tory has taken his seat on the Toronto Police Services Board and will serve for the term of Council unless he chooses to vacate his seat.

Yours truly,


for Ulli S. Watkiss
City Clerk

CR/ms

c. Deirdre Williams, Administrator
ABC File

**Toronto Police Services Board
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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P268. REPORT BY LOGICALOUTCOMES ENTITLED *A COMMUNITY-
BASED ASSESSMENT OF POLICE CONTACT CARDING IN 31 DIVISION*
– *FINAL REPORT – NOVEMBER 2014***

At its public meeting on November 13, 2014, the Board deferred consideration of a report by LogicalOutcomes entitled *A Community-Based Assessment of Police Contact Carding in 31 Division – Final Report – November 2014* (the “CAPP report”) to a future meeting and requested that Chief Blair provide his response and assessment of the report at that time (Min. No. P238/14 refers). This matter was subsequently placed on the December 15, 2014 meeting agenda for consideration.

A copy of the executive summary to the CAPP report is attached. The full report can be downloaded here: <http://capptoronto.ca>

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

Barbara Hall, Chief Commissioner, Ontario Human Rights Commission *

Noa Mendelsohn Aviv, Director, Equality Program, Canadian Civil Liberties Association

Anthony Morgan, African Canadian Legal Clinic * (deputation was delivered by Bryant Greenbaum, Director of Legal Services, African Canadian Legal Clinic)

Audi Dharmalingam and Jason Merai, Urban Alliance on Race Relations *

Knia Singh and Ibrahim Abd Rahman, Osgoode Society Against Institutional Injustice

Knia Singh *

Vilko Zbogar, The Law Union of Ontario *

Kingsley Gilliam and Valarie Steele, Black Action Defense Committee *

Bev Salmon * **

Kris Langenfeld

Maurice Stone *

Audrey Campbell, PACER *

Yvette Blackburn *

Linda Arbour *

John Sewell, Toronto Police Accountability Coalition *

Ben Lau *

Derek Moran *

Wyndham Bettencourt-McCarthy *

Cutty Duncan, Campaign to Stop Police Carding

Paul Copeland *

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

**petition also included with a written submission; copy on file in the Board office.

The Board also received written submissions from:

Carl James, York Centre for Education & Community, York University

Veronica Salvatierra, Youth Criminal Justice Worker, St. Stephen's Community House

Copies of the written submissions are on file in the Board office.

Following the deputations, Chief Blair declined to provide a response and assessment of the CAPP report and instead said that Superintendent Tony Riviere, 31 Division, would deliver a presentation on the 31 Division community engagement activities.

Supt. Riviere delivered a presentation and video to the Board.

Following the presentation, the Board approved the following Motions:

- 1. THAT the Board reaffirm its commitment to the principles articulated and reflected in the Community Contact Policy approved in April 2014;**
- 2. THAT the Board request the Chief to work with the Board's Sub-committee and Mr. Frank Addario to finalize the missing parts of the policy and relevant procedures forthwith;**
- 3. THAT the Chair and the Chief report to the Board's February 19, 2015 meeting with the completed policy and procedure as well as an implementation plan;**

- 4. THAT the Board receive the depositions, written submissions and the recommendations from the LogicalOutcomes report and refer them to the Board's Sub-committee for examination and that the results of the examination be incorporated into the February report; and**
- 5. THAT the Board increase the Purchase Order for the continued retention of Frank Addario, Addario Law Group, in the amount of \$70,000, excluding taxes.**

Moved by: A. Pringle



EXECUTIVE SUMMARY

DURING THE SUMMER OF 2014, the Community Assessment of Police Practices (CAPP) research project surveyed over 400 community members across 31 Division in order to determine community satisfaction with policing during the June to August, 2014 time period, measure the impact of the Community Contacts policy, and make recommendations for changes or improvements to the Community Contacts policy. We canvassed high-traffic areas throughout six neighbourhoods in 31 Division, and we targeted our survey dissemination throughout Toronto Community Housing communities and via an online survey. Guided by a community advisory committee, CAPP also held two community forums in 31 Division to allow members of the community to respond to the research, and to propose solutions that could improve police-community relations.

Through our research, we learned that very few members of the public are aware of the new policy or the formal procedures involved in 'carding'. We also learned that there is widespread dissatisfaction with the way that police interact with members of the community. In general, the level of trust in the police is low and many participants expressed negative views regarding the police. For example, a large number of respondents believe that police regularly abuse their power. In addition, there is a view that police racially profile members of the community. Compellingly, this belief was identified among both racialized and non-racialized groups. While a significant number of respondents identify small improvements in the relationship between police and community residents since June 2014, roughly 40% still feel that the relationship between police and the community is poor.

The status quo with respect to policing in 31 Division is unacceptable by any measure. Reflecting findings from the research, as well as recommendations from the public provided during the community forums, this report puts forward the following 10 recommendations for the Toronto Police Service Board with respect to (1) the implementation of the Community Contacts Policy and (2) certain means by which police-community relations in 31 Division can be improved.

RECOMMENDATIONS

Recommendations regarding Community Contacts Policy revision:

1. Institute a ban on the carding of minors

On the basis of policy compliance issues related to right-to-leave protocols, as well as recognized connections between age and the likelihood of psychological detention, the practice of carding minors should be terminated immediately.

2. Revise current carding categories

With the new emphasis on the need for carding to be carried out for valid public safety reasons, carding categories that are vague and highly subjective (e.g. “general investigation,” “loitering,” “suspicious activity,” etc.) should be eliminated.

3. Purge all pre-policy contact cards

From a logical and practical standpoint, the millions of contact cards filled out prior to the approval date of the Community Contacts Policy (April 24, 2014) could not have been completed in compliance with the policy and should therefore be entirely purged.

4. Impose a 24 month retention limit on post-policy contact cards

Contact card entries are used for employment background check purposes within the Toronto Police Service and beyond. In order to reduce the potentially negative impact of contact cards on the employment prospects of carded individuals, contact card entries should not be retained for more than 24 months.

Recommendations concerning improved community engagement:

5. Develop a policy compliance checklist that can be reviewed and published quarterly

The TPSB should create and administer an accessible evaluation tool in the form of a checklist or mini-survey that could be administered on a quarterly basis. Results from this evaluation would provide the TPSB and the public with a regular “snapshot” concerning Toronto Police Service compliance with set policy. This tool could take the form of a 10 question online survey administered by community agencies. While extensive research projects like CAPP are essential in assessing police-community relations over the long-term, it is also important to have more timely research initiatives which respond rapidly to community concerns about policing.

6. Create a robust and sustained community engagement strategy with emphasis on improved communications

Considering the low levels of public knowledge about the details of the policy, a variety of communicative strategies should be developed (using conventional media, social media and other avenues) to bolster public awareness. Form community-level partnerships with organizations working on police assessment and accountability issues.

7. Commit to the ongoing funding of independent community-based research projects

Well-executed research initiatives on community experiences with carding (and related police practices) are one of the main means by which to determine the effectiveness of the Community Contacts Policy.

8. Develop an accountability strategy that boosts community confidence in the policy

Given that accountability is emphasized in the policy (sections 18a and 18b), periodic updates on disciplinary outcomes in response to policy non-compliance should be shared with the public.

9. Initiate and sustain public education initiatives focused on police issues

TPSB should commit to providing regular and sustained community forums that offer community members an opportunity to educate themselves about relevant policing issues. These forums should be proactive rather than reactive and should seek to involve a broad spectrum of community stakeholders.

10. Develop community-level “info clinics” which support those interested in accessing their personal information from police databases

Large numbers of citizens who have been carded are unaware of the nature of the information that has been collected in connection with their names. Accordingly, information clinics dealing with the process of filing access requests with the Toronto Police Service should be conducted on a regular basis in various parts of the city.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P269. *REPORT: STAKEHOLDER CONSULTATIONS ON THE HIRING OF THE
NEW TORONTO CHIEF OF POLICE – FINAL REPORT***

The Board was in receipt of a report dated December 05, 2014 from Maureen Brown, Diversity Trainers Plus Inc., containing the results of the stakeholder consultations on the hiring of the new Chief of Police. A copy of the report is appended to this Minute for information.

The Board received the report from Diversity Trainers Plus Inc.

Moved by: D. Noria

**STAKEHOLDER CONSULTATIONS ON THE HIRING OF THE
NEW TORONTO CHIEF OF POLICE**

FINAL REPORT

**Commissioned by: Toronto Police Services Board
Prepared by Diversity Trainers Plus. Inc
December 5, 2014**

THE TEAM

Lead Facilitator and Writer: Maureen Brown, Practice Director, Diversity Trainers Plus Inc.

Maureen Brown is practice Director and senior consultant at Diversity Trainers Plus Inc. Diversity Trainers Plus Inc. supports organizations to more effectively hire from; serve; engage; and or increase business with diverse client, consumer, staff, volunteer and donor populations. Maureen specializes in strategy and training at all levels from leadership to frontline.

A journalist by training, Maureen is the author of the acclaimed studies *In Their Own Voices–African Canadians in the Greater Toronto Area Share Experiences of Police Profiling*; and, *Growing Up Black in Oakville–The Impact of Community on Black Youth Identity Formation and Civic Participation*. She is currently writing a book on cross-cultural and cross-racial mentoring.

Maureen’s clients have included: Durham Regional Police Service; Niagara Regional Police Service; Ontario government ministries and broader public sector organizations; and a range of private sector organizations. Maureen spent 10 years as a communication specialist at the Ontario Human Rights Commission.

Researcher and Writer: Jessica Brown, M.A. (Pol. Theory)

Facilitators:

Zubin Chada, MES

Sumeeta Kapur, MBA

Nicola Lee, Hons. B.A. History

Safiya Williams, B.A. (incomplete)

Barry Reid, principal, Reid Performance Management Inc.

Sukhjot Singh, BSc. (Computer Engineering); MBA

Gerry Small, M.Ed.

Table of Contents

Introduction

Methodology

Most Frequently Noted Challenges

Challenge 1: Transparency, Accountability and Relationship (Re) Building

Challenge 2: Budget Management

Challenge 3: Technology and Future Issues – A Changing/Growing Toronto

Challenge 4: People in Crisis: Mental Health Management and Youth Crime Prevention

Challenge 5: Relationship with Staff – Recruiting, Training, and Keeping New Talent in the Face of an Aging Service

Twelve Most Frequently Noted Competencies

Conclusion

Appendices

Appendix A: Questions

- i) Instant-polling questions
- ii) Online survey questions

Appendix B: Result Excerpts

Bibliography

Introduction

As part of hiring the new Chief of Police, the Toronto Police Services Board commissioned this comprehensive stakeholder engagement exercise. The purpose was to hear what people within and outside of Toronto Police Services are expecting of the new Chief. The Board will convey this feedback (in the form of this report), to the search firm that will be screening candidates for the job. The Board will also use the findings to clarify –from the perspective of stakeholders—the challenges that the new Chief will face and/or will be expected to address when they take office. With these challenges in mind the Board will then determine the competencies, skills and expertise the successful candidate needs to demonstrate that they possess.

The Board made it clear from the start that this exercise is an important dimension of its decision-making and that it will use the feedback in developing the job expectations of the new Chief. The Board also instructed the researchers that the input it was seeking was about the new Chief and that the exercise was not a critique of the current Chief. The Board was also seeking input that would equip it in a practical and pragmatic way to make the best decision in hiring. These instructions informed the approach to the stakeholder engagement.

The researchers and the Board used multiple means of advertising and/or inviting stakeholders to participate in the process. These included sending press releases to the Board’s contact list; to more than 200 mainstream and community media based in or with audiences in Toronto; and, to more than 350 community, ethnocultural-specific, youth and service organizations. Close to 600 people in total¹ responded to these invitations—electronically, in person and a few in writing—and provided input. We used the following means to collect their responses:

Electronic

- An online survey hosted on the Board’s website but with responses housed off-site to ensure confidentiality
- An instant-polling exercise in the 6 public sessions, using a Turning Technologies quantitative data-gathering instrument

Face-to-Face

The Board identified 12 stakeholder groups for face-to-face consultation:

Internal

- Senior Officers Organization (the Senior Command association)
- Toronto Police Association (rank/file and civilians association)
- Staff open session (held at Police Headquarters, 40 College St.)

External

- Toronto Police Liaison and Chief’s Consultation Committees

¹ The 6 in-person public consultations averaged about 18 per session, however 479 people responded to the online survey, plus a few individuals who sent in letters and emails.

- Youth
- 4 public/community open consultations (held in Scarborough; Etobicoke; Downtown Toronto; and North York)
- The business community (hosted by the Toronto Board of Trade)
- Civic and community organizations (hosted by Civic Action)
- Elected Officials²

The following 4 questions or concepts informed every information-gathering tool (including electronic):

- 1) What are the top challenges the new Chief will face or will be expected to address?
- 2) What *competencies* (skills/experience/qualifications/qualities) does the Chief need to possess if they are to effectively address these challenges?
- 3) What do these competencies mean, from your/your constituents' perspective?
- 4) What would the competencies look like on an everyday basis?

Methodology

Since the data gathered was both qualitative and quantitative, we used methods of analysis that intuitively made the most sense, as well as approaches used in similar initiatives in other police jurisdictions. In this regard we looked at comprehensive reports on police chief selection in Canada, the UK, Australia, New Zealand, and the U.S.³ To the extent that these police forces have similar profiles to Toronto (history, government, kinds of cities – large, small – size of police force, etc.), we used these reports as a template to structure the data-gathering and analysis. That said, Toronto is its own city, and has its own needs and requirements. Thus, and in keeping with the strong desire of many respondents for a Toronto-centric, Toronto-specific process, we made sure to analyze the data against the backdrop of literature on previous Toronto police chief selections and of issues of current importance to Toronto.

We asked respondents about two complementary elements of selecting the new Chief: the specific competencies he/she would need; and, the particular challenges that would face him or her, for which these competencies would be required.⁴ We combed through the responses looking for major themes and most frequently noted challenges and competencies. The quantitative and qualitative data told very similar stories, so we represented that data in an integrated form, noting response percentages as well as instances where internal and external stakeholders had differences of opinion. The *quantitative* feedback from the online survey; the instant-polling; and, a 'dotmocracy'⁵ exercise in the public consultation, allowed us to choose

² The Board sent invitations to all 3 levels of government with constituents in Toronto. 13 Members of Parliament and municipal Councillors attended the consultation.

³ Pearson-Goff, Mitch and Victoria Herrington, *Police Leaders and Leadership Development: A Systematic Literature Review*. Australian Institute of Police Management (Manly: 2013).

⁴ (For a complete breakdown of questions asked see Appendix A)

⁵ First we made up a starter list of challenges police chiefs have typically faced, gathered from the literature review, including of Toronto-based reports. We then gave participants opportunity to add their own challenges— from the perspective of the communities they represent. We gave everyone at the table 4 stick-on dots, asking them to prioritize what, from the list, they saw as the challenges against which the new Chief should be measured.

the top 3-5 challenges (depending on the question) that the stakeholder group in question saw as important. We captured those challenges in graph form.⁶

If the quantitative analysis provided the skeleton for the desired profile of the new Chief, the *qualitative* results put 'flesh on the bones.' This input came directly from the various consultations (public and internal) held over the course of six weeks; as well as from letters, electronic communication and publicly read statements from entities such as the Ontario Human Rights Commission, Pro-Action and the Black Business and Professional Association. In the online survey some 185 individuals also shared narratives and comments in the spaces provided. In presenting the messaging from these comments about the perceived challenges and desired competences, we took into account any significant exceptions or diversions from other responses, as well as instances where the responses of internal and external stakeholders overlapped or diverged.

Finally, while we asked directly about competencies people were looking for, other competencies emerged out of discussions about the challenges respondents saw as critical. These weren't as easily narrowed down into a general skillset or personal quality, so we listed them as "Challenge-Based Competencies", as they not only provided a more complete picture of the identified challenge, they also indicated the kind of skills and abilities stakeholders seek.

Most Frequently-Noted Challenges

Many of the challenges, proposed solutions, and competencies overlapped across different stakeholder groups, as well as the online survey. Challenges frequently centred on themes related to the level of the Chief's visibility; relationship-building among stakeholder populations; and the need for *community-oriented policing*.⁷ Stakeholders exhibited a fierce pride in the city and its neighborhoods. Many felt deeply invested in multiculturalism and very proud—as well as protective—of Toronto's diversity. They showed strong concern that the new Chief recognizes diversity and works to enhance, protect and strengthen it.

At first glance it seemed like what stakeholders were asking for ran in two conflicting directions. They were clearly seeking a Chief who would listen to the ideas and desires of the community (internal or external), while partnering with them in fulfilling their vision of a safe and functioning city. On the other hand, many stakeholders also wanted the new Chief to demonstrate that he or she has a strategy *already in mind* for Toronto Police Services (TPS) and by extension Toronto in general, when he/she takes office. What initially appeared to contradict, however, actually complemented...in other words, stakeholders wanted someone who would *bring* new and innovative ideas to the position, but who at the same time would be willing to *listen* to constituents and their needs.

⁶ See Appendix B for excerpts

⁷ "a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime." Community policing - [Wikipedia](https://en.wikipedia.org/wiki/Community_policing), the free encyclopedia en.wikipedia.org/wiki/Community_policing

Put together, the vision that emerges for Toronto's most powerful Police leader – and leader of one of the world's largest police Services – is someone who trusts the Toronto community enough to be involved in its own policing, and who can be trusted enough to take on a strong role in that process. Stakeholders want the Chief to hear them and to acknowledge that he or she hears them, by including their requests and objectives in his or her strategy for the city. For external stakeholders, the sense is of people who, while they may have grievances over their interactions with the police, are eager to work with the police to establish and achieve a set of shared goals. They want their grievances to be acknowledged so that they can be overcome. They want officers to be part—not enemies—of their community and they are willing to work with the new Chief – if he or she is willing to work with them – to come up with reasonable goals for making TPS a positive presence in their communities.

The consultations suggest that both internal and external participants are seeking respect and consideration. Participants—internal and external—want bad officers out and excellent officers in roles, not just as patrol officers, but also in positions of influence and closeness with their communities. At the same time they recognize the humanity and limitations of a police Chief. We see this in the strong current of concern – both internally and externally – for the mental health and well-being of police officers themselves. In that respect, stakeholders want a Chief who will be firm in his or her decisions, who will be respected by his or her officers, and who will have a clear vision for keeping their communities safe.

Challenges

The top challenges stakeholders identified were as follows:

Internal

- 1) Building morale/loyalty
- 2) Leadership style/personal qualities/credibility
- 3) Recruitment/hiring to reflect diversity of the population

External

- 4) Public perception and support/media relations
- 5) Diversity/Inclusion
- 6) Community engagement/partnerships
- 7) Police attitudes/conduct and customer service
- 8) Impact of geopolitical events
- 9) Conflicting public expectations
- 10) Political climate and pressures

Taking the feedback on these challenges together as a whole, we identified stakeholders' top 5 key challenges and associated competencies expected of the Chief. We have captured these in the following highlights based on analysis of the quantitative data; comments in the online survey; and discussions in the face to face consultations.

Challenge 1: Transparency, Accountability and Relationship Building (or Re-Building)

- Maintaining a healthy relationship with both the Toronto Police Services Board and with City Council and the Mayor, without becoming politicized and hamstrung in making tough decisions
- (Re)building⁸ relationships with *marginalized* communities, such as communities that are experiencing police racial-profiling
- Repairing the public image of Toronto Police Services, especially in the wake of the G20 Summit in 2012 and of the Sammy Yatim shooting
- Impact of *carding* on youth and racialized communities
- Perception of TPS culture as one where rank-and-file feels entitled to break rules and treat individuals in the public disrespectfully; and a culture that operates on an “us-versus-them” mentality. In the eyes of a strong cross-section of stakeholders, not enough has been done traditionally to address and effectively punish officer misconduct. These stakeholders feel there is a “blue wall” when it comes to addressing officer transgressions.

While Challenge 1 was primarily noted by external participants, these stakeholders for the most part shared their views in a spirit of wanting the new Chief (and the TPS in general) to live up to their potential to be a significant and positive force in Toronto’s diverse communities. There was definitely hurt and anger about TPS’ recent history (particularly the perception of racial profiling, violent encounters with people in mental health crisis, the actions of TPS during the G20 Summit; and, particularly in one public consultation, police handling of domestic violence incidents). The sessions, however, never devolved into shouting matches or finger pointing, even in the open mic segment in the last half-hour of each public consultation.⁹ Rather, participants were challenged to channel anger into defining competencies that would tackle challenges they were bringing forward.

Challenge-Based Competencies – The new Police Chief needs to exhibit:

...willingness to implement new (or reinforce old) systems of public feedback, transparency and officer accountability. He or she must be seen to take officer misconduct seriously, enforcing the rules around it.

...willingness to reach out to community leaders and experts, tapping into their knowledge and resources to establish (and then enact) a clear and mutually-acceptable vision of policing Toronto’s communities.

⁸ The majority of stakeholders focussed on the future police Administration, however, there was still a strong current among some groups that certain communities—geographically, racially and otherwise—continue to have difficulties with the police. The stated need for *re-building* (as opposed to building) relationships referred to both historical, as well as current challenges.

⁹ Facilitators were trained to gather input respectfully, while guiding the discussion in a productive direction. The public, youth and Police advisory committees featured a small-group format with an open mic at the end of the session.

...a plan as to how they will engage in pro-active policing and build positive visibility in marginalized communities. Examples might include having dedicated officers attending community events, visiting schools; and, being present in these communities in a non-arresting capacity.

...ability to recruit and train officers from diverse backgrounds, reflecting the communities being policed.

...demonstrated commitment to the diversity of the city; and to ensuring that training reflects new practices and approaches to policing.

...visible support of (and active advocacy for) appropriate disciplinary action against officers who break the rules/laws.

...ability to communicate openly and clearly with the public about relevant, pressing, and controversial issues in a timely manner and in a way that resonates with audiences

...recognition/acknowledgment of past conflicts between TPS and the general public and marginalized communities, taking that into consideration when strategizing new ways to police these (and all) Toronto communities

Challenge 2: Budget Management

Budget management was a topic of discussion—in varying degrees—in every stakeholder group, internal and external, in-person and online. Key dimensions of the challenge included:

- Statistics point to crime rates going down, yet costs of policing remain high or are increasing.
- Need to ensure appropriate use of existing resources.
- Need to lower costs of policing.
- Need for “zero-based budgeting.”¹⁰

Most respondents did not expect the Chief to single-handedly administer the Service’s budget. They did expect, however, that at minimum the successful candidate be required to demonstrate that he/she has managed a large budget or a large organization. The Chief should also have the smarts to gather around him or her people with the technical finance management skills. The overall concern was about how to maintain service levels while working with financial constraints and trade-offs.

¹⁰ “A method of **budgeting** in which all expenses must be justified for each new period. **Zero-based budgeting** starts from a “zero base” and every function within an organization is analyzed for its needs and costs.”
www.investopedia.com/terms/z/zb.asp

Challenge-Based Competencies – The new Police Chief needs to:

...bring innovative new ideas to the job, on how to reduce costs and maintain quality service

...have not only financial skills but also “academic rounding” to make sense of the bigger picture of budgeting

...have the know-how to save money by putting technology to use in providing services

...be able to balance the budget through objective assessment of the state of TPS. It is important that the new Chief be seen as basing spending decisions in areas such as staffing, on the needs of the community as well as on the needs of TPS.

Challenge 3: Technology and Future Issues facing a Changing/Growing Toronto

This challenge was important to both internal and external respondents. It centred on new kinds of crime such as cyber-bullying, online identity theft, hacking, etc.; and crime with an increasingly international scope, such as terrorism. One group also mentioned the spotlight the Pan AMs will place on Toronto. Stakeholders felt that policing in this arena will require new kinds of technology and technological know-how.

Further underscoring the importance of Toronto’s diversity, respondents wanted to know, beyond the present, what the new Chief’s plan will be for the Service for the next 5-10 years as the city continues to grow not only in size but also in sophistication. They asked how, with Toronto’s changing demographics, language and accessibility will be addressed. Every consultation indicated some level of belief that technology can support outreach to become more accessible to new demographics. Opinions were split, however, on whether the Chief himself/herself needs to be tech savvy or whether he/she simply needs to understand the tactical value of and be able to deploy technology for more effective policing.

Challenge-based Competencies – The new Police Chief needs to:

...have exposure to international policing and intelligence (e.g. on cyber/international crime)

...prepare proactively to respond to geopolitical realities, having an active finger on the pulse of these events and their implications for Toronto; and, having the language and expertise to act without over-reacting

...be forward-thinking, open to bringing in cutting-edge technology/ideas from other police forces in other countries, if they would be effective and appropriate in Toronto

...use technology (social media) to reach young people

...have the sensitivity and skills to operate and mobilize in the current geopolitical reality, e.g. in new communities immigration is creating in the city.

Challenge 4: People in Crisis: Mental Health Management and Youth Crime Prevention

Two of the most frequently mentioned topics in the external consultations were police encounters with people in crisis; and, the need for police engagement with young people through in-school outreach, social media, and other awareness campaigns. Respondents noted strongly that the new Chief must address the actions of officers towards those who are mentally unwell.¹¹ The Chief should also see as priority the need to provide better training for officers who interact with these individuals regularly; and to foster better understanding overall of mental health issues and needs. While mental health and criminal justice are often intertwined, external responses indicated that it is necessary to sort out instances where police action is not the best option, and to try and find other ways of addressing the problem, such as working more in concert with mental health agencies and advocates. Stakeholders indicated that it is vitally important that new strategies of de-escalation and harm-reduction be implemented in collaboration with these experts. In two public consultations participants felt strongly that the Chief should be required to demonstrate sensitivity to and train officers for better management of domestic violence interventions.

Challenge-based Competencies – The new Police Chief needs to:

...work collaboratively with agencies that handle mental health issues and be willing to designate some responsibility to them as part of reducing the number of instances where the mentally unwell are hurt or killed in encounters with police.

...recognize that there are elements of community engagement that are more effectively addressed/handled by other public service providers, agencies, levels of government and even consumer groups.

...partner with those providers (housing groups, social workers, homelessness advocates, victim services, etc.) to achieve community goals.

Challenge 5: Relationship with Staff – Recruiting, Training, and Keeping New Talent in the Face of an Aging Service

It was important to stakeholders that the new Chief work collaboratively with frontline officers to develop a high-functioning Service that meets the needs of a changing Toronto. In this regard replacing an aging staff population should take into account the need for diversity. Particularly among internal participants, however, hiring and promoting talent needs to be done in a manner that is fair and transparent. Internal stakeholders also saw even-handedness in discipline as a priority for the Chief. These expectations corresponded with challenges people felt the new Chief will face, not only in engaging with the public, but also in engaging with staff and frontline officers.

¹¹ A participant in the Civic Action consultation brought up the need to take stronger action on the PACER Report (See Bibliography)

Internal stakeholders were very clear on the importance of the new Chief possessing the qualities that would make him or her respected and trusted by officers. The sense in the consultations was that this could make or break efforts to successfully implement the Chief's vision. Some external stakeholders also saw this as a strong priority. Internal stakeholders wanted to know too that the new Chief has the communication and engagement skills that demonstrate that he/she can relate to them and would support them, especially in the face of hostility towards frontline officers. These stakeholders were unhappy with what they saw as distrustful attitudes within certain communities towards frontline officers. Stressing the importance of boosting (and maintaining) morale, these stakeholders saw the Chief as an important source of officer morale.

Put together, internal and external stakeholders desire a Chief who has the will and the ability to both hold officers accountable; and, to stand in solidarity with them in times of trouble. The ability to strike this balance was of clear importance to internal as well as external stakeholders.

Challenge-based Competencies – The new Police Chief needs to:

... have a hands-on approach to training and hiring new talent

...have a plan to test the skills of existing officers to make sure they are aware of and trained in interacting with: people in diverse communities; people in crisis situations (e.g. mental illness); and the public in general at large-scale events (e.g. G20)

...demonstrate qualities of integrity and fairness that frontline Service members respect. These qualities will stand the Chief in good stead when he/she has to make difficult decisions and to advance the interest of the Service and the public. The Chief must demonstrate he/she has walked in stakeholders' shoes, whether in Toronto or elsewhere.

...lead by example. He/she must command respect, but not be seen to excuse misbehaviour or problematic attitudes on the part of officers

...have a vision for TPS as to how they plan to get buy-in from frontline officers and staff

...model the behaviours and attitudes he/she expects officers to practice, especially towards racialized communities, mentally individuals and young people

...publicly recognize and acknowledge past conflicts between TPS and the general public as well as with marginalized communities; and visibly take these into consideration when strategizing new ways to police Toronto's communities

SUMMARY

Twelve Most Frequently-Noted Competencies

Overall, the engagement process suggests that stakeholders are seeking the following in the successful candidate for Chief:

1. Strong Leadership and Management Skills/Role Model

- Being able to lead by example and be a role model
- Operational and administrative skills
- Participatory leadership style, soliciting input from diverse voices.
- Ability to set clear standards and expectations of TPS officers, and to enforce those standards effectively.
- Ability to lead by example; to model the kinds of behaviour frontline/rank-and-file officers should practice; and, to communicate the standards and expectations of TPS officers clearly and publicly.
- Support for and belief in *evidence-based* policing

2. Experience

- Policing in an urban setting – a Service of comparable size and scope as Toronto
- Financial experience to manage budgeting challenges
- Toronto (or comparable) experience

3. Open-Mindedness

- Willingness to innovate...to find new solutions to old challenges
- Willingness to borrow from other models of policing internationally and/or to develop/support different ways of seeing the role of police officers in the Toronto community, in areas such as mental health management and harm reduction.

4. Emotional Intelligence: Empathy/Understanding/Compassion/Sensitivity

- Sensitivity to issues facing marginalized communities, particularly black and Aboriginal communities; to victims of domestic assault; and to people in crisis.
- Emotional intelligence to react appropriately to incidents as they occur; to analyse and understand root causes of crime and marginalization; and to assist in developing effective solutions.

5. Excellent Communication Skills

- Ability to articulate and communicate her or his ideas clearly and effectively to the media, the public and TPS staff, as part of achieving buy-in from internal and external constituents.

6. Integrity/Honesty/Ethics

- Willingness to stand up for the right thing, even when difficult or unpopular.
- Ability to take ownership of his/her decisions
- Fair; balanced; and trustworthy

7. Tech-Savvy

- Comfort with social media and “new media”; ability to use—preferably personally—or direct use of Twitter and Facebook to keep Toronto on the cutting-edge of policing

8. Education and Knowledge

- Formal education (B.A. or higher preferred) coupled with experience and demonstrated capabilities
- Strong knowledge of policing theory—national and international
- Strong knowledge of Toronto and its communities of focus, as well as their respective histories with the police
- Demonstrated understanding of anti-racism practices, and anti-oppression theory.

9. Team Player

- Demonstrated ability to work collaboratively and build relationships with diverse groups: communities of focus, the general public, staff, the TPSB, City Council and the Mayor.

10. Creative, Critical and Outside-the-Box Thinker

- Understanding and appreciation of the complexities and nuances of Toronto’s pressing policing challenges – including victim’s rights, racial profiling, carding, the role of police in an increasingly international city

11. Commanding of Respect

- Commanding respect includes both giving and receiving respect
- Having the personal qualities; experience; and on the ground actions that generate respect

12. Good listener

- Ability to actively listen to all stakeholder groups, their concerns and suggestions, and to make them feel like they have been heard.

CONCLUSION

While not among the top 3-5 priorities, it is important to note discussion in several stakeholder groups and in the online survey about desire for the new Chief to be a person of colour. Some felt he or she should be, while others felt the successful candidate should be required to at minimum demonstrate empathy and sensitivity to issues facing persons of color. Other topics in some sessions included need to support the use of body cameras. In one consultation, child pornography was also placed in the top 5 challenges.

Overall, the depth of thought and articulation in stakeholders' responses point to the high standard of conduct the community expects of Toronto Police. Stakeholders' willingness to participate also speaks to their belief that TPS *can* live up to this standard, as well as have the desire to do so. The stakeholder sessions for the most part did not reflect anti-police sentiments...rather (and this is further reflected in the concern across stakeholder groups for officers' mental well-being), stakeholders issued a call to active participation in and strong leadership towards a shared dream of effective, equitable policing. They saw the Chief as a key component of that dream.

Submitted: December 5, 2014
By: Maureen Brown, Practice Director
Diversity Trainers Plus Inc.

APPENDICES

Appendix A: QUESTIONS

Instant Polling¹²

- 1) From your perspective and/or that of your constituents, what are the top challenges the new Chief should be addressing when they take office?
- 2) What *competencies* (qualities/skills/background/characteristics) does the Chief need have to successfully handle these challenges?
- 3) What do these competencies mean to you and what would they look like I everyday life?

Online Survey Questions

PART 1: Challenges New Chief Will Need to Address

1. The 4 biggest policing challenges Toronto faces are:

- Cost of policing
- Homelessness
- Police integrity/conduct
- Youth (13-25) criminal activity
- Gangs and gun violence
- Mental health management
- Cyber crime
- Transformative change of the police service through innovation
- Terrorism
- Domestic violence
- Police racial profiling
- Elder Abuse
- Hate crimes against visible, religious and sexual minorities
- Child pornography
- Service delivery/connecting with the public using technology
- Other

PART 2: Competencies/Skills New Chief Needs to Have

2. How important are the following as requirements for the next Chief of Police?

(Please indicate – Extremely Important (EI); Important (I); or Somewhat Important (SI))

Ensures respectful interaction with members of the public

EI I SI

Committed to the safety and wellbeing of the most vulnerable members of the community, especially seniors; people with mental illness; and victims of domestic violence

EI I SI

Committed to diversity, equity and inclusivity in service to the public

EI I SI

Committed to diversity, equity and inclusivity in treatment of employees

EI I SI

Superior ability to manage a complex organization

EI I SI

Committed to transparency and accountability

EI I SI

Welcomes, submits to and supports effective and lawful civilian oversight

EI I SI

¹² Wording of these questions were adjusted slightly to reflect the audience—Public; Police Community Liaison Committees/Chief's Consultation Committees; Youth

3. **The 4 most important kinds of background experience the new Chief should have are:**

- Experience with racially diverse communities
- Experience with persons suffering from mental health issues
- Experience as a patrol/non-commanding officer
- Experience with emergency management
- Experience interacting with homeless/marginalized populations
- Experience interacting with young people
- Experience with individuals suffering from domestic violence
- Experience with victims of sexual abuse
- Experience with crowd control/political demonstrations
- Experience in business/personnel management
- Other

4. **Rank the following 16 in order of importance. (1 = Least important; 6 = Most Important)** “For the new Chief to enhance public trust he/she must be able to”:

- Create solutions by bringing different points of view together
- Communicate a clear vision for the city and for Toronto Police Service
- Lead by example and inspire confidence in rank and file officers
- Demand and enforce lawful and ethical conduct by members of the Toronto Police Service
- Make tough decisions in a fair and ethical manner, even though many disagree
- Demand and practice excellent management of public money

5. **Answer true or false to the following statement:**

“Our expectations of this new Chief are very different from those of previous Chiefs”

True

False

6. **What is most important in the new Chief’s résumé? (Choose top 3)**

- Formal education
- Strong policing experience
- Previous Toronto policing experience
- Collaborative management style
- Financial management skills
- Experience implementing community-oriented policing
- Strong communication skills

Part 3: How the New Chief Must Demonstrate Competence

7. **If you were advising on what competencies the new Chief should have, how important is each of the following? (1 = Most Important; 5 = Least Important)**

___ Positive role model for Police and the community

___ Able to handle political, social, economic and departmental challenges

___ Strategic and creative thinker

___ Understands Toronto as a world-class city

___ Able to make the most of a limited budget

___ Respects others and commands respect of others

8. **Which of the following qualities should the Toronto Police Service Board look for in the right candidate? (Choose the 4 most important).**

- Builds bridges with marginalized communities
- Inspires officers to act with integrity in all situations
- Practices a management style that takes different perspectives into account
- Demonstrates empathy and compassion
- Makes continuous learning and improvement a priority
- Represents the human face of policing to the public

- Welcomes and leads organizational transformation
- Committed to transformative change of the police service through innovation

9. How will you know that the new Chief has done or is doing a good job? (Check as many as apply)

- I feel safer because crime is going down
- My community feels more respected when they interact with the police
- The Chief seeks out, embraces and enjoys innovative, out-of-the-box solutions
- The budget is under control yet keeping up with the city's needs
- Officers feel proud to do their jobs and are trusting of management and leadership
- I understand more clearly Toronto Police Service's vision for the city
- I see evidence of the Chief's openness to engaging with the community, internally and externally

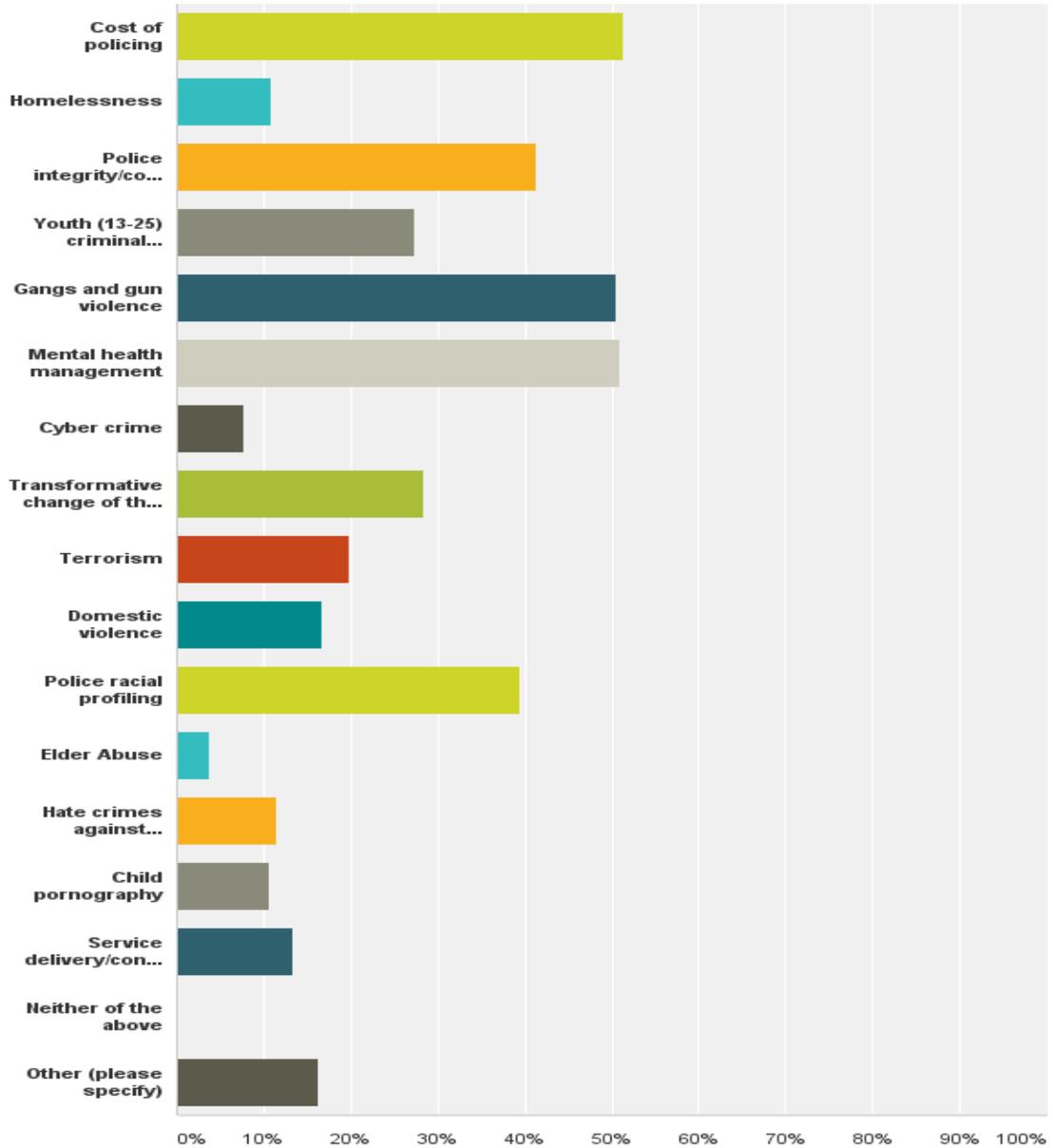
10. What else would you like to say about what the Toronto Police Services Board should be looking for in a new Chief?

Appendix B: Result Excerpts

These quantitative responses, presented in both graph and chart form, are excerpted from the online survey. Responses are to questions 1, 3 and 7.

Q1 The 4 biggest policing challenges Toronto faces are:

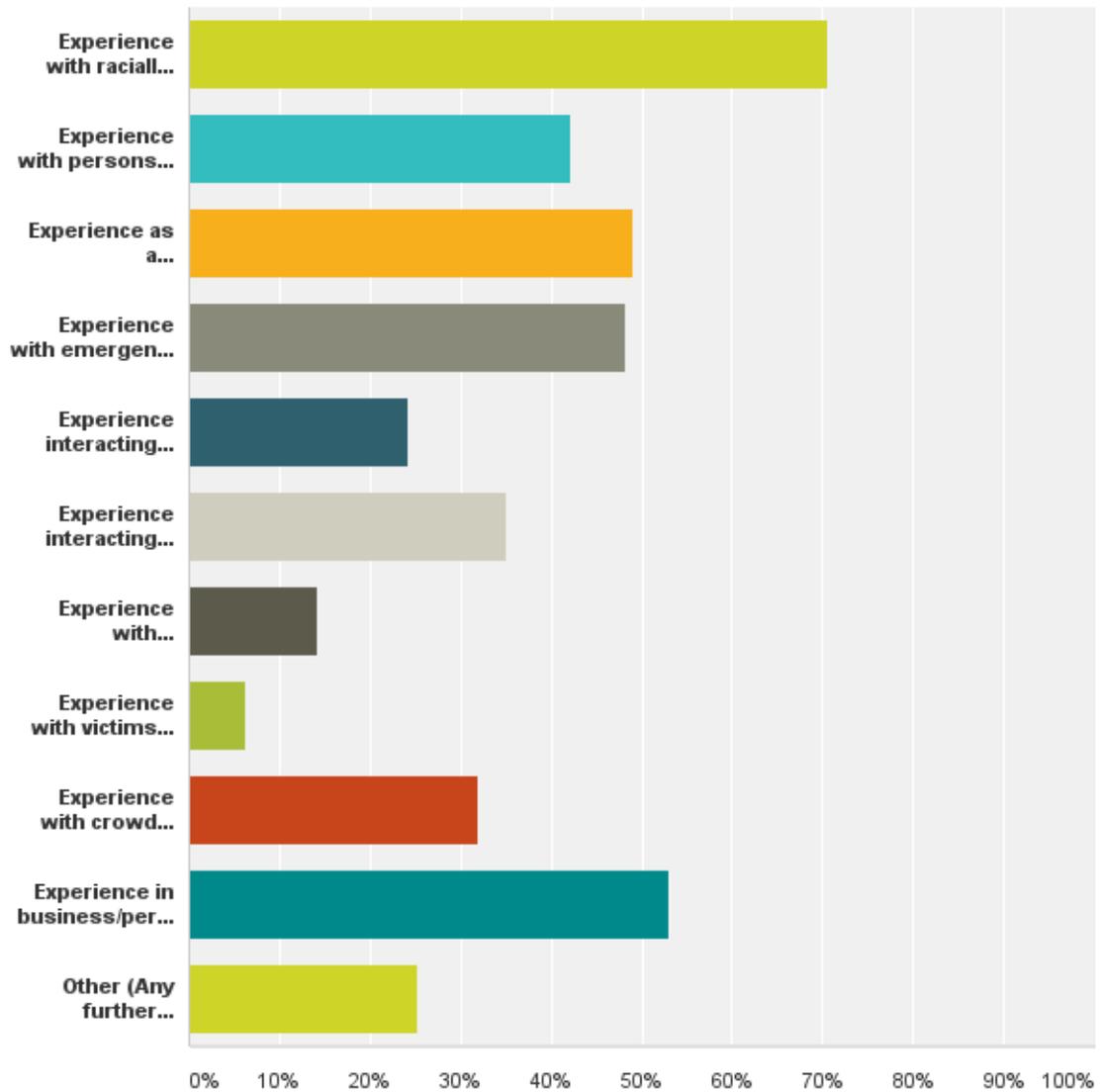
Answered: 479 Skipped: 0



The four biggest challenges facing Toronto are:	Responses
Cost of policing	52.68% 167
Homelessness	11.36% 36
Police integrity/conduct	42.27% 134
Youth (13-25) criminal activity	24.92% 79
Gangs and gun violence	48.26% 153
Mental health management	50.79% 161
Cyber crime	6.31% 20
Transformative change of the police service through innovation	31.23% 99
Terrorism	18.93% 60
Domestic violence	17.35% 55
Police racial profiling	40.69% 129
Elder Abuse	3.15% 10
Hate crimes against visible, religious and sexual minorities	11.99% 38
Child pornography	8.83% 28
Service delivery/connecting with the public using technology	14.83% 47
Other	16.40% 52

Q3 The 4 most important kinds of background experience the new Chief should have are:

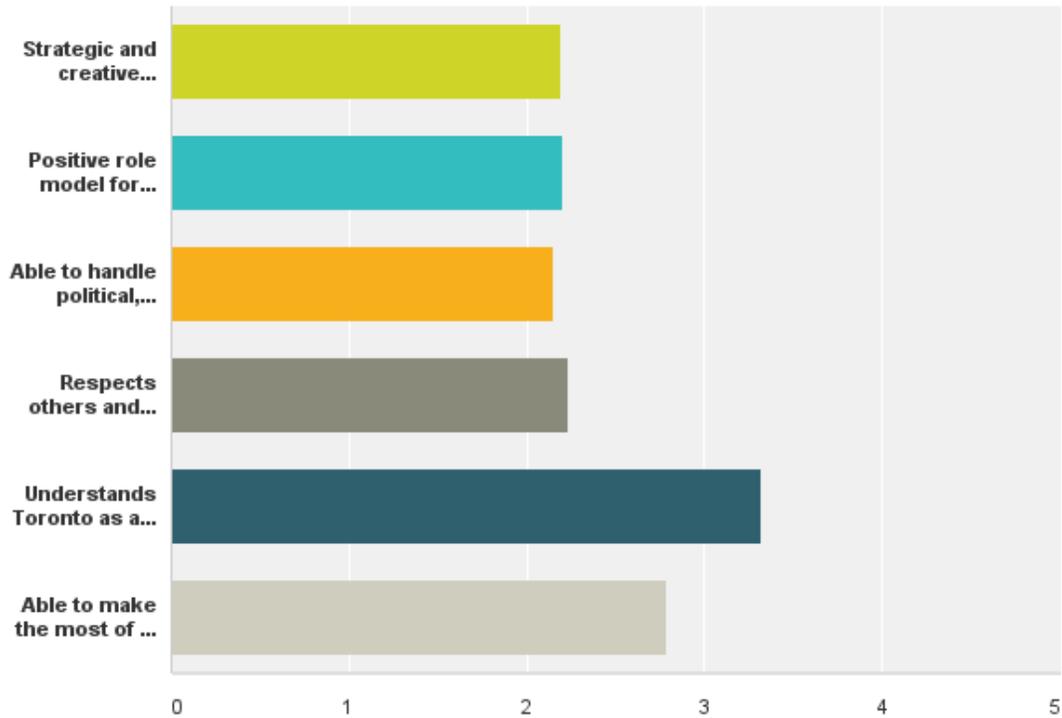
Answered: 351 Skipped: 128



The most important kind of background experience the chief should have is:	Responses
Experience with racially diverse communities	71.61% 227
Experience with persons suffering from mental health issues	40.38% 128
Experience as a patrol/non-commanding officer	50.47% 160
Experience with emergency management	47.95% 152
Experience interacting with homeless/marginalized populations	24.61% 78
Experience interacting with young people	35.02% 111
Experience with individuals suffering from domestic violence	13.88% 44
Experience with victims of sexual abuse	5.99% 19
Experience with crowd control/political demonstrations	31.86% 101
Experience in business/personnel management	53.00% 168
Other	25.24% 80

Q7 If you were advising on what competencies the new Chief should have, how important is each of the following?(1 = Most Important; 5 = Least Important)

Answered: 317 Skipped: 162



If you were advising on the kind of com	1	2	3	4	5	Average Rating
Strategic and creative thinker	39.43% 125	26.81% 85	17.03% 54	8.83% 28	7.89% 25	2.19
Positive role model for Police and the community	49.53% 157	17.35% 55	9.78% 31	10.41% 33	12.93% 41	2.20
Able to handle political, social, economic and departmental challenges	43.85% 139	22.71% 72	15.14% 48	11.36% 36	6.94% 22	2.15
Respects others and commands respect of others	41.32% 131	23.03% 73	16.72% 53	9.46% 30	9.46% 30	2.23
Understands Toronto as a world-class city	17.98% 57	13.25% 42	19.24% 61	17.67% 56	31.86% 101	3.32
Able to make the most of a limited budget	26.18% 83	18.61% 59	23.03% 73	14.83% 47	17.35% 55	

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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P270. STATUS UPDATE – RESPONSE TO THE JURY RECOMMENDATIONS
FROM THE INQUEST INTO THE DEATHS OF REYAL JARDINE-
DOUGLAS, SYLVIA KLIBINGAITIS AND MICHAEL ELIGON**

The Board was in receipt of the following report November 13, 2014 from William Blair, Chief of Police:

Subject: STATUS UPDATE – TORONTO POLICE SERVICE RESPONSE TO THE
JURY RECOMMENDATIONS FROM THE CORONER’S INQUEST INTO
THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS,
AND MICHAEL ELIGON

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 no financial implications associated to this report.

Background:

At its meeting on April 10, 2014, the Board received a report entitled “Final Report: Verdict and Recommendations of the Jury – Inquest into the Deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon” (Min. No. P82/14 refers).

The purpose of the report was to advise the Board of the results of a joint inquest, ordered by the Chief Coroner, into the deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis, and Michael Eligon (JKE Inquest) (See Attached – Appendix A). All three incidents involved the use of lethal force by a Toronto Police Service (Service) officer, after being approached by a person armed with an edged weapon, and apparently suffering from a mental illness.

The JKE Inquest was conducted in the City of Toronto during the period of October 15, 2013 to February 12, 2014.

The following is a summary of the circumstances of the death of Reyal Jardine-Douglas, Sylvia Klibingaitis, and Michael Eligon and issues addressed at the inquest, as delivered by Dr. David Eden, Presiding Coroner.

Circumstances surrounding the death of Mr. Jardine-Douglas

Mr. Jardine-Douglas, aged 25 years, had experienced increasing withdrawal and other symptoms in the approximately 2 years preceding his death. Previously well physically, psychologically, and socially, he had become increasingly isolated and prone to disturbing thoughts. His family, with whom he lived, became more and more concerned for his well-being. He initially resisted their efforts to encourage him to discuss his symptoms with a physician, but reluctantly agreed to do so.

He was assessed by his family on August 27, 2010. His physician confirmed the family's concern that Mr. Jardine-Douglas had a serious mental illness, and initiated an urgent psychiatric referral. The physician did not find evidence that Mr. Jardine-Douglas was dangerous to himself or others at that time.

Early the following morning (August 28), concerned about his increasing symptoms, Mr. Jardine-Douglas' mother brought him to the Emergency Room of Scarborough Centenary Hospital, from which he was referred to Scarborough Grace Hospital. He left that hospital before being assessed. At that time, he did not have symptoms that met the legal test for involuntary hospitalization (such as dangerousness to himself or others), and was free to leave if he wished.

On August 29, Mr. Jardine-Douglas' mother and sister became even more concerned about his behavior and the possibility of dangerousness to self or others. He tried to drive away in his mother's car, but his sister and mother prevented him from doing so. He then boarded a TTC bus. His sister called 9-1-1 and explained her concerns to the call-taker. She reported that Mr. Jardine-Douglas was carrying a backpack, and she was unable to exclude the possibility he had a weapon,

The bus was stopped by two police cruisers. The events were recorded on bus surveillance video. Mr. Jardine-Douglas attempted to leave the bus by the rear door, but could not open the door because of a safety interlock. He returned to his seat. The officers began to board from the front of the bus. He then removed a knife from his backpack and advanced on the officers.

The officers gave and repeated the police challenge, telling Mr. Jardine-Douglas to "freeze" and "drop the knife." They retreated from the bus and drew their firearms. Mr. Jardine-Douglas followed the officers off the bus. The officers split and went in two different directions. Mr. Jardine-Douglas continued to advance on one of the officers. The officer changed direction more than once to open the space between Mr. Jardine-Douglas and himself, but Mr. Jardine-Douglas also changed direction and continued to close the distance with the officer. The officer ended up against a hedge from which

further retreat was not feasible, with Mr. Jardine-Douglas continuing to advance with the knife.

The officer fired his weapon. Mr. Jardine-Douglas fell to the ground. He was still conscious, did not comply with demands to drop the weapon, and attempted to get up. The officer fired another shot, at which point he stopped moving. The officers approached him, found and kicked away the knife then started CPR. Paramedics arrived shortly afterwards, and found Mr. Jardine- Douglas without vital signs. He was transported to Sunnybrook Health Sciences Centre, where he was pronounced dead after resuscitation efforts.

The death was investigated by the coroner. Autopsy showed two gunshot wounds: one entering the left shoulder and going into the chest, the other entering the right hip from the front. In the opinion of the forensic pathologist, the most likely sequence of events was that Mr. Jardine-Douglas sustained the gunshot wound to his hip, fell to the ground, and was attempting to get up again when he was struck by the second and fatal bullet in his left shoulder.

The death was investigated by the Special- Investigations Unit (SIU). No criminal charges were laid.

Circumstances surrounding the death of Ms. Klibingaitis

Ms. Klibingaitis, aged 52 years, had a history of mental illness, for which she had sought treatment and was under psychiatric care. The course of her illness varied over time. Her symptoms included delusions that she was evil, and that God had singled her out for punishment. She lived with her elderly mother in a detached family home in a residential neighbourhood in Toronto. Family, including her three sisters, were supportive and helpful. She had no history of violence or dangerousness to others prior to the day of her death.

On October 7, 2011, a little after 9:30 a.m., Ms. Klibingaitis made a call to 9-1-1 from her residence, stating that she was holding a knife, and intended to kill her mother, who was in the bathroom of the residence. The 9-1-1 operator dispatched police, and then asked Ms. Klibingaitis to put the knife down. Ms. Klibingaitis refused.

Two uniformed officers arrived at the scene in marked police vehicles. They separated after performing an inspection of the perimeter of the house. Ms. Klibingaitis, holding a large knife, ran out of the front door towards the officer who was at the front of the house. He retreated, unholstered and pointed his firearm at her, and issued the police challenge. She continued to advance while he ran backwards onto the street with Ms. Klibingaitis following him. The cruiser's video camera captured the officer running backwards past the front of the cruiser, with Ms. Klibingaitis following him with a knife held at shoulder level. He shot her, and she collapsed on to the middle of the street. The shooting occurred outside the camera's field of view.

The officers kicked away her knife and provided first aid. Paramedics arrived shortly after, and found Ms. Klibingaitis without vital signs. She was transported to Sunnybrook Health Sciences Centre, where she was pronounced dead after resuscitation efforts.

The coroner was notified and investigated the death. Autopsy showed that death was due to perforating gunshot wound of the chest.

The death was investigated by the SIU. No criminal charges were laid.

Circumstances surrounding the death of Mr. Eligon

Mr. Michael Eligon, Jr, aged 29 years, had a history of mental illness, for which he had sought treatment and had been under psychiatric care. The course of his illness varied over time. His symptoms included auditory and visual hallucinations. He lived on his own, and had moved several times prior to his death. He was living in a supportive residential environment at the time of his death. A mental health case worker coordinated his care. He had no history of violence or dangerousness to others prior to the day of his death.

On February 1st, 2012, workers from Mr. Eligon's residence contacted police because he was acting in an unusual manner. Police responded, and found him confused, hostile, argumentative, and agitated. They agreed with his workers that he appeared to be experiencing an exacerbation of his mental illness that put him at risk, and took him to the Emergency Room of Toronto East General Hospital (TEGH) for assessment. He had previously received inpatient and outpatient care at St. Joseph's Health Centre but his residence was closer to TEGH.

He was assessed by the Emergency Room physician at -about 10:00 p.m., and was admitted as a psychiatric inpatient. No inpatient bed was immediately available, and he was held in, the Emergency Room. During the following nearly 36 hours, Mr. Eligon was cooperative, but, early in the morning of February 3rd he started to become increasingly agitated. At approximately 9:55 a.m. on February 3rd, Mr. Eligon surreptitiously left his room and exited the hospital via a side door, wearing his hospital gown. Emergency Room staff noticed that he was missing and notified hospital security, who began a search of the hospital and grounds.

Mr. Eligon left the hospital grounds and entered a variety store near the hospital, removed 2 pairs of scissors from a wall display, and left without paying. The store owner went outside after him, and asked him either to pay or return the scissors. Mr. Eligon voluntarily returned into the store. After a brief discussion, the two scuffled, and the owner was injured with the scissors. It is not known whether Mr. Eligon intended to inflict the injuries with the scissors, or if the cuts occurred because he was holding the scissors in his hands during the scuffle. The store owner opted not to follow him out of the store, and called 9-1-1 to report the theft and the injury. He provided a description of Mr. Eligon. Police and ambulance were dispatched.

Mr. Eligon then successively approached two women near their cars, requesting their car keys. Both refused, and reported the events to police.

Mr. Eligon attempted to enter a family home through its back door. The husband, who was outside, told him to leave, and the wife, who was indoors, called 9-1-1. Other civilian witnesses saw the events, some of whom had some minor interaction with Mr. Eligon. All suspected mental illness from his confused behaviour and speech, and from the fact that he was outdoors in February dressed only in a hospital gown. Many saw that he was carrying 2 pairs of scissors.

A number of police units responded to the multiple 9-1-1 calls. Mr. Eligon was located, and officers began to converge on him. Mr. Eligon began to advance on the officers, holding the scissors. The officers retreated down the street, walking backwards, and issued the police challenge. A number of them unholstered and pointed their firearms. The final portion of the incident was captured on the video camera of a parked police car. Mr. Eligon did not comply with the police challenge, and advanced towards the officers, who continued to retreat down the street. One officer backed-into a parked vehicle, and did not have a clear escape route, Mr. Eligon continued advancing to within a few feet. At that point, an adjacent officer shot Mr. Eligon, who fell to the ground. Officers kicked away the scissors then provided first aid. Paramedics arrived shortly after, and found Mr. Eligon without vital signs. He was transported to St. Michael's Hospital, where he was pronounced dead after resuscitation efforts.

The coroner was notified and investigated the death. Autopsy showed that death was due to penetrating gunshot wound of the neck.

The death was investigated by the SIU. No criminal charges were laid.

As a result of the inquest, the jury made 74 recommendations, 46 of which were directed to the Service. However, all of the recommendations will be considered for potential input, operationalization, and/or enhancements to current practice (See Attached – Appendix B).

The purpose of this report is to detail the Coroner's findings and update the Board on the Service's response to the resulting jury recommendations from the JKE inquest.

Discussion:

Prior to the release of the jury recommendations, the Service had been monitoring emerging issues throughout the JKE inquest and proactively developing strategies.

At its meeting on June 19, 2014, the Service provided the Board with a report entitled "Annual Report: 2013 Toronto Police Service Performance Report" (Min. No. P140/14 refers). This report detailed the Service's work and commitment to one of its 2013 Service Priorities "Focusing on Police Interactions with Individuals Experiencing Mental Illness". The goals of this priority were:

- Ensure safe outcomes for all emotionally disturbed persons during interactions with police.
- Development of reliable data collection and analysis.
- Enhance member training for professional and respectful interactions with emotionally disturbed persons.
- Enhance co-ordination of services offered by police and community service agencies.

The report further demonstrated how some Service initiatives were already consistent with the JKE inquest recommendations. These initiatives achieved by the Toronto Police College, included:

- Working extensively with mental health professionals from the Centre for Addiction and Mental Health to provide strategies to assist officers in their interactions with emotionally disturbed persons.
- The use of verbal de-escalation techniques, as the foundation of the annual in-service training, and emphasized in all aspects and components of training.
- Utilizing technology to assist in the implementation of verbal de-escalation strategies through the use of video simulation scenarios.

In April 2014, the Service received the recommendations from the JKE inquest and commenced its review. The review included consultations with internal and external stakeholders with the intent to examine all of the recommendations for potential implementation.

On July 24, 2014, retired Supreme Court Justice Frank Iacobucci, released his report entitled “Police Encounters with People in Crisis”. The Honourable Iacobucci was retained by the Chief to conduct an independent review following the death of Sammy Yatim in July 2013 (Min. No. P233/13 refers). The Chief’s mandate given to the Honourable Iacobucci was to conduct an independent review of the policies, practices and procedures of, and the services provided by, the Service with respect to the use of lethal force or potentially lethal force, in particular in connection with encounters with persons who are, or may be, emotionally disturbed, mentally disturbed, or cognitively impaired. The report’s findings detailed 84 recommendations for the Service to consider.

The release of the Honourable Iacobucci’s report revealed common issues and elements shared with the JKE inquest recommendations. As a result, the Service has commenced a comprehensive review that includes both sets of recommendations for consideration.

Deputy Chief Mike Federico, Operational Support Command, has been designated to oversee the review and implementation of all the recommendations from the JKE Inquest and the Honourable Iacobucci’s report.

A team comprised of internal members has been assembled and will take a project management approach to administer the review and implementation process. The team will be responsible for liaising with internal and external stakeholders, coordinating and tracking responses, ensuring timelines are established, and reporting back to the Board on the status and/or progress of the process.

The Service will also consider other recommendations brought forth from new sources (e.g. new inquests, inquiries, advisory groups, subcommittees, etc.) throughout this review process.

The Service will keep the Board informed on the status and progress of the implementation process of all recommendations in a future reports.

Conclusion:

In summary, the ongoing review process has identified commonalities with some of the recommendations in both the JKE inquest and the Honourable Iacobucci's report. Both involve discussions of "persons in crisis" (as defined by the Honourable Iacobucci) and the use of lethal force by Service officers.

The Service has committed staffing resources and commenced stakeholder consultations in order to expedite the review and implementation process.

The Service concurs with the essence of all the recommendations, however, due to the complexity of the issues and commonalities within the recommendations, the examination and potential implementation is currently on-going.

The Service will continue to work expeditiously with all internal and external stakeholders, while exercising due diligence and utilizing a project management approach, to ensure continuity and consistency when considering all of the recommendations.

The Service will continue to keep the Board informed on the status and progress of the implementation process of all recommendations in future reports.

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

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

- **Peter Rosenthal ***
- **Neil Halliwell ***
- **Susan Gapka**

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

Deputy Chief Mike Federico, Operational Support Command, responded to questions by the Board about the timeline for implementing both the JKE inquest and Justice Iacobucci recommendations. Deputy Federico also advised the Board that 33 of the recommendations which had been aligned as similar had already been implemented.

The Board approved the following Motions:

- 1. THAT the Board receive the foregoing report from the Chief and forward a copy to the Chief Coroner for information;**
- 2. THAT the Board forward a copy of the recommendations directed to the Board to its Sub-Committee on Mental Health and request that the Sub-Committee consider these recommendations in order to assist the Board in preparing its response to them in a report for March 2015;**
- 3. THAT the Chief provide the Board with a status report on the progress of implementing the JKE and Iacobucci recommendations in March 2015; and**
- 4. THAT the Board receive the deputations and the written submissions.**

Moved by: D. Noria



Office of the
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Bureau du
coroner en chef

Appendix - A

Verdict of Coroner's Jury **Verdict du jury du coroner**

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

JARDINE-DOUGLAS, Reyal
KLIBINGATIS, Sylvia
ELIGON, Michael

Inquest

February 12, 2014

Key Words: Custody, Homicide, Police

2014 CanLII 30271 (ON OCCO)



Office of the
Chief Coroner
Bureau du
coroner en chef

Appendix - A

Verdict of Coroner's Jury Verdict du jury du coroner

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

We the undersigned / Nous soussignés,

the jury serving on the inquest into the death(s) of / membres dûment assermentés du jury à l'enquête sur le décès de :

Surname / Nom de famille Jardine-Douglas	Given Names / Prénoms Reyal
--	---------------------------------------

aged / à l'âge de 25 held at / tenue à Coroner's Courts Toronto, Ontario

from the / du 15th October 2013 to the / au 12th February 2014

By / Par Dr. / dr David EDEN Coroner for Ontario / coroner pour l'Ontario

having been duly sworn/affirmed, have inquired into and determined the following:
avons fait enquête dans l'affaire et avons conclu ce qui suit:

Name of Deceased / Nom du défunt
Reyal Jardine-Douglas

Date and Time of Death / Date et heure du décès
August 29, 2010 at 16:07

Place of Death / Lieu du décès
Sunnybrook Health Sciences Centre, Toronto

Cause of Death / Cause du décès
Penetrating Gunshot wound to the left shoulder

By what means / Circonstances du décès
Homicide

Original signed by: Foreman / Original signé par : Président du jury _____

Original signed by jurors / Original signé par les jurés _____

The verdict was received on the 12th day of February 20 14
Ce verdict a été reçu le _____ (Day / Jour) _____ (Month / Mois)

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) <u>Dr. David EDEN</u>	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/jjj) _____
--	--

Coroner's Signature / Signature du coroner

2014 CanLII 30271 (ON OCCO)



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coroner en chef

Appendix - A

Verdict of Coroner's Jury Verdict du jury du coroner

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

We the undersigned / Nous soussignés,

the jury serving on the inquest into the death(s) of / membres dûment assermentés du jury à l'enquête sur le décès de :

Surname / Nom de famille Klibingaitis	Given Names / Prénoms Sylvia
---	--

aged / à l'âge de 52 held at / tenue à Coroner's Courts Toronto Ontario

from the / du 15th October 2013 to the / au 12th February 2014

By / Par Dr. / Dr. David EDEN Coroner for Ontario / coroner pour l'Ontario

having been duly sworn/affirmed, have inquired into and determined the following:
avons fait enquête dans l'affaire et avons conclu ce qui suit:

Name of Deceased / Nom du défunt
Sylvia Klibingaitis

Date and Time of Death / Date et heure du décès
October 7, 2011 at 10:26

Place of Death / Lieu du décès
Sunnybrook Health Sciences Centre, Toronto

Cause of Death / Cause du décès
Perforating gunshot wound of chest

By what means / Circonstances du décès
Homicide

2014 CanLII 30271 (ON OCCO)

Original signed by: Foreman / Original signé par : Président du jury _____

Original signed by jurors / Original signé par les jurés _____

The verdict was received on the 12th day of February 20 14
Ce verdict a été reçu le _____ (Day / Jour) _____ (Month / Mois) _____

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) <u>Dr. David EDEN</u>	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/ddd) _____
--	--

Coroner's Signature / Signature du coroner



Office of the
Chief Coroner
Bureau du
coroner en chef

Appendix - A

Verdict of Coroner's Jury Verdict du jury du coroner

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

We the undersigned / Nous soussignés,

the jury serving on the inquest into the death(s) of / membres dûment assermentés du jury à l'enquête sur le décès de :

Surname / Nom de famille Eligon	Given Names / Prénoms Michael
---	---

aged / à l'âge de 29 held at / tenue à Coroner's Courts Toronto, Ontario

from the / du 15th October 2013 to the / au 12th February 2014

By / Par Dr. / Dr David EDEN Coroner for Ontario / coroner pour l'Ontario

having been duly sworn/affirmed, have inquired into and determined the following:
avons fait enquête dans l'affaire et avons conclu ce qui suit:

Name of Deceased / Nom du défunt
Michael Eligon

Date and Time of Death / Date et heure du décès
February 3, 2012 at 10:37

Place of Death / Lieu du décès
St. Michael's Hospital, Toronto

Cause of Death / Cause du décès
Penetrating gunshot wound to right side of neck

By what means / Circonstances du décès
Homicide

Original signed by: Foreman / Original signé par: Président du jury _____

Original signed by jurors / Original signé par les jurés

The verdict was received on the 12th day of February 20 14
Ce verdict a été reçu le (Day / Jour) (Month / Mois)

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) <u>Dr. David EDEN</u>	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/dd)
--	--

2014 CanLI1 30271 (ON OCCO)

Appendix - A

Coroner's Signature / Signature du coroner

Inquest into the
deaths of: Enquête
sur le décès de :

Reyal Jardine-Douglas, Sylvia Klibingaitis, Michael Eligon

JURY RECOMMENDATIONS RECOMMANDATIONS DU JURY

We, the jury, wish to make the following recommendations:

KEY

CEW – Conducted Energy Weapon
EDP – Emotionally Disturbed Person
EMS – Emergency Medical Services
ETF – Emergency Task Force
ICCS – In Car Camera System
MCIT – Mobile Crisis Intervention Team
MCSCS – Ministry of Community Safety and Correctional Services
OPC – Ontario Police College
PRU – Primary Response Unit
SIU – Special Investigations Unit
TEGH – Toronto East General Hospital
TPC – Toronto Police College
TPS – Toronto Police Service

2014 CanLI1 30271 (ON OCCO)

POLICE-RELATED

RESEARCH & ANALYSIS

Recommendation to the Toronto Police Service (TPS) and the Ministry of Community Safety and Correctional Services (MCSCS):

1. Conduct, jointly or separately, a comprehensive research study to establish metrics against which current and future police training (delivered by the Toronto Police Service and Ontario Police College respectively) can be evaluated to determine whether and how practices on which officers are trained are being adopted in the field.
 - a. Among other things, the study should evaluate how much and how well training emphasizes communication strategies and de-escalation strategies, and how well the training explains the research-based rationales for such strategies.
 - b. The study should also consider and evaluate:
 - i. practices used to evaluate officer performance during and upon completion of training, and
 - ii. the skills and training of officers delivering the training content.
 - c. Finally, a protocol for the formal assessment of officers regarding the communication and judgement skills they demonstrate in training and while on duty should also be developed.

Recommendations to be addressed to the Ministry of Community Safety and Correctional Services:

2. Commission a study of CEWs to determine if there are any special risks or concerns associated with the use of this device on EDPs.

Appendix - A

3. Continue to research and consider police procedures when dealing with EDPs with edged weapons in other jurisdictions where either not all police are equipped with firearms or where police are prohibited from drawing their firearm unless they face a subject armed with a firearm.
4. To enhance the collection of data for analysis, amend the Use of Force form to include, but not limited to:
 - a. the drawing and deployment of a CEW as one of the listed use of force options;
 - b. a requirement that, if officers indicate on the Use of Force form that "verbal interaction" was an Alternative Strategy Used, the officers must also provide particulars in respect of that verbal interaction;
 - c. a section to identify whether the use of force involved a subject whom the officer perceived was suffering from a mental illness and/or in emotional crisis; and
 - d. an electronic format for improved input and tracking.
5. Create a provincial database to compile data obtained from the Use of Force Form, as amended in accordance with the recommendation above and to better track EDP calls and their outcomes.

Recommendation to the Toronto Police Service, Toronto Police Services Board (TPSB) and Empowerment Council:

6. Consider a joint research project between TPS, TPSB, and community partners (e.g. Empowerment Council, academic institution) on best practices regarding police interactions with EDPs.

Recommendation to the Ministry of Community Safety and Correctional Services and Ontario Police College:

7. OPC is to receive and track statistics about frequency of edged weapon incidents in the field, police use of force, and how often a weapon is shown and/or deployed.

TRAINING & DEVELOPMENT

Recommendations to the Toronto Police Service and Ministry of Community Safety and Correctional Services:

8. The TPS and MCSCS shall consider, evaluate and implement strategies to maximize training opportunities for officers to be educated on the perspective of mental health consumers/survivors by:
 - a. incorporating more information about consumer/survivors; and
 - b. increasing opportunities for contact between officers and consumer/survivors.
9. Maximize emphasis on verbal de-escalation techniques in all aspects of police training at the Ontario Police College, at the annual in-service training program provided at Toronto Police College and at the TPS Divisional level.
10. With respect to situations involving EDPs in possession of an edged weapon:
 - a. If the EDP has failed to respond to standard initial police commands (i.e. "Stop. Police.", "Police. Don't move.", and/or "Drop the Weapon."), train officers to stop shouting those commands and attempt different defusing communication strategies.
 - b. Train officers in such situations to coordinate amongst themselves so that one officer takes the lead in communicating with the EDP and multiple officers are not all shouting commands.
11. Incorporate the facts and circumstances of each of these three deaths into scenario-based training. In particular, incorporate a neighbourhood foot pursuit of an EDP armed with an edged weapon, with several responding officers (not just two) to emphasize the importance of coordination, containment, and communication between the responding officers.
12. There should be mandatory annual trainer requalification for Use of Force trainers.
13. To achieve consistency, Sergeants should receive training to facilitate effective debriefing sessions.

Recommendations for the Ministry of Community Safety and Correctional Services, the Toronto Police Services Board, and the Toronto Police Service:

14. Train officers to, when feasible and consistent with officer and public safety, take into account whether a person is in crisis and all relevant information about his/her condition, and not just his/her behaviour, when encountering a person in crisis with a weapon.
15. Training officers on the subject of edged weapons shall incorporate the following principle:

Appendix - A

" When officers are dealing with a situation in which a person in crisis has an edged or other weapon, the officers should, when feasible and consistent with maintaining officer and public safety, try to communicate with the person by verbally offering the person help and understanding."

16. Officers must continue de-escalation attempts and refrain from firing as long as possible consistent with officer and public safety.
17. It should be emphasized and clarified in training that there is no fixed distance from a subject with an edged weapon at which officers should either draw or fire their firearms and that the reactionary gap (the time it takes to perform a response, which in this case would be the time it takes to discharge a firearm) is much shorter once a firearm is drawn.

Recommendations for the Toronto Police Services Board and the Toronto Police Service:

18. Provide additional mental health, verbal de-escalation, and negotiation training to officers including, but not limited to, PRU's and MCIT.
19. Evaluate the possibility of and consider having officers with the additional mental health and verbal de-escalation/negotiation training act as lead officers on calls involving persons in crisis.
20. With the understanding that debriefing is essential for driving continuous improvement and highlighting deviation from policy, the debriefing process for critical incidents should:
 - a. be conducted in a timely manner
 - b. be conducted effectively
 - c. involve all subject and witness officers
 - d. involve all active participants including call takers and dispatch personnel
 - e. consider adoption of the EIF debriefing model
 - f. be conducted by trained sergeants
 - g. include video review when possible

Recommendations to Ministry of Community Safety and Correctional Services & Ontario Police College:

21. Modify the OPC EDP and de-escalation training model and materials, so that less attention is paid to specific diagnoses and the medical model. This should include input from consumer/survivors.
22. OPC to leverage/adopt the TPS format of using consumer/survivor videos to improve quality and achieve consistency in the delivery of EDP/Mental Health training.

Recommendation to Ontario Police College, Toronto Police Service, and Toronto Police College:

23. OPC and TPC shall consider expert review and analyses of videos, audios and evidence specific to each case, i.e. Sylvia Klibingaitis, Royal Jardine-Douglas, Michael Elgon, for the purpose of identifying all alternative police service tactics for preserving life.

Recommendations to Ontario Police College and Toronto Police College:

24. Explore and consider opportunities for Training Sergeants to meet with subject officers for learning/training development (post-legal proceedings).
25. Consider providing officer with strategies to reduce immediate shock/adrenaline rush.

Recommendations for the Ministry of Community Safety and Correctional Services, Toronto Police Service, Ontario Police College, and Toronto Police College:

26. Incorporate more dynamic scenarios in use of force training (e.g. include bystanders, traffic, and distractions).

Recommendations to the Toronto Police Service:

27. With goal of increasing positive interactions between PRUs and the Mental Health community, develop an in-service learning exercise (e.g. drive along, MCIT shadowing, special day assignments, etc.) to increase PRU awareness and knowledge of the Mental Health community and resources.

EQUIPMENT/TOOLS/SYSTEMS

Recommendations for the Ministry of Community Safety and Correctional Services and Toronto Police Service:

Appendix - A

28. Investigate and evaluate the adoption of improved equipment and alternative use of force measures for Primary Response Officers such as:
- body armour that provides officers greater protection from sharp-edged weapons
 - body-worn camera technology for front line officers
 - shields to disarm and control subjects with edged weapons
29. Study and evaluate the threshold for use of conducted energy weapons ("CEWs"). This evaluation shall include a public consultation component.
30. Where CEWs are available consider adopting the model with video option.

Recommendations to the Toronto Police Service:

31. Consider an improved, interoperable communication system between units/departments (TPS, EMS, ETF, Duty desk, etc.) towards the goal of reducing communication delays, errors and airway traffic. For example, the TPS dispatcher should not have to manually contact EMS by phone and verbalise critical information; an automated system would more effectively convey essential information.
32. Ensure that system "users" (e.g. dispatchers and trainers) are included as stakeholders when exploring new dispatch/call-taker tools and systems improvements.
- MOBILE CRISIS INTERVENTION TEAM (MCIT)

Recommendations to the Toronto Police Service, Ministry of Health and Long Term Care, and Toronto Central Local Health Integration Network:

33. TPS to establish a permanent ongoing advisory committee to the MCIT with significant representation by consumer/survivors and Mental Health professionals to review and consider, among other things:
- Preferred Model (MCIT, CIT, Memphis, COAST, etc.)
 - Service hours
 - Policy and procedure
 - Dispatch procedures
 - Deployment of services
 - Partnerships (support services, hospital, community)
 - Goals and performance
34. Expand availability of MCITs to make them available in all divisions of the City and to operate beyond their current 11 am – 9pm hours.

Recommendation to the Toronto Police Service:

35. Have officers who are current and former MCIT members wear a special insignia or badge to indicate to the community and fellow officers that they are past or present members of the MCIT.

POLICY/PROCESS

Recommendations to the Toronto Police Service:

36. Amend the TPS Communications EDP Procedure to require a Road Sergeant to be dispatched to a scene as soon as possible when the call involves an EDP with a weapon.
37. Implement procedures to improve communication regarding whether and when a Road Sergeant with a CEW is expected to attend a scene including the delivery of regular updates to officers regarding the Road Sergeant's estimated time of arrival at the scene when possible.
38. Establish a process to increase knowledge sharing and awareness through formalized information sessions/lectures to divisions by specialised units such as ETF, MCIT and Canine for all PRUs.
39. Amend TPS procedure documents to ensure it is clear that officers should not adopt a practice of handcuffing EDPs being apprehended under the *Mental Health Act* unless those individuals exhibit behaviour that warrants the use of handcuff.
40. Incorporate guidance into the TPS Procedure on dealing with EDPs to encourage officers to, where feasible, bring an individual to a specific psychiatric facility where that individual is believed to have a prior relationship even when that facility is not the closest available facility in the City or division.
41. It is essential that the TPS ensures that all officers are aware of, and follow, current policies and procedures associated to SIU investigations.
42. Emphasize the importance of professionalism when personnel are communicating with each other including, but not limited to, the internal communication systems.

Appendix - A

Recommendations for the Ministry of Community Safety and Correctional Services, the Toronto Police Services Board and the Toronto Police Service:

43. CEW training and policy should include information about risk of harm and death proximal to CEW use, in line with the manufacturer's documentation.

Recommendations for the Toronto Police Services Board and the Toronto Police Service:

44. Amend the current TPS procedure with respect to use of the in car camera systems (ICCS) to require officers to visually and audibly record:
 - a. all investigative contacts with members of the public which are initiated from an ICCS equipped vehicle, meaning investigative contacts initiated by the police from their ICCS equipped scout car. This would include, but is not limited to, traffic stops.
 - b. Crimes in progress that are taking place, or might reasonably be expected to take place (in whole or in part), within viewing range of the ICCS.

(The new clarifying language to be inserted in the existing procedure is bolded.)

Recommendation to Toronto Police Service & Empowerment Council:

45. TPS and the Empowerment Council should recognize officers who consistently perform exceptionally well at verbal de-escalation. This may include, but is not limited to accolades and letters of recommendation.

Recommendation to Toronto Police Service:

46. TPS, in collaboration with the SIU, shall explore ways to engage in ongoing dialogue with family members of the deceased / community members following a traumatic and tragic outcome in which the TPS are involved.

Recommendation to Ministry of Community Safety and Correctional Services, Ontario Police College, Toronto Police College, and Toronto Police Service:

47. Ensure that a process is in place to keep officers up-to-date regarding current standards for CPR – i.e. do not check for pulse and breathing, just perform compressions.

Recommendations to Toronto Police Service Corporate Planning:

48. Establish clear review cycles for policies, procedures, models, and other key documents (e.g. use of force model). Review cycles for policies referencing technology should be particularly frequent.
49. Establish a review process to ensure that written language in policies aligns to language used in training and practice. (e.g. Policy uses "apprehend," whereas Training uses "arrest")

COMMITTEE/CONSULTATION

Recommendation to be addressed to Ministry of Community Safety and Correctional Services:

50. Establish a committee or panel of mental health professionals and mental health consumer/survivors to review and provide feedback on current and future training materials used (including videos) that relate to mental health, EDPs, and persons in crisis.

Recommendation to be addressed to Toronto Police Services Board and Toronto Police Service:

51. Include in the Toronto Police Services Boards Mental Health Subcommittee representatives from advocacy organizations who support family members experienced with dealing with mental illness in their families in order to include their voice, knowledge, insights and perspectives.

PUBLIC EDUCATION/COMMUNITY RELATIONS

Recommendations to Toronto Police Service, Ministry Of Health and Long Term Care and the Local Health Integration Networks:

52. Create and implement better public awareness/education mechanisms about the crisis teams that do exist, and what resources are available to those in crisis and their families.

Appendix - A

Recommendations to Toronto Police Service:

53. Improve public disclosure of goals/performance measures, especially where related to police use of force, to better facilitate community awareness and understanding of police responses in situations involving edged weapons. This would support an ongoing commitment to positive community relations and increase public confidence in 911 responses for EDPs in crisis.

HEALTHCARE

Recommendations to be addressed to Toronto East General Hospital and Ontario Hospital Association for distribution to Ontario Emergency Departments:

54. Create spaces/environments within the emergency department that can reduce the risk of elopement. This may include locked units and procedures for monitoring patients (e.g. hired sitter or constant observation by nursing staff).
55. Consider the feasibility of creating a psychiatric waiting areas, away from the emergency area and building exits (e.g. a secure area for psychiatric patients who are admitted, when an inpatient bed is not yet available, or similarly, the model used in the Emergency Room at St. Joseph's Health Centre, Toronto), to reduce the risk for elopement.
56. To ensure that psychiatric patients (held on Form 1's or voluntary) are provided with timely support and as appropriate a clinical environment as possible in the circumstances, taking into account their reasons for being in crisis, the nature of their crisis, and their comfort.
57. To draft guidelines regarding early contact with the Hospital's crisis team (if one exists) when managing a patient in emotional crisis in the emergency department (once medically cleared) in order to assist in creating early linkages/support through the crisis program.
58. Ensure that the appropriate hospital emergency codes are activated and followed as per hospital policy (e.g. code yellow for missing patients, which would notify all parties and initiate the established procedures for elopements).

Recommendations to the Ministry Of Health and Long Term Care and the Local Health Integration Networks:

59. In collaboration with consumer/survivor groups, study evidence based support for use of peer support workers at all points within the continuum of care.
60. Collaborate with consumer/survivor groups to identify gaps in community support for improved management of mental health issues in the community (e.g. community integration/bridging programs).
61. To investigate the adequacy of urgent care psychiatric services (e.g. walk-in clinics, day programs) for patients who would not be treated in hospital emergency departments or could be more appropriately treated in the community. If access and/or supply of such services are found to be insufficient, consider increasing access and/or availability of such services.
62. Consider creating a provincial standard for spaces/environments within the emergency department that can reduce the risk of elopement.
63. Review security standards for hospitals, with special focus on practices related to Mental Health patients/care.
64. Increase funding and availability for more Mental Health case workers.

Recommendations to the Ontario Hospital Association:

65. When a patient is admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*, the psychiatric facility shall ask the patient to provide a list of emergency contacts and shall request the patient's permission to inform those contacts that he/she has been admitted to the psychiatric facility pursuant to a form. If the patient's permission is granted, the psychiatric facility shall, as soon as practicable, inform those contacts that the patient has been admitted to the psychiatric facility pursuant to a form under the *Mental Health Act*.

2014 CanLI 30271 (ON OCCO)

Appendix - A

66. When a patient is admitted either voluntarily or involuntarily to a psychiatric facility, the psychiatric facility shall ask the patient to provide a list of emergency contacts and shall request the patient's permission to disclose his/her medical information to those contacts. If the patient's permission to share his/her health information is granted, the psychiatric facility shall, as soon as practicable, inform those contacts if the patient's safety or security becomes a concern.
67. Upon acquiring a new client, a mental health case worker shall ask the client for a list of emergency contacts and permission to discuss his/her condition and circumstances with those contacts. If such permission is granted, the mental health case worker shall, as soon as practicable, inform those contacts if a client's safety or security becomes a concern or if the mental health case worker becomes aware that the client has been admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*.

Recommendation to the Ontario Medical Association:

68. Upon acquiring a new patient, psychiatrists should ask the patient for a list of emergency contacts and permission to disclose his/her medical information to those contacts. If such permission is granted, the psychiatrist shall, as soon as practicable, inform those contacts if the patient's safety or security becomes a concern or if the psychiatrist becomes aware that the patient has been admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*.

Recommendation to the Ministry Of Health and Long Term Care, Ontario Medical Association, and Toronto Police Service:

69. Establish a communication process to allow officers to check for hospital availability when apprehending a patient under the *Mental Health Act*.

Recommendation to the Ministry Of Health and Long Term Care, the Local Health Integration Networks, and the United Health Network:

70. In support of family and care givers, consider increasing the availability of and funding for programs providing mental health "first aid" education in terms of first responses or initial steps to seeking assistance/care for persons developing a mental health problem or experiencing a mental health crisis.

2014 CanLII 30271 (ON OCCO)

COMMUNITY RELATIONS & PUBLIC EDUCATION

Recommendations to the Ministry of Health and Long Term Care:

71. Encourage increased public education and awareness about the current standard for the application of chest compressions while waiting for emergency responders.
72. An increase in advertising campaigns to promote greater public awareness of the availability of mental health crisis hotlines and services in Ontario and an increase in funds be made available for enhancing mental health helplines and accessible services in Ontario.

OTHER

Recommendations to the Office of the Chief Coroner:

73. Compile and maintain a searchable repository containing facts, jury recommendations, and any responses received thereto arising from prior and future Coroner's Inquests in Ontario.

Recommendation to Ministry of Municipal Affairs & Housing, Empowerment Council, Mental Health Service Providers, and Local Health Integration Networks:

74. Provide further funding to expand community resources with Mental Health crisis support. For example the Gerstein Centre, COTA, etc.

-End-

Appendix - A

Les renseignements personnels contenus dans cette formule sont recueillis en vertu de la Loi sur les coroners, L.R.O. 1990, chap. C.12, tel qu'amendé. Si vous avez des questions sur la collecte de ces renseignements, veuillez les adresser au coronier en chef, 25, rue Grenville, Toronto ON M7A 2G9, tél. : 416 314-4000 ou, sans frais : 1 877 991-6959

Verdict Explanation

*Reyal Jardine-Douglas
Sylvia Klibingaitis
Michael Eligon, Jr.*

October 15, 2013 – February 12, 2014
Coroner's Courts
Forensic Sciences and Coroner's Complex
25 Morton Shuman Ave., Toronto

Opening comment:

I intend to give a brief synopsis of issues presented at this inquest. I would like to stress that much of this explanation will be my interpretation of both the evidence presented and of the jury's reasoning in making recommendations. The sole purpose of this explanation is to assist the reader in understanding the verdict and recommendations made by the jury. This explanation is not to be considered as actual evidence presented at the inquest and is in no way intended to replace the jury's verdict.

PARTICIPANTS:

Counsel to the Coroner:	Mr. Michael Blain Chief Counsel, Office of the Chief Coroner
Investigating Officer:	Det. Derrick Robinson Ontario Provincial Police
Coroner's Constable:	Const. Phillip Sequeira Ontario Provincial Police
Court Reporter:	Ms. Devon Lockett Network Reporting & Mediation
Parties with Standing:	Represented by:
Family of Mr. Jardine-Douglas:	Counsel Mr. John Weingust
Family of Mr. Eligon:	Counsel Mr. Peter Rosenthal, Ms. Reni Chang
Family of Ms. Klibingaitis:	Agents
Empowerment Council:	Hiltz Sziget LLP
Dr. Neumann:	McCarthy Tetrault LLP
Toronto East General Hospital	Bordner Ladner Gervais LLP

2014 CanLII 30271 (ON OCCO)

Appendix - A

(“TEGH”):

PC's Paterson & Cerqua:	Counsel Mr. Gary Clewley
PC Tang	Brauti Thoring Zbaras
Toronto Police Services Board ("TPS Board"):	City of Toronto Legal Services Division
Toronto Police Service Chief & Service ("TPS Service"):	Lenzner Slight
Ontario Ministry of Community Safety and Correctional Services ("MCSCS"):	Ministry of Community Safety and Correctional Services

2014 CanLII 30271 (ON OCOO)

Overview of the Inquest

A joint inquest was ordered by the Chief Coroner into the deaths of Mr. Reyal Jardine-Douglas, Ms. Sylvia Kibingaitis, and Mr. Michael Eligon. All three sustained fatal gunshot wounds after approaching a police officer while armed with an edged weapon, and apparently under the influence of a mental illness. Inquests into the deaths were mandatory under Subsection 10(4.6) of the *Coroners Act*. The inquest began hearing evidence on October 15, 2013. The jury heard from 78 witnesses during 39 days of evidence, and 79 exhibits were filed. The jury returned its verdict and recommendations on February 12, 2014.

The inquest heard evidence about the circumstances of each of the three deaths, and the prevention of future deaths in similar circumstances. This included, but was not limited to;

- current state of knowledge
- available strategies, and
- police policies and training

relating to the;

- identification and management of persons who represent a potential risk on the basis of mental disorder, and
- response to potential risks presented by a person armed with an edged weapon.

Appendix - A

Circumstances surrounding the death of Mr. Jardine-Douglas

Mr. Jardine-Douglas, aged 25 years, had experienced increasing withdrawal and other symptoms in the approximately 2 years preceding his death. Previously well physically, psychologically, and socially, he had become increasingly isolated and prone to disturbing thoughts. His family, with whom he lived, became more and more concerned for his well-being. He initially resisted their efforts to encourage him to discuss his symptoms with a physician, but reluctantly agreed to do so.

He was assessed by his family physician on August 27, 2010. His physician confirmed the family's concern that Mr. Jardine-Douglas had a serious mental illness, and initiated an urgent psychiatric referral. The physician did not find evidence that Mr. Jardine-Douglas was dangerous to himself or others at that time.

Early the following morning (August 28), concerned about his increasing symptoms, Mr. Jardine-Douglas' mother brought him to the Emergency Room of Scarborough Centenary Hospital, from which he was referred to Scarborough Grace Hospital. He left that hospital before being assessed. At that time, he did not have symptoms that met the legal test for involuntary hospitalisation (such as dangerousness to himself or others), and was free to leave if he wished.

On August 29, Mr. Jardine-Douglas' mother and sister became even more concerned about his behaviour and the possibility of dangerousness to self or others. He tried to drive away in his mother's car, but his sister and mother prevented him from doing so. He then boarded a TTC bus. His sister called 9-1-1 and explained her concerns to the call-taker. She reported that Mr. Jardine-Douglas was carrying a backpack, and she was unable to exclude the possibility he had a weapon.

The bus was stopped by two police cruisers. The events were recorded on bus surveillance video. Mr. Jardine-Douglas attempted to leave the bus by the rear door, but could not open the door because of a safety interlock. He returned to his seat. The officers began to board from the front of the bus. He then removed a knife from his backpack and advanced on the officers.

The officers gave and repeated the police challenge, telling Mr. Jardine-Douglas to "freeze" and "drop the knife." They retreated from the bus and drew their firearms. Mr. Jardine-Douglas followed the officers off the bus. The officers split and went in two different directions. Mr. Jardine-Douglas continued to advance on one of the officers. The officer changed direction more than once to open the space between Mr. Jardine-Douglas and himself, but Mr. Jardine-Douglas also changed direction and continued to close the distance with the officer. The officer ended up against a hedge from which further retreat was not feasible, with Mr. Jardine-Douglas continuing to advance with the knife.

The officer fired his weapon. Mr. Jardine-Douglas fell to the ground. He was still conscious, did not comply with demands to drop the weapon, and attempted to get up. The officer fired another shot, at which point he stopped moving. The officers approached him, found and kicked away the knife, then started CPR. Paramedics arrived shortly afterwards, and found Mr. Jardine-Douglas without vital signs. He was transported to Sunnybrook Health Sciences Centre, where he was pronounced dead after resuscitation efforts.

The death was investigated by the coroner. Autopsy showed two gunshot wounds: one entering the left shoulder and going into the chest, the other entering the right hip from the front. In the opinion of the forensic pathologist, the most likely sequence of events was that Mr. Jardine-Douglas sustained the gunshot wound to his hip, fell to the ground, and was attempting to get up again when he was struck by the second and fatal bullet in his left shoulder.

The death was investigated by the Special Investigations Unit (SIU). No criminal charges were laid.

Circumstances surrounding the death of Ms. Klibingaitis

Ms. Klibingaitis, aged 52 years, had a history of mental illness, for which she had sought treatment and was under psychiatric care. The course of her illness varied over time. Her symptoms included delusions that she was evil, and that God had singled her out for punishment. She lived with her elderly mother in a detached family home in a residential neighbourhood in Toronto. Family, including her three sisters, were supportive and helpful. She had no history of violence or dangerousness to others prior to the day of her death.

On October 7, 2011, a little after 9:30 a.m., Ms. Klibingaitis made a call to 9-1-1 from her residence, stating that she was holding a knife, and intended to kill her mother, who was in the bathroom of the residence. The 9-1-1 operator dispatched police, and then asked Ms. Klibingaitis to put the knife down. Ms. Klibingaitis refused.

Two uniformed officers arrived at the scene in marked police vehicles. They separated after performing an inspection of the perimeter of the house. Ms. Klibingaitis, holding a large knife, ran out of the front door towards the

2014 CanLI1 30271 (ON OCCO)

Appendix - A

officer who was at the front of the house. He retreated, unholstered and pointed his firearm at her, and issued the police challenge. She continued to advance while he ran backwards onto the street with Ms. Klibingaitis following him. The cruiser's video camera captured the officer running backwards past the front of the cruiser, with Ms. Klibingaitis following him with a knife held at shoulder level. He shot her, and she collapsed onto the middle of the street. The shooting occurred outside the camera's field of view.

The officers kicked away her knife and provided first aid. Paramedics arrived shortly after, and found Ms. Klibingaitis without vital signs. She was transported to Sunnybrook Health Sciences Centre, where she was pronounced dead after resuscitation efforts.

The coroner was notified and investigated the death. Autopsy showed that death was due to perforating gunshot wound of the chest.

The death was investigated by the SIU. No criminal charges were laid.

Circumstances surrounding the death of Mr. Elgon

Mr. Michael Elgon, Jr., aged 29 years, had a history of mental illness, for which he had sought treatment and had been under psychiatric care. The course of his illness varied over time. His symptoms included auditory and visual hallucinations. He lived on his own, and had moved several times prior to his death. He was living in a supportive residential environment at the time his death. A mental health case worker coordinated his care. He had no history of violence or dangerousness to others prior to the day of his death.

On February 1st, 2012, workers from Mr. Elgon's residence contacted police because he was acting in an unusual manner. Police responded, and found him confused, hostile, argumentative, and agitated. They agreed with his workers that he appeared to be experiencing an exacerbation of his mental illness that put him at risk, and took him to the Emergency Room of Toronto East General Hospital (TEGH) for assessment. He had previously received inpatient and outpatient care at St. Joseph's Health Centre but his residence was closer to TEGH.

He was assessed by the Emergency Room physician at about 10:00 p.m., and was admitted as a psychiatric inpatient. No inpatient bed was immediately available, and he was held in the Emergency Room. During the following nearly 36 hours, Mr. Elgon was cooperative, but, early in the morning of February 3rd he started to become increasingly agitated. At approximately 9:55 am on February 3, Mr. Elgon surreptitiously left his room and exited the hospital via a side door, wearing his hospital gown. Emergency Room staff noticed that he was missing and notified hospital security, who began a search of the hospital and grounds.

Mr. Elgon left the hospital grounds and entered a variety store near the hospital, removed 2 pairs of scissors from a wall display, and left without paying. The store owner went outside after him, and asked him either to pay or return the scissors. Mr. Elgon voluntarily returned into the store. After a brief discussion, the two scuffled, and the owner was injured with the scissors. It is not known whether Mr. Elgon intended to inflict the injuries with the scissors, or if the cuts occurred because he was holding the scissors in his hands during the scuffle. The store owner opted not to follow him out of the store, and called 9-1-1 to report the theft and the injury. He provided a description of Mr. Elgon. Police and ambulance were dispatched.

Mr. Elgon then successively approached two women near their cars, requesting their car keys. Both refused, and reported the events to police.

Mr. Elgon attempted to enter a family home through its back door. The husband, who was outside, told him to leave, and the wife, who was indoors, called 9-1-1. Other civilian witnesses saw the events, some of whom had some minor interaction with Mr. Elgon. All suspected mental illness from his confused behaviour and speech, and from the fact that he was outdoors in February dressed only in a hospital gown. Many saw that he was carrying 2 pairs of scissors.

A number of police units responded to the multiple 9-1-1 calls. Mr. Elgon was located, and officers began to converge on him. Mr. Elgon began to advance on the officers, holding the scissors. The officers retreated down the street, walking backwards, and issued the police challenge. A number of them unholstered and pointed their firearms. The final portion of the incident was captured on the video camera of a parked police car. Mr. Elgon did not comply with the police challenge, and advanced towards the officers, who continued to retreat down the street. One officer backed into a parked vehicle, and did not have a clear escape route. Mr. Elgon continued advancing to within a few feet. At that point, an adjacent officer shot Mr. Elgon, who fell to the ground. Officers kicked away the scissors then provided first aid. Paramedics arrived shortly after, and found Mr. Elgon without vital signs. He was transported to St. Michael's Hospital, where he was pronounced dead after resuscitation efforts.

The coroner was notified and investigated the death. Autopsy showed that death was due to penetrating gunshot wound of the neck.

The death was investigated by the SIU. No criminal charges were laid.

Expert Psychiatric Evidence

Appendix - A

An independent expert in psychiatry provided opinion evidence to the jury. The expert's opinion was that the acute escalation of symptoms, associated with serious dangerousness to others, could not reasonably have been predicted in any of the three cases. In the case of Michael Eligon, the lethal interaction with police may have been preventable if he had not been able to leave the hospital. This could have been achieved by earlier admission to a secure inpatient psychiatric unit, or by holding him in a secure setting with more monitoring while in the Emergency Room.

VERDICT OF JURY

The jury made the following findings:

Name of Deceased: **Reyal Jardine-Douglas**
Date and Time of Death: **August 29, 2010 at 16:07**
Place of Death: **Sunnybrook Health Sciences Centre, Toronto**
Cause of Death: **Penetrating Gunshot wound to the left shoulder**
By what means: **Homicide**

Name of Deceased: **Sylvia Klibingaitis**
Date and Time of Death: **October 7, 2011 at 10:26**
Place of Death: **Sunnybrook Health Sciences Centre, Toronto**
Cause of Death: **Perforating gunshot wound of chest**
By what means: **Homicide**

Name of Deceased: **Michael Eligon**
Date and Time of Death: **February 3, 2012 at 10:37**
Place of Death: **St. Michael's Hospital, Toronto**
Cause of Death: **Penetrating gunshot wound to right side of neck**
By what means: **Homicide**

2014 CanLII 30271 (ON OCCO)

Appendix - A

JURY RECOMMENDATIONS

We, the jury, wish to make the following recommendations:

KEY

CEW – Conducted Energy Weapon
EDP – Emotionally Disturbed Person
EMS – Emergency Medical Services
ETF – Emergency Task Force
ICCS – In Car Camera System
MCIT – Mobile Crisis Intervention Team
MCSCS – Ministry of Community Safety and Correctional Services
OPC – Ontario Police College
PRU – Primary Response Unit
SIU – Special Investigations Unit
TEGH – Toronto East General Hospital
TPC – Toronto Police College
TPS – Toronto Police Service
TPSB – Toronto Police Services Board

POLICE-RELATED

RESEARCH & ANALYSIS

Recommendation to the Toronto Police Service (TPS) and the Ministry of Community Safety and Correctional Services (MCSCS):

1. Conduct, jointly or separately, a comprehensive research study to establish metrics against which current and future police training (delivered by the Toronto Police Service and Ontario Police College respectively) can be evaluated to determine whether and how practices on which officers are trained are being adopted in the field.

a. Among other things, the study should evaluate how much and how well training emphasizes communication strategies and de-escalation strategies, and how well the training explains the research-based rationales for such strategies.

b. The study should also consider and evaluate:

- i. practices used to evaluate officer performance during and upon completion of training, and
- ii. the skills and training of officers delivering the training content.

c. Finally, a protocol for the formal assessment of officers regarding the communication and judgement skills they demonstrate in training and while on duty should also be developed.

Coroner's Comment: There is currently limited formal follow-up, research or study about the extent to which officers actually apply their training when a situation arises in real life. Structured collection of information would assist in the improvement of training.

Recommendations to the Ministry of Community Safety and Correctional Services:

2. Commission a study of CEWs to determine if there are any special risks or concerns associated with the use of this device on EDPs.

Coroner's Comment: Persons with serious mental illness are more likely than the general population to face CEW use during police interactions.

3. Continue to research and consider police procedures when dealing with EDPs with edged weapons in other jurisdictions where either not all police are equipped with firearms or where police are prohibited from drawing

Appendix - A

their firearm unless they face a subject armed with a firearm.

Coroner's Comment: There are jurisdictions, such as the United Kingdom, in which some police officers do not carry firearms. The jury encouraged research into procedures used by such jurisdictions, to look for potentially useful strategies for police response to edged weapons in Ontario.

4. To enhance the collection of data for analysis, amend the Use of Force form to include, but not limited to:

- a. the drawing and deployment of a CEW as one of the listed use of force options;
- b. a requirement that, if officers indicate on the Use of Force form that "verbal interaction" was an Alternative Strategy Used, the officers must also provide particulars in respect of that verbal interaction;
- c. a section to identify whether the use of force involved a subject whom the officer perceived was suffering from a mental illness and/or in emotional crisis; and
- d. an electronic format for improved input and tracking.

Coroner's Comment: Use of force by police officers in Ontario is governed by the Ontario Use-of-Force Model (OUFM). Incidents of use-of-force are documented on a standard form.

The Ontario Use-of-Force Model guides officers in determining when and how force should be used in the wide variety of situations in which it may be a consideration. Police may use a wide range of options which include but are not limited to verbal communication, open hand techniques, baton, pepper spray, CEW, and firearms.

The model guides the officer in how to make a decision, rather than specifying what the officer's decision should be. The officer must continuously reassess the situation, and change response in a flexible and effective manner. The model encourages alternatives to use-of-force, including tactical communication and disengagement. The most effective and safest response depends on a large number of factors which go beyond the behaviour to which the officer is responding, including but not limited to the environment, the number of officers present, the number and proximity of bystanders, the physical size and skills of the officer, and equipment immediately available to the officer.

The model encourages "tactical communication," in which the police officer may de-escalate a situation by engaging the person in conversation, addressing the person's fears, and providing reassurance and comfort. Testimony from police trainers suggested that this more calming form of communication is not an option where the actions of the assailant create an immediate risk of death or serious injury. At such times, the "police challenge," a firm and loud command, is used.

The form for reporting use-of-force has not been updated in some time, is paper-based, and does not contain specific questions about CEW use, mental illness, or tactical communication. Electronic collection of richer information about use-of-force would facilitate better analysis, and assist in determining which strategies are most effective when used by police during critical interactions. See also Coroner's Comment under Recommendation 7.

5. Create a provincial database to compile data obtained from the Use of Force Form, as amended in accordance with the recommendation above and to better track EDP calls and their outcomes.

Coroner's Comment: See Coroner's Comment under Recommendation 4.

Recommendation to the Toronto Police Service, Toronto Police Services Board (TPSB) and Empowerment Council:

6. Consider a joint research project between TPS, TPSB, and community partners (e.g. Empowerment Council, academic institution) on best practices regarding police interactions with EDPs.

Coroner's Comment: By reason of its high population, single police service, and community and academic resources, Toronto is in a unique position to host potentially valuable research into police interactions with persons with mental illness. The interests of persons with mental illness who interact with police officers were represented at the inquest by the Empowerment Council.

Appendix - A

Recommendation to the Ministry of Community Safety and Correctional Services and Ontario Police College:

7. OPC is to receive and track statistics about frequency of edged weapon incidents in the field, police use of force, and how often a weapon is shown and/or deployed.

Coroner's Comment: Collection of this information and analysis of provincial use-of-force reports would assist in determining the frequency of edged-weapon incidents, and the safest and most effective police response.

A number of witnesses testified that persons often de-escalate their behaviour when an officer unholsters a CEW (i.e. without discharging it). While information is mandatorily collected when a CEW is discharged, there is no consistent collection of data when a CEW is displayed but not fired. Because display alone appears to be an effective tactic, structured collection of information in such incidents would assist in improvement of policy and training.

This Recommendation is complementary to, but not dependent upon, Recommendations 4 and 5 (enhanced data collection on use-of-force).

TRAINING & DEVELOPMENT

Recommendations to the Toronto Police Service and Ministry of Community Safety and Correctional Services:

8. The TPS and MCSCS shall consider, evaluate and implement strategies to maximize training opportunities for officers to be educated on the perspective of mental health consumers/survivors by:

- a. incorporating more information about consumer/survivors; and
- b. increasing opportunities for contact between officers and consumer/survivors.

Coroner's Comment: Police training currently includes modules on interactions with persons with mental illness, which include videos of persons who have had interactions with police, both positive and negative, while experiencing a mental health or emotional crisis. Witnesses recommended greater focus on such interactions during police training, including personal attendance by such persons at police training sessions.

9. Maximize emphasis on verbal de-escalation techniques in all aspects of police training at the Ontario Police College, at the annual in-service training program provided at Toronto Police College and at the TPS Divisional level.

Coroner's Comment: There was clear and undisputed evidence that verbal interaction is highly effective in de-escalating the vast majority of interactions, and should be the preferred approach. However, the teaching of verbal de-escalation techniques to police varies, and therefore, there is an opportunity to improve quality and consistency of verbal de-escalation techniques by increased standardization of training.

10. With respect to situations involving EDPs in possession of an edged weapon:

- a. If the EDP has failed to respond to standard initial police commands (i.e. "Stop. Police.", "Police. Don't move.", and/or "Drop the Weapon"), train officers to stop shouting those commands and attempt different defusing communication strategies.

Coroner's comment: A person who is a state of psychosis due to mental illness may have trouble understanding commands and relating to others. Provided that time and circumstances allow, and that it is safe for the officer and others, use of a quieter tone of voice and a more engaging approach may be an option.

- b. Train officers in such situations to coordinate amongst themselves so that one officer takes the lead in communicating with the EDP and multiple officers are not all shouting commands.

Coroner's Comment: In the case of Mr. Eligon, a number of officers were simultaneously shouting commands. Since Mr. Eligon's mental illness affected his ability to understand reality, the simultaneous commands from many officers may have been difficult for him to process and respond to. The jury recommended that a single officer give the police challenge, to assist a person with acute mental disorder to understand and respond.

2014 CanLII 30271 (ON OCCO)

Appendix - A

11. Incorporate the facts and circumstances of each of these three deaths into scenario-based training. In particular, incorporate a neighbourhood foot pursuit of an EDP armed with an edged weapon, with several responding officers (not just two) to emphasize the importance of coordination, containment, and communication between the responding officers.

Coroner's Comment: The officers involved in these incidents testified about the challenges of rapid decision-making and coordination among officers during a critical situation.

12. There should be mandatory annual trainer requalification for Use of Force trainers.

Coroner's Comment: All police officers are required to take annual use-of-force training under the supervision of a qualified instructor, but those instructors are not currently required to requalify annually. After hearing mixed evidence about optimal training requirements for instructors, the jury chose to recommend annual requalification.

13. To achieve consistency, Sergeants should receive training to facilitate effective debriefing sessions.

Coroner's Comment: Debriefing after a critical incident can be useful in gathering information which will improve future police interactions. The jury recommended increasing standardisation of debriefing, based upon evidence that the information would be collected in a uniform way which will assist in analysis and application.

Recommendations for the Ministry of Community Safety and Correctional Services, the Toronto Police Services Board, and the Toronto Police Service:

14. Train officers to, when feasible and consistent with officer and public safety, take into account whether a person is in crisis and all relevant information about his/her condition, and not just his/her behaviour, when encountering a person in crisis with a weapon.

Coroner's Comment: The jury heard detailed evidence about how officers are trained to respond to an edged weapon.

An edged weapon wound carries a high risk of serious injury or death, even against a person with advanced martial arts training. The best way to avoid injury from a person armed with an edged weapon is to maintain adequate distance from the person, while taking advantage of available cover. Retreat is an option, but carries risks. Running backwards allows the officer to monitor the person, but increases the risk of a fall (with increased vulnerability to attack, and risk of dropping or unintended discharge of a firearm). On the other hand, retreating by turning away from an assailant opens the officer to an attack from the back and puts nearby onlookers at risk from the assailant.

Open hand techniques or batons are considered ineffective and inappropriate against an attacker armed with an edged weapon, unless no other options are available. For instance, if a firearm jams, an officer might use a baton while attempting to clear the weapon. Kicking an edged weapon out of the attacker's hand during active assault (a technique used on TV and movies) is ineffective in real life. Police officers are trained to kick edged weapons away from attackers after the attackers are disabled by gunshots, but not to defend themselves during the attack by kicking at the knife. 'Pepper spray' also is usually not practical or effective against attack with an edged weapon. CEW is not a recommended use-of-force option against an edged weapon, except in very limited circumstances, and would involve a minimum of 2 police officers.

When a person approaches with an edged weapon, police are trained to:

- issue firm, repeated commands to stop advancing and drop the weapon,
- retreat to the extent that it is safe to do so,
- un-holster and aim their firearm, and
- discharge the firearm at the 'centre of mass', i.e. the chest or torso, if the assailant approaches within a distance and is acting in such a way that the officer believes will cause death or serious harm..

Disabling the attacker by firing the gun at an arm or leg, or shooting the knife out of someone's hand (both tactics used in TV and movies), are not feasible options in real-life situations, even for the most experienced and skilled operator.

Police are trained to continue firing until the threat has stopped, because:

- shots frequently miss the target, even when fired at close-range, and,
- even if struck by a bullet, a person may remain a threat, at least temporarily, because bullet wounds may not always immediately incapacitate a person.

Once a police officer or a bystander is at serious risk of actual harm from a person armed with an edged

Appendix - A

weapon, the police officer is trained to respond to the person's behaviour (the potential for imminent use of the edged weapon); rather than the person's condition, (e.g. whether or not the person's threatening behaviour is due to mental illness). There was mixed evidence about the extent, if any, to which police should (or even can, given how quickly events can unfold, and that police are not health professionals) be trained to assess and take into account the presence of mental illness when responding to a person with an edged weapon. Once an attacker is close to the officer and wielding an edged weapon, undue delay in use of force by police can result in increased risk of preventable death or serious harm to the officer or others. The jury recommended taking the presence of mental illness into account, but only if the safety of officers and bystanders is not compromised.

15. Training officers on the subject of edged weapons shall incorporate the following principle: "When officers are dealing with a situation in which a person in crisis has an edged or other weapon, the officers should, when feasible and consistent with maintaining officer and public safety, try to communicate with the person by verbally offering the person help and understanding."

Coroner's Comment: The jury heard that critical interactions unfold at different paces and, when there is adequate time available, an alternative to the police challenge and use of a firearm may be feasible. See also Coroner's Comments under Recommendations 10, 11 and 14.

16. Officers must continue de-escalation attempts and refrain from firing as long as possible consistent with officer and public safety.

Coroner's Comment: See Coroner's Comment under Recommendation 14.

17. It should be emphasized and clarified in training that there is no fixed distance from a subject with an edged weapon at which officers should either draw or fire their firearms and that the reactionary gap (the time it takes to perform a response, which in this case would be the time it takes to discharge a firearm) is much shorter once a firearm is drawn.

Coroner's Comment: Police are trained that a person, armed with an edged weapon and at a distance of about 21 feet (approximately 6.5 m), can reach the officer and inflict a lethal wound in less time than it takes for an officer to assess the situation, draw a firearm and discharge it. Police trainers testified that officers should be conscious of this, and recognize that a person armed with an edged weapon and at or within 21 feet represents a potential lethal threat. Once a person with an edged weapon is within 21 feet, risk increases as the person approaches closer to the officer. In contrast, some officers appeared to understand that there was an abrupt increase in danger the moment a person was 21 feet away.

The 21 foot distance applies when an officer's weapon is holstered. If the officer has already drawn the firearm, then the officer can respond more quickly ("reactionary gap"), and the safe distance may be less than 21 feet.

Recommendations for the Toronto Police Services Board and the Toronto Police Service:

18. Provide additional mental health, verbal de-escalation, and negotiation training to officers including, but not limited to, PRU's and MCIT.

Coroner's Comment: A number of witnesses endorsed this recommendation that this training, which is currently delivered to specialized units, should be made more available to primary responders and MCIT's.

19. Evaluate the possibility of and consider having officers with the additional mental health and verbal de-escalation/negotiation training act as lead officers on calls involving persons in crisis.

Coroner's Comment: Because of its size, the Toronto Police Service has a significant number of officers on duty at any given time with additional experience and training in dealings with persons with mental illness. The jury suggested that, where possible, efforts be made to assign those officers to act as first responders on EDP calls.

20. With the understanding that debriefing is essential for driving continuous improvement and highlighting deviation from policy, the debriefing process for critical incidents should:

- a. be conducted in a timely manner
- b. be conducted effectively

Appendix - A

- c. involve all subject and witness officers
- d. involve all active participants including call takers and dispatch personnel
- e. consider adoption of the ETF debriefing model
- f. be conducted by trained sergeants
- g. include video review when possible

Coroner's Comment: The ETF has a structured debriefing model which the jury encouraged be more widely used within the police service. As well, the current debriefing model may not routinely include call-takers. The interactions of call-takers with both callers and dispatched officers was important in all three of the deaths.

Recommendations to Ministry of Community Safety and Correctional Services & Ontario Police College:

21. Modify the OPC EDP and de-escalation training model and materials, so that less attention is paid to specific diagnoses and the medical model. This should include input from consumer/survivors.

Coroner's Comment: Police officers are not, by their role and training, positioned to diagnose specific mental illness. Training on mental illness should be practical and as relevant as possible to the knowledge, skills and role of police officers. It should take into account input of persons with mental illness who have had interactions with police may be of assistance. Police training on mental illness is also the subject of Recommendation 14.

22. OPC to leverage/adopt the TPS format of using consumer/survivor videos to improve quality and achieve consistency in the delivery of EDP/Mental Health training.

Coroner's Comment: Self-explanatory.

Recommendation to Ontario Police College, Toronto Police Service, and Toronto Police College:

23. OPC and TPC shall consider expert review and analyses of videos, audios and evidence specific to each case, i.e. Sylvia Klibingaitis, Reyal Jardine-Douglas, Michael Elgon, for the purpose of identifying all alternative police service tactics for preserving life.

Coroner's Comment: A number of witnesses commented on the potential value of analysis of these cases.

Recommendations to Ontario Police College and Toronto Police College:

24. Explore and consider opportunities for Training Sergeants to meet with subject officers for learning/training development (post-legal proceedings).

Coroner's Comment: This was supported by a number of witnesses. Criminal or other matters arising from a critical incident may necessarily delay debriefing and other procedures for improving quality.

25. Consider providing officers with strategies to reduce immediate shock/adrenaline rush.

Coroner's Comment: There was consistent evidence from the involved officers and other witnesses that, during a critical interaction such as the ones resulting in these deaths, police officers must make vital decisions under immense time pressure, while at risk of personal harm or death, and during intense physical exertion. This unusual and stressful set of circumstances is currently simulated during present training, and the jury recommended further enhancement of strategies to prepare officers for critical incidents.

Recommendations for the Ministry of Community Safety and Correctional Services, Toronto Police Service, Ontario Police College, and Toronto Police College:

Appendix - A

26. Incorporate more dynamic scenarios in use of force training (e.g. include bystanders, traffic, and distractions).

Coroner's Comment: The police officers directly involved in the deaths spoke to the number of factors that they had to take into account in deciding their actions. These factors complicate decision-making. Practice with mixed presentation of multiple factors during training may assist officers during actual critical incidents.

Recommendations to the Toronto Police Service:

27. With the goal of increasing positive interactions between PRUs and the Mental Health community, develop an in-service learning exercise (e.g. drive along, MCIT shadowing, special day assignments, etc.) to increase PRU awareness and knowledge of the Mental Health community and resources.

Coroner's Comment: This recommendation dovetails with Recommendation # 8 above.

EQUIPMENT/TOOLS/SYSTEMS

Recommendations for the Ministry of Community Safety and Correctional Services and Toronto Police Service:

28. Investigate and evaluate the adoption of improved equipment and alternative use of force measures for Primary Response Officers such as:

- a. body armour that provides officers greater protection from sharp-edged weapons
- b. body-worn camera technology for front line officers
- c. shields to disarm and control subjects with edged weapons

Coroner's Comment: Currently available body armour is more effective against bullets than edged weapons, and provides no protection to other vulnerable areas of the body such as head, neck and legs. Body-worn cameras are a new technology, with substantial advantages and disadvantages which must be balanced. Issues with adoption include legal issues (such as privacy inside a residence or the face of an uninvolved person), resources (significant) and other factors. Similarly, while shields are too large and cumbersome to be carried routinely, shields can be effective in limited circumstances, if physically available to officers who have appropriate training and experience. The jury recommended continuing study of these options with adoption where appropriate.

29. Study and evaluate the threshold for use of conducted energy weapons ("CEWs"). This evaluation shall include a public consultation component.

Coroner's Comment: The inquest heard evidence about the limited value of CEW use in the specific circumstances of these deaths. The vast majority of CEW deployments occur in other circumstances, to which very different considerations apply. The two much broader policy issues of the threshold for use of CEWs in every situation, and the most appropriate distribution of CEWs to police officers, were not examined in detail at the inquest. The jury recommended further study and consultation.

30. Where CEWs are available consider adopting the model with video option.

Coroner's Comment: Certain CEW models capture video when activated, which can be useful in reviewing the interaction afterwards.

Recommendations to the Toronto Police Service:

31. Consider an improved, interoperable communication system between units/departments (TPS, EMS, EIT, Duty desk, etc.) towards the goal of reducing communication delays, errors and airway traffic. For example, the TPS dispatcher should not have to manually contact EMS by phone and verbalise critical information; an automated system would more effectively convey essential information.

Coroner's Comment: Self-explanatory.

2014 CanLI 30271 (ON OCCO)

Appendix - A

32. Ensure that system “users” (e.g. dispatchers and trainers) are included as stakeholders when exploring new dispatch/call-taker tools and systems improvements.

Coroner’s Comment: Self-explanatory.

MOBILE CRISIS INTERVENTION TEAM (MCIT)

Recommendations to the Toronto Police Service, Ministry of Health and Long Term Care, and Toronto Central Local Health Integration Network:

33. TPS to establish a permanent ongoing advisory committee to the MCIT with significant representation by consumer/survivors and Mental Health professionals to review and consider, among other things:

- a. Preferred Model (MCIT, CIT, Memphis, COAST, etc.)
- b. Service hours
- c. Policy and procedure
- d. Dispatch procedures
- e. Deployment of services
- f. Partnerships (support services, hospitals, community)
- g. Goals and performance

Coroner’s Comment: The jury heard evidence that there are a number of models for specialised police response to EDP calls. The best delivery model for a specific locality depends, among other things, on resources available and the type of population served.

34. Expand availability of MCITs to make them available in all divisions of the City and to operate beyond their current 11 am – 9pm hours.

Coroner’s Comment: Evidence was heard that, because continuous coverage of all areas of Toronto is not possible within currently assigned resources, the MCIT teams are scheduled during peak call times and in the areas of Toronto in which the resources (which include hospital staff) are available. The TPS is making efforts, in cooperation with other stakeholders, to provide MCIT teams throughout all of Toronto, and during longer hours.

Recommendation to the Toronto Police Service:

35. Have officers who are current and former MCIT members wear a special insignia or badge to indicate to the community and fellow officers that they are past or present members of the MCIT.

Coroner’s Comment: This would assist other officers and members of the public in identifying officers with specialised training and experience.

POLICY/PROCESS

Recommendations to the Toronto Police Service:

36. Amend the TPS Communications EDP Procedure to require a Road Sergeant to be dispatched to a scene as soon as possible when the call involves an EDP with a weapon.

Coroner’s Comment: In the Eligon case, a ranking officer was not present on scene prior to the shooting, and it is possible that such an officer, if present, would have been able to coordinate the response of officers to a

Appendix - A

greater extent than actually occurred. Furthermore, at the time of the deaths and at present, road sergeants carry CEWs, which may represent a less-lethal option than a firearm in certain circumstances.

37. Implement procedures to improve communication regarding whether and when a Road Sergeant with a CEW is expected to attend a scene, including the delivery of regular updates to officers regarding the Road Sergeant's estimated time of arrival at the scene when possible.

Coroner's Comment: In the Eligon case, some officers on the scene were awaiting the arrival on-scene of an officer with a CEW, but were not sure when the officer would arrive. The shooting occurred before the arrival of a CEW-equipped officer.

38. Establish a process to increase knowledge sharing and awareness through formalized information sessions/lectures to divisions by specialised units such as EIF, MCIT and Canine for all PRUs.

Coroner's Comment: This would improve knowledge of primary responders concerning the role and value of specialized police units.

39. Amend TPS procedure documents to ensure it is clear that officers should not adopt a practice of handcuffing EDPs being apprehended under the *Mental Health Act* unless those individuals exhibit behaviour that warrants the use of handcuff.

Coroner's Comment: Mr. Eligon remained handcuffed while in the Emergency Room awaiting assessment. He said that the handcuffs were uncomfortable, and asked for them to be removed. The officer opted not to remove them. Both the physical discomfort, and the fact that he was wearing handcuffs while visible to members of the public, may have increased Mr. Eligon's stress. Taking into account all of the circumstances, it was not clear whether handcuffing was necessary at that time in the interests of safety of Mr. Eligon and others. The jury recommended that the decision about handcuffing be made based upon the officer's assessment of the person's dangerousness, rather than as routine procedure.

40. Incorporate guidance into the TPS Procedure on dealing with EDPs to encourage officers to, where feasible, bring an individual to a specific psychiatric facility where that individual is believed to have a prior relationship even when that facility is not the closest available facility in the City or division.

*Coroner's Comment: Mr. Eligon had received his prior inpatient and outpatient psychiatric care at St. Joseph's Health Centre, a facility that he was familiar with and where staff knew him. He was taken to Toronto East General Hospital, which was the closest facility. Proximity is one of a number of factors police take into account in deciding which hospital to take a person apprehended under the *Mental Health Act*. The jury recommended that prior care at a particular hospital be given greater weight when police are making this decision. See also Recommendation 69 for factors to be taken into account in this decision.*

41. It is essential that the TPS ensures that all officers are aware of, and follow, current policies and procedures associated to SIU investigations.

Coroner's Comment: Following one of the shootings, a witness officer and subject officer were alone in a police cruiser unsupervised. This is contrary to investigative rules which require involved officers to be sequestered immediately, in order to protect the independence of each officer's evidence.

42. Emphasize the importance of professionalism when personnel are communicating with each other including but not limited to, the internal communication systems.

2014 CanLIJ 30271 (ON OCCO)

Appendix - A

Coroner's Comment: Audio of communication within the police service (i.e. not with the public or other agencies such as ambulance) included comments which were casual and possibly inappropriate.

Recommendations for the Ministry of Community Safety and Correctional Services, the Toronto Police Services Board and the Toronto Police Service:

43. CEW training and policy should include information about risk of harm and death proximal to CEW use, in line with the manufacturer's documentation.

Coroner's Comment: Deaths have occurred in rare cases after CEW use. The extent, if any, to which CEW contributed to these deaths is uncertain and controversial. Based on current scientific knowledge, it is possible, but not proven, that there is a low but real risk of death caused by CEW use. Police officers should be provided with the most accurate and up-to-date information about CEW risks when taking CEW training.

Recommendations for the Toronto Police Services Board and the Toronto Police Service:

44. Amend the current TPS procedure with respect to use of the in car camera systems (ICCS) to require officers to visually and audibly record:

- a. all investigative contacts with members of the public which are initiated from an ICCS equipped vehicle, meaning investigative contacts initiated by the police from their ICCS equipped scout car. This would include, but is not limited to, traffic stops.
- b. Crimes in progress that are taking place, or might reasonably be expected to take place (in whole or in part), within viewing range of the ICCS.

(The new clarifying language to be inserted in the existing procedure is bolded.)

Coroner's Comment: The policy, as currently worded and explained to officers, is subject to different interpretations which may result in different actions by officers in the same circumstances. The jury recommended that the policy be clarified so that it will be more understandable and more consistently implemented by officers. In addition to the recommendation for clarification, the jury provided its recommendation on what the policy should require.

Recommendation to Toronto Police Service & Empowerment Council:

45. TPS and the Empowerment Council should recognize officers who consistently perform exceptionally well at verbal de-escalation. This may include, but is not limited to, accolades and letters of recommendation.

Coroner's Comment: Verbal de-escalation by police officers is a useful skill which improves public safety, and should be recognized.

Recommendation to Toronto Police Service:

46. TPS, in collaboration with the SIU, shall explore ways to engage in ongoing dialogue with family members of the deceased / community members following a traumatic and tragic outcome in which the TPS are involved.

Coroner's Comment: Communication among family, SIU and the police service is limited during an SIU investigation, due to the legal requirements of a criminal investigation. This can increase the grief of family members. The jury recommended optimizing the timing and content of communication with families, taking into account the requirements of criminal or other investigations.

Recommendation to Ministry of Community Safety and Correctional Services, Ontario Police College, Toronto Police College, and Toronto Police Service:

2014 CanLI1 30271 (ON OCCO)

Appendix - A

47. Ensure that a process is in place to keep officers up to date regarding current standards for CPR – i.e. do not check for pulse and breathing, just perform compressions.

Coroner's Comment: The jury heard evidence from an expert witness about current best practices for when and how CPR should be performed. Some police witnesses had a different understanding, and this recommendation was directed to ensuring that officers are up to date in CPR provision.

Recommendations to Toronto Police Service Corporate Planning:

48. Establish clear review cycles for policies, procedures, models, and other key documents (e.g. use of force model). Review cycles for policies referencing technology should be particularly frequent.

Coroner's Comment: Self-explanatory.

49. Establish a review process to ensure that written language in policies aligns to language used in training and practice. (e.g. Policy uses “apprehend,” whereas Training uses “arrest”)

Coroner's Comment: Self-explanatory.

COMMITTEE/CONSULTATION

Recommendation to Ministry of Community Safety and Correctional Services:

50. Establish a committee or panel of mental health professionals and mental health consumer/survivors to review and provide feedback on current and future training materials used (including videos) that relate to mental health, EDPs, and persons in crisis.

Coroner's Comment: The jury encouraged that design of use-of-force training should take into account the perspectives of mental health professionals, and persons with mental illness who have had contact with police.

Recommendation to Toronto Police Services Board and Toronto Police Service:

51. Include in the Toronto Police Services Boards Mental Health Subcommittee representatives from advocacy organizations who support family members experienced with dealing with mental illness in their families in order to include their voice, knowledge, insights and perspectives.

Coroner's Comment: Families provide key, day-to-day support for many persons with mental illness. They can offer a valuable perspective for policymakers.

PUBLIC EDUCATION/COMMUNITY RELATIONS

Recommendations to Toronto Police Service:

52. Create and implement better public awareness/education mechanisms about the crisis teams that do exist, and what resources are available to those in crisis and their families.

Coroner's Comment: There is limited knowledge among members of the public about the availability of police and other resources to assist persons experiencing a mental health crisis.

53. Improve public disclosure of goals/performance measures, especially where related to police use of force, to better facilitate community awareness and understanding of police responses in situations involving edged weapons. This would support an ongoing commitment to positive community relations and increase public confidence in 911 responses for EDPs in crisis.

Coroner's Comment: The jury heard that the public currently receives little overall information about the use of force by police officers, and that police services are not routinely setting public, objective targets or benchmarks for use-of-force interventions. This recommendation calls for police to publicly set goals, and report progress toward those goals.

Appendix - A

HEALTHCARE

Recommendations to be addressed to Toronto East General Hospital and Ontario Hospital Association for distribution to Ontario Emergency Departments:

54. Create spaces/environments within the emergency department that can reduce the risk of elopement. This may include locked units and procedures for monitoring patients (e.g. hired sitter or constant observation by nursing staff).

Coroner's Comment: The jury heard that elopements of psychiatric patients from Emergency Rooms are a common event, and that the risk can be substantially reduced by provision of secure waiting areas and/or structured, continuous monitoring of such patients.

55. Consider the feasibility of creating a psychiatric waiting areas, away from the emergency area and building exits (e.g. a secure area for psychiatric patients who are admitted when an inpatient bed is not yet available, or similarly, the model used in the Emergency Room at St. Joseph's Health Centre, Toronto), to reduce the risk for elopement.

Coroner's Comment: See Coroner's Comment under Recommendation 54.

56. To ensure that psychiatric patients (held on Form 1's or voluntary) are provided with timely support and as appropriate a clinical environment as possible in the circumstances, taking into account their reasons for being in crisis, the nature of their crisis, and their comfort.

Coroner's Comment: Mr. Eligon had been held in the Emergency Room for almost 36 hours before he eloped. By its nature, an Emergency Room is a busy, noisy environment which is not ideal for a person experiencing a mental health crisis. A psychiatric ward provides a therapeutic environment.

57. To draft guidelines regarding early contact with the Hospital's crisis team (if one exists) when managing a patient in emotional crisis in the emergency department (once medically cleared) in order to assist in creating early linkages/support through the crisis program.

Coroner's Comment: Like the previous one, this recommendation emphasizes assigning priority to psychiatric patients in the Emergency Room.

58. Ensure that the appropriate hospital emergency codes are activated and followed as per hospital policy (e.g. code yellow for missing patients, which would notify all parties and initiate the established procedures for elopements).

Coroner's Comment: While there was an immediate and concerted response to the discovery that Mr. Eligon had eloped, the response was not entirely consistent with hospital procedures.

Recommendations to the Ministry Of Health and Long Term Care and the Local Health Integration Networks:

59. In collaboration with consumer/survivor groups, study evidence based support for use of peer support workers at all points within the continuum of care.

Coroner's Comment: A person in mental health crisis may benefit from the assistance of a peer support worker, that is, a non-health professional who has experienced mental health care, and can guide and assure the patient.

60. Collaborate with consumer/survivor groups to identify gaps in community support for improved management of mental health issues in the community (e.g. community integration/bridging programs).

Coroner's Comment: Many psychiatric patients can benefit substantially from community and other programs after discharge from hospital, but those resources are limited and often not available.

2014 CanLIJ 30271 (ON OCCO)

Appendix - A

61. To investigate the adequacy of urgent care psychiatric services (e.g. walk-in clinics, day programs) for patients who would not be treated in hospital emergency departments or could be more appropriately treated in the community. If access and/or supply of such services are found to be insufficient, consider increasing access and/or availability of such services.

Coroner's Comment: Urgent psychiatric services provided other than through Emergency Rooms are more effective and efficient to assist some, but not all, persons in crisis, so expanding their availability could improve care.

62. Consider creating a provincial standard for spaces/environments within the emergency department that can reduce the risk of elopement.

Coroner's Comment: There is not currently a provincial standard. Individual hospitals make the decision based on their psychiatric case volume, taking into account resources and other factors including competing priorities. Given how common elopements are, and the potential consequences, a provincial standard would improve consistency of care and reduce elopements and their resulting harm.

63. Review security standards for hospitals, with special focus on practices related to Mental Health patients/care.

Coroner's Comment: See Coroner's Comment under Recommendation 62.

64. Increase funding and availability for more Mental Health case workers.

Coroner's Comment: A Mental Health case worker is a professional who coordinates care and liaises with the patient on an ongoing basis. The result is an ongoing therapeutic relationship which assists the patient with community integration.

2014 CanLIJ 30271 (ON OCCO)

Recommendations to the Ontario Hospital Association:

65. When a patient is admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*, the psychiatric facility shall ask the patient to provide a list of emergency contacts and shall request the patient's permission to inform those contacts that he/she has been admitted to the psychiatric facility pursuant to a form. If the patient's permission is granted, the psychiatric facility shall, as soon as practicable, inform those contacts that the patient has been admitted to the psychiatric facility pursuant to a form under the *Mental Health Act*.

66. When a patient is admitted either voluntarily or involuntarily to a psychiatric facility, the psychiatric facility shall ask the patient to provide a list of emergency contacts and shall request the patient's permission to disclose his/her medical information to those contacts. If the patient's permission to share his/her health information is granted, the psychiatric facility shall, as soon as practicable, inform those contacts if the patient's safety or security becomes a concern.

67. Upon acquiring a new client, a mental health case worker shall ask the client for a list of emergency contacts and permission to discuss his/her condition and circumstances with those contacts. If such permission is granted, the mental health case worker shall, as soon as practicable, inform those contacts if a client's safety or security becomes a concern or if the mental health case worker becomes aware that the client has been admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*.

68. Upon acquiring a new patient, psychiatrists should ask the patient for a list of emergency contacts and permission to disclose his/her medical information to those contacts. If such permission is granted, the psychiatrist shall, as soon as practicable, inform those contacts if the patient's safety or security becomes a concern or if the psychiatrist becomes aware that the patient has been admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*.

Coroner's Comment: In recommendations 65-68, while respecting the rights of psychiatric patients to make treatment decisions including information release, the jury encouraged facilitating family involvement in care.

Appendix - A

Recommendation to the Ministry Of Health and Long Term Care, Ontario Medical Association, and Toronto Police Service:

69. Establish a communication process to allow officers to check for hospital availability when apprehending a patient under the *Mental Health Act*.

Coroner's Comment: Wait times for assessment and admission may vary among hospitals at any given time. This recommendation is complementary to Recommendation 40 as a factor to be taken into account by police in selecting a hospital.

Recommendation to the Ministry Of Health and Long Term Care, the Local Health Integration Networks, and the United Health Network:

70. In support of family and care givers, consider increasing the availability of and funding for programs providing mental health "first aid" education in terms of first responses or initial steps to seeking assistance/care for persons developing a mental health problem or experiencing a mental health crisis.

Coroner's Comment: See also Recommendation 61 above. Witnesses testified that, where possible, earlier care by a health professional, perhaps facilitated by a family member, was better than apprehension by police and assessment in an Emergency Room. The jury recommended increased public education about earlier treatment options.

COMMUNITY RELATIONS & PUBLIC EDUCATION

Recommendations to the Ministry of Health and Long Term Care:

71. Encourage increased public education and awareness about the current standard for the application of chest compressions while waiting for emergency responders.

Coroner's Comment: See Coroner's Comment under Recommendation 47 above.

72. An increase in advertising campaigns to promote greater public awareness of the availability of mental health crisis hotlines and services in Ontario and an increase in funds be made available for enhancing mental health helplines and accessible services in Ontario.

Coroner's Comment: See Coroner's Comment under Recommendation 70 above.

OTHER

Recommendations to the Office of the Chief Coroner:

73. Compile and maintain a searchable repository containing facts, jury recommendations, and any responses received thereto arising from prior and future Coroner's Inquests in Ontario.

Coroner's Comment: Such a publicly searchable repository or resource would assist in the analysis of inquest jury recommendations and responses by agencies.

Recommendation to Ministry of Municipal Affairs & Housing, Empowerment Council, Mental Health Service Providers, and Local Health Integration Networks:

74. Provide further funding to expand community resources with Mental Health crisis support. For example the Gerstein Centre, COTA, etc.

Coroner's Comment: The jury heard evidence about the two facilities mentioned in the recommendation, which provide supported residential accommodation for persons with serious mental illness. The jury recommended further funding for these and similar facilities.

2014 CanLII 30271 (ON OCCO)

Appendix - A

Closing comment:

In closing, I would like to stress once again that this document was prepared solely for the purpose of assisting interested parties in understanding the jury verdict. It is worth repeating that this is not the verdict. Likewise, many of the comments regarding the evidence are my personal recollection of the same and are not put forth as actual evidence. If any party feels that I made a gross error in my recollection of the evidence, it would be greatly appreciated if it could be brought to my attention so that the error can be corrected.

David S. Eden, M.D.
Presiding Coroner

(date)

2014 CanLI1 30271 (ON OCCC)

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

POLICE – RELATED

RESEARCH & ANALYSIS

Recommendation to the Toronto Police Service (TPS) and the Ministry of Community Safety and Correctional Services (MCSCS):

1. Conduct, jointly or separately, a comprehensive research study to establish metrics against which current and future police training (delivered by the Toronto Police Service and Ontario Police College respectively) can be evaluated to determine whether and how practices on which officers are trained are being adopted in the field.
 - a. Among other things, the study should evaluate how much and how well training emphasizes communication strategies and de-escalation strategies, and how well the training explains the research-based rationales for such strategies.
 - b. The study should also consider and evaluate:
 - i. practices used to evaluate officer performance during and upon completion of training, and
 - ii. the skills and training of officers delivering the training content.
 - c. Finally, a protocol for the formal assessment of officers regarding the communication and judgement skills they demonstrate in training and while on duty should also be developed.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

Recommendation to be addressed to the Ministry of Community Safety and Correctional Services (Not Assigned – may still be considered for Service input):

2. Commission a study of CEWs to determine if there are any special risks or concerns associated with the use of this device on EDPs.
3. Continue to research and consider police procedures when dealing with EDPs with edged weapons in other jurisdictions where either not all police are equipped with firearms or where police are prohibited from drawing their firearm unless they face a subject armed with a firearm.
4. To enhance the collection of data for analysis, amend the Use of Force form to include, but not limited to:
 - a. the drawing and deployment of a CEW as one of the listed use of force options;
 - b. a requirement that, if officers indicate on the Use of Force form that "verbal interaction" was an Alternative Strategy Used, the officers must also provide particulars in respect of that verbal interaction;
 - c. a section to identify whether the use of force involved a subject whom the officer perceived was suffering from a mental illness and/or in emotional crisis; and
 - d. an electronic format for improved input and tracking.
5. Create a provincial database to compile data obtained from the Use of Force Form, as amended in accordance with the recommendation above and to better track EDP calls and their outcomes.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

Recommendation to the Toronto Police Service, Toronto Police Services Board (TPSB) and Empowerment Council:

6. Consider a joint research project between TPS, TPSB, and community partners (e.g. Empowerment Council, academic institution) on best practices regarding police interactions with EDPs:

Recommendation to the Ministry of Community Safety and Correctional Services, and the Ontario Police College (Not Assigned – may still be considered for Service input):

7. OPC is to receive and track statistics about frequency of edged weapon incidents in the field, police use of force, and how often a weapon is shown and/or deployed.

TRAINING & DEVELOPMENT

Recommendations to the Toronto Police Service and Ministry of Community Safety and Correctional Services:

8. The TPS and MCSCS shall consider, evaluate and implement strategies to maximize training opportunities for officers to be educated on the perspective of mental health consumers/survivors by:
 - a. incorporating more information about consumer/survivors; and
 - b. increasing opportunities for contact between officers and consumer/survivors
9. Maximize emphasis on verbal de-escalation techniques in all aspects of police training at the Ontario Police College, at the annual in-service training program provided at Toronto Police College and at the TPS Divisional level.
10. With respect to situations involving EDPs in possession of an edged weapon:

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

- a. If the EDP has failed to respond to standard initial police commands (i.e. "Stop, Police.", "Police, Don't move.", and/or "Drop the Weapon."), train officers to stop shouting those commands and attempt different defusing communication strategies.
 - b. Train officers in such situations to coordinate amongst themselves so that one officer takes the lead in communicating with the EDP and multiple officers are not all shouting commands.
11. Incorporate the facts and circumstances of these three deaths into scenario-based training. In particular, incorporate a neighbourhood foot pursuit of an EDP armed with an edged weapon, with several responding officers (not just two) to emphasize the importance of coordination, containment, and communication between officers.
 12. There should be mandatory annual trainer requalification for Use of Force trainers.
 13. To achieve consistency, sergeants should receive training to facilitate effective debriefing sessions.

Recommendations for the Ministry of Community Safety and Correctional Services, the Toronto Police Services Board, and the Toronto Police Service:

14. Train officers to, when feasible and consistent with officer and public safety, take into account whether a person is in crisis and all relevant information about his/her condition, and not just his/her behaviour, when encountering a person in crisis with a weapon.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

15. Training officers, on the subject of edged weapons, shall incorporate the following principle:

“When officers are dealing with a situation in which a person in crisis has an edged or other weapon, the officers should, when feasible and consistent with maintaining officer and public safety, try to communicate with the person by verbally offering the person help and understanding.”
16. Officers must continue de-escalation attempts and refrain from firing as long as possible consistent with officer and public safety.
17. It should be emphasized and clarified in training that there is no fixed distance from a subject with an edged weapon at which officers should either draw or fire their firearms and that the reactionary gap (the time it takes to perform a response, which in this case would be the time it takes to discharge a firearm) is much shorter once a firearm is drawn.

Recommendations for the Toronto Police Services Board and the Toronto Police Service:

18. Provide additional mental health, verbal de-escalation, and negotiation training to officers including, but not limited to, PRU's and MCIT.
19. Evaluate the possibility of and consider having officers with the additional mental health and verbal de-escalation/negotiation training act as lead officers on calls involving persons in crisis.
20. With the understanding that debriefing is essential for driving continuous improvement and highlighting deviation from policy, the debriefing process for critical incidents should:

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

- a. be conducted in a timely manner
- b. be conducted effectively
- c. involve all subject and witness officers
- d. involve all active participants including call takers and dispatch personnel
- e. consider adoption of the ETF debriefing model
- f. be conducted by trained sergeants
- g. include video review when possible

Recommendations to the Ministry of Community Safety and Correctional Services & Ontario Police College (Not Assigned – may still be considered for Service input):

21. Modify the OPC EDP and de-escalation training model and materials, so that less attention is paid to specific diagnoses and the medical model. This should include input from consumer/survivors.
22. That the Ministry of Community Safety and Correctional Services & Ontario Police College leverage/adopt the Toronto Police Service format of using consumer/survivor videos to improve quality and achieve consistency in the delivery of EDP/Mental Health training.

Recommendations to Ontario Police College, Toronto Police Service, and the Toronto Police College:

23. OPC and TPC consider expert review and analysis of videos, audios and evidence specific to each case, i.e. Sylvia Klibingaitis, Reyald Jardine-Douglas, Michael Eligon, for the purpose of identifying all alternative police service tactics for preserving life.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

Recommendations to Ontario Police College and Toronto Police College:

24. Explore and consider opportunities for Training Sergeants to meet with subject officers for learning/training development (post-legal proceedings).
25. Consider providing officer with strategies to reduce immediate shock/adrenaline rush.

Recommendations for the Ministry of Community Safety and Correctional Services, Toronto Police Service, Ontario Police College, and Toronto Police College:

26. Incorporate more dynamic scenarios in use of force training (e.g. include bystanders, traffic, and distractions).

Recommendation to the Toronto Police Service:

27. With the goal of increasing positive interactions between PRUs and the Mental Health community, develop an in-service learning exercise (e.g. drive along, MCIT shadowing, special day assignments, etc.) to increase PRU awareness and knowledge of the Mental Health community and resources.

EQUIPMENT/TOOLS/SYSTEMS

Recommendations for the Ministry of Community Safety and Correctional Services and Toronto Police Service:

28. Investigate and evaluate the adoption of improved equipment and alternative use of force measures for Primary Response Officers such as:

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

- a. body armour that provides officers greater protection from sharp-edged weapons
 - b. body-worn camera technology for front line officers
 - c. shields to disarm and control subjects with edged weapons
29. Evaluate the threshold for use of conducted energy weapons ("CEWs"). This evaluation shall include a public consultation component.
30. Where CEWs are available, consider adopting the model with video option.

Recommendations to the Toronto Police Service:

31. Consider an improved, interoperable communication system between units/departments (TPS, EMS, ETF, Duty desk, etc.) towards the goal of reducing communication delays, errors and airway traffic. For example, the TPS dispatcher should not have to manually contact EMS by phone and verbalise critical information; an automated system would more effectively convey essential information.
32. Ensure that system "users" (e.g. dispatchers and trainers) are included as stakeholders when exploring new dispatch/call-taker tools and systems improvements.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

MOBILE CRISIS INTERVENTION TEAM (MCIT)

Recommendations to the Toronto Police Service, Ministry of Health and Long Term Care, and Toronto Central Local Health Integration Network:

33. Establish a permanent ongoing advisory committee to the MCIT with significant representation by consumer/survivors and Mental Health professionals to review and consider, among other things:
 - a. Preferred Model (MCIT, CIT, Memphis, COAST, etc.)
 - b. Service hours
 - c. Policy and procedure
 - d. Dispatch procedures
 - e. Deployment of services
 - f. Partnerships (support services, hospitals, community)
 - g. Goals and performance

34. Expand availability of MCITs to make them available in all divisions of the City and to operate beyond their current 11am – 9pm hours.

Recommendations to the Toronto Police Service:

35. Have officers who are current and former MCIT members wear a special insignia or badge to indicate to the community and fellow officers that they are past or present members of the MCIT.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

POLICY/PROCESS

Recommendations to the Toronto Police Service:

36. Amend the TPS Communications EDP Procedure to require a Road Sergeant to be dispatched to a scene as soon as possible when the call involves an EDP with a weapon.
37. Implement procedures to improve communication regarding whether and when a Road Sergeant with a CEW is expected to attend a scene including the delivery of regular updates to officers regarding the Road Sergeant's estimated time of arrival at the scene when possible.
38. Establish a process to increase knowledge sharing and awareness through formalized information sessions/lectures to divisions by specialised units such as ETF, MCIT, and Canine for all PRUs.
39. Amend TPS procedure documents to ensure it is clear that officers should not adopt a practice of handcuffing EDPs being apprehended under the *Mental Health Act* unless those individuals exhibit behaviour that warrants the use of handcuffs.
40. Incorporate guidance into the TPS Procedure on dealing with EDPs to encourage officers to, where feasible, bring an individual to a specific psychiatric facility where that individual is believed to have a prior relationship even when that facility is not the closest available facility in the City or division.
41. Ensure that all officers are aware of, and follow, current policies and procedures associated to SIU investigations.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

42. Emphasize the importance of professionalism when personnel are communicating with each other including, but not limited to, the internal communication.

Recommendations for the Ministry of Community Safety and Correctional Services, Toronto Police Services Board, and Toronto Police Service:

43. CEW training and policy should include information about risk of harm and death proximal to CEW use, in line with the manufacturer's documentation.

Recommendations for the Toronto Police Services Board and Toronto Police Service:

44. Amend the current TPS procedure with respect to use of the in car camera systems (ICCS) to require officers to visually and audibly record:
 - a. All investigative contacts with members of the public which are initiated from an ICCS equipped vehicle, meaning investigative contacts initiated by the police from their ICCS equipped scout car. This would include, but is not limited to, traffic stops.
 - b. Crimes in progress that are taking place, or might reasonably be expected to take place (in whole or in part), within viewing range of the ICCS.

(The new clarifying language to be inserted in the existing procedure is bolded.)

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

Recommendations to Toronto Police Service and Empowerment Council:

45. Recognize officers who consistently perform exceptionally well at verbal de-escalation. This may include, but is not limited to accolades and letters of recommendation.

Recommendations to Toronto Police Service:

46. In collaboration with the SIU, explore ways to engage in ongoing dialogue with family members of the deceased/community members following a traumatic and tragic outcome in which the TPS are involved.

Recommendations to Ministry of Community Safety and Correctional Services, Ontario Police College, Toronto Police College, and Toronto Police Service:

47. Ensure that a process is in place to keep officers up-to date regarding current standards for CPR – i.e. do not check for pulse and breathing, just perform compressions.

Recommendations to Toronto Police Service Corporate Planning:

48. Establish clear review cycles for policies, procedures, models, and other key documents (e.g. use of force model). Review cycles for policies referencing technology should be particularly frequent.
49. Establish a review process to ensure that written language in policies aligns to language used in training and practice (e.g. Policy uses “apprehend,” whereas Training uses “arrest”).

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

COMMITTEE/CONSULTATION

Recommendation to be addressed to the Ministry of Community Safety and Correctional Services (Not Assigned – may still be considered for Service input):

50. Establish a committee or panel of mental health professionals and mental health consumer/survivors to review and provide feedback on current and future training materials used (including videos) that relate to mental health, EDPs, and persons in crisis.

Recommendation to be addressed to Toronto Police Services Board and Toronto Police Service:

51. Include in the Toronto Police Services Board's Mental Health Subcommittee, representatives from advocacy organizations who support family members experienced with dealing with mental illness in their families in order to include their voice, knowledge, insights and perspectives.

PUBLIC EDUCATION /COMMUNITY RELATIONS

Recommendation to Toronto Police Service, Ministry of Health and Long Term care, and the Local Health Integration Networks:

52. Create and implement better public awareness/education mechanisms about the crisis teams that do exist, and what resources are available to those in crisis and their families.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

Recommendation to Toronto Police Service:

53. Improve public disclosure of goals/performance measures, especially where related to police use of force, to better facilitate community awareness and understanding of police responses in situations involving edged weapons. This would support an ongoing commitment to positive community relations and increase public confidence in 911 responses for EDPs in crisis.

HEALTHCARE

Recommendations to be addressed to Toronto East General Hospital and Ontario Hospital Association for distribution to Ontario Emergency Departments (Not Assigned – may still be considered for Service input):

54. Create spaces/environments within the emergency department that can reduce the risk of elopement. This may include locked units and procedures for monitoring patients (e.g. hired sitter or constant observation by nursing staff).
55. Consider the feasibility of creating a psychiatric waiting areas, away from the emergency area and building exits (e.g. a secure area for psychiatric patients who are admitted, when an inpatient bed is not yet available, or similarly, the model used in the Emergency Room at St. Joseph's Health Centre, Toronto), to reduce the risk for elopement.
56. To ensure that psychiatric patients (held on Form 1's or voluntary) are provided with timely support and as appropriate a clinical environment as possible in the circumstances, taking into account their reasons for being in crisis, the nature of their crisis, and their comfort.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

57. To draft guidelines regarding early contact with the Hospital's crisis team (if one exists) when managing a patient in emotional crisis in the emergency department (once medically cleared) in order to assist in creating early linkages/support through the crisis program.

58. Ensure that the appropriate hospital emergency codes are activated and followed as per hospital policy (e.g. code yellow for missing patients, which would notify all parties and initiate the established procedures for elopements).

Recommendation to the Ministry of Health and Long Term Care and the Local Health Integration Networks (Not Assigned – may still be considered for Service input):

59. In collaboration with consumer/survivor groups, study evidence based support for use of peer support workers at all points within the continuum of care.

60. Collaborate with consumer/survivor groups to identify gaps in community support for improved management of mental health issues in the community (e.g. community integration/bridging programs).

61. To investigate the adequacy of urgent care psychiatric services (e.g. walk-in clinics, day programs) for patients who would not be treated in hospital emergency departments or could be more appropriately treated in the community. If access and/or supply of such services are found to be insufficient, consider increasing access and/or availability of such services.

62. Consider creating a provincial standard for spaces/environments within the emergency department that can reduce the risk of elopement.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

63. Review security standards for hospitals, with special focus on practices related to Mental Health patients/care.
64. Increase funding and availability for more Mental Health case workers.
65. When a patient is admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*, the psychiatric facility shall ask the patient to provide a list of emergency contacts and shall request the patient's permission to inform those contacts that he/she has been admitted to the psychiatric facility pursuant to a form. If the patient's permission is granted, the psychiatric facility shall, as soon as practicable, inform those contacts that the patient has been admitted to the psychiatric facility pursuant to a form under the *Mental Health Act*.
66. When a patient is admitted either voluntarily or involuntarily to a psychiatric facility, the psychiatric facility shall ask the patient to provide a list of emergency contacts and shall request the patient's permission to disclose his/her medical information to those contacts. If the patient's permission to share his/her health information is granted, the psychiatric facility shall, as soon as practicable, inform those contacts if the patient's safety or security becomes a concern.
67. Upon acquiring a new client, a mental health case worker shall ask the client for a list of emergency contacts and permission to discuss his/her condition and circumstances with those contacts. If such permission is granted, the mental health case worker shall, as soon as practicable, inform those contacts if a client's safety or security becomes a concern or if the mental health case worker becomes aware that the client has been admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

Recommendation to the Ontario Medical Association (Not Assigned – may still be considered for Service input):

68. Upon acquiring a new patient, psychiatrists should ask the patient for a list of emergency contacts and permission to disclose his/her medical information to those contacts. If such permission is granted, the psychiatrist shall, as soon as practicable, inform those contacts if the patient's safety or security becomes a concern or if the psychiatrist becomes aware that the patient has been admitted to a psychiatric facility pursuant to a form under the *Mental Health Act*.

Recommendation to the Ministry of Health and Long Term Care, Ontario Medical Association, and the Toronto Police Service

69. Establish a communication process to allow officers to check for hospital availability when apprehending a patient under the *Mental Health Act*.

Recommendation to the Ministry Of Health and Long Term Care, the Local Health Integration Networks, and the United Health Network (Not Assigned – may still be considered for Service input):

70. In support of family and care givers, consider increasing the availability of and funding for programs providing mental health "first aid" education in terms of first responses or initial steps to seeking assistance/care for persons developing a mental health problem or experiencing a mental health crisis.

Appendix - B

JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS, AND MICHAEL ELIGON

COMMUNITY RELATIONS & PUBLIC RELATIONS

Recommendation to the Ministry of Health and Long Term Care (Not Assigned – may still be considered for Service input):

71. Encourage increased public education and awareness about the current standard for the application of chest compressions while waiting for emergency responders.
72. An increase in advertising campaigns to promote greater public awareness of the availability of mental health crisis hotlines and services in Ontario and an increase in funds be made available for enhancing mental health helplines and accessible services in Ontario.

OTHER

Recommendations to the Office of the Chief Coroner (Not Assigned – may still be considered for Service input):

73. Compile and maintain a searchable repository containing facts, jury recommendations, and any responses received thereto arising from prior and future Coroner's Inquests in Ontario.

Recommendation to Ministry of Municipal Affairs & Housing, Empowerment Council, Mental Health Service Providers, and Local Health Integration Networks (Not Assigned – may still be considered for Service input):

74. Provide further funding to expand community resources with Mental Health crisis support. For example the Gerstein Centre, COTA, etc.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P271. INQUEST INTO THE DEATH OF FRANK ANTHONY BERRY

The Board was in receipt of the following report December 02, 2014 from Fred Fischer and Glenn Chu, Solicitors, City of Toronto - Legal Services Division:

Reference: Inquest into the Death of Frank Anthony Berry
 Verdict and Recommendations of the Jury

Recommendation:

We recommend that the Board receive the recommendations of the Jury and request a report from the Chief of Police in relation to the feasibility, usefulness and implementation of those directed at the Toronto Police Service, the Toronto Police College and the Toronto Chief of Police.

Background/Purpose:

This report summarizes the outcome of the inquest into the death of Frank Anthony Berry, who was shot by a Toronto police officer. The facts giving rise to the inquest are summarized in our initial report dated October 31, 2014 and considered by the Board at its meeting on November 13, 2014 (Minute No. C226/14 refers).

The inquest was held from November 24 - 28, 2014. The inquest was presided over by Dr. John Carlisle, Coroner. The Chief of Police, the Board, two involved Toronto police officers, and the sister of Mr. Berry were granted standing.

The Jury heard from eleven witnesses, including the officer who discharged his firearm, an officer who was present at the time of the shooting, four civilian witnesses, the first uniformed police officer to arrive on the scene and an EMS paramedic. The Jury also heard from one expert forensic witness, a use of force trainer from the Ontario Police College, and the section head in charge of in-service training at the Toronto Police College

Executive Summary:

The Jury delivered a verdict of death from gunshot wounds to the torso by means of homicide, which is not a finding of legal culpability and was expected.

The Jury made five recommendations. Three of the recommendations were drawn (with some amendments) from a list of recommendations put to the Jury. The Jury also made two recommendations of their own creation.

The Verdict:

A copy of the Jury's verdict, delivered on November 28, 2014, is attached for your review. We have summarized it below.

A. *The Five Statutory Questions*

The Jury answered the five statutory questions as follows:

Name of Deceased:	Frank Anthony Berry
Date and Time of Death:	February 20, 2012 at 12 noon.
Place of Death:	St. Michael's Hospital, Toronto
Cause of Death:	Gunshot wounds to torso
By What Means:	Homicide (this is not a finding of legal culpability but rather a characterization of the death as being caused by another person)

B. *The Jury Recommendations*

In addition to determining the five statutory questions, the Jury was authorized to make recommendations directed at preventing death in similar circumstances or respecting any other matter arising out of the inquest.

A short list of three proposed recommendations was submitted to the Jury. The list was proposed by Mr. Berry's sister with varying support from the other parties. The Board supported some recommendations and took no position in respect of others.

The Jury ultimately made five recommendations. Three were drawn from the proposed list and two were recommendations of the Jury's own creation. The recommendations are:

To the Toronto Police Service:

1. That the Toronto Police Service review its existing training curriculum and incorporate aspects of this particular incident into its ongoing training, including its judgment and dynamic simulation training.
2. That the Toronto Police Service review its existing training curriculum and ensure that there is consideration and continued emphasis on best practices and techniques, with attention to transition to emergent situations, for plainclothes officers:
 - a. Identifying themselves as police officers;
 - b. Engaging and directing bystanders;
 - c. Storing and accessing handcuffs and an (sic) intermediate use of force options;
 - d. Communications on the police radio Tactical and Divisional bands and updating dispatch.

To the Ontario Police College and Toronto Police College:

3. That the Ontario Police College and Toronto Police College put greater focus during Use of Force training on communication skills and de-escalation strategies, including training on checking for understanding with the subject.

To the Toronto Chief of Police:

4. There is a concern with the use of current police radio technology during emergent situations that may inhibit rapid and accurate use. We recommend the study of emergent radio technologies and the feasibility of strategic adoption within the Toronto Police Service.

To Appropriate Government Ministries:

5. The Ontario Government should consider a public awareness campaign to advise of the consequences of brandishing an edged weapon in a confrontation with police.

Recommendations 1, 2a-d and 3 were proposed to the Jury by Mr. Berry's sister and accepted in an amended form. Recommendations 1, 2a, 2c, and 2d were recommendations that were supported by the Board. The Board took no position in respect of Recommendations 2b and 3.

Recommendations 4 and 5 originate with the Jury. We believe they arise from evidence the Jury heard in relation to police radios in use by the service and the limited use of force options available to officers in cases of edged weapon attacks. In relation to Recommendation 4, the Jury heard from a Toronto police officer that he found it difficult to accurately switch over to another band on service radios. It was the only evidence on the point and not a focus of the inquest. There was no evidence this one officer's view was shared by others or that it is demonstrably difficult to accurately switch bands on the radios. In relation to Recommendation 5, the Jury heard that the firearm is the only appropriate use of force response to a close quarter edged weapon attack.

Conclusion:

We recommend that the Board receive the recommendations of the Jury and request a report from the Chief of Police in relation to the feasibility, usefulness and implementation of those directed at the Toronto Police Service, the Toronto Police College and the Toronto Chief of Police.

The Board approved the foregoing report.

Moved by: S. Carroll

_____ of / de _____
Marilyn Smith of / de Toronto
_____ of / de _____
Angela Macri of / de Toronto
_____ of / de _____

the jury serving on the inquest into the death(s) of / membres dûment assermentés du jury à l'enquête sur le décès de :

Surname / Nom de famille | Given Names / Prénoms
Berry | Frank Anthony

aged 48 held at 25 Morton Shulman Ave. , Ontario
à l'âge de tenue à

from the 24th November to the 28th November 20 14
du au

By Dr. / D^r J. Carlisle Coroner for Ontario
Par coroner pour l'Ontario

having been duly sworn/affirmed, have inquired into and determined the following:
avons fait enquête dans l'affaire et avons conclu ce qui suit :

Name of Deceased / Nom du défunt
Frank Anthony Berry

Date and Time of Death / Date et heure du décès
February 20, 2012, 12 noon

Place of Death / Lieu du décès
St. Michael's Hospital, Toronto

Cause of Death / Cause du décès
Gunshot wounds to torso

By what means / Circonstances du décès
Homicide

Original signed by: Foreman / Original signé par : Président du jury

Original signed by jurors / Original signé par les jurés

The verdict was received on the 24th day of November 20 14
Ce verdict a été reçu le (Day / Jour) (Month / Mois)

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) | Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/dd)
Dr. J. Carlisle | 2014/11/28



Office of the
Chief Coroner
Bureau du
coroner en chef

Verdict of Coroner's Jury Verdict du jury du coroner

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

**Inquest into the death of:
Enquête sur le décès de :**

FRANK ANTHONY BERRY

JURY RECOMMENDATIONS RECOMMANDATIONS DU JURY

Recommendations to Toronto Police Service:

1. That the Toronto Police Service review its existing training curriculum and incorporate aspects of this particular incident into its ongoing training, including its judgement and dynamic simulation training.
2. That the Toronto Police Service review its existing training curriculum and ensure that there is consideration and continued emphasis on best practices and techniques, with attention to transition to emergent situations, for plainclothes officers:
 - a. Identifying themselves as police officers;
 - b. Engaging and directing bystanders;
 - c. Storing and accessing handcuffs an intermediate use of force options;
 - d. Communicating on the police radio Tactical and Division bands and updating dispatch.

Recommendations to the Ontario Police College and the Toronto Police College:

3. That the Ontario Police College and Toronto Police College put greater focus during Use of Force Training on communication skills and de-escalation strategies, including training on checking for understanding with the subject.

Recommendation to the Toronto Chief of Police:

4. There is a concern with the use of current police radio technology during emergent situations that may inhibit rapid and accurate use. We recommend the study of emerging radio technologies and the feasibility of strategic adoption within the Toronto Police Force.

General Recommendations to the Appropriate Government Ministries:

5. The Ontario Government should consider a public awareness campaign to advise of the consequences of brandishing an edged weapon in a confrontation with police.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P272. BOARD POLICY – AUDIT

The Board was in receipt of the following report November 26, 2014 from Alok Mukherjee, Chair:

Subject: BOARD POLICY: AUDIT

Recommendations:

It is recommended that the Board approve the draft policy attached to this report entitled “Audit Policy.”

Financial Implications:

There are no financial implications arising out of the recommendation contained in this report.

Background/Purpose:

The *Adequacy and Effectiveness of Police Services*, O. Reg. 3/99, stipulates that the Board and Chief of Police are responsible for implementing a quality assurance process relating to the delivery of adequate and effective police services and compliance with the *Police Services Act* (PSA) and its regulations.

In 2006 the Board identified the lack of a structured audit process to assist the Board with assessing the adequacy and effectiveness of Toronto Police Service (the Service) procedures and compliance with the PSA and expressed concerns that it had no independent audit resource available to address audit concerns it may identify. At that time the Board approved a number of motions regarding audit issues, including the following:

“THAT the Board request the City of Toronto Auditor General to provide a report on the feasibility of dedicating an auditor from the Auditor General’s office to provide permanent and independent audit services directly to the Board,” (Min. No. P247/06 and P278/06 refers).

The City’s Auditor General’s (AG) review of the Board’s request identified a number of significant concerns, including the issue of the AG’s independence, as well as a lack of staff resources. The AG’s reviewed determined that it was not feasible for the AG’s office to provide permanent independent audit services to the Board. However, the AG made several suggestions for the Board’s consideration which included i) “the Board may, once the Auditor General’s by-law was amended, request the City’s Auditor General to include in his annual work plan any

specific audits identified by the Board;” and ii) “the Board may request a private sector external audit group to conduct audit work at its request,” (Min. No. P34/07 refers).

At its meeting held on September 12, 2013, the Board approved a recommendation that the Chair draft an audit policy reflecting a new collaborative relationship with the City of Toronto Internal Audit Division and also reflecting the Board’s existing relationship with the AG. The Board also approved that should the Board approve a policy which would contemplate the engagement of the services of the City’s Internal Audit Division, such services would be charged back to the Board through an inter-departmental chargeback (Min. No. P222/13) refers.

Discussion:

In February 2014 to May 2014, the Chair, in consultation with the Service, the City’s Audit Division, the AG and City Legal, developed an audit policy that sets out the Board’s audit processes. The purpose of the policy is to assist the Board in assessing the adequacy and effectiveness of police services and compliance with the PSA. This would be achieved through establishing a structured program for the review of Board policies, and resulting Service procedures, processes, practices and programs. A draft audit policy was received by the Board at its meeting held on October 9, 2014, as the basis for continued discussion with the Chief. Also, Board Members were also ask at that meeting to provide feedback regarding the daft policy, no later than November 15, 2014, so that their comments can be considered in the final draft (Min. No. P219/14) refers.

Subsequent to the October 9th meeting, discussions with the Chief have resulted in a final draft policy which is attached to this report for your consideration. The final draft which is appended as appendix A includes amendments which are grey shading for ease of reference. The draft that was received by the Board in October is appended as appendix B.

Conclusion:

Therefore, it is recommended that the Board approve the draft policy attached to this report entitled “Audit Policy.”

Mr. Kris Langenfeld was in attendance and delivered a deputation to the Board about the proposed audit policy.

The Board approved the foregoing report and received Mr. Langenfeld’s deputation.

Moved by: A. Pringle

APPENDIX A



TORONTO POLICE SERVICES BOARD

AUDIT POLICY (DRAFT)

DATE APPROVED	mm/dd/yy (spelled out)	Minute No: PXXX/00
DATE(S) AMENDED		
DATE REVIEWED	October 9, 2014	Minute No: P219/14
REPORTING REQUIREMENT	Toronto Police Service audit work plan – annually Toronto Police Services Board audit work plan - annually	
LEGISLATION	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, s. 31(1)(c). <i>Adequacy and Effectiveness of Police Services</i> , O. Reg. 3/99, s. 35	
DERIVATION	Rule X.X.X – Name of Rule Adequacy Standards Regulation - LE-020	

The *Adequacy and Effectiveness of Police Services*, O. Reg. 3/99, stipulates that the Board and Chief of Police are responsible for implementing a quality assurance process relating to the delivery of adequate and effective police services and compliance with the *Police Services Act* and its regulations.

The Board adopts a multifaceted approach to fulfill its responsibility relating to quality assurance. It includes:

- regular reports from the Chief of Police on compliance with Board policies and directions;
- annual financial audits conducted by the City of Toronto's external auditors;
- audits requested of, and conducted by, the City of Toronto's Internal Audit Division;
- audits requested of, and conducted by, the City of Toronto's Auditor General; and
- inspections conducted by the Ontario Ministry of Community Safety and Correctional Services; or
- other audits as determined by the Board.

The purpose of this policy is to assist the Board in assessing the adequacy and effectiveness of police services and compliance with the *Police Services Act*. This would be achieved through establishing a structured program for the review of Board policies, and resulting Toronto Police Service ("Service") procedures, processes, practices and programs.

The reviews, included in the Board's audit workplan, will assist the Board in determining whether the Service is in compliance with related statutory requirements, Board policies and directions. Further, these reviews may assist in determining whether risk management activity, financial controls and Service and Board governance efforts are adequate and effective, and functioning in a manner that complies with legislation, case law, inquest findings, inquiry findings, and Ministry of Community Safety and Correctional Services' guidelines.

Therefore, it is the policy of the Toronto Police Services Board that:

1. The Chief of Police will ensure that the Service's financial statements are verified by an annual audit conducted by the City of Toronto's external Auditor as identified in section 139 of the *City of Toronto Act, 2006*;
2. The Chief of Police will establish an internal quality assurance process to ensure that operational, management, training and financial controls are established and maintained to ensure compliance with Service procedures and with Board policies and to ensure that they remain consistent with case law, inquest findings, inquiry findings, legislation and Ministry of Community Safety and Correctional Services' guidelines;
3. The Chief of Police will prepare, using appropriate risk-based methodology, an annual quality assurance work plan which will identify and prioritize audits to be conducted. The plan will identify inherent risks, resource requirements and the overall objectives for each audit and the workplan will be reported to the Board at a public or a confidential meeting as deemed appropriate;
4. The Chief of Police will ensure that members of the Service engaged in audit processes have the knowledge, skills, abilities and accreditations, as may be required, to perform their duties;
5. The Chief of Police will provide an annual report to the Board with the results of all audits and will highlight any issues that in accordance with this policy will assist the Board in determining whether the Service is in compliance with related statutory requirements, and issues that have potential risk or liability to the Board and/or to the Service.

It is also the policy of the Toronto Police Services Board that:

6. In addition to the annual quality assurance workplan prepared by the Chief, the Board may, in consultation with the City of Toronto Internal Audit Division or the Auditor General, as may be appropriate, and in consultation with the Chief of Police, request external audits to be conducted on matters of concern to the Board;

7. The Board may request that the City of Toronto Auditor General conduct audits that typically address systemic organizational issues or issues of an emergent nature that are of significant public interest. In addition, the Auditor General may independently recommend to the Board, audits to be conducted by the Auditor General. The Board, in consultation with the Chief, through a service-level agreement, may engage the City of Toronto Internal Audit Division to conduct audits respecting adherence by the Board and Service to specific Board policies and relevant legislation. The Board may include, in its annual operating budget request, sufficient funds to procure external auditing services;
8. The Board will provide a public report containing its annual audit work plan; and
9. Upon the conclusion of each of its audits, the Board will provide a report which will address the following:
 - assessment of the adequacy and effectiveness of the Service's or Board's processes in the areas stated in the audit plan;
 - identification of significant issues related to the processes of the Service or the Board, including recommended improvements to those processes; and
 - updates where necessary on the status and results of the audit plan and the sufficiency of the Board's audit resources.
10. Reports with respect to audits conducted on behalf of the Board, will consider, but not be limited to, whether:
 - Operational and financial risks are appropriately identified and managed;
 - The appropriate levels of internal control exist within the Service;
 - Financial, management, and operational information provided to the Board is accurate, reliable, and timely;
 - Staff and management actions are in compliance with policies, procedures, contracts, laws, and regulations;
 - Resources are acquired economically, used efficiently, and adequately protected;
 - Programs and their objectives are achieved;
 - Quality and continuous improvement are encouraged in the Service's control processes; and
 - Significant legislative or regulatory issues affecting the Service are recognized and addressed appropriately.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P273. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION: RE-APPOINTMENT**

The Board was in receipt of the following report November 06, 2014 from William Blair, Chief of Police:

Subject: RE-APPOINTMENT OF SPECIAL CONSTABLE FOR THE TORONTO
COMMUNITY HOUSING CORPORATION

Recommendation:

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

Financial Implications:

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

Background/Purpose

Under Section 53 of the *Police Services Act of Ontario* (the PSA), the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the Toronto Community Housing Corporation (TCHC) for the administration of special constables (Min. No. P414/99 refers).

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

The Service received a request from the TCHC on July 3, 2014, to re-appoint the following individual as a special constable:

Gloria Sorrentino

Discussion:

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

The agreement between the Board and the TCHC requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constables. The Service's Employment Unit completed background investigations on this individual and there is nothing on file to preclude her from being re-appointed as a special constable for a five year term.

The TCHC has advised that the individual satisfies all of the re-appointment criteria as set out in the agreement between the Board and the TCHC for special constable appointment. The TCHC's approved strength of special constables is 83; the current complement is 74.

Conclusion:

The Toronto Police Service and the TCHC work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well-being of persons engaged in activities on TCHC property. The individual currently before the Board for consideration has satisfied the criteria contained in the agreement between the Board and the Toronto Community Housing Corporation.

Deputy Chief of Police, Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

The Board approved the foregoing report.

Moved by: A. Pringle

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P274. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION: APPOINTMENT**

The Board was in receipt of the following report November 06, 2014 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLE FOR THE TORONTO
COMMUNITY HOUSING CORPORATION

Recommendation:

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

Financial Implications:

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

Background/Purpose

Under Section 53 of the *Police Services Act of Ontario* (the PSA), the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the Toronto Community Housing Corporation (TCHC) for the administration of special constables (Min. No. P414/99 refers).

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

The Service received a request from the TCHC on November 5, 2014, to appoint the following individual as a special constable:

Richard (Martin) Smith

Discussion:

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

The agreement between the Board and the TCHC requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constables. The Service's Employment Unit completed background investigations on this individual and there is nothing on file to preclude him from being appointed as a special constable for a five year term.

The TCHC has advised that the individual satisfies all of the appointment criteria as set out in the agreement between the Board and the TCHC for special constable appointment. The TCHC's approved strength of special constables is 83; the current complement is 74.

Conclusion:

The Toronto Police Service and the TCHC work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well-being of persons engaged in activities on TCHC property. The individual currently before the Board for consideration has satisfied the criteria contained in the agreement between the Board and the Toronto Community Housing Corporation.

Deputy Chief of Police, Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

The Board approved the foregoing report.

Moved by: J. Tory

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P275. SPECIAL CONSTABLES – TORONTO TRANSIT COMMISSION:
APPOINTMENTS**

The Board was in receipt of the following report November 19, 2014 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLES FOR THE TORONTO
TRANSIT COMMISSION

Recommendation:

It is recommended that the Board approve the appointments of the individuals listed in this report as special constables for the Toronto Transit Commission, subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background/Purpose

Under Section 53 of the *Police Services Act of Ontario* (the PSA), the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the Toronto Transit Commission (TTC) for the administration of special constables (Min. No. P154/14 refers).

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

The Service received a request from the TTC to appoint the following individuals as special constables:

**Aleksander Funduk
Carlos Unaco
David Weatherbee**

Discussion:

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

The agreement between the Board and the TTC requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constables. The Service's Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The TTC has advised that the individuals satisfy all of the appointment criteria as set out in the agreement between the Board and the TTC for special constable appointment. The TTC's current approved complement is 9.

Conclusion:

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

Deputy Chief of Police, Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

The Board approved the foregoing report.

Moved by: J. Tory

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P276. RATIFICATION OF BOARD DECISIONS: CANCELLATION OF
MEETINGS SCHEDULED IN NOVEMBER AND DECEMBER 2014 AND
PARTIAL DATES FOR MEETINGS IN 2015**

The Board was in receipt of the following report November 26, 2014 from Alok Mukherjee, Chair:

Subject: Ratification of Board Decisions: Cancellation of Meetings Scheduled for November 26, 2014 and December 18, 2014

Recommendations:

It is recommended that the Board:

- (1) ratify the decision made by a quorum of the Board on November 24, 2014 to cancel a special public meeting that was scheduled to take place on November 26, 2014; and
- (2) ratify the decision made by a quorum of the Board on November 25, 2014 to cancel the regular meeting that was scheduled to take place on December 18, 2014 meeting.

Financial Implications:

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

Background/Purpose:

Special Meeting – November 26, 2014

At its meeting on November 13, 2014, the Board agreed to schedule a special public meeting on November 26, 2014 for the purpose of considering a report by LogicalOutcomes entitled *A Community-Based Assessment of Police Contact Carding in 31 Division – Final Report – November 2014* (the “CAPP report”) (Min. No. P238/14 refers).

Prior to the special meeting, representatives of the Board and TPS met on several occasions in an attempt to resolve the concerns that the TPS had expressed about some elements of the Board’s policy on Community Contacts. As the date of the special meeting approached, I proposed a Motion – via e-poll – that the Board agree to cancel the meeting in order to permit the ongoing discussions between the Board and TPS to progress.

On November 24, 2014, a quorum of the Board approved – via e-poll – my recommendation to cancel the special meeting that was scheduled for November 26, 2014 on the basis that the CAPP report would be considered at a future regularly scheduled Board meeting.

Regular Meeting – December 18, 2014

When the Board approved its schedule of regular meetings for the year 2014, it included a meeting to be held on December 18, 2014 (Min. No. P297/13 refers).

Recently, two members requested that the December 18, 2014 meeting be changed given that they could no longer attend the meeting on that date. Although any requests to amend the 2014 meeting schedule must be proposed in the form of a Motion by the member(s) requesting the amendment, I proposed a Motion – via e-poll – on behalf of the members that the Board cancel the meeting scheduled for December 18, 2014; identify, if possible, an alternate date for a meeting in December; and, if that was not possible, it agree to defer any December reports that have been or may be submitted to the first meeting in 2015 with the exception of any urgent issues that might arise which the Board would consider as necessary via e-polling.

On November 25, 2014, a quorum of the Board approved – via e-poll – my recommendations regarding the December 2014 meeting.

Discussion:

In both of the cases noted above, the decisions made by a quorum of the Board were subject to ratification by the Board at the next regularly scheduled meeting.

Conclusion:

It is therefore recommended that the Board:

- (1) ratify the decision made by a quorum of the Board on November 24, 2014 to cancel a special public meeting that was scheduled to take place on November 26, 2014; and
- (2) ratify the decision made by a quorum of the Board on November 25, 2014 to cancel the regular meeting that was scheduled to take place on December 18, 2014 meeting.

The Board approved the foregoing report and the following Motion:

THAT the Board approve the following dates for its meetings in January and February 2015: Wednesday, January 21 and Thursday, February 19.

Moved by: A. Pringle

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P277. RECOMMENDATION FOR PAYMENT OF LEGAL
INDEMNIFICATION: CASE NO. 1701/13**

The Board was in receipt of the following report December 02, 2014 from William Blair, Chief of Police:

Subject: RECOMMENDATION FOR PAYMENT OF LEGAL INDEMNIFICATION
CASE NO. 1701/13

Recommendation:

It is recommended that the Board approve payment of the legal account from Mr. Peter Brauti in the amount of \$304,389.07 for his representation of a police officer in a criminal matter.

Financial Implications:

If approved, the legal indemnification claim in the amount of \$304,389.07 will be paid out of the service's Legal Reserve, which is funded from the Service's operating budget.

Background/Purpose:

A police officer has requested payment of his legal fees in the amount of \$304,389.07, as provided for in Article 23 of the Uniform Collective Agreement. As the amount exceeds the Chair's authority (\$250,000), the purpose of this report is to request the Board's approval for payment of the claim.

Discussion:

This report corresponds with additional information provided on the Confidential Agenda.

Article 23:01 (a) of the Uniform Collective Agreement states:

"Subject to the other provision of this Article, a member charged with but not found guilty of a criminal or statutory offence, because of acts done in the attempted performance in good faith of his/her duties as a police officer, shall be indemnified for the necessary and reasonable legal costs incurred by the member during the investigation of the incident that resulted in those charges being laid and for the necessary and reasonable legal costs incurred by the member in the defence of such charges."

City Legal has reviewed Mr. Brauti's accounts, and has deemed the costs billed to be "necessary and reasonable legal costs".

Conclusion:

It is therefore recommended that the Board approve payment of the legal account from Mr. Peter Brauti in the amount of \$304,389.07.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions that the Board members may have regarding this report.

The Board approved the foregoing report.

Moved by: A. Pringle

Additional information was also considered by the Board during its in camera meeting (Min. No. C239/14 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P278. REQUEST TO EXTEND THE CURRENT POLICE TOWING AND
POUND SERVICES CONTRACTS**

The Board was in receipt of the following report November 25, 2014 from William Blair, Chief of Police:

Subject: REQUEST TO EXTEND THE CURRENT POLICE TOWING AND POUND
SERVICES CONTRACTS

Recommendation:

It is recommended that the Board approve extending the existing towing and pound services contracts for a period of one year from June 1, 2015 up to and including May 31, 2016.

Financial Implications:

There is no direct cost to the Toronto Police Service for extending these contracts. The costs associated with administering the contracts are recovered through a cost recovery fee charged to the towing operators.

Background/Purpose:

At its meeting held on April 19, 2012, in response to a quotation request, the Board awarded towing and pound services contracts to the following towing companies (Min. No. P90/2012 refers):

- i. Towing District No. 1 – JP Towing Service and Storage Ltd.
- ii. Towing District No. 2 – Walsh's Auto Service Ltd.
- iii. Towing District No. 3 – 1512081 Ontario Ltd.
- iv. Towing District No. 4 – Williams Towing Service Ltd.
- v. Towing District No. 6 – A Towing Service Ltd.

No compliant bids were received for Towing District No. 5 and subsequently, the towing operators in the adjacent districts were requested to expand the boundaries of those districts, as determined by the Chief of Police, to cover the towing requirements in Towing District No. 5 for the remaining portion of the contract term and any extension thereof.

The current towing and pound services contracts are in effect until May 31, 2015. The contracts contain a condition whereby they may be extended for a period of one full year at the sole discretion of the Board. Should the Board choose to exercise this option and extend the contracts, all contractual terms and conditions, including the fees charged for towing, storage,

administration, or other allowable expenses, remain unchanged. No financial cost will be incurred by the Toronto Police Service (Service) as a result of this extension.

Discussion:

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

The granting of the one year extension will provide the Service with an acceptable time frame to explore the feasibility of doing a joint contract with other City agencies, such as the Toronto Transit Commission, Forestry and Housing. Moving to a shared services/consolidated contract arrangement has a number of potential benefits, including shared cost savings, the elimination of administrative duplication, etc. Further, this extension provides a clear demonstration of the Board's fiscal accountability to the citizens it serves.

In May 2014, Sergeant Andrew Raney of Traffic Services conducted audits of all current contract holders, which included an inspection of each pound facility. The audits did not find any contractual violations that would give rise to concerns about the extension of any of the current towing and pound services contracts.

Conclusion:

To meet its commitment of ensuring the safe and orderly movement of traffic across the City, while addressing and regulating parking concerns, the Service requires the services of towing and pound services operators.

All current contract holders have met their contractual obligations. The granting of the one year extension will ensure that the provisions of towing and pound services contracts will continue seamlessly until May 31, 2016.

In addition, looking forward, the one year extension will also allow the Service to fully explore contract sharing with other City divisions and agencies, to provide the most cost-effective and efficient towing and pound services.

Deputy Chief Mark Saunders, Specialized Operations Command and Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions that the Board may have regarding this report.

The Board approved the foregoing report.

Moved by: A. Pringle

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P279. CONSOLIDATED GREEN FLEET PLAN 2014-2018

The Board was in receipt of the following report November 20, 2014 from William Blair, Chief of Police:

Subject: Consolidated Green Fleet Plan 2014-2018.

Recommendation:

It is recommended that the Board adopt the Consolidated Green Fleet Plan 2014-2018, as outlined in Attachment 1, in place of all previous Green Fleet Plans.

Financial Implications:

There are no immediate financial implications arising from the Consolidated Green Fleet Plan. The Vehicle replacement lifecycle is funded from the Toronto Police Services' (TPS) Vehicle and Equipment Reserve. The related fleet operating costs are included in the operating budget. Preliminary testing results from the new Ford Interceptor Sedan and Sport Utility Vehicle (SUV) would forecast a potential for a significant reduction in fuel consumption over a full vehicle lifecycle. However, until additional data becomes available, the actual reduction cannot be determined.

Background/Purpose:

Beginning in the early 1990's, the Service took a lead role in identifying and taking appropriate action to ensure environmental responsibility (i.e. down-sizing, right-sizing, standardizing, introduction of more diesel vehicles, etc.).

In 2004, the Service adopted a green fleet plan which was incorporated into the City's Fleet Transition Plan (2004-2007). Subsequently, in 2008, this plan was revised based on results to date and was endorsed by and incorporated into the City's Green Fleet Plan (2008-2011). The Service has played an active role in monitoring and evaluating evolving technologies and initiatives for over ten (10) years and has consistently met or exceeded goals.

The Consolidated Green Fleet Plan 2014-2018 (Consolidated Plan) is the product of cooperation between the five (5) major City Fleets: Fleet Services Division (Centrally Managed Fleet), Emergency Medical Services (EMS), Toronto Fire Services (TFS), Toronto Police Service (TPS), and Toronto Transit Commission (TTC).

Discussion

The TPS is committed to evaluating new initiatives and technology towards implementing a green fleet. The evaluation must take into consideration the Service's operational requirements, as well as any legal obligations.

In addition to strategies included in the Consolidated Plan, the Service will take the following actions:

- An additional forty (40) vehicles will be replaced with 4 cylinder units rather than 6 cylinder units within Community Safety Command & Specialized Operations Command;
- L.E.D. emergency lights will continue to be added to all uniform patrol cars;
- As a result of field testing conducted with the Ford Taurus as a possible replacement patrol vehicle, 450 full size 8 cylinder units will be replaced with 6 cylinder midsize vehicles;
- A further reduction of ten (10) motorcycles from a total Centralized fleet of forty (40) will be implemented;

Conclusion:

The Consolidated Plan builds on lessons learned from previous plans, and represents an evolution in the Service's commitment to reducing negative environmental impact, while pursuing cost-effective solutions.

The Board approved the foregoing report and commended the Chief and TPS staff for participating in a cooperative arrangement with other City partners in order to achieve greater cost efficiencies in a way that does not impact negatively on the environment.

Moved by: D. Noria



Ulli S. Watkiss
City Clerk

City Clerk's Office

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**In reply please quote:
Ref.: 14-GM30.12**

June 24, 2014

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

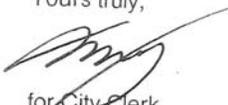


Dear Dr. Mukherjee:

**Subject: Government Management Committee Item 30.12
City of Toronto Consolidated Green Fleet Plan 2014-2018 (Ward All)**

City Council on June 10, 11, 12 and 13, 2014, adopted this Item, and in so doing, has requested the Toronto Police Services Board to adopt and implement the Consolidated Green Fleet Plan 2014-2018.

Yours truly,


for City Clerk

M. Toft/sb

Attachment

Sent to: Chief Executive Officer, Toronto Transit Commission
Chair, Toronto Police Services Board

c. City Manager

GM30.1a



**STAFF REPORT
ACTION REQUIRED**

City of Toronto Consolidated Green Fleet Plan 2014-2018

Date:	April 28, 2014
To:	Government Management Committee
From:	Director, Fleet Services Division
Wards:	All
Reference Number:	P:\2014\Internal Services\Fleet\GM14001Fleet - (AFS18878)

SUMMARY

The City of Toronto Consolidated Green Fleet Plan 2014-2018 (Consolidated Plan) provides an overview of the City of Toronto's objectives in addressing environmental impact with strategies that aim to reduce hazardous emissions from City's vehicle and equipment fleet operations.

We are pleased to announce that this plan is the product of cooperation between the five major City Fleets. Three of the five fleets working together under this Consolidated Plan are managed by City of Toronto Divisions: Fleet Services Division (Centrally Managed Fleet), Emergency Medical Services (EMS), and Toronto Fire Services (TFS). Two of the five fleets are managed by City Agencies: Toronto Police Service (TPS) and Toronto Transit Commission (TTC). The Consolidated Plan benefits from the assistance of the Environment and Energy Division (EED), and was reviewed and approved by each of the five City Fleets.

The Consolidated Plan presents objectives, strategies, and measures that balance operational needs, financial considerations, and Council's strategic goal of environmental sustainability. Our goal looking forward through to 2018 is to choose vehicles, equipment, fuels, and practices that consume less fuel and emit less greenhouse gas (GHG) and air pollution, meet the City Fleets' operational requirements, are sustainable, and are economically viable. This new Consolidated Plan sets realistic objectives that will measure our progress toward the established goal, and recommends specific measurable strategies on how we will accomplish these objectives. The Consolidate Plan will continue to reduce GHGs while not creating additional costs.

This report provides the outcomes of both the Green Fleet Plan 2008-2011 for the Centrally Managed Fleet, and the Green Fleet Plan for TTC, Police, Fire and EMS 2008-2011. It also addresses Council's direction June 11-13, 2013, in response to the Auditor General's recommendation, that the Director, Fleet Services Division conduct a review of the City's green fleet vehicles and report to Council on the progress on the City's Green Fleet Plan.

As part of the previous Plans, the five City Fleets have undertaken numerous pilot projects involving new and emerging green vehicle technologies. Some of these technologies have been successful and have been adopted by City Fleets. Other technologies have been unable to adequately reduce emissions in the fleet environment and further investment cannot be justified. The Consolidated Plan builds on the collective experience of City Fleets, and lessons learned from previous plans, to cost-effectively achieve our shared goal.

RECOMMENDATIONS

The Director, Fleet Services Division recommends that:

1. City Council adopt the City of Toronto Consolidated Green Fleet Plan 2014-2018, as outlined in Attachment 1, in place of all previous Green Fleet Plans.
2. City Council direct the Director, Fleet Services Division, the Chief of Toronto Fire Services, and the Chief of Emergency Medical Services to implement the following objectives of the Consolidated Plan:
 - a. Purchase, lease, or otherwise obtain the most fuel-efficient vehicles where appropriate for City operations, while considering lifecycle cost of the vehicle;
 - b. Achieve ISO Certification in the area of Environmental Management (ISO 14000) and Quality Management (ISO 9000) for the Fleet Services Division, and work with other City Fleets to explore the feasibility of their ISO Certification;
 - c. Develop selection criteria for alternative fuels;
 - d. Enhance operational efficiency and driver education; and
 - e. Create one new temporary dedicated Green Fleet Coordinator position in Fleet Services Division for the 2015-2018 period, to be included in Fleet Services' operating budget (subject to Budget Committee approval during the 2015 Budget process), and establish a Green Fleet Team comprised of current staff from each of the participating members of the Fleet Management Steering Committee.

3. City Council delegate to the Director, Fleet Services Division authority to negotiate and execute, and to amend as and when necessary, any agreements necessary to give effect to the implementation of the Consolidated Plan, on terms and conditions satisfactory to the Director, Fleet Services Division and the City Solicitor;
4. City Council direct the Director, Fleet Services Division to:
 - a. Coordinate the implementation of the Consolidated Plan, in consultation with other Fleets, track the progress made in achieving the established targets and report back to Government Management Committee in Q2 2016, Q2 2017, Q2 2018 and provide a final report in Q2 2019; and
 - b. Continue to fund the incremental costs associated with new green technologies for the Centrally Managed Fleet using the Green Fleet Plan Capital Fund (XQ0003) through to 2018, subject to necessary approvals during the annual budget process.
5. City Council direct the Chief of Toronto Emergency Medical Services to:
 - a. Direct staff to actively participate in the implementation of the Consolidated Plan; and
 - b. Examine the feasibility of purchasing smaller more fuel efficient emergency response vehicles.
6. City Council direct the Chief of Toronto Fire Services to:
 - a. Direct staff to actively participate in the implementation of the Consolidated Plan;
 - b. Continue testing hybrid and electric vehicles for short distance regular use applications such as by the Fire Prevention Officer and Training Division Officer;
 - c. Right-size the type of vehicle used by the 16 District Chiefs;
 - d. Assess the feasibility and benefits of implementing a Car-Share program for Fire Prevention Officers in the downtown core by reviewing the outcomes of the pilot program currently being led by Fleet Services Division;
 - e. Expand the use of idle reduction technology currently used on aerial apparatus to other fire apparatus wherever possible; and
 - f. Analyze reducing the amount of outsourced labour to reduce the amount of travel time for apparatus in for repair.
7. City Council direct that this Item be forwarded to the Toronto Transit Commission Board and the Toronto Police Service Board with a request that they adopt and implement the Consolidated Green Fleet Plan 2014-2018.

Implementation Points

The Consolidated Plan focuses on reducing emissions from the operation of almost 10,000 on-road and off-road vehicles and pieces of equipment owned and operated by the City of Toronto. It does not include Toronto Transit Commission streetcar and subway vehicles, or vehicles owned and operated by private companies who contract with the City.

The Consolidated Plan is a living document, and is part of the City's efforts toward making Toronto a sustainable city of choice, as outlined in the City of Toronto Strategic Actions 2013-2018. Achievement of the objectives and targets outlined in this plan will require the cooperation and participation of all City Divisions, Agencies, and Corporations. Accountability and continued engagement will be crucial in the implementation, further development, and success of this Consolidated Plan.

Fleet Services Division, in consultation with other Fleets, will take the lead in coordinating the implementation of the initiatives in the Consolidated Plan and will track the progress made in achieving the established targets. The EED will assist with monitoring the implementation and outcomes of these initiatives. Each of the City Fleets will be responsible for implementing and tracking the progress of initiatives specific to their operations.

The Green Fleet Team, a working-group of the Fleet Management Steering Committee, will be established as part of the Consolidated Plan. This team will consist of the representatives from each of the participating members of the Fleet Management Steering Committee. The Team will be responsible for monitoring the implementation of the strategies, reviewing progress, and making recommendations to the Fleet Management Steering Committee for the Consolidated Plan updates. This includes directional changes as required, subject to review and approval by the City Fleets.

A progress report will be created in Q2 2016, Q2 2017, and Q2 2018. These progress reports will include updates on the implementation of actions, including status, trends, and rate of progress. It will also include changes in environmental circumstances, external drivers and barriers, and updates to any indicators and targets, depending on data availability. Following the completion of the Consolidated Plan, a final report will be created in Q2 2019. It will provide the final progress report for the implementation of the strategies measured against the indicators and targets outlined in the Consolidated Plan.

Financial Impact

The total projected capital cost for Fleet Services, relating to the Centrally Managed Fleet, over five years will be \$500,000. This includes the incremental costs associated with new green technologies. The Fleet Services 2014 Approved Capital Budget and 2015-2020 Approved Capital Plan include annual provisions to fund the green technologies in years 2015 through to 2018, through Capital Project account CFL034.

The total projected operating cost for Fleet Services over five years will be \$519,000. This includes the request for one new temporary dedicated Green Fleet Coordinator position (\$424,000 over five years), and ISO certification and follow-up audits (\$95,000).

The requested funding will be included in the 2015 Fleet Services Operating Budget Submission.

The projected 2014-2018 capital and operating requirements (\$1.019 million) will be funded from the corporate vehicle and equipment replacement reserve, XQ0003.

The implementation of the Consolidated Plan over 2014-2018 for Fleet Services, relating to the Centrally Managed Fleet, is expected to have fairly consistent year-over-year overall costs. Due to the nature of the recommended strategies, however, the full magnitude of potential cost savings will not be fully realised until the final stages of the Consolidated Plan (2017-2018). Most importantly, these potential cost savings will continue beyond the term of this plan. As a result, estimated overall net savings for the Centrally-Managed Fleet for the 2014-2018 period are \$53,000.

Table A: Fleet Services' Consolidated Green Fleet Plan 2014-2018 Capital and Operating Forecast

	Forecasted capital cost	Forecasted operating cost	Forecasted total cost	Forecasted cost savings	Forecasted net cost
2014	\$100,000	\$0	\$100,000	\$120,000	(\$20,000)
2015	\$100,000	\$121,000	\$221,000	\$149,000	\$72,000
2016	\$100,000	\$136,000	\$236,000	\$191,000	\$45,000
2017	\$100,000	\$141,000	\$241,000	\$297,000	(\$56,000)
2018	\$100,000	\$121,000	\$221,000	\$315,000	(\$94,000)
Total	\$500,000	\$519,000	\$1,019,000	\$1,072,000	(\$53,000)

The total projected savings of \$1.072 million consists of \$0.942 million in fuel savings and \$0.130 million resulting from decreases in material consumption and increases in operational efficiencies.

The financial implications of the City of Toronto Consolidated Green Fleet Plan 2014-2018 for EMS, TFS, TPS, and TTC are indeterminable at this time. When further information is available, staff will report back to the Government Management Committee with a status update on the potential savings on the implementation of the Consolidated Plan. The ongoing green fleet initiatives within EMS, TFS, TPS, and TTC that will continue as part of the Consolidated Plan, have currently been addressed in each Fleet's existing Capital Programs and Operating Budgets.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

In 2007, the City of Toronto Climate Change, Clean Air and Sustainable Energy Action Plan outlined the City's response to the challenge of climate change and poor air quality. It was designed to move the City from a framework for discussion to concrete action, by calling for development of a new Green Fleet Plan. In 2008, building on the outcomes of

the City's Green Fleet Transition Plan 2004-2007, the City of Toronto introduced the Green Fleet Plan 2008-2011 for the Centrally Managed Fleet. At its meeting March 3-5, 2008, City Council unanimously adopted the Green Fleet Plan 2008-2011 for the City's Centrally Managed Fleet (GM12.6).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.GM12.6>

During implementation, City of Toronto Green Fleet Plan update reports were provided:
2008: <http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15421.pdf>
2009: <http://www.toronto.ca/legdocs/mmis/2009/gm/bgrd/backgroundfile-20243.pdf>
2010:

http://www1.toronto.ca/city_of_toronto/fleet_services/files/pdf/annual_update_2010.pdf
The final report on the outcomes of the 2008-2011 plan was delayed until now due to resource constraints.

As part of that plan, Council directed Fleet Services to assist EMS, TFS, TPS, and TTC in establishing green fleet plans for their operations. At its meeting on October 29, 2008 Council adopted a Green Fleet Plan for EMS and TFS and endorsed the plan for TPS and TTC (EX24.2).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.EX24.2>

This report provides the outcomes of those plans and presents the next phase of the City's green fleet planning process. This report also addresses Council's direction June 11-13, 2013, in response to the Auditor General's recommendation, that the Director, Fleet Services Division conduct a review of the City's green fleet vehicles and report to Council on the progress on the City's Green Fleet Plan (AU11.7)

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.AU11.7>

ISSUE BACKGROUND

Climate change and air pollution are closely connected and will remain two of the greatest challenges of the twenty-first century. The fossil fuels burned in order to power motor vehicles emit greenhouse gasses (GHG), such as carbon dioxide (CO₂) that cause climate change, and air pollutants, such as nitrogen oxides (NO_x) that negatively impact air quality and public health. As a result, many of the actions that reduce GHG emissions related to burning fossil fuels can also reduce air pollution. The severity of impact on our communities will depend in large part on our ability to adopt effective green technologies and practices to reduce harmful emissions. Green fleet planning aims to reduce fossil fuel consumption, fuel costs, and emissions of GHG and air pollutants.

COMMENTS

Previous Green Fleet Plans

For the 2008-2011 period, there were separate Green Fleet Plans for the Fleet Services Division and EMS, TFS, TPS and TTC. The goals of these plans were to reduce fuel use, fuel costs, emissions of GHG, and emissions of smog-causing air pollutants (Centrally Managed Fleet only), and contribute to the reduction of the City's overall environmental impact.

City Fleets total GHG emissions for the 2008-2011 period were approximately 1.14 million tonnes eCO₂. As shown by the Environment and Energy Division (EED) in 2013 (PE21.5), GHG emissions for the City in 2011 were 37 per cent lower than 1990 levels. Initiatives undertaken by City Fleets as part of the previous Green Fleet Plans made an important contribution to the overall City emission reductions.

The Green Fleet Plan 2008-2011 (Action 1a) committed the Centrally Managed Fleet to meeting the Corporate reduction target for GHG emissions of six per cent below 1990 levels by 2012 (the "Kyoto target"). As reported by EED in March, 2013 (PE21.5), by the end of 2011 Fleet emissions of eCO₂, including those of EMS and TFS, had decreased by six per cent relative to 1990 levels.

In addition to this target, the Green Fleet Plan 2008-2011 for the Centrally Managed Fleet forecasted GHG emissions avoidance of 15,304 tonnes eCO₂, or 11 per cent over the 2008-2011 period, compared to the "business as usual" scenario (Table B). This forecast was based on the Centrally Managed Fleet's composition and size in 2008 (the 2008 baseline). Emissions avoided as presented here are reductions relative to the business as usual scenario, not absolute reductions from year to year. The "business as usual" scenario represents the fleet emissions had there been no green fleet initiatives such as alternative fuels or green vehicles.

The total of 11,315 tonnes of GHG emissions avoided over the 2008-2011 period was the result of number of different factors. A combination of green fleet initiatives that were proven to be most effective and sustainable, improvements in environmental standards and regulatory requirements, advancements in conventional vehicle and fuel technologies, and a number of other internal and external factors, contributed to this total. This is based on the actual size and composition of the Centrally Managed Fleet (the 2011 baseline), and represents an eight per cent reduction relative to the business as usual scenario (Table B).

Table B: Forecasted and Actual 2008-2011 Estimated Greenhouse Gas Emissions for the Centrally Managed Fleet

2008-2011 Totals	Total "Business as Usual" emissions (without green fleet initiatives)	Total emissions (with green fleet initiatives)	Total emissions avoided from "Business as Usual"	
	(tonnes eCO ₂)	(tonnes eCO ₂)	(tonnes eCO ₂)	(%)
2008-2011 Estimated forecast (2008 baseline)	140,992	125,688	15,304	11
2008-2011 Estimated actual (2011 baseline)	142,966	131,651	11,315	8
Variance	1,974	5,963	(3,989)	(3)

Based on fuel dispensed at FSD-operated City fuel sites and excludes fuel used by vehicles owned and operated by private companies who contract with the City, mobile fuel, and fuel purchased at commercial sites.

The results also indicate that forecasted emission reductions were not fully achieved. This was due in part to the reduction of biodiesel fuel purchases in 2011, because of budget constraints, and partly because of challenges experienced with some of the green

vehicles, technologies, and practices. Caution should be used before comparing the emission forecasts made in 2008 with those made in 2011. It is important to note that between 2008 and 2011 there were major changes in the size and composition of the fleet, and in available information.

The Green Fleet Plan 2008-2011 (Action 1b) committed the Centrally Managed Fleet to meeting the Corporate 20 per cent reduction of 2004 levels for locally generated smog-causing air pollutants by 2012. Estimates provided by EED indicate that the Centrally Managed Fleet will not meet the target. EED reported in 2013 that the preliminary data available indicate that the Corporation as a whole will also not meet the 2012 target (PE21.5). However, a number of different factors lowered criteria air contaminant (CAC) emissions below the levels where they would otherwise have been. Green fleet initiatives that were proven to be most effective and sustainable, improvements in environmental standards and regulatory requirements, advancements in conventional vehicle and fuel technologies, and a number of other internal and external factors were some of the key contributing factors.

In 2008, implementation of the Green Fleet Plan for the Centrally Managed Fleet was forecasted over 2008-2011 period to have a capital cost of \$2.0 million and operating net savings of \$4.032 million, resulting in total net savings of \$2.032 million. Actual values were lower, with a capital cost of \$1.277 million and operating net savings of \$1.620 million, resulting in total net savings of \$343,000 (Table C).

Table C: Forecasted and Actual Financial Impact of the Green Fleet Plan 2008-2011 for the Centrally Managed Fleet

2008-2011	Forecast	Actual	Variance
Capital cost	\$2,000,000	\$1,277,000	(\$723,000)
Operating net savings	\$4,032,000	\$1,620,000	(\$2,412,000)
Total net savings	\$2,032,000	\$343,000	(\$1,689,000)

As part of the 2008-2011 forecasted capital spending, the Centrally Managed Fleet established specific targets for the number of green vehicles forecasted to be acquired during this period. One of the lessons learned, from the implementation of the 2008-2011 Plan, however, is that establishing specific green vehicle acquisition targets is unrealistic as it does not address the City's operational requirements. This will be addressed as part of the Consolidated Plan. A key objective, therefore, of the Consolidated Plan is to apply a more strategic and realistic approach when purchasing, leasing, or otherwise obtaining the most fuel-efficient vehicles where appropriate for the City Fleets' operations, while considering the lifecycle cost of the vehicle.

Actual operating net savings were lower than anticipated because the forecasted fuel savings estimated to result from reduced idling were not achievable. On the operating side, \$3.456 million, or 86 per cent, of the \$4.032 million in forecasted savings from the implementation of the Green Fleet Plan 2008-2011 for the Centrally Managed Fleet, was attributed to and expected to come from ten per cent fuel savings across the board, as a result of the Idle-Free initiatives. The highly optimistic forecast made at the time was not achievable in real-world conditions, and as a result, the actual outcomes have come well

short of that. The Consolidated Plan takes a more practical and achievable approach to estimating fuel savings from reduced idling.

The City of Toronto has been a Canadian leader in pilot testing and adopting environmentally preferable vehicles and equipment. As part of the previous Green Fleet Plans, City Fleets have undertaken numerous pilot projects involving new and emerging green vehicle technologies. Some of these technologies have been successful and have been adopted by City Fleets. These include:

- LED lights, auxiliary batteries, anti-idling devices, inverters, and other technologies for vehicles and equipment that reduce fuel consumption and emissions, have been installed on a large number of vehicles and equipment;
- Hybrid vehicles and equipment adoption in areas with high operational utilisation.

Unfortunately, not every green solution tested and adopted by the City has been able to adequately reduce emissions and or justify the investment made:

- Most of the plug-in hybrid electric vehicles (PHEV) and battery electric vehicles (BEV) that have been added to the Centrally Managed Fleet would require higher utilization than they have had, in order to reach their potential for reducing fuel consumption and lowering the total cost of vehicle ownership. In real-world conditions, particularly in a climate with extreme temperatures, adequate range in BEVs is an impediment to high utilisation that needs to be managed;
- Many of the alternative fuels tested and used by City Fleets were not sustainable due to cost and lack of infrastructure, as in the case of hydrogen, or the actual cost of the fuels, as in the case of biodiesel, particularly during the last economic downturn.

In 2013, in response to recommendations from the Auditor General (report AU11.7), FSD committed to consult with Key User Divisions, review the City's green fleet vehicles, and provide a progress report on the City's Green Fleet Plan. FSD consulted with Key User Divisions, and the received feedback forms an important part of the review of the green vehicles' performance and suitability for City operations. The highlights and outcomes of the review are included in the Consolidated Green Fleet Plan 2014-2018, Appendix B. To complement this information, FSD will perform a quantitative, lifecycle analysis of the green vehicles and report the results to Government Management Committee in Q2 2016 as part of the first progress report on the Consolidated Plan. Addressing the request for a Green Fleet Plan progress report, FSD has evaluated the City's past Green Fleet Plans and is introducing the Consolidated Green Fleet Plan 2014-2018.

Consolidated Green Fleet Plan 2014-2018

The 2008-2011 Green Fleet Plans took the City a long way toward reaching environmental goals for its fleets, however, there is still progress to be made. Climate change and air pollution are closely connected and will remain two of the greatest challenges of the twenty-first century. City Fleets are responding to those challenges by developing the new Consolidated Plan, which draws on our collective past experience to better manage or mitigate the issues presented by balancing green initiatives and fiscal

responsibility. Green technologies and management practices are available and can help the City achieve its environmental goals. City Fleets are determined to work together to implement green solutions while minimizing costs.

Recognizing the benefits derived from cooperation, and the need to be more strategic, the five major City of Toronto Fleets, have come together to create the Consolidated Green Fleet Plan 2014-2018. The Consolidated Plan articulates the collective vision of City Fleets and will assist the City of Toronto in meeting its strategic goal of environmental sustainability.

The goal of the Consolidated Plan through 2018 is to choose vehicles, equipment, fuels, and practices that consume less fuel and emit less GHG and air pollution, meet the City Fleets' operational requirements, are sustainable, and are economically viable. The Consolidated Plan sets realistic objectives that will measure our progress toward the established goal, and includes specific, measurable strategies to accomplish these objectives.

The Consolidated Green Fleet Plan 2014-2018 objectives are:

- a. Purchase, lease, or otherwise obtain the most fuel-efficient vehicles where appropriate for City operations, while considering lifecycle cost of the vehicle;
- b. Achieve ISO Certification in the area of Environmental Management (ISO 14000) and Quality Management (ISO 9000) for the Fleet Services Division, and explore the feasibility of ISO Certification for other City Fleets;
- c. Develop selection criteria for alternative fuels;
- d. Enhance operational efficiency and driver education; and
- e. Create one new temporary dedicated Green Fleet Coordinator position in Fleet Services Division for the 2015-2018 period, to be included in Fleet Services' operating budget (subject to Budget Committee approval during the 2015 Budget process), and establish a Green Fleet Team comprised of current staff from each of the participating members of the Fleet Management Steering Committee.

Benefits, costs and savings:

The Consolidated Plan objectives, and associated strategic actions, were developed to support the City's overall environmental sustainability goal outlined in the City of Toronto Strategic Actions 2013-2018. By implementing this Consolidated Plan, City Fleets will contribute to the City's GHG reduction target of 30 per cent below 1990 levels by 2020, helping to mitigate climate change. Implementation of the Consolidated Plan for the Centrally Managed Fleet, EMS, and Fire Services is anticipated to result in approximately 5,800 tonnes of avoided GHG emissions (relative to the total number of vehicles and equipment). This is in line with reaching the City's 2020 GHG reduction target of 30 percent.

Although the GHG emissions from City Fleets are relatively small compared to the emissions associated with both natural gas and electricity used for the City's corporate operations, the Fleets are a significant source of the City's emissions of criteria air contaminants (CAC). CAC are a set of air pollutants that cause smog, acid rain, and other

health hazards. Of particular note are the emissions of nitrogen oxides (NOx), a group of CACs from heavy vehicles, and volatile organic compounds (VOC).

Studies conducted over the last decade, including the recent Local Air Quality Study of Ward 5 and Ward 6 (Etobicoke-Lakeshore), have identified increasing air quality issues associated with major urban areas that can cause adverse health effects even at the low ambient concentrations that now generally prevail in cities in North America and Western Europe.

The challenge for the City of Toronto and other urban centres in Canada as they continue to grow is to develop and implement management strategies that will help reduce not only emissions of GHG that cause climate change, but also the emissions of air pollutants that impact local air quality. The Consolidated Plan is designed to address both GHG and air pollutants emissions, while contributing to ongoing efforts to meet the ever-evolving operational needs and economical requirements of the City of Toronto in the most efficient and effective way. Implementing the Consolidated Plan will contribute to the City's objective of reducing air pollutant emissions by 20 per cent below 1990 levels, to protect local air quality and human health.

Other benefits of the Consolidated Plan include increased cooperation among the City's five major fleets, expanded monitoring and reporting of estimated air pollutant emissions, increased operational efficiency, reduced waste and cost, and improved corporate image and credibility among the public and regulators.

The benefits, costs, and savings for each Consolidated Plan objective are described below, projected over 2014-2018 for the Centrally Managed Fleet.

Objective A. Fuel-efficient vehicles:

The anticipated net cost of this objective over 2014-2018 period is \$239,000 for the Centrally Managed Fleet. This is made up of \$500,000 in capital costs for the incremental cost of fuel-efficient vehicles funded from the corporate vehicle reserve, less an estimated \$261,000 in fuel savings from the fuel-efficient vehicles.

Advancements in conventional vehicle technology are likely to make a greater contribution to reaching the established GHG and air pollutant reduction targets than previously thought. As a result of 2013 federal regulations, the Government of Canada estimates that by 2018, GHG emissions from 2018 model year heavy-duty vehicles will be reduced by up to 23 per cent relative to 2008 levels. Also, it is projected that by 2025 vehicles will consume up to 50 per cent less fuel than 2008 vehicles, leading to potentially significant fuel cost savings. These improvements to fuels and technologies help mitigate emissions from the City's Fleets, however, substantial work remains to reduce emissions of GHGs and air pollutants, necessitating a new Consolidated Plan for the next five years.

Objective B. ISO certification and Objective E. Green Fleet Coordinator:

An Environmental Management System (EMS), such as the ISO 14001 standard, provides a framework to ensure that all environmental aspects of organization's responsibilities are accounted for. An EMS provides evidence that proper care and due diligence was exercised in exercising any legal duty of care to which an organization may be held.

Adopting ISO Environmental Management System standards is a leading practice among municipalities in Ontario and across Canada for managing and improving environmental performance. Municipalities that are utilizing the ISO environmental standards include the Regions of York, Waterloo, and Durham, Town of Richmond Hill, and the Cities of Kitchener, Hamilton, Calgary, Edmonton, Halifax, and Quebec City.

Using ISO, these municipalities can analyze and reduce the environmental impact of their activities and services, while operating with greater efficiency and control. Key benefits include:

- Improved corporate image and credibility among the public and regulators
- Legislative awareness and compliance
- Reduced waste and costs
- Savings in consumption of energy and materials
- Improved communication and emergency response

The Centrally Managed Fleet anticipates achieving ISO certification of its benchmark facility by the end of first quarter 2017. As such, most of the benefits of this process will be more fully discerned after that time.

Establishing dedicated resources, such as a coordinator, is also a leading practice among Canadian municipalities that have implemented ISO Environmental Management System standards. The City's experience with previous green fleet plans shows the importance of dedicated resources for ensuring successful implementation, monitoring and compliance with respect to green fleet initiatives. In order to coordinate, implement, analyze, and report on the progress of the Consolidated Plan's objectives, a new Green Fleet Coordinator position in Fleet Services, and a Green Fleet Team, made up of existing staff from the five Fleets, are recommended. This will enable coordinated implementation, analysis, progress reporting, and assist the five Fleets in achieving the Consolidated Plan's anticipated savings and environmental benefits.

ISO certification of one facility and the dedicated enabling resource for Green Fleet Plan coordination have a combined anticipated cost of \$519,000 and cost savings of \$130,000 over 2014-2018 period for the Centrally Managed Fleet. The estimated savings would come from improved productivity, reduced waste, and reduced energy and material consumption. The full magnitude of potential cost saving will be fully realised in the final stage of the Consolidated Plan (2017-2018), and most importantly, will continue beyond the term of this plan.

Objective C. Alternative fuels:

The implementation scenario described here assumes that the only alternative fuels used over 2014-2018 period will be natural gas and electricity. The benefits of these alternative fuels are reduced emissions of GHGs and air pollutants, and reduced fuel costs.

Implementing these alternatives is anticipated to result in net savings of \$333,000 over 2014-2018 period for the Centrally Managed Fleet. Savings are anticipated because the costs of these fuels are lower than the cost of conventional fossil fuels. If biofuels are used in future they will result in significant avoided tailpipe emissions, though likely at an increased cost.

The GHG emissions from fuel are substantial. Purchasing sustainable biofuels can offer an environmental benefit, generally at an increased cost. However, the emission reductions that can be gained by the City proactively purchasing biodiesel in place of conventional fuels, are lower today than they were in years past. This is because Federal and Provincial regulation has improved some aspects of the conventional fuels available today. Currently, diesel fuel sold in Ontario must contain two per cent biofuel on average and is expected to increase in coming years. In 2016 the percentage of biofuel in Ontario diesel rises to three per cent and in 2017 and beyond the biofuel content will be four per cent. This regulated biodiesel content will result in additional GHG emissions avoided for the Centrally Managed Fleet over 2014-2018 at no additional cost.

One of the objectives of the Consolidated Plan is to develop selection criteria for alternative fuels. Fleets have the option of incorporating biodiesel or any other alternative fuel in the future, if analysis indicates it would be beneficial.

Objective D. Driver education:

The benefits of enhanced driver education include safer driving, less idling, lower fuel consumption and avoided emissions of GHGs and air pollutants. Reducing idling reduces waste. It also lowers fuel cost and improves public confidence in the City.

Driver education to reduce idling is anticipated to result in net fuel savings of \$112,000 over 2014-2018 for the Centrally Managed Fleet.

Existing green vehicles:

In addition to the objectives of the Consolidated Plan, green vehicles that were added to the fleet under the previous Green Fleet Plans also play an important role in the fleet of today and tomorrow. Once proven viable and sustainable, a fuel-efficient vehicle or technology is added to the fleet. It then continues to provide fuel savings relative to conventional technologies over its operational lifetime.

Fuel efficient vehicles that are already in operation, and will continue to be in service over 2014-2018 period, are anticipated to provide estimated fuel savings of \$236,000 over this five year period for the Centrally Managed Fleet, relative to less fuel-efficient, conventional technologies.

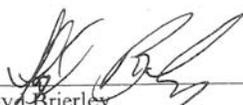
City Fleets will lead by example to help create a clean, sustainable City of Toronto and continue to advance the City's vision, mission, and goals. Given the speed at which technology changes, there will be a need to adapt the implementation to accommodate new opportunities as they arise. The actual cost savings and environmental benefits will depend on the actual implementation over the five years, and will form the basis of regular progress reports. The reports will provide a status update on fiscal sustainability and environmental benefits. This analysis will be used to make adjustments to the implementation of the Consolidated Plan.

The objectives and strategies upon which the Consolidated Green Fleet Plan 2014-2018 is built provide the structure for ensuring that City Fleets' efforts are sustained over the next several years. This harmonized and balanced approach is designed to meet the long-term economic, operational, and environmental needs of the City.

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SIGNATURE



Lloyd Brierley
Director, Fleet Services Division

ATTACHMENTS

Attachment 1: City of Toronto Consolidated Green Fleet Plan 2014-2018

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P280. AWARD FOR THE SUPPLY AND DELIVERY OF A 2015 COACH BUS

The Board was in receipt of the following report December 04, 2014 from William Blair, Chief of Police:

Subject: AWARD FOR THE SUPPLY AND DELIVERY OF ONE 2015 COACH BUS

Recommendations:

It is recommended that:

- (1) the Board approve the purchase of one coach bus from Motor Coach Industries at a cost of \$505,131.82, excluding applicable taxes; and
- (2) the Board authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The cost to purchase one coach bus is \$505,131.82, excluding applicable taxes. Funding for this purchase is included in the Toronto Police Service's (Service) 2014-2022 vehicle replacement capital program.

The Service's Fleet and Materials Management Unit also plans to eliminate one of the current coach buses. This will reduce the overall bus fleet from three to two, and enable the Service to avoid a cost of approximately \$505,131.82, by not having to replace the third bus in the future.

Background/Purpose:

The Service currently operates three coach buses, which are used to provide transportation services for large groups of police officers, including Public Order, Emergency Task Force, Forensic Identification, new recruits, as well as police officers and civilians involved in community programs.

One of the three buses is due for replacement, in accordance with the Service's 25-year lifecycle replacement for buses. The purpose of this report is to request Board approval to buy the bus from Motor Coach Industries (MCI), the current vendor for GO Transit/Metrolinx.

Discussion:

Rather than go through its own competitive process for the purchase of one coach bus, the Service initiated discussions with Metrolinx/GO Transit to determine if the Service could purchase the coach bus required from Metrolinx/GO Transit's current vendor (MCI). This contract for buses was awarded to MCI through a competitive tendering process. The bus specifications in the MCI contract have been reviewed by the Service, and meet our requirements.

Metrolinx/GO Transit intend to order a final ten buses under its current contract with MCI in December 2014, as they will be transitioning to a double deck design with their next and subsequent orders. Metrolinx/GO Transit and MCI have agreed that one coach bus could be included in this order on behalf of the Service. This would allow the Service to take advantage of the lowest bid achieved through a competitive process undertaken by Metrolinx/GO Transit, based on a much larger volume of buses.

The Board's approval to purchase the bus through the MCI contract will allow for delivery prior to the PanAm games in the summer of 2015. Otherwise, the Service's delivery will be delayed a further six months to the end of 2015.

Conclusion:

The Service needs to replace one of its buses in accordance with its lifecycle replacement program. As the Service is only purchasing one bus, it was determined that the Service would benefit from using the GO Transit/Metrolinx contract with MCI to buy the bus. This contract was awarded through a competitive process, based on Metrolinx/GO Transit's high volume bus purchases.

Accordingly, it is recommended that the Board approve the purchase of a coach bus from MCI, at a cost of \$505,131.82.

Deputy Chief Mike Federico, Operational Support Command, and Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to respond to any questions from the Board.

The Board approved the foregoing report.

Moved by: D. Noria

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P281. LEASE EXTENSION FOR PARKING ENFORCEMENT WEST UNIT
PREMISES – 970 LAWRENCE AVE. WEST**

The Board was in receipt of the following report November 26, 2014 from William Blair, Chief of Police:

Subject: LEASE EXTENSION FOR PARKING ENFORCEMENT WEST UNIT
PREMISES - 970 LAWRENCE AVENUE WEST

Recommendation:

It is recommended that:

- (1) the Board approve the City of Toronto entering into a 5-year lease extension with 970 Lawrence Project Ltd. (Landlord) for the Parking Enforcement West (Parking West) facility located at 970 Lawrence Avenue West, at an average annual estimated amount of \$495,000 (including taxes), and for a five year period commencing January 1, 2015 to December 31, 2019, for a total estimated cost of \$2,475,047 (including taxes);
- (2) the Board forward this report to the City’s Chief Corporate Officer for appropriate action relating to the negotiated lease agreement; and
- (3) the Board request the City’s Chief Corporate Officer to commence a search for a suitable City-owned site for the Toronto Police Service’s Parking Enforcement West operation.

Financial Implications:

The chart below outlines the annual lease costs for the Parking West facility, as negotiated by the City’s Real Estate Division. It also shows the increase in lease cost over the last year of the current lease, which expires on December 31, 2014. The total annual lease cost is comprised of a base rent and additional rent, which includes the cost of 75 parking spots as well as estimated common area and utility costs.

Lease Term January 1, 2015 to December 31, 2019				Past Lease	Increase in lease cost over 2014
Lease Term	Annual Net Rent (Base)	Additional Rent (Estimate)	Total Annual Rent	Past Rent Jan 1 to Dec 31, 2014	
Year 1	\$ 202,771	\$ 288,968	\$ 491,739	\$ 383,784	\$ 107,955
Year 2	\$ 202,771	\$ 288,968	\$ 491,739	\$ 383,784	\$ 107,955

Year 3	\$ 206,042	\$ 288,968	\$ 495,009	\$ 383,784	\$ 111,225
Year 4	\$ 209,312	\$ 288,968	\$ 498,280	\$ 383,784	\$ 114,496
Year 5	\$ 209,312	\$ 288,968	\$ 498,280	\$ 383,784	\$ 114,496
TOTALS			\$ 2,475,047	\$ 1,918,920	\$ 556,127

The total annual rent is, on average, \$111,000 more than the current lease cost of \$383,784.

Funding for the estimated 2015 lease cost has been included in the 2015 Parking Enforcement Unit operating budget submission. The cost for the future years of the lease will be included in each year's respective budget submission.

Background/Purpose:

The Toronto Police Service (Service) Parking Enforcement Unit currently occupies approximately 11,577 square feet of rentable area at 970 Lawrence Avenue West for its Parking West operation. Parking West has occupied this location since 1995.

The current lease expires on December 31, 2014, and a suitable City of Toronto (City)-owned facility for Parking West has not yet been identified. As a result, City Real Estate staff engaged the Landlord in renewing the existing lease agreement in September 2013. Those negotiations were completed in late October 2014, and results in annual lease cost increase that averages approximately \$111,000 over the lease term. The five-year lease, which ends on December 31, 2019, will allow time for City Real Estate to find an alternate location for the Parking Enforcement West Unit that meets the unit's needs, as well as the time to renovate or construct the facility.

The purpose of this report is to request the Board to approve the City entering into a five-year lease agreement for the Service's Parking Enforcement West operation, and to request the City's Chief Corporate Officer to commence a search to find a permanent City-owned site for this unit.

Discussion:

The Service's Parking Enforcement operation is carried out from two locations. The Parking Headquarters and East (Parking East) operation is located in a City-owned site on Progress Avenue. Parking East was previously located in a leased facility on Don Mills Avenue and moved into its new location in July 2014.

The Parking West operation currently occupies one floor (consisting of 11,577 square feet) in a building at 970 Lawrence Avenue West. Parking West has occupied this space for approximately 20 years. The current lease agreement expires on December 31, 2014, and City Real Estate has re-negotiated the lease agreement for another five year period, ending on December 31, 2019.

Base rent per square foot is \$15.50 in years one and two, increasing to \$15.75 per square foot in year three and to \$16.00 in last two years of the lease agreement. In addition, throughout the term, the Service will be responsible for additional rent for the common area and for hydro costs, which are estimated at a combined rate of \$13.75 per square foot of rentable area.

The Landlord will also provide seventy-five (75) underground and surface parking spaces for Fleet and personal vehicles at an annual rental cost of \$96,540.

The total annual cost (including all applicable taxes) is outlined in the chart below:

Lease Term January 1, 2015 to December 31, 2019			
Lease Term	Annual Net Rent	Additional Rent (Estimate)	Total Annual Rent
Year 1	\$ 202,771	\$ 288,968	\$ 491,739
Year 2	\$ 202,771	\$ 288,968	\$ 491,739
Year 3	\$ 206,042	\$ 288,968	\$ 495,009
Year 4	\$ 209,312	\$ 288,968	\$ 498,280
Year 5	\$ 209,312	\$ 288,968	\$ 498,280
TOTALS			\$ 2,475,047

The new five year agreement will cost approximately \$2.5M, an increase of \$0.56M over the previous five year agreement, or an average of \$0.11M per annum in additional rent.

Conclusion:

The Parking Enforcement Unit contributes to the achievement of the goals and priorities of the Toronto Police Service and City of Toronto, with respect to traffic movement and safety.

As the existing lease agreement for the Parking Enforcement West operation expires on December 31, 2014, the Board is being requested to approve the new lease terms negotiated by the City's Real Estate Division.

The Service and the City both agree that it is prudent to review all leased facilities to determine if it would be more cost-effective to move the respective operations into a City-owned (either existing or to be purchased) facility. The Service did this with its Parking East operation and will save approximately \$500,000 annually by moving its operation to an existing City-owned building on Progress Avenue. The Service also has another unit that operates out of the Progress Avenue site. Consequently, in addition to the annual savings, this move also enabled the Service to obtain greater value from its investment in this City-owned site.

As a result, it is recommended that the Board formally request the City to commence a search for a suitable City-owned for the Parking West operation. A business case can then be developed to determine whether it would be prudent to move the operation from a leased to a City-owned site.

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

Chair Alok Mukherjee noted that the lease extension would be effective January 1, 2015 and inquired as to the reason for the delay in providing it to the Board for its December 2014 meeting given the requirement to provide at least three months' notice prior to the commencement of an agreement or the renewal of an existing agreement.

Mr. Tony Veneziano, Chief Administrative Officer, said that although the parties, including the City and the landlord, worked as expeditiously as possible to reach an agreement, the negotiations were not completed until late October 2014.

The Board approved the foregoing report and the following Motion:

THAT the Board authorize the Chair and Executive Director, and request Mr. Veneziano, to meet together with representatives of the City's Real Estate Division to discuss the circumstances related to this lease extension.

Moved by: D. Noria

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P282. CAFETERIA SERVICES – AMENDMENT TO CONTRACT

The Board was in receipt of the following report November 26, 2014 from William Blair, Chief of Police:

Subject: CAFETERIA SERVICES - AMENDMENT TO CONTRACT

Recommendations:

It is recommended that:

- (1) the Board approve an amendment to the food services contract with Compass Group Canada, terminating Compass' requirement to provide cafeteria services at Toronto Police Headquarters;
- (2) the Board approve the transfer of Compass' capital investment to the Toronto Police College for a self-service kiosk; and
- (3) the Board authorize the Chair to execute the amendment to the agreement on behalf of the Board, subject to approval as to form by the City Solicitor.

Financial Implications:

The 2013 to 2017 agreement with Compass Group Canada (Compass) for the provision of cafeteria services includes the payment of a compensation fee to the Service based on the total cafeteria, catering and vending machine revenue at both Headquarters (HQ) and the Toronto Police College (College). In 2013, the Service received \$2,000 of compensation income. By eliminating the cafeteria at HQ, the compensation received by the Service will be reduced. However, at this time, the exact amount cannot be determined. Given that sales at HQ are considerably lower than those at the College, the amount of any possible reduction is not considered material.

In addition, in the current agreement, Compass also committed to investing \$40,000 towards the renovation costs associated with reducing the full service cafeteria at HQ to a counter/kiosk set-up. By approving the closure of the HQ cafeteria, the Service is able to remove the existing cafeteria equipment and reclaim this premium space for use by Service units. The cost to remove the equipment and reclaim the space is approximately \$230,000. This investment allows the Service to further renovate the space based on operational requirements and provide a larger operational footprint within HQ. Funding for the equipment removal and reclaim costs is included in the Service's State of Good Repair (SOGR) budget.

Should the Board approve Compass' proposal to invest in a self-service kiosk at the College, the Service will be required to invest approximately \$10,000 in electrical and other infrastructure. Funding is available in the Services' State of Good Repair budget in 2015.

Background/Purpose:

At its meeting of November 14, 2012, the Board awarded the contract for provision of cafeteria services at HQ and the College to Compass (Min. No. P290/12 refers). The Board and Compass executed a food services contract for a period of five years, from January 1, 2013 to December 31, 2017. This agreement continued the full cafeteria service at the College, but allowed for a reduction at HQ to kiosk-style service. The agreement also includes a provision requiring Compass to make a \$40,000 contribution towards the overall cost of the HQ cafeteria renovation.

On August 29, 2014, the Service received correspondence from Compass (Attachment "A") requesting that the Service consider eliminating food service at HQ. In addition, Compass advised that it is prepared to reallocate the \$40,000 investment, originally intended for HQ, to food services improvements at the College.

The purpose of this report is to request an amendment to the existing food services contract with Compass that ceases food service operations at HQ and accepts re-purposing the \$40,000 investment for College cafeteria service improvements in the form of a Tim Horton's coffee self-service kiosk.

Discussion:

The contract award to Compass required that a renovated HQ cafeteria be completed within one year of the award date. Both the Service and Compass had every intention to proceed with the reduced HQ cafeteria, and re-design discussions between the Service and Compass began in 2013. The proposed re-design, which included removing the old equipment, construction work and the installation of new equipment and appliances, was estimated at \$450,000 in total. After factoring in the \$40,000 investment to be made by Compass, the Service anticipated the cost would be approximately \$410,000.

Due to conflicting priority project commitments and staff shortages within Facilities Management, the detailed re-design work did not actually commence until early 2014. Architectural drawings for the kiosk-space design were completed just prior to receiving the letter from Compass, who indicated that it had been reviewing its sales at HQ and had communicated a marked decline in the use of cafeteria services.

Request to Amend the Contract for Cafeteria Services at Headquarters:

In its August 29, 2014 letter, Compass acknowledged the existence of many competing food service providers within walking distance of HQ, which effectively makes the cafeteria uncompetitive. In the letter, Compass questioned the viability of continuing any type of food service at HQ. It also recognized the Service's goal to wherever possible, reclaim office space

within HQ. Reclaiming the fourth floor space, currently occupied by the cafeteria, would make the space available to the Service to better meet operational requirements. As a result, Compass is requesting an amendment to the agreement eliminating Compass' obligation to provide food services at HQ.

The correspondence also indicates that Compass is prepared to re-allocate the \$40,000 for cafeteria renovations at HQ to the College and provide enhanced products at that location. In its letter, Compass proposes installing a self-serve Tim Horton's coffee kiosk, a program that is the benefit of a long standing relationship between Tim Horton's and Compass. Both the letter from Compass requesting to be released from their obligation at HQ (Attachment "A") and a letter outlining the affiliation between Compass (Eurest Dining Services) and Tim Horton's (Attachment "B") are appended to this report.

Staff in the Service's Purchasing Unit and the City Legal Division reviewed the existing agreement with Compass and advised that, conditional on Board approval, the contract can be amended to meet the revised business arrangements.

It should be noted that the Service avoids \$220,000 in renovation costs directly associated with the HQ cafeteria downsizing, should Compass' proposal be accepted. It would also enable us to reclaim premium floor space to better meet operational requirements.

Self-service Tim Horton's Kiosk:

Service staff met with Compass staff to get more information about the Tim Horton's kiosk proposed for the College. The kiosk would consist of a counter, built to standard specifications, and placed within the existing College cafeteria space. The counter would simply facilitate the substitution of the existing coffee service for Tim Horton's coffee and would be clearly marked as a Tim Horton's product. However, there would not be any external signage or advertising associated with the kiosk. The \$40,000 investment included in the current contract would be used to provide the counter, equipment and millwork upgrades required to put the kiosk in place.

Compass has indicated that other similar installations have occurred within public facilities and have contributed to a better cafeteria experience and increased sales. The availability of a popular coffee brand to Service members, particularly recruits, who have restrictions placed upon them related to leaving the facility in uniform, is expected to contribute to higher sales. The Service is anticipated to benefit from the coffee sales increases through a higher, although not significant, compensatory return. Compass has indicated that at the five such kiosks installed to date in other client facilities, there has been a significant increase in revenue.

Ownership of the kiosk resides with Compass should our relationship for food services terminate in the future.

Timelines Associated with the Contract Change:

If the Board approves the request for a contractual amendment, it is Compass and the Service's intention to close the HQ cafeteria operations effective in the first quarter, 2015. In addition, pending design development and the confirmation of contractor work schedules, as well as the actual contract amendment, the Tim Horton's kiosk should be in place by the end of the first quarter of 2015. Appropriate communication of the cafeteria closing will be made to Headquarters staff as soon as the date is known.

Conclusion:

The current agreement for cafeteria services at HQ and the College expires on December 31, 2017. Use of the cafeteria at HQs has and continues to decrease, and the space that it occupies could be better used to meet the Service's operational requirements. The Service therefore supports a request from Compass to eliminate cafeteria services at HQ and re-purpose the \$40,000 originally earmarked for HQs renovations, to the installation of a self-service Tim Horton's kiosk at the Toronto Police College. The self-service counter will augment the food services already provided by Compass to the College. The Service will keep a small portion of the current cafeteria for use as a lunchroom for HQs staff, and would maintain the current vending machines and some of the existing seating.

Although the Service must expend approximately \$230,000 to remove HQ cafeteria equipment and reclaim 4th floor space, about \$220,000 will be avoided by completely closing down the HQ cafeteria.

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

The Board approved the foregoing report.

Moved by: A. Pringle

August 29, 2014

Tony Veneziano
Chief Administrative Officer
Toronto Police Service
40 College Street
Toronto, Ontario
M5G 2J3



Dear Mr. Veneziano:

Eurest Dining Services (Eurest) has provided food service to the Toronto Police Services since September 2009, and we are proud of our business relationship. We have been privileged to provide meals for the G20 Summit as well as past Caribana events. Our Operations teams at the two sites, led by Debra Gillegean, take great pride in delivering exceptional catering for numerous special functions throughout the year. A special highlight is always the recruit graduation, which Debra's son participated in this year.

We have been engaged in conversations with Enrico Pera in Facilities Management about the proposed renovation of the foodservice operation at Head Quarters. From these discussions, we understand that your building space is at a premium and you are looking to reclaim as much space as possible for meeting rooms and offices. With that goal in mind, Eurest had agreed to make a 40K capital contribution towards the proposed kiosk renovation that would significantly reduce the foot print of the current kitchen and Café to a Soup and Sandwich kiosk.

The question remains whether or not this will prove to be a viable option for the building based on the number of other foodservice offers within very short walking distance of 40 College Street. Many of these establishments provide a much broader offering than the kiosk will. Based on the large amount of direct competition in the area, Eurest is suggesting the total elimination of the foodservice at 40 College Street, which would allow Toronto Police Services to reclaim the entire 4th floor for its use.

We propose to reallocate the \$40K contribution to install a self-serve Tim Hortons in the Toronto Police College Café at 70 Birmingham Street. This would provide an enhancement to the offerings at the College and supply Toronto Police Recruits with Canada's favorite coffee on a daily basis. The Tim Horton's self-serve program is an exciting new program offer that is only available to Compass Group Canada/Eurest due to our long standing partnership with Tim Hortons. I have attached the letter of introduction for your review.

With your approval, we could have a self-serve Tim Hortons installed for January 2015. Furthermore, we would like to move forward with the closure of the HQ café with a suggested closure date of Friday September 26, 2014.

Thank you again for your consideration and I look forward to hearing from you soon regarding this request. If you have any questions, or wish to discuss, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Milene Boland".

Milene Boland – District Manager

Cc: Mark Carlson

MILENE BOLAND - COMPASS GROUP CANADA

5560 Explorer Drive • Mississauga, Ontario • L4W 5M3 • (905) 568-4636 ext. 219 • (416) 275-0631 • Fax (905) 568-2964



August 29, 2014

Tony Veneziano
Chief Administrative Officer
Toronto Police Service
40 College Street
Toronto, Ontario
M5G 2J3

Tim Hortons

Dear Tony:

Your account has been one of the very few identified as a potential location to participate in a new Tim Horton's self-serve Express concept. Through the strong relationship developed between Tim Horton's and Compass Group, we have partnered on this new initiative that is sure to drive traffic, sales and increase customer satisfaction at your unit!

In the Canadian marketplace Tim Horton's is the undisputed leader. Exceptional quality, extensive market penetration, and overwhelming customer preference, makes it a natural fit. Potentially the current internal coffee brand can be replaced with a retail Tim Horton's counter where the customers serve themselves. There would be a selection of coffee, tea, hot chocolate, and cappuccino. The prices will be set at the same level as the retail stores on the street. There is also a variety of counter sizes, so we have the benefit of selecting the model that best fits your space.

With your approval, Eurest Dining Services would begin by working on the project plan and then seek the final Tim Hortons approval to proceed with the program. It is our intent to make the financial investment for the equipment and service counter, pay the franchise fee, and pay the ongoing royalties to Tim Horton's. Additionally, we will make the required investment without the need for buy-back language in the contract; therefore, there is absolutely no liability on your side. All we ask from the client is to make the electrical / plumbing services available to the point of connection, and assist with the removal of the existing counter. Since this counter will replace the existing coffee counter, it is likely that much of the services are already in place.

I hope that you are excited about this opportunity to drive traffic, increase sales and improve customer satisfaction levels. This is a great way to bolster customer opinions and demonstrate continuous improvement within your business. The Eurest team looks forward to presenting you with further details regarding this excellent opportunity!

Thank you for your consideration and ongoing support.

Sincerely,

A handwritten signature in blue ink, appearing to read "Milene Boland".

Milene Boland
District Manager

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P283. AWARD OF ENTERPRISE AGREEMENT FOR MICROSOFT
SOFTWARE**

The Board was in receipt of the following report November 25, 2014 from William Blair, Chief of Police:

Subject: AWARD OF ENTERPRISE AGREEMENT FOR MICROSOFT SOFTWARE

Recommendations:

It is recommended that:

- (1) the Board award the Enterprise Agreement for licensing maintenance of Microsoft software to Dell Canada Inc., at an estimated cost of \$7 million (inclusive of applicable taxes) over the three year period commencing April 1, 2015 and ending March 31, 2018;
- (2) the Board approve Dell Canada Inc. as the vendor of record, for the acquisition of net new Microsoft software for a three year period commencing April 1, 2015 and ending March 31, 2018; and
- (3) the Board authorize the Chair to execute the agreement and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The maintenance cost of the agreement with Dell Canada Inc. is estimated at \$7M (including taxes) for a three year period, April 1, 2015 to March 31, 2018, or \$2.3M annually. The estimate is based on the inventory of licenses at the time the Request for Quotation (RFQ) was issued. This cost will change based on actual licenses owned by the Service at the time of the renewal.

Funding to cover the costs of the 2015 portion of the maintenance contract has been included in the 2015 operating budget request. The 2016 and 2017 operating budget requests will include the requisite funding for this requirement.

In addition, any net new licenses will be based on pricing established in the response bid by Dell Canada Inc. to the Toronto Police Service (Service) RFQ and the Province of Ontario's Microsoft master agreement. Funding for new licenses will be included in either the Service's annual operating budget request or within approved capital budgets.

Background/Purpose:

Information Technology Services (ITS) has established strategies to maintain a standard software environment to centrally control software licenses and costs across the information technology (IT) infrastructures.

Microsoft software is the standard used throughout the Service on all desktop, laptop, mobile computers and servers. In addition, a number of major Service applications and services are based on Microsoft software. Some of those applications and services include; electronic mail, web sites, login and security mechanisms, personal file storage systems, virus and malware detection, desktop productivity tools, mobile solutions, application development tools, databases and print services.

The Management Board Secretariat (MBS) formed a master Microsoft Business Agreement framework (#U83644444) for acquiring and licensing Microsoft software. All municipalities and agencies in the Province of Ontario can be included under the umbrella of this MBS agreement by enrolling with a vendor authorized by Microsoft as a Large Account Reseller (LAR).

Participation in the MBS' agreement with Microsoft provides the largest discount available to an organization and includes benefits and services that are not otherwise available, including:

- set pricing for the selected products for accurate estimating and budgeting;
- discounted prices for additional products;
- rights to upgrade to the newest versions of Microsoft products at no additional cost (Software Assurance) for existing software;
- ability to procure new product offerings from Microsoft;
- no cost software evaluations for new releases of Microsoft Products;
- entitlement to all bug fixes and patches that protect against software vulnerabilities and security holes;
- 24/7 support provided via phone and websites to assist in resolving issues within the IT infrastructure;
- license management that reduces installation time and structures the adding of new software, along with the ability to downgrade the version to current Service software standards;
- online E-Learning modules for members and technical resources for ITS support teams; and
- expert services to leverage our investment and plan deployments.

The Service is currently enrolled in a Microsoft Enterprise Agreement (EA) #5958656, Master agreement #75E60916 with Dell Canada Inc., which expires on March 31, 2015 (Min. No. P288/11 refers).

The purpose of this report is to establish a vendor for the acquisition, maintenance and licensing of Microsoft software.

Discussion:

In September of 2014, the Service's Purchasing Services unit issued RFQ #1145725-14 that was posted on MERX (an electronic tendering service), for the acquisition and licensing of Microsoft software under an Enterprise Agreement for the period commencing April 1, 2015 to March 31, 2018. The RFQ was issued to all LARs authorized by Microsoft.

Eleven vendors picked up the RFQ and four bids were received and evaluated. The bidders were:

- Dell Canada Inc.;
- Software One Inc.;
- SoftChoice Corporation; and
- CDW Canada Corporation.

The evaluation of the bids considered the following criteria:

- references for each bidder - number of desktops, servers, services, and licensing agreements that were comparable in size to the TPS;
- cost to provide Software Assurance (SA) and maintenance for the term of the agreement;
- cost to acquire additional licenses for existing products throughout the agreement;
- committed pricing for a period of one year for additional Microsoft products; and
- reporting mechanisms for license acquisition and management.

Conclusion:

Based on the results of the evaluation, Dell Canada Inc. met all mandatory criteria and specifications, and provided the lowest cost for maintenance and net new acquisitions of Microsoft products, in alignment with Provincial pricing based on the MBS master Microsoft Business Agreement #U83644444. Accordingly, Dell Canada Inc. is being recommended as the Large Account Reseller for the acquisition and licensing of Microsoft software. Dell Canada Inc.'s bid is estimated at \$7M (including taxes) over a three year period, and is based on the inventory at the time the RFQ was issued. The annual payment for three years is estimated at \$2.3M (including taxes). This cost will change based on actual licenses owned by the Service at the time the agreement commences.

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

The Board approved the foregoing report.

Moved by: C. Lee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P284. PRE-QUALIFIED LIST OF VENDORS FOR INFORMATION
TECHNOLOGY PROFESSIONAL SERVICES**

The Board was in receipt of the following report November 26, 2014 from William Blair, Chief of Police:

Subject: PRE-QUALIFIED LIST OF VENDORS FOR INFORMATION TECHNOLOGY
PROFESSIONAL SERVICES

Recommendations:

It is recommended that:

- (1) the Board approve the seventeen pre-qualified vendors listed below for information technology related professional services:
 1. Accenture
 2. Aversan Incorporated
 3. Digital Embrace Incorporated
 4. Eagle Professional Resources Incorporated
 5. GSI
 6. IBM Canada Limited
 7. Katalogic Incorporated
 8. Modis Canada Incorporated
 9. Procom Consultants Group Limited
 10. Randstad Technologies
 11. RS Tech Systems Incorporated
 12. S.i. Systems Partnership
 13. SRA Staffing Solutions Limited
 14. Sundiata White Group-Intelli Staff Limited
 15. Sylogix Consulting Incorporated
 16. Systematix
 17. Zylog Systems Canada Limited; and
- (2) the Board enter into a non-exclusive agreement, in a form satisfactory to the City Solicitor, with each of the vendors listed in Recommendation #1 for the professional services outlined in Appendix A of this report, for the period January 1, 2015, to December 31, 2017, with an option to renew for two one-year periods at the Board's discretion.

Financial Implications:

The acquisition of information technology professional services are subject to the availability of funds in the appropriate capital project or annual operating budget. All contracts awarded to the pre-qualified vendors will be approved in accordance with the requirements of the Board's Financial By-law No. 147, as amended.

Background/Purpose:

At its meeting on May 20, 2010, the Board approved a pre-qualified list of vendors to provide the Service with various information technology professional services for the period June 1, 2010 to May 31, 2013 (Min. No. P146/10 refers).

At its meeting on March 27, 2013, the Board approved a one-year extension of the pre-qualified list of vendors for the period June 1, 2013 to May 31, 2014 (Min. No. P75/13 refers).

To allow the time necessary for the issuance, evaluation and award of the RFPQ process, the current vendor list was extended to October 31, 2014.

The purpose of this report is to establish a new pre-qualified list of vendors for the acquisition of information technology professional services required by the Service, for the period January 1, 2015 to December 31, 2017.

Discussion:

Establishing a list of prequalified vendors for information technology professional services will enable the Service to acquire these services in a timely manner and at a competitive cost. This process will also:

- reduce the administrative costs associated with repeated formal procurement calls;
- provide specialized expertise required on a short term basis; and
- improve the turnaround time to acquire needed temporary contract resources.

RFPQ Process and Results:

A Request for Pre-Qualification (RFPQ # 1144236-14) was issued by the Toronto Police Service's (Service) Purchasing Services Unit and posted on MERX (an electronic tendering service). The objective of the RFPQ was to establish a list of Pre-Qualified Vendors for information technology professional services.

The RFPQ invited vendors to submit responses, to provide professional services for all or any of the twenty-nine defined services or roles, outlined in Appendix A, for a period of three years, with two optional one-year extensions.

The RFPQ process required vendors to meet certain mandatory requirements in order to proceed to the evaluation phase. Forty-three responses were received to the RFPQ.

All forty-three responses qualified for the final phase of evaluation and were scored against the following criteria:

Evaluation Criteria	Maximum Points
Proponent's profile and experience	20
Proponent's capability and capacity	20
Proponent's project profiles and references	30
Proponent's quality process	30
Total	100

Based on the evaluation, seventeen vendors are being recommended to the Board for inclusion in the pre-qualified vendors list.

Appendix A identifies the recommended pre-qualified vendors, along with the professional services or roles that they can, if the award is approved, quote on to provide resources to the Service.

Request for Services (RFS) Process:

In order to ensure the Service obtains the most qualified candidate(s) for the services required and at a competitive cost, a RFS process is carried out.

Each time professional services are required, a RFS will be issued through the Purchasing Services Unit to the pre-qualified vendors eligible to bid on that service. The RFS will provide qualified vendors with:

- a description of the professional service(s) required;
- a statement of work including, if appropriate, a component for the transfer of skills;
- a list of deliverables; and
- a timetable for the work.

As shown in Appendix A, at least 5 eligible vendors, and in most cases 8-10 vendors will be requested to bid for each of the services required.

The qualified vendors will be requested to:

- propose an appropriately skilled resource(s) to provide the service(s); and
- bid a cost for the service(s).

The selection of the vendor will be based on the scoring of the proposal using a combination of the evaluation criteria and the hourly rate for the services requested.

Conclusion:

A pre-qualified list of vendors facilitates the process for acquiring information technology professional services required for projects and operational needs, in a timely and efficient manner, and through a competitive process. As a result of the RFPQ process completed by the Service for this purpose, a list of seventeen vendors is being recommended to the Board. The vendors on this list will be eligible to provide requested services for a period of three years beginning on January 1, 2015 to December 31, 2017, with two optional one-year extensions at the discretion of the Board.

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

The Board approved the foregoing report.

Moved by: C. Lee

Appendix A: Pre-qualified List of Vendors and Professional Services

Vendor	Application Architect	Brand Designer	Business Analyst	Business Continuity/Disaster Recovery Analyst	Business Intelligence Solution Architect	Business Transformation Specialist	Data Centre Consolidation/Virtualization Architect	Data Centre Services / Specialist	Data Quality Analyst & Modeller	Database Administrator	Deployment Technician	Desktop Management Specialist	Desktop Support Analyst / Specialist	Information Architect	IT Governance & ITIL Analyst / Specialists	Network Architecture / Specialist	Network Technician	Other IT roles or expertise	Programmer / Developer	Project Manager	Security Specialist	System Integration Developer/ETL developer	Technical Writer	Technology Architect	Telecommunications Technician	Testing / Quality Assurance Analyst	Windows Server Administrator	Wireless Technician	Permanent Placement	
Katalogic			x														x	x	x											
Teramach	x		x	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x
S.i. Systems	x		x	x	x	x			x	x				x	x	x		x	x	x		x							x	
Eagle	x		x		x	x			x	x	x	x	x	x	x	x	x		x	x		x	x	x		x	x	x	x	
IBM	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x	x	x	x	x	x	x		
Randstad			x										x		x			x	x	x	x					x			x	
SWG	x	x	x		x	x				x			x	x			x	x	x	x				x	x	x			x	
Zylog	x	x	x		x	x	x	x	x	x	x	x	x	x	x	x	x		x	x	x		x	x	x	x	x	x	x	x
Modis	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
RS Tec	x	x	x	x	x	x	x		x	x		x	x	x	x	x	x	x	x	x	x	x		x		x	x			
SRA	x				x	x		x	x	x		x	x	x		x	x	x				x		x		x	x			
SyLogix	x													x										x						
Procom		x		x	x	x	x	x	x		x	x	x		x	x	x	x			x	x	x				x			
Tek				x			x	x	x		x	x	x		x	x					x	x	x		x		x	x		
Digitalem brace																						x	x							
Accenture				x			x	x			x	x										x	x		x		x	x		
Aversan				x			x	x			x												x							
# of vendors for each service	10	5	10	9	10	10	9	9	10	9	9	10	10	10	10	10	9	9	10	10	8	10	10	10	7	9	10	6	6	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P285. REQUEST FOR SPECIAL FUNDS: THE GATEHOUSE

The Board was in receipt of the following report December 02, 2014 from Alok Mukherjee, Chair:

Subject: REQUEST FOR SPECIAL FUND – THE GATEHOUSE

Recommendation:

It is recommended:

1. THAT the Board approve \$150,000 from the Board's Special Fund to contribute to The Gatehouse's core funding for 2015 – 2017; and
2. THAT the Board approve the use of the Board crest by The Gatehouse, specifically for recognition purposes as outlined in this report.

Financial Implications:

If the Board approves this request, the Board's Special Fund will be reduced in the amount of \$150,000.00 over the next three years. As at September 30, 2014, the balance in the Special Fund was \$2.1M.

Background/Purpose:

The Gatehouse, located at 3101 Lakeshore Blvd. West, Toronto, is a unique community based centre in Canada. It provides support, resources and advocacy on behalf of those impacted by childhood sexual abuse. It is the only community-based setting that provides services for adults, children and youth in one location. The Gatehouse offers services and programs to children/youth, families, investigating officers and child welfare personnel to support the investigation of child sexual abuse cases. Also, The Gatehouse provides both a safe place for children to disclose abuse to police and child welfare personnel, as well as support services and programs for adults whose lives have been affected by childhood sexual abuse. It has been designated by police services as a best practice site for conducting investigations related to childhood sexual abuse.

Discussion:

Since opening its door in June 1998, The Gatehouse has provided services to over 15,000 people, at no cost to the users. The Gatehouse does not duplicate services but fills the gaps between services that are not readily available to the victim.

The Gatehouse Investigation Support Program (GISP) facilitates a child's disclosure of abuse by recording and videotaping statements which limits the number of times a child has to re-tell their story. The Gatehouse's Child and Family Advocate is the main resource for this program. Interviews are conducted in child friendly neutral surroundings. There are no time limits for the length of time the house is booked for an interview and no geographical boundaries for usage. Upon completion of the interview the child/youth is offered cookies and a juice box. Each child/youth chooses a teddy bear, donated by volunteers and Toronto Police, and a homemade quilt to take away with them. The house is available 24 hours a day 7 days a week. The Gatehouse follow up service assist families by providing them with referral information and provides current up to date resources available within their community.

From 2011-2014 collectively, 351 child abuse investigation interviews have been conducted at The Gatehouse, with approximately 95% of usage from Toronto Police Divisions. As well, other agencies and police services including Peel, Halton, and the OPP have used The Gatehouse. The Gatehouse also carries out presentations at the Toronto Police College in the Child Abuse Investigators course to raise awareness of The Gatehouse and the services offered.

In addition to investigations, The Gatehouse offer the following innovative programs and initiatives; Child and Youth Wellness Program; Adult Peer Support Program for Men; Adult Peer Support Program for Women; Young Adult Support Program; Adult Co-ed Program; Training of Police, Child Care, Community health and Justice Professionals, abuse awareness; Peer led drop-in; Partner Support Program; Facilitator Training; Compassion Fatigue Syndrome Training for Professionals; Documentaries on the issues of sexual abuse; Family Healing Circles as well creating and facilitating an annual International Conference: Transforming Trauma Into Triumph, which are designed to holistically heal mind, body and spirit for all individuals who have directly or indirectly been affected by childhood abuse. The programs aim to support and sustain new ways of living and new paths for recovery; and work with a myriad of community and social services organizations.

Furthermore, The Gatehouse has been asked to consult with local, national and international organizations about best practice approaches to intervention on childhood sexual abuse and is developing an international reputation as a leader in addressing issues of childhood sexual abuse on a full continuum that includes children, young adults, adult male, female, entire families, and communities.

Ongoing sustainable funding is the greatest challenge faced by The Gatehouse. Despite extensive time spent fundraising The Gatehouse does not receive core or ongoing funding from any one source. As a community based organization The Gatehouse relies on fundraising and in-kind support to operate. Previous financial support from the Toronto Police Service Board allowed The Gatehouse to update equipment through the purchase of state of the art audio/video recording equipment. The funding being sought will be integrated into every aspect of The Gatehouse operations, including: staffing, program sustainability and development, training, and housing maintenance/infrastructure. Currently the Gatehouse has a compliment of an Executive Director, an Office Administrator/Volunteer Coordinator, a Child/Family Advocate, a part time

Partner Program Facilitator and 80 volunteers. The Board's contribution will subsidize The Gatehouse core funding for 2015-2017.

The Board's contribution and continued support will be recognized by The Gatehouse in the following ways:

- Display of Logo on our website and 'message of Recognition' on website
- Acknowledgment in media events and outreach events/presentations,
- Acknowledgment in Annual General Meeting and hand-out materials
- Recognition on all program printed materials (logo and statement)
- Presentation of "Recognition Award" mounted on the wall of The Gatehouse

Conclusion:

Mr. Brad Hutchinson, Executive Director of The Gatehouse has provided a proposal for funding which is attached to this report for your information.

Therefore, it is recommended that:

- 1.the Board approve \$150,000 from the Board's Special Fund to The Gatehouse which will contribute to its core funding for 2015 – 2017; and
- 2.the Board approve the use of the Board crest by The Gatehouse specifically for recognition purposes as outlined in this report.

The Board approved the foregoing report and the following Motions:

1. **THAT the Chair provide the Board with the portion, in per cent, that the \$150,000 represents of the total budget for the Gatehouse for the years 2015 to 2017, inclusive; and**
2. **THAT the Chair provide a presentation on the Special Fund to the Board at a future meeting.**

Moved by: D. Noria



**The Gatehouse formal proposal to the
Toronto Police Services Board
December 2014**



Request for Support from The Gatehouse®

Organization: The Gatehouse
Child Abuse Investigation and Support Site
Address: 3101 Lake Shore Blvd West
Toronto, ON, M8V 3W8
Telephone: 416-255-5900
Fax: 416-255-7221
Website: www.thegatehouse.org

Registration Status: CRA Registered charity
Charity No: 86973 0648 RR0001

Precis:

Seventeen years ago members of the Toronto Police Service played a critical role in the transformation of an abandoned heritage house into the multi-award winning Gatehouse. Since that time, this relationship has evolved and benefited, in meaningful and deeply practical ways, those people-from children to seniors- who have been traumatized by childhood sexual abuse.

The first service ever offered at The Gatehouse was the child investigation site. Since that time the Best Practice Designated site has created the following innovative programs (detailed descriptions are included): Child and Youth Wellness Program; Adult Peer Support Program for Men; Adult Peer Support Program for Women; Young Adult Support Program; Adult Co-ed Program; Training of Police, Child Care, Community health and Justice Professionals, abuse awareness; Peer led drop-in; Partner Support Program; Facilitator Training; Compassion Fatigue Syndrome Training for Professionals; Documentaries on the issues of sexual abuse; Family Healing Circles as well creating and facilitating an annual International Conference: Transforming Trauma Into Triumph. As well, The Gatehouse provides placement for college and university students seeking to work in the police and community justice service areas.

Additionally, we have been asked to consult with organizations on the local, national and international level about best practice approaches to intervention on childhood sexual abuse. Most recently we are working with countries such as Bolivia to help them create their own version of The Gatehouse.

The Gatehouse is the only place of its kind in Canada.

Our Request

The Gatehouse is asking the Toronto Police Service Board to consider a donation of \$150,000.00.

As a community based organization we do not have on going core funding. All our money has been raised in the fashion that is being sought out here.

This funding would be integrated into every aspect of Gatehouse including: staffing, program sustainability and development, training, housing maintenance infrastructure. Currently the Gatehouse has a complement of an Executive Director, an Office Administrator/Volunteer Coordinator, a Child/Family Advocate/a part time Partner Program Facilitator and 80 volunteers

This donation will contribute to The Gatehouse core funding for 2015-2017. By receiving this donation we will be able to have the security of knowing that our key costs will be met and we can focus on delivering the programs and services to those members of our community who require our help and support in the aftermath of child abuse.

All programs and services are provided at no cost to the client.

Benefits to the Police

The Toronto Police Services Board will be aligned with an organization that is developing an international reputation as a leader in addressing issues of childhood sexual abuse on a full continuum that includes children, young adults, adult male, female, entire families, and communities.

The Toronto Police Service will be invited to participate in all current and developing initiatives beyond the already firmly established investigation process.

Recognition

The generous donation and continued support from the Toronto Police Service Board will be recognized in the following ways:

- Display of Logo on our website and 'message of Recognition' on website
- Acknowledgment in media events and outreach events/presentations,
- Acknowledgment in Annual General Meeting and handout materials
- Recognition on all program printed materials (logo and statement)
- Presentation of "Recognition Award" mounted on the wall of The Gatehouse

The Gatehouse Mission:

To provide supports, resources and advocacy on behalf of those impacted by childhood sexual abuse.

Advancing our philosophy and programs to build, support, partnerships, education, awareness and knowledge in the community.

To be a world leader in the development and delivery of community based responses through innovative services and programs for men, women and children affected by child abuse.

The Gatehouse Vision:

Our vision is a future where those impacted by childhood sexual abuse can heal and reclaim their voices. The Gatehouse is a world leader, in setting the standard for community-based response programs for those hurt by child abuse.

Contact Persons

Brad Hutchinson
Executive Director
416-255-5900 x225

bhutchinson@thegatehouse.org

Bruce McKay
Chair of The Board of Directors
416-358-5151
bmckay@thegatehouse.org

Arthur Lockhart
Gatehouse Founder
416-255-5900

alockhart@thegatehouse.org

The Gatehouse – Background Information

“If the walls could talk, they would tell stories of hope, courage and healing”

History

The Gatehouse® is the manifestation of a unique vision and innovative approaches in child abuse investigation and Adult Support programs for survivors of abuse in Canada.

The Gatehouse offers services and programs to support the investigation of child abuse cases to children/youth, families, investigating officers and child welfare personnel and adults who have a history of childhood abuse.

The Gatehouse was created from the vision of Arthur Lockhart, who wanted a safe place where everyone had a voice. Ultimately, an abandoned heritage house was transformed as a result of the commitment and support of hundreds of community members, including the support from members of the Toronto Police Service.

Since opening our doors in June 1998, The Gatehouse has served over 15,000 people: children/youth, their families, adults, police officers and child welfare personnel.

The Gatehouse does not duplicate services but fills the gaps between services that are not readily available to the victim.



Programs and Services offered at The Gatehouse:

The Gatehouse provides the following services:

1. **Investigation Support Program** –The Gatehouse offers a child friendly neutral location where investigating police officers and child welfare personnel can interview children, youth and their families, during alleged child abuse investigations. The Gatehouse is available 24 hours a day 7 days a week for investigations. The Gatehouse Child and Family Advocate is the main resource for this program.

2. **Adult Peer Support Group Phase 1 Program** – 15 week peer support group for men and women (separate groups) survivors of childhood sexual abuse
3. **Adult Peer Support Group Phase 2 Program** – 16 week support group – co-ed (men and women together) - must complete phase 1 program to attend.
4. **Young Adults** – 8 week program for young adult survivors ages 18-24
5. **Drop in** – This program is offered Sundays for any participant that has completed phase 1 or phase 1&2 – ongoing weekly providing support.
6. **Partners Support**– 4 week (3 hours per session) program for partners or support persons of the survivor. This is a unique program in Canada that allows for fostering of healthier, stronger relationships built on principles of communication and trust. This program is generously supported by the Ontario Trillium Foundation.
7. **Family Support Program:** In 2015, we are developing a program for families framed in the principles and practices of restorative justice support families affected by childhood sexual abuse.
8. **Facilitator Training** – two day process facilitation training provided to volunteers, community agencies and partners
9. **FIT – Forging Individual Transformation Training** encompassing principles of self-care to reduce or prevent compassion fatigue syndrome.
10. **Mediation Workshops** – Free one hour meditation workshop for anyone from the community to learn and practice Ba Duan Jin meditation technique
11. **Student Placement Opportunities**-The Gatehouse provides a co-operative learning placement to college and university students. There are between 6-10 students completing their placement at the Gatehouse per semester. Students are involved in organizing training conferences, conducting community awareness initiatives and assisting with social media projects.

The Gatehouse Investigation Support Program:

For over the past 16 years, our child friendly setting is available to the Police Investigators and Child Welfare personnel to interview children/youth and their families during the investigation process. The Gatehouse provides child abuse victims a safe and comfortable environment filled with teddy bears where they can tell their story. There are no time limits for the length of time the house may be booked for, no geographical boundaries for usage and the house is available 24 hours a day 7 days a week. Various Toronto Police stations have keys to the facility including 22, 23, 14, 11, 12 and 51.

When a family arrives at The Gatehouse, the Child Abuse Investigation program coordinator greets them and stays with the family throughout the interview process to assist and support the family and child/youth, police officer and CAS worker. Previous financial support from the Toronto Police Service Board allowed us to update our equipment through the purchase of a state of the art video and audio recording equipment to record the statement from the child/youth and family members. Recording the testimony limits the amount of time the child/youth has to retell their story. Upon completion of the interview the child/youth is

offered cookies and a juice box. Each child/youth chooses a teddy bear, donated by volunteers and Toronto Police, and a homemade quilt to take away with them. The Gatehouse offers a follow up service to families in assisting them with referral information and provides current upto date resources available to them within their community .

From 2011-2014 collectively, 351 child abuse investigation interviews have been conducted at The Gatehouse, with approximatley 95% of usage from Toronto Police Divisions. We have welcomed officers and Children's Aid Workers from Peel, Halton and OPP.

We carry out presentations at the Toronto Police College in the Child Abuse Investigators course to raise awareness of The Gatehouse and the services we offer here.

Child and Youth Wellness Program:

Like Toronto Police, The Gatehouse supports the belief that together, we will focus on developing and maintaining community partnerships, which will result in short and long term solutions to the issue of child abuse.

The Gatehouse is currently conducting a pilot project in Oakville with secondary school students to promote, enhance and develop positive coping skills through learning moving meditation techniques and carrying out of peer led restorative justice circles.

This initiative aims to support diversity, social inclusion and safety of youth through engagement. We would love to bring this program to Toronto District School Board over two year period and have Toronto Police partner with us through the participation of school liaison officers. In 2014, the TDSB released a statement that they were aware of 700 suicide attempts made by students. This is a concern for the community.

The Gatehouse Child and Youth wellness program objectives include:

- Proactively support staff, parents and students and foster trust and confidence to speak about and establish safety on different topics including bullying, abuse and negative emotions
- Enhanced restorative justice measures to address bullying in schools through use of restorative circles
- Holistic perspective of youth and acknowledge that some of the most vulnerable youth need support
- Prevent youth violence and help youth feel safe in their communities
- Identify, assess and find support mental health and wellbeing resources
- Increased knowledge base of community resources for further support
- Provide workshops in knowing how to identify, understand and empower children and youth to engage in healthy dialogue about bullying and abuse
- Break down barriers and strengthen connections between service providers, foundations, community groups, governments, young leaders and families at all levels.

Working in collaboration with Toronto Police, this program would allow for greater community relationship development and engagement.

The Adult Support Programs:

The Adult Support Network is a group network forum for adults who have a history of childhood sexual abuse. Our goal is to facilitate social reconnection, education and self support. The Gatehouse peer support groups for are facilitated by two trained volunteers who are equipped to guide the participants through the 31 week curriculum.

Additionally, The Gatehouse offers a one-to-one mentoring program whereby the participant is paired with a Gatehouse trained volunteer. A commitment is made by the volunteer of 6 months to provide stability and consistency for the participant – for some this may be the first time in their lives when they have experienced stability with another. As a direct response to the community the drop-in was created to assist with the transition from group to the larger sense of a community. Meeting on a regular more informal setting allows for more independence whilst feeling they have the support of The Gatehouse, its staff and their new found smaller community.

In 2013, we introduced a unique partner's support group program. The Gatehouse is a leader in the formation of a unique emerging support group program for partners of adult survivors of childhood sexual abuse. The Gatehouse is developing innovative content and open space process that addresses issues for those who would not otherwise have access to such services.

The Gatehouse responded to a need expressed by the partners of the current members of The Gatehouse Adult Support group through the creation of a 4 week process: "The Whole Relationship". People needed and wanted to hear the voice of other partners/support persons of survivors who were experiencing a similar story "being the partner of a person who was traumatized by childhood sexual abuse and understanding its impact on the relationship." Personal reflection, sharing of insights, and the opportunity to practice very specific, practical skills that reflect healthy healing relationships are all framed in the sessions. The program is resolving issues of mental health, post-traumatic stress, loss of relationships, loss of employment, family breakdown issues which all too often are dealt with by utilizing an institutional response to a human issue. The Gatehouse offers a community-based *human response to a community-based human problem*.

Online Support and Information:

Through a grant obtained from Telus we introduced a specifically designed Child, Youth and Parents portal in the summer of 2010, covering a range of topics, issues and questions children, youth and parents have around the issues of child abuse and disclosure. Audio and visual stories talk about disclosure and the emotions and dilemmas that a child/youth may experience during this time. The opportunity to email The Gatehouse with a query or question and receive a personal response provides additional and specific information for the individual.

The Gatehouse has increased its presence on social media sites, including Facebook, Twitter and Instagram. We also share Toronto Police updates on our social media sites.

The Impacts of Abuse

The advantages of offering early support to the child/youth and their families are invaluable in the healing process and minimizing the impacts of the abuse.

Comprehensive follow-up services for children and families after disclosure are virtually non-existent. The costs as a result of not getting the necessary supports can lead to:

- Children suffering depression, anger and stigma
- Family breakdown
- School drop-out
- Reliance on medication / psychiatric /medical services
- Academic non-achievement
- Addictions
- Self-harm, suicidal ideation and attempts

Financial/Societal Costs of Child Sexual Abuse

It costs society close to 16 billion dollars a year due to the outcome of abuse and trauma.

- Mental health support accounts for \$222,570,517 in immediate and long-term physical and psychological injuries;
- Social services delivery accounts for \$1,178,062,222 in current prevention and treatment programs as well as public and private social services;
- The loss to future employment for untreated trauma and mental health issues is \$11,299,601,383 in lost earnings.

The Gatehouse focuses on strengthening resilience in children, their families, women and men in the aftermath of child abuse and thus reduces its longer term mental health impacts. We know when trauma is experienced the ability to recover and integrate as well as the capacity to reduce the stigma of potential or emerging mental health impacts is greatly increased by unique and timely responses. A significant part of unique and timely responses is to identify and strengthen for parents and children their personal resilience to the impacts and thereby develop a supportive community capacity to remove the stigmas of shame and guilt as well as to convey the potential for mental health while reducing the labels of mental illness.

Some of the organizations and groups that The Gatehouse works within the community:

- Toronto Police Service
- Officer Scott Mills in collaboration with Pro-action Cops and Kids – Youth and Policing Graffiti Art Project
- Children’s Aid Society
- Catholic Children’s Aid Society
- Jewish Child and Family Services
- Native Child and Family Services
- The City of Toronto (Vital Communities Program)
- BOOST
- LAMP
- Humber College
- George Hull
- Jean Tweed Centre
- Hinks Dell Crest
- John Howard Society
- Reconnect Mental Health
- Lynne MacDonnell & Associates
- Ministry of Community Safety and Correctional Services – Parole and Probation
- Aisling Discoveries
- Family Services of Toronto
- Universities(locally, nationally and provincially)
- WESAT
- Peel Rape Crisis Centre
- Halton Police Service
- Peel Police Service
- Local hospitals
- Elizabeth Fry Society
- Blakelock Secondary School (and various other schools in Ontario)
- Breeze of Hope
- The Men’s Project
- Male Adult Survivor Support Network
- Adult survivor network: United Kingdom

Gatehouse Accomplishments:

The Gatehouse Awards

Our greatest accomplishment is that after 16 plus years we are not only still here, but evolving in strong ways, particularly in ways that are reflected in the healing of people some of whom have spent decades lost in plain sight.

The Gatehouse and its staff have received the following accolades for their work: *Best Practice Site *Canada's Top 50 Champions of Change *nominated for the Order of Canada *Mayor's Community Safety Award* Stand Up For Kids *The Distinguished Community Service Award *Paul Harris Fellow-Rotary International *Ruth Atkinson Foundation Award *Toronto Community Foundation-Vital Ideas Award *Innovator of the Year.

TESTIMONIALS

" The Gatehouse continues to provide the community and investigators from The Toronto Police Service with a child friendly environment where children can feel safe to disclose details of abuse and be connected to the appropriate referral agencies" William Blair, Chief of Police, Toronto

"The Gatehouse is a community based organization. They offer a safe and secure environment for children to disclose their abuse to police officers and social workers. Aside from the investigations, The Gatehouse provides an Adult Support Network for survivors of historical abuse through peer to peer group sessions, one on one mentoring and weekly drop – in evenings" Tom McIlhone, Superintendent, Division 43, Toronto Police Service.

"Officers within the Toronto Police Service – 51 Division, Youth and Family Services Unit utilize The Gatehouse to ease the investigation process on children and their families. The benefit of having such a facility available is indescribable" John Tanouye, Superintendent, Division 51, Toronto Police Service

"I have not once, not gotten a disclosure when I used the Gatehouse." –

Toronto Police Service Investigating Officer

"The Gatehouse has been my refuge when my life has been stormy. It has been the rock that I have clung to when things have not been great. It has been my raft in the good times as I journey onto healing. It helped me remove the "gag order" and find my voice. The Gatehouse has provided me with a non-judgmental safe environment that has taken me out of isolation as I travel to become whole"

Male Participant, Adult Support Group Program.

"It was safe. It was the first time I was not judged"

Female, Adult Support Group Program

“This is the best place!” **6 year old boy after investigation interview**

“I felt that the physical environment was very comfortable and calm”

Parent

‘In my case the Gatehouse staff really supported my husband and I in providing information about services that we could access and describing the different programs that are offered’ -

Parent

‘We were informed, educated, supported and connected to everything and everyone we needed’ -**Parent**

TESTIMONIALS

“I came to The Gatehouse five years ago to get help. From the very first day it has been a positive experience. For the first time in my life I could talk to someone who understood what I was going through. The Gatehouse helped me get my life back together. I can never do enough to pay The Gatehouse for all their help” – **Male, Adult Support Group program**

“Being part of The Gatehouse has given me a renewed feeling of hope for a chance at living my life on my own mindful terms” **Male, Adult Support Group program**

“Being a part of The Gatehouse has been a blessing. It is the place where I feel safe to exhale. Not long after my first time visiting the house, I realized that I had been holding in my breath and holding back my voice. It is the space where all three, breath, voice and being have melted into each other. I sincerely believe that by walking through the door I found the missing piece that I needed to help me fully come into my being. I am grateful” - **Female, Adult Support Group Program**

“It meant, healing, friendship, letting go, new beginnings, and a stronger me....& it meant that a new chapter was going to start as one completed its circle. It meant I knew I wasn't alone” - **Female, Adult Support Group Program**

“Being part of The Gatehouse meant that I wasn't alone. It helped me to build a solid foundation of understanding my coping mechanisms and gave me the ability to find new stronger, healthier ways to cope. It changed my life” - **Female, Adult Support Group Program**

"Being a part of The Gatehouse has meant belonging, finally. It has been extremely important for me during my healing journey. Not being judged by a group, and being accepted for who I am and what I have been through, without a social mask, is life changing" - **Female, Adult Support Group Program**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P286. REQUEST FOR SPECIAL FUNDS: YOUTH ASSOCIATION FOR
ACADEMICS, ATHLETICS AND CHARACTER EDUCATION
PROGRAM**

The Board was in receipt of the following report November 27, 2014 from Alok Mukherjee, Chair:

Subject: REQUEST FOR SPECIAL FUND – YOUTH ASSOCIATION FOR
ACADEMICS, ATHLETICS AND CHARACTER EDUCATION PROGRAM
(YAAACE).

Recommendation:

It is recommended that the Board approve \$70,000 from the Board Special Fund to assist YAAACE to assist and its mandate to build capacity in children and youth predominantly from poor under-resourced communities.

Financial Implications:

If the Board approve the recommendation contained in this report, the Special Fund will be reduced by \$70,000.00. As at September 30, 2014, the Special Fund balance is \$2.1M.

Background/Purpose:

YAAACE is a children and youth organization in the Jane and Finch community that accommodates in excess of 300 children and youth in its year round programming. The objectives of YAAACE is to, through its social inclusion strategy, create a culture of high academic achievement; athletic aptitude and development (health and wellness), and social and civic engagement among its members. Consequently, YAAACE acts as a conduit to young people realizing and reaching their full potential as productive members of society.

YAAACE's program structure is based on a social inclusion framework which includes initiatives that provide outreach and mentoring; academic intervention and support, provided by the weekend academy and summer institute; research and development, through the creation of a curriculum that targets reflective education and seeks to mitigate the noisomes that compromises academic engagement for students in racialized communities; and through the arts, athletics and expanded opportunities.

The "social inclusion strategy" utilized by YAAACE seeks to identify and support 500 plus Toronto District School Board (TDSB), and Toronto Catholic District School Board (TCDSB), students in grades 1-12 in the northwest section of the city. The strategy seeks to identify

students who are achieving below the provincial standard; those from single parent homes; children whose parent earn below the 'low income cut off;' students with no accessibility to tangible social supports; students who are consistently exposed to community violence such as violence, racism, abandonment and neglect, poverty, institutional and systematic apathy; and students who consistently display questionable social behaviour and or falls way below the standardized academic expectations.

Discussion:

YAAACE has submitted a proposal to the Board requesting \$70,000.00 in funding to assist with obtaining the necessary resources, transportation, workshops and excursion as well as compensation and honorarium for youth staff and guest presenters for its programs. Specifically, Board funding will be used to support the Wraparound Program, which is a mentorship based program that is staffed by youth from the community who have finished their education or is in the process of finishing their education, for example, Child/Youth Workers, Social Workers, Educators, etc. Youth staff are required to provide outreach and wraparound support and are critical in the delivery of academic intervention (literacy/numeracy based supports for struggling students) and recreational programs. Their job description require that they act on leads regarding at risk students and provide them with wraparound support; provide academic support in schools and in the community for at risk students; coordinate programs with program partners such as Microsoft and Npower; transport students to programs; help students and parents access community supports. The requested funds will also support the Weekend Academy which operates from December through June and provides academic support for up to 300 students who are identified as not meeting the provincial curriculum standard. As well, fund will be used to provide an evaluative component which will comprehensively track and measure success rates of the identified cohort of students in the areas of social and academic growth.

YAAACE is comprised primarily of volunteers and has managed to establish a highly committed and extensive volunteer base. Healthy in-kind support base and partnerships which include the TDSB, Seneca College (Learning Center), York University Centre for Education and Community (YCEC), Ryerson University and Ministry of Community Safety and Correctional Services are instrumental to the continued success of the program. YAAACE has also developed a close working relationship with Sergeant Basse Osagie, Toronto Police Service (the Service), Divisional Policing and Support Unit. Sergeant Osagie provides year round support to the programs through his mentorship of youth and delivery of educational programs about not becoming involved in guns, gangs and drugs, aimed at educating youth about making smarter choices. Sergeant Osagie presence as an officer from a visible minority community plays a crucial role in developing relationships between the youth in the YAAACE program and the police.

Programming operates in the following four phases which are detailed in the attached proposal, outreach and wraparound; the arts, athletics and expanded opportunities; academic intervention and support (the weekend academy and summer institute); research and curriculum development. It is mandatory that all registered participants access all four phases.

The YAAACE initiative is an effort to continue best practices, in addition to developing new and creative models that are intrinsic and act as conduits to the education, athletic and socialization processes of youth in the program. In order to continue its programs YAAACE relies on the in-kind support of its partners and the financial support of donors such as Toronto Police Services Board. A copy of YAAACE's proposal, as well as a letter of support from Dr. Carl James, who has worked with YAAACE, is attached to this report for your consideration.

Conclusion:

Therefore, it is recommended that the Board approve \$70,000 from the Board Special Fund to assist the Youth Association for Academics, Athletics and Character Education Program.

The Board approved the foregoing report and the following Motions:

- 1. THAT the Chair provide the Board with the portion, in per cent, that the \$70,000 represents of the YAAACE budget; and**
- 2. THAT the Chair provide a presentation on the Special Fund to the Board at a future meeting.**

Moved by: D. Noria

October 1, 2014

Dr. Mukherjee and Board Members
Police Services Board
40 College Street
Toronto, Ontario
Canada, M5G-2J3

Dr. Mukherjee and Board Members, I would like to thank you for taking time to read through this request for support been presented to the Toronto Police Services Board by the Youth Association for Academics Athletics and Character Education (YAAACE). Pragmatic

Y.A.A.A.C.E is committed to the empowering of young people developing self-confidence, discipline and a healthy self-image; inspire high education and occupational aspirations; instill commitment to schooling (elementary, secondary and post-secondary); foster a sense of racial and ethnic identity, and/or athletic identity-through which students understand their relationship to other, to school and to the world around them. Y.A.A.A.C.E is a grassroots community organization operating out of the notorious Jane and Finch Corridor.

Julian Fantino, who is perhaps best known for his tenure as the head of the Toronto Police Service, has cited ghettoization as a problematic feature of life in Toronto:

Crime itself has no particular denominator, but certain crime has certain elements to it. You take a community with a lack of infrastructure, no support systems, and lots of young people being left to their own devices, and you're going to have problems. Some of these high-density subsidized-housing developments do nothing but warehouse people. They ghettoize people. This has been a big problem in Toronto and in many other cities as well, and the inevitable results are tragic for everyone. These things were built for disaster (2007:247).

Concordantly, the Ontario Association of Chiefs of Police has published an undated report entitled *Crime Prevention in Ontario: A Framework for Action* in which they draw attention to "risk factors... that may increase the presence of crime or fear of crime in a community" such as "racism/marginalization," "few social services," "high poverty concentration" and "poor housing" (OACP, n.d.:8-9). In sum, damaging social conditions tend to produce damaged individuals, some of whom will become street-involved youth.

The correlation between marginalization, under-resourced communities, academic disengagement and criminality is well documented. The fact is our disengaged students from the communities in question poses the gravest risk to public safety and places a draconian cost on the criminal justice system. The proposed "social inclusion strategy" is a proactive intervention and research based strategy that seeks to enhance the social and academic engagement of students from poor racialized and under resourced communities (North West - Jane Finch and surrounding communities) who are perennially at-risk socially and academically. YAAACE and YCEC seeks to bolster the "social inclusion" framework by partnering with a plethora of community partners (York Center for Education and Community, Toronto Police Services, The Toronto District School Board, The Toronto Catholic District School Board, NPower Canada, The Mike Pinball Clemons Foundation, For Youth Initiative, Redemption Reintegration Services, Blackcreek Community and Health Center, Success Beyond Limits and Canadian Tire Jump Start etc).

YAAACE's operational framework is as follows: outreach and wraparound; the arts, athletics and expanded opportunities; academic intervention and support (the weekend academy and summer institute); research and curriculum development (the creation of a curriculum that targets reflective education and seeks to mitigate the noisomes that compromises academic engagement for students in racialized communities).

- **Outreach and wraparound:** This aspect of our program through our community outreach strategies, seeks out students who are at risk or volatile to academic disengagement or who are socially relegated and reduced to the periphery or the margins of society. Our comprehensive wraparound program then act as a liaisons between the students, their community, their school, and their parents. The wrap – around support through a kind and caring mentor will provide the social and academic infrastructure that will mitigate social attrition and academic attrition and subsequent disengagement
- **The arts, athletics and expanded opportunities:** The students will have access to arts related programming such as music (WeTunes) and dance lessons; structured recreation and access to athletic programming (OBA, AAU, Baby Jays Baseball Academy, YAAACE Canadian Tire Jump Start Basketball Leagues etc; Expanded opportunities and access to technology (program with Microsoft) etc
- **Academic intervention and support (the weekend academy and summer institute):** This aspect of the program seeks to mitigate the levels of academic attrition that seems to be a perennial fixture amongst from poor under-resourced communities in particular students from ward 7&8 (Jane and Finch and surrounding communities):
 - ✓ **The Y.A.A.A.C.E “Summer Institute”** (Y.S.I) represents Y.A.A.A.C.E's continued commitment to actively engage children and youth by providing them with a rich educational and social experience. The mandate of the Summer Institute is twofold: to enhance the literacy and numeracy capacity of our students and to provide our students with rich expanded opportunities (technology, science the arts etc.). The seven week Summer Institute is integral in mitigating the gaps in academic achievement and providing access to rich social and academic experiences.
 - ✓ **The YAAACE “Weekend Academy”** is a proactive attempt to address the achievement/opportunity gap. It also seeks to accommodate students in the elementary panel (grades 1-8) and those who perennially struggle academically, in particular our most volatile cohort of students; those diagnosed with a learning exceptionality or concurrent disorders, those dealing with an absentee parent or absentee parents, those dealing with issues around bereavement, those dealing with exposure to violence or trauma, those from the city's poor and under-resourced communities and for any other variable that would facilitate students' under-achievement and subsequent disengagement.
- **Research and curriculum development: In partnership with York University and the York University Center for Education and Community:**
 - ✓ **The research phase** of the project seeks to meticulously track, document and evaluate the trajectory of each student over time. The will allow us to measure best practices in a very scientific and quantitative way. It will also allow us to micro-analyze each student every step of the academic and social continuum. Consequently we will have the ability to measure growth, risk and attrition in real-time.

- ✓ **The curriculum development phase** will focus on reflective curriculum and curriculum that targets 7 growth areas: identity, resilience, opportunity, accountability, self-advocacy, civic/social inclusion and respect. The curriculum design and development seeks to better engage struggling students from poor, under-resourced and racialized communities. The curriculum is created with the mandate of targeting reflective education and seeks to mitigate the factors that compromise the academic engagement of our most volatile students.

The attached proposal is a request for funding in the areas of wraparound support, academic intervention (weekend academy), evaluation and measurement.

- ✓ Wraparound support allows our youth mentors in the capacity of Child and Youth Workers, Wrap Around Staff, Coaches and conduits between the school and community
- ✓ Academic Intervention allows us to operationalize the weekend academy. The weekend academy allows us to accommodate up to 500 struggling students who are identified as achieving beneath the provincial standard. The Weekend Academy will run December through June
- ✓ The evaluation aspect of the program seeks to comprehensively track and measure the identified cohort of students in the areas of social and academic growth

Working with the Divisional Policing and Support Unit, Sergeant Bassey Osagie will be a fixture enabling the operationalization of our “social inclusion” strategy and year round programming and will be providing support to the program including mentorship and support to the youth providing mentorship and wrap-around support. Sergeant Osagie will be a conduit between the TPS and the community. The tension between youth from racialized communities and the TPS is well documented. Sergeant Osagie presence as an officer from a visible minority community will go a long way to develop relationships between the youth in our program and the TPS. Sergeant Osagie will also assist in staff development; mentoring children and youth to make smart choices thus reducing the likelihood of involvement in guns drugs and gangs.

Thank you for taking the time to read the attached proposal and cover letter. We are looking forward to your support I can be reached at 416-617-5121 to answer any questions.

Sincerely,

Devon Jones.

Budget: Social Inclusion Strategy December 2014 to December 2015

Funding allocation to Accommodate 300 plus students

Budget		REVENUE from all sources	
Expenditure	Funding Allocation	Funded	Grant Request
\$50,000.000	Weekend Academy – Youth Mentors and Staffing Allocation	\$20,000 Mike Pinball Clemons Foundation	30,000.00
\$75,000.00	Summer Institute	\$75,000 Focus on youth and TDSB.	\$0
\$110,000.00	Full Time Staff and Community Liason working out of YCEC coordinating the various programs and stakeholders	\$110,000.00 pending Laidlaw Foundation	\$0
\$25,000.00	Evaluation and assessment	\$0	\$25,000.00
\$15,000.000	Food	\$0	\$15,000.00
\$5000.00	Transportation – bussing students to school and home	\$5000.00 TDSB	
\$100,000.00	Athletic Programming – small-ball, we tunes, baby jays	\$100,000.00 YAAACE Jumpstart	\$0
\$175,000.00	Academic Support (Administrators, Teachers and Special Education Consultant)	\$175,000.00 Toronto District School Board	\$0
\$150,000.00	Gym Space and Permits	\$150,000.00 TDSB PSI	\$0
\$ 100,800.00	Youth salary outreach, wraparound and programming \$18.00 per hour by 7 youth outreach workers by 20 hours weekly by (40 weeks annually) = \$100,800.00	\$50,000.00 Service Canada \$50,800.00 Mike Pinball Clemons Foundation	\$0
\$50,000.00	Project Administration	\$50,000.00 YAAACE in kind	\$0
Total Expenditures \$855,800.00		Funded \$785,800.00	\$ 70,000.00



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

June 25, 2014

Dear Dr. Mukherjee and Board Members:

CENTRE FOR
EDUCATION &
COMMUNITY
(YCEC)
3150 TEL Bldg.

4700 Keele St.
Toronto ON
Canada M3J 1P3
Tel 416 650 8458
Fax 416 650 8080

www.yorku.ca/ycec

I am writing to support the Youth Association for Academic Athletic and Character Education (Y.A.A.A.C.E) application for funding for their 2014 Summer Program. My support is based on my experience with YAACE programs that have been helping to address, in outstanding and meaningful ways, the needs and interests of marginalized youth. It is an organization with which our Centre, YCEC, has partnered over the years in activities pertaining to the mental health, social wellbeing, and social justice issues of young people.

YAAACE's work in the Jane and Finch community serves young people who otherwise would not have access to recreational, educational, social, cultural and in the long run, occupational and/or career planning activities. That many young people are able to engage in these activities is a result of funding from institutions like yours that enables YAAACE to provide resources and supports to the youth and their parents, thereby not making cost an issue for them.

Though their program, YAAACE has been able to enhance students' relationships with their schooling in ways that help to promote school engagement and ultimately their academic achievement. The organization recognizes the urgency to work with youth to address their academic disengagement which correlates with their schooling attrition and eventually their involvement in the justice system. The schools in the communities served by YAAACE are ones with some of the lowest achieving students, for this reason, the organization's Summer Program is a valuable attempt to mitigate the low levels of academic achievement with its social implications.

I enthusiastically support the funding proposal, and invite you to think favorable of the request. If you have any questions, I can be reached at 416 736-2100 ext. 20279.

Sincerely

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

**#P287. DISPOSITION REPORT – REVIEW OF CONCERNS REGARDING THE
CONDUCT OF CHAIR ALOK MUKHERJEE**

The Board was in receipt of the following report dated December 15, 2014 from Dhun Noria, Acting Vice-Chair:

Subject: DISPOSITION REPORT - REVIEW OF CONCERNS REGARDING THE
CONDUCT OF CHAIR ALOK MUKHERJEE

Recommendation:

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

Background:

The Board, at its *in camera* meeting held on December 15, 2014 (the “Meeting”), reviewed correspondence it received from Toronto Police Association President Mike McCormack dated December 5, 2014. In this correspondence, Mr. McCormack alleged that a specific meme posted to Facebook by Chair Mukherjee constituted a breach of sections 8 and 13 of O. Reg. 421/97 Members of Police Services Boards (the “Regulation”) under the Act, which Regulation governs Board member conduct.

During the Meeting, the Board also discussed a second meme posted by Chair Mukherjee, which had also been raised in the media during the days leading up to the Meeting. While the Board was not in receipt of a formal complaint about this matter, the Board believed that it was important to discuss this posting with Chair Mukherjee and give him an opportunity to respond.

In respect of the complaint from Mr. McCormack, Chair Mukherjee responded to the Board in a written submission dated December 10, 2014.

In respect to the issues arising from the second posting Chair Mukherjee responded orally to questions that Board Members asked of him this morning.

In considering the complaint brought forward by Mr. McCormack, the Board also took into account Chair Mukherjee’s written submission, which submission is attached to this report. The Board noted that the Chair’s written submission recognized an error in judgement, expressed his sincere regret and satisfactorily explained his intent and purpose in the posting. Upon its consideration and deliberation on this matter, the Board decided that no further action was required.

In considering the second meme posted by Chair Mukherjee, the Board discussed the circumstances surrounding its posting as well as the Chair's intention in posting this meme. Upon its consideration and deliberation on this matter, the Board, in light of the fact that it was satisfied that Chair Mukherjee understands the seriousness of spousal violence and that his posting was in no way intended to make light of such violence, determined that no further action was required.

In rendering both of the above decisions, the Board took into consideration the fact that Chair Mukherjee disabled his Facebook page and received his assurances that it will not be reactivated while he is a member of the Toronto Police Services Board.

On behalf of the Board and in accordance with the Board's policy, I will communicate the Board's decision, including a copy of Chair Mukherjee's response, to the Ontario Civilian Police Commission for its information.

Acting Vice-Chair Noria assumed the position of Chair for the purpose of considering the foregoing report.

The Board received the foregoing report.

Moved by: A. Pringle

Alok Mukherjee, PhD

Telephone: [REDACTED] Email: [REDACTED]

December 10, 2014

Dr. Dhun Noria
Acting Vice Chair
Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3



Dear Acting Vice Chair Noria:

Thank you for your letter, dated December 9, 2014, in which you request a response to a correspondence from Mike McCormack, President, Toronto Police Association, of December 5, 2014.

You state that in his letter, Mr. McCormack alleges that, by virtue of a recent Facebook post, I have breached sections 8 and 13 of Ontario Regulation 421/97 which establishes the Code of Conduct for members of police services boards. The provisions of the Code that Mr. McCormack references are as follows:

- 8. *Board members shall uphold the letter and spirit of the Code of Conduct set out in this Regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board. O. Reg. 421/97, s. 8.*

- 13. *Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force. O. Reg. 421/97, s. 13*

I am pleased to respond.

The allegations pertain to a meme that I shared on the personal Timeline of my Facebook. This area of my Facebook account is accessible only to those whom I have accepted as a "friend" and is not part of my public Home page.

The meme concerns the current issue of police interactions with members of the public in the USA, and, specifically, the interactions that have led to the death of some of those members, including several African-Americans. As a result of the deaths of Michael Brown in Ferguson and Eric Garner in New York, and the decision of both Grand Juries to not lay charges against police officers, there is a serious and widespread public outcry. US President Obama, Attorney General Holder and New York Mayor Di Biase have expressed serious concerns. The

relationship between the community and the police in the US has become a subject of discussion worldwide.

The meme produced by an organization called Occupy Wall Street presents the issue in a very dramatic manner in the form of a poster containing the number of deaths of Americans by Ebola, ISIS terrorists and US police. I shared this meme on my personal Timeline with the caption, "I can't breathe"! These are the dying words of Eric Garner and are being used as a slogan in demonstrations across the US.

The meme struck me as a very dramatic way of presenting a serious issue that was receiving extensive attention and worthy of meaningful discussion. I felt that it would generate a lively conversation among my "friends" about police-community relations and systems of oversight in the US. This is a subject on which I had been invited to participate in a Town Hall panel discussion in Baltimore on November 19 and in a segment of the CBC "Currents" program hosted by Anna Maria Trimonti dealing with events in Ferguson and New York on November 26. The topic was very much on my mind as a result.

I must state categorically that I had absolutely no intention of disparaging, accusing or calling into disrepute policing in Toronto. In fact, among the posts on my Timeline there is a very large number of posts that pay compliment to the work and contribution of our police officers.

At no time have I impaired or attempted to impair "public confidence in the abilities and integrity of the board" nor have I "discredited or compromised" or attempted to discredit or compromise "the integrity of the board or the police service."

The meme was shared on the night of Thursday, December 4, at around 11:15 pm.

Later that morning I began to receive media requests for a response to a statement about this meme by the Toronto Police Association. I had been off site, at a conference, and hurried back to the office in order to get the details of the Association's statement. I responded as soon as I could in the afternoon to publicly clarify my intent and purpose in sharing this meme. As well, I expressed regret about a reaction that I had absolutely not expected. I believe you have my statement in the package of materials provided to you.

The Association and Mr. McCormack, however, were not content and waged a sustained campaign of condemnation on Saturday, December 6. They continued to demand that I resign as Chair of this Board. On Monday, December 8, I took part in a series of media interviews to assure the public and members of the Toronto Police Service that the meme was not about Toronto, and that I was absolutely not casting any aspersions on our police service and its members. Finally, I stated that I was sorry that I had not exercised more judgement in terms of either selecting a different text or providing a clear context for this particular text.

I will end with a general explanation of my use of this particular form of social medium, i.e. Facebook. When I first discovered social media, and in particular Facebook, I realized that it provided not only an opportunity to communicate with friends and family but also to solicit

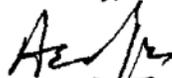
feedback and opinions from persons whose opinions I valued on topical and current issues. This was my intention in posting the posts in issue.

Following these developments, however, I removed the meme from my Timeline. Since then, I have deactivated my Facebook account.

I trust this account will be of assistance to the Board, if it chooses to consider the allegations from Mr. McCormack and the Association as a complaint about my conduct.

I will be pleased to answer any questions Board members may have. I will be assisted by my legal counsel, Mr. Howard Morton, QC, and, therefore ask that Mr. Morton be permitted to be present with me.

Yours truly,



Alok Mukherjee
Chair

c. Mr. Howard Morton, QC

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P288. IN CAMERA MEETING – DECEMBER 15, 2014

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
Dr. Dhun Noria, Acting Vice-Chair
Ms. Shelley Carroll, Councillor & Member
Mr. Chin Lee, Councillor & Member
Ms. Marie Moliner, Member
Mr. Andrew Pringle, Member
Mr. John Tory, Mayor & Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON DECEMBER 15, 2014**

#P289. ADJOURNMENT

Alok Mukherjee
Chair