



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on February 13, 2014 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on January 16, 2014, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on February 13, 2014.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **FEBRUARY 13, 2014** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

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

ALSO PRESENT:

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P17. *VIOLENCE AGAINST WOMEN, ALL PERVADING* BY ELSPETH HEYWORTH
CENTRE FOR WOMEN**

The Board was in receipt of the following report January 23, 2014 from Alok Mukherjee, Chair:

Subject: PRESENTATION: ELSPETH HEYWORTH CENTRE FOR WOMEN

Recommendation:

It is recommended that the Board receive the presentation from Elspeth Heyworth Centre for Women (EHCW).

Financial Implications:

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

Background/Purpose:

On October 7, 2013, the Board approved \$10,000 from the Special Fund to cover the cost of the production and distribution of a publication by Elspeth Heyworth Centre for Women. The purpose of the publication is to create awareness and to address issues of domestic abuse in newcomer and immigrant communities in Toronto, Minute No. P250/13 refers.

Mr. Ajit Jain, journalist and author, with input from a number of organizations and individuals including the Toronto Police Service, Ryerson University, University of Toronto, Dr. Jean Augustine and EHCW has compiled and edited the publication.

The publication will be distributed to police divisions, GTA universities and colleges, community centres and libraries, as well as community service providers who work with women experiencing domestic abuse. As well, EHCW will make a number of community presentations and will publish the information in a number of ethnic newspapers.

Conclusion:

Ms. Sunder Singh, Executive Director, EHCW and Mr. Ajit Jain will attend the Board meeting of February 13, 2014 to deliver a presentation to the Board with respect to this initiative and will present the finished product.

Ms. Sunder Singh, Executive Director, Elizabeth Heyworth Centre for Women, and Mr. Ajit Jain were in attendance and delivered a presentation to the Board about a book that the Elizabeth Heyworth Centre for Women had recently published entitled *Violence Against Women, All Pervading*. Copies of the book were provided to Board members and a copy is on file in the Board office.

The Board extended its thanks to Ms. Singh and Mr. Jain for their presentation and the work that they have done to draw attention to this important matter.

The Board received 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 FEBRUARY 13, 2014**

**#P18. CHIEF'S INTERNAL ORGANIZATIONAL REVIEW (CIOR) FINAL
REPORT AND CIOR – A REPORT FROM BOARD REPRESENTATIVES**

The Board was in receipt of the following report January 27, 2014 from William Blair, Chief of Police:

Subject: CHIEF'S INTERNAL ORGANIZATIONAL REVIEW (CIOR) FINAL REPORT

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

As first reported to the Board's confidential meetings on April 19, and May 18, 2012, the Service embarked upon a comprehensive internal review of all aspects of policing in the Toronto Police Service (Min. Nos. C125/12 and C165/12 refer). This review is known as the Chief's Internal Organizational Review (CIOR).

The progress of the CIOR has been reported to the Board at its confidential meetings on a monthly basis since July 2012. A final report was submitted to the Board at its confidential meeting on November 7, 2013 (Min. No. C235 refers) and a full presentation was made at a Board's special meeting on December 11, 2013 (Min. No. C264/13 refers)

The progress of the CIOR has also been reported or discussed at Board's public meetings:

- February 19, 2013 the Board deferred approval of the Service's organizational chart pending results of the CIOR (Min. No. P37/13 refers)
- March 27, 2013 regarding the right number of police officers review (Min. No. P48 refers)
- April 25, 2013 regarding the CIOR to review street checks (Min. No. P121 refers)
- April 25, 2013 regarding the CIOR impact on the Capital Budget (Min. No. P114 refers)
- June 20, 2013, regarding the reviews to close 54 and 13 Divisions (Min. No. P163/13 refers)

- June 20, 2013 a full report on the CIOR review including areas of inquiry, methodology, progress, and the potential savings and efficiencies identified (Min. No. P164/13 refers).
- August 13, 2013 regarding the CIOR paid duty system review (Min. No. P184 refers)
- January 16, 2014, the Board approved a motion requesting the Chief to provide a public report on the status of the CIOR for the February 2014 public meeting (Min. No. P4/14 refers).

Accordingly this report will provide a full update on the CIOR and the results achieved to date.

Discussion:

The CIOR commenced in February 2012 and concluded on December 31, 2013. The goal of the review was to re-engineer the Toronto Police Service (the Service) and create a sustainable new model for policing. The desired outcome was to prioritize our services and to deliver them in a manner that allows the Service to meet its legislative obligations and maintain a safe city in partnership with our communities.

Throughout the review alternative forms of service delivery were examined including:

- use of new technologies,
- civilianization of services currently delivered by police officers,
- consolidation of resources,
- outsourcing of service, or
- shared service delivery.

The Review also entailed a re-examination of the delivery of the core services of crime prevention, law enforcement, assistance to victims of crime, public order maintenance and emergency response, along with infrastructure and administration, in accordance with the requirements of the Police Service Act, R.S.O.

As summarized below, many of the recommendations from the reviews have now moved to the implementation phase. The following is a list of the reviews, starting with those that are implemented, or in implementation:

1. Flexible Schedules for Specialized Units (8&6) (implemented)

- This review recommended a schedule that improved officer deployment in divisional specialized units. It recommended an '8' days on, '6' days off shift rotation to provide seven day a week coverage.

2. Divisional Prisoner Management (in implementation)

- This review recommended replacing the police officer with a civilian court officer to bring additional value to the prisoner management process and achieve economies in annualized salaries - 65 of 85 identified positions have been transitioned.

3. TPS Auxiliary Policing Program (implemented)
 - This review recommended a more efficient rank structure, more effective communications with the parent Service, an improved alignment of the TPS Auxiliary Police with the Service.
4. Civilianize Forensic Identification positions (in implementation)
 - This review recommended civilianizing 4 police officer positions at Forensic Identification Services. This will improve efficiency because civilian staff are less likely to be redeployed from these highly skilled positions because of operational needs and they do not require the same frequency of training as police officers (e.g. annual use of force).
5. CopLogic and Theft (shoplifting) Call for Service Diversion (in implementation)
 - This review recommended a program that will increase online crime reporting thereby reducing the need for officers to attend minor events, including some shoplifting calls for service, freeing them up for more serious matters.
6. Accenture - Organizational Structure, Span of Control, Civilianization, Delaying Review (structure implemented; remainder in implementation)
 - This review recommended an organizational structure that adjusted spans of control and reporting relationships, introduced new business processes and new business units, increased efficiencies, removed the rank of Staff Inspector and identified opportunities to consider civilianizing police officer functions.
7. Traffic Technology (in implementation)
 - The review recommended expanding automated camera enforcement of speed, prohibited turns, red lights, and other intersection violations to improve public safety and the movement of vehicular traffic.
 - A second part of this review recommended centralizing traffic personnel in order to investigate all motor vehicle collisions and enforce traffic laws more effectively and efficiently.
8. Duty Operations Centre (DOC) Review (implemented in part)
 - This review recommended creating the Toronto Police Operations Centre to more effectively and promptly deploy Service assets across divisional boundaries to respond to operational needs.
9. Civilianization and Centralizing of the School Crossing Guard Program (implementation approved but deferred for 2014 budget discussions)
 - This review recommended civilianizing the administration of school crossing guards, thus returning 11 police officers to front line duties.

10. Training and Course Facilitation (TPC) (in implementation)
 - This review recommended changes to the delivery of training including civilianizing 7 positions and eliminating 2 others, increasing online training, and implementing more efficient shift changes.
11. Employment Background Consultants (in implementation)
 - This review recommended outsourcing background investigations to contracted consultants to free-up police officers for frontline service. Eleven consultants have been contracted so far.
12. Special Events Resource Assignment (in implementation)
 - This review recommended more efficient and effective methods of deploying on-duty resources to special events to improve service and manage the volume of requests. It also recommended developing a closer working relationship with the City and establishing requirements for organizers to provide private security where appropriate.
13. Community Engagement and Intelligence Gathering (Police and Community Engagement Report [PACER]) (in implementation)
 - This review made recommendations to help the Service improve public safety through community engagement, while reducing the associated social costs.
14. Civilianizing Scenes Of Crime Officers (in implementation)
 - This review recommended civilianizing the Scenes of Crime Officers and centralizing them under the Forensic Identification Unit. This role is currently performed by police officers attached to all Primary Response Units. Ten civilians are expected to be hired in fiscal 2014.
15. Civilianization and Combining of Divisional Positions (implemented in part)
 - This review considered civilianization of support positions within divisions (e.g. Divisional Crime Analyst, Planner, School Liaison, Community Relations, Crime Prevention, and the Quality Control Detective). The Command approved civilianizing the Crime Analyst.
16. The Right Number Review (completed)
 - This review determined that under the circumstances existing at the time, the Service required 5,781 police officers to provide adequate and effective policing, an increase of 178 officers over the authorized strength of 5604. The review also developed a staffing tool that can help determine future needs.
17. Outsourcing of Courts Screening Positions (completed; status quo approved)
 - This review recommended that security screening at the front doors of all criminal court locations in the City of Toronto continue to be performed by Toronto Police court officers.

18. Closing Divisions – 13 and 54 Divisions (completed; status quo approved)

- This review recommended maintaining 54 Division and 13 Division as full service divisions.

19. Multi-Agency Collaboration to Assist Community Development – Hub Model (ongoing)

- This review is researching the efficiencies and economies of working with partner agencies, within a neighbourhood focus. This will help divert clients from the criminal justice system by ensuring that the most appropriate agency responds. Recommendations include developing criteria to determine what agency takes the lead, and assessing the concept's suitability for city-wide application.

20. Emergency Services Efficiencies Review (ongoing)

- This review is researching the efficiencies and economies eliminating unnecessary overlap between Toronto Police specialized operational units (i.e. Public Safety, Emergency Task Force, Marine, Police Dog Services, Mounted). Recommendations include centralization and unified command.

21. Customer Service Review (ongoing)

- This review is researching the most effective way to improve person to person interactions by developing an organizational culture that moves Toronto Police from delivering good service to great service. Recommendations include engaging an external consultant to help develop the strategy.

22. Internal External Processes – Divisional Civilianization and Automation (ongoing)

- This review is researching the Primary Response Unit calls for service to determine those that can be served appropriately through an alternative model or those that do not require police attendance.

The following list describes some of the recommendations within the Organizational Structure Review that have been prioritized for immediate implementation:

- Toronto Police Operations Centre.
- Strategy Management Unit.
- Customer Service Excellence sub-unit.
- Centralized Traffic Services
- Transit Patrol Unit moving to Divisional Policing Support Unit

The following list identifies the functions approved for civilianization:

- Scenes of Crime Officers
- Crossing guard administration
- Divisional Prisoner Management
- Corporate Planning - Business Intelligence (2 constables)
- Corporate Planning – Governance Analysis (3 sergeants)
- Corporate Planning Research and Development (1 sergeant)

- Corporate Planning, Business Intelligence, (1 Inspector)
- Employment Unit background investigators
- Crime Analysts
- Toronto Police College – Learning Development Standards (3 constables/sergeant)
- Toronto Police College – Police Vehicle Operations (3 constables)
- Toronto Police College – Armament Section (1 constable)

In total approximately 200 uniform positions will be civilianized.

Consulting Expenses

The following table (Table 1) is the final costs for consultants utilized within the CIOR.

Table 1					
Consultants Engaged by CIOR					
Consultant	Firm	Scope/Role	Date From - To	Invoice Date	Total Amount
Mr. Robert Wasserman	Strategic Policy Partnerships	Leadership Workshops	2012.04.17-18	2012.05.01	\$6,758.29
Mr. Hugh C. Russell	Community Justice Consultant	Community engagement regarding the HUB Pilot Project review	2012.04 to 2012.06	2012.06.11	\$11,608.00
Wai Yu, Maurice Philogene, Sarah Shepherd, James Innes Supported by SMEs	Accenture	Review of Organizational Structure, Span of Control, Delaying and Civilianization	2012.11.12 to 2013.01.31	2012.11.30 2012.12.31 2013.01.31	\$342,500.00
Wai Yu, Sarah Shepherd, Vincent Gongola, et.al. Supported by SMEs	Accenture	Review of the Right Number of Officers for the TPS	2013.04.08 to 2013.07.14	2013.05.07 2013.05.27 2013.06.28	\$497,339.50

The CIOR monitored the reviews listed in Table 2.

Table 2
Additional Reviews Concluded and Ongoing Impacting CIOR
TPS Operation Reboot
City of Toronto Core Service Review (KPMG Efficiency Study)
Service Efficiency Review (Ernst & Young)
TPS Police Services Board Chair White Paper
Commission on the Reform of Ontario's Public Services 2012 (Drummond Report)

Ministry of Community Safety and Correctional Service's Future of Policing Advisory Committee and four Working Groups
City of Toronto Shared Service Studies
TPS IRIS Project
TPS Paid Duty Review

The CIOR continues to work with Budget and Financial Analysis to identify the estimated implementation costs of specific initiatives. Included in Appendix 1 of this report are preliminary estimates of the 2014 budget impacts for those initiatives that can be costed at this time. The total budget impact identified to date for 2014 is an estimated cost of \$1.6M. It is estimated the program savings as a result of these changes is \$3.2M. These budget impacts will be refined during 2014. However, these costs are considered investments to achieve long-term annualized savings and efficiencies. Further investment costs and annualized savings will be known when ongoing reviews are completed and the civilian job descriptions are finalized and evaluated.

Conclusion:

This report provides the results of the Chief's Internal Organizational Review. It includes a summary of the 22 reviews that examined the way in which police services are delivered to the community. The Service believes that the recommended changes enhance its ability to deliver a safer and more sustainable model of policing.

Deputy Chief Michael Federico, Operational Support Command, will be in attendance to answer any questions the Board may have.

The Board was also in receipt of the following report January 28, 2014 from Marie Moliner and Andy Pringle, Board Members, and Observers on the CIOR Steering Committee:

SUBJECT: CHIEF'S INTERNAL ORGANIZATIONAL REVIEW (CIOR) - REPORT FROM BOARD REPRESENTATIVES

Recommendations:

It is recommended that the Board request the Chief to:

- (1) Inform the Board of next steps and implementation of the CIOR recommendations, on a regular basis;
- (2) Include Board staff in future meetings with respect to the implementation of the CIOR; and;

- (3) Identify a Service member to be the CIOR lead in order to participate in the Board-led review on organization change.

Financial Implications:

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

Background/Purpose:

In October 2011, the Board approved the Chief's recommendation to engage an external consultant to conduct an assessment of the Toronto Police Service. The review arose in the context of budget discussions when the City target, adopted by the Board, was to achieve a 10 % reduction to the police budget. It was recognized at the time that it would not be possible to achieve the 10% target in 2012. This review, known as the Chief's Internal Organizational Review (CIOR), concluded in November 2013 and sought to find new and innovative ways to deliver policing services that are efficient, effective and economical, and valued by the public.

The CIOR was aimed at prioritizing services and delivering those necessary in a manner that allows the Service to meet its legislative obligations and maintain a safe city in partnership with communities. The identification of any gaps in service was also part of the review.

The Board, at its meeting of January 16, 2014, considered a report from the Chair entitled "Adequate, Effective and Sustainable Policing in Toronto – Proposal for a Board-led Review." (Min. No. P4/14 refers).

At the time, the Board approved a number of Motions, including the following:

1. THAT the Board request the Chief to provide a public report for the February 2014 meeting on the results of the CIOR for discussion;
2. THAT the two members of the Board who participated in the CIOR as observers be requested to provide a report for the February 2014 meeting; and

As the two Board members who participated in the CIOR as observers, we have prepared this report to inform the Board of our work on the CIOR Steering Committee, and to bring forward our impression of the results for discussion.

Participation on CIOR Steering Committee

We participated, as observers, on the CIOR Steering Committee in order to ensure the Board's presence and involvement in the review process.

As a result, beginning in 2012, we participated in many of the CIOR bi-monthly meetings. In addition, we participated in special meetings that the Service convened to explore innovative policing practices and to receive the results of the analysis conducted by Accenture, the consultant retained by the Service to conduct some of the business process analytics. Monthly

reports were presented to the Board by the Service and discussed by Board Members, who also received additional feedback and context from both of us.

Many issues were discussed by Board Members in response to the Chief's monthly CIOR reports including alternative service delivery models, use of new technologies, civilianization of services currently delivered by police officers, consolidation of resources, outsourcing of service, and shared service delivery. The Board was also apprised of the Service's proposals to re-examine the manner in which the Service delivers its policing, infrastructure and administration services.

Impression as Observers

We attended as many of the Chief's CIOR Steering Committee bi-monthly meetings as possible. In our view, the CIOR process was well-conceived and thorough, including a bottom-up solicitation of input from officers in each area of the Service. From a governance perspective, the meetings offered a good opportunity to understand the comprehensive and intensive nature of the work being undertaken by the CIOR Steering Committee. This work addressed many of the issues that Board Members have articulated informally over the past 18 months.

As Board Members, we were present primarily as observers but we were asked our views and volunteered perspectives. We also able to provide a challenge function including suggesting areas for further consideration such as savings achieved via camera technology. Overall, we found that the CIOR work, including the business process mapping exercises, was undertaken consistently and methodically. Organizational change solutions emerged which identified some savings, primarily through alternative service delivery models and delayering.

The Board received a comprehensive report on the CIOR recommendations from the Service on December 11, 2013. As noted above, the Chief will be providing a public report for the February 2014 meeting on the results of the CIOR for discussion.

Discussion:

The Board's understanding of the original purpose of the Chief's organisational review exercise was that the Service undertake a blank slate approach to the restructuring of policing services in Toronto, with a view to meeting a further 5% target in additional savings in 2013.

The Service did not undertake a complete structural review nor did the CIOR exercise identify significant savings. Nonetheless, the CIOR was a useful exercise. It resulted in a comprehensive review of existing organisational structures and identified efficiencies and improvements to existing practices, with a focus on what the Toronto Police Service could do better.

It is clear that further and more extensive savings will only become available through a reduction in personnel combined with a reinvestment in technology solutions. Accordingly, the Board will need to be vigilant as the Service implements further changes. It will need to ensure that the service be very conscious of initiatives that can capture savings in order to reduce the escalating costs of policing.

Conclusion:

Insofar as next steps are concerned, and as noted above, the Board, at its meeting of January 16, 2014, approved a Motion, among others, that the Board:

1. Seek the assistance of an external consultant with expertise in organization change to undertake a review of the results of the Chief's internal organizational review and to identify further measures to ensure that delivery of policing services in the City of Toronto is adequate, effective as well as sustainable.

We believe it would be valuable for a Service member with CIOR expertise to act as a liaison to the Board with respect to this Board-led review so that the Board can ensure that the recommendations resulting from the CIOR are applied to its work.

We believe that, going forward, it is critical for the Board and the Service to be informed of the work each is doing with respect to the CIOR and organizational change.

As a result, it is recommended that the Board request the Chief to:

- (1) Inform the Board of next steps and implementation of the CIOR recommendations, on a regular basis;
- (2) Include Board staff in future meetings with respect to the implementation of the CIOR; and
- (3) Identify a Service member to be the CIOR lead in order to participate in the Board-led review on organization change.

The Board considered the foregoing reports in conjunction with a separate report containing a proposal for a Board-led review on adequate, effective and sustainable policing in Toronto (Min. No. P32/14 refers).

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

- **John Sewell, Toronto Police Accountability Coalition ***
- **Kris Langenfeld ***

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

During his deputation, Mr. Sewell referred to the two reports prepared by Accenture, *Review of the Right Number of Officers for the TPS* and the *Review of Organizational Structure, Span of Control, Delaying and Civilianization*, and inquired as to whether copies of these reports would be released publicly.

Chief Blair said that he was prepared to release the reports publicly.

The Board approved the following Motions:

- 1. THAT the Board defer the foregoing report from the Chief and the report from Ms. Moliner and Mr. Pringle to its April 2014 meeting for further consideration;**
- 2. THAT the Board request the Chief to provide a report containing copies of the two Accenture reports (*Review of Organizational Structure, Span of Control, Delaying and Civilianization* and *Review of the Right Number of Officers for the TPS*) to the Board for consideration at its April 2014 meeting;**
- 3. THAT the Chair review the December 11, 2013 *in camera* presentation on CIOR to identify any confidentiality issues and following the review, submit a public report for the April 2014 meeting on the results of the CIOR; and**
- 4. THAT the Board receive the depositions by Mr. Sewell and Mr. Langenfeld.**

Moved by: M. Thompson

Appendix 1

Status of CIOR Review Projects in Brief

Item #	Description	Review Status	Civilianization	Consolidation	Outsourcing	Shared Services	Privatization	P.P. Partnerships	Cost Avoidance/Savings	Efficiency	Service Excellence	Technology	Uniform Impact	Civilian Impact	2014 Budget Impact (in \$1,000s)	Comments - budget impact	Program (in \$1,000s)	Comments - program impact
1	Flexible Schedules for Specialized Units (8&6)	I	N	N	N	N	N	N	Y	Y	Y	N	tbd	tbd	tbd		tbd	
2	Divisional Prisoner Management	I	Y	N	Y	N	N	N	Y	Y	Y	Y	-85	+85	tbd	Existing court officer positions redeployed; impact on planned court officer hiring unknown	-\$1,950.3	Savings of 85 uniform positions offset by cost of 85 civilian positions
2a	Court Services Efficiency Initiatives	I											tbd	tbd	tbd	Court Services tasked with identifying efficiencies that could reduce staffing requirements	tbd	Court Services tasked with identifying efficiencies that could reduce staffing requirements
3	TPS Auxiliary Policing Program	I	N	N	N	N	N	N	N	Y	Y	N	+0	+0	\$-	None	\$-	None
4	Civilianize Forensic Identification positions	I	Y	N	N	N	N	N	Y	Y	Y	N	-4	+4	\$122.7	Cost to hire 3 positions in 2014 and 1 in 2015	-\$81.8	Savings of 4 uniform positions offset by cost of 4 civilian positions
5	CopLogic and Theft (shoplifting) Call for Service Diversion	I	N	N	N	Y	Y	Y	Y	Y	Y	Y	+0	+0	\$45.0	Anticipate minor costs in 2014; currently being refined	\$ -	Frontline efficiencies (up to 6,000 officer hours per division)

Item #	Description	Review Status	Civilianization	Consolidation	Outsourcing	Shared Services	Privatization	P.P. Partnerships	Cost Avoidance/ Savings	Efficiency	Service Excellence	Technology	Uniform Impact	Civilian Impact	2014 Budget Impact	Comments - budget impact	Program	Comments - program impact
6	Accenture - Organizational Structure, Span of Control, Civilianization, Delaying Review	I	Y	Y	N	Y	N	N	Y	Y	Y	Y	tbd	tbd	tbd	Various civilianization initiatives proposed; some overlap with other initiatives; impacts continue to be determined	tbd	Various civilianization initiatives proposed; some overlap with other initiatives; impacts continue to be determined
7	Traffic Safety and Technology (Technology part in implementation – still reviewing centralization (A))	I/A	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	+0	+0	tbd	Potential one-time facility renovations and equipment requirements	tbd	tbd
8	Civilianization and Centralizing of the School Crossing Guard Program	I	Y	Y	Y	N	N	N	Y	Y	Y	N	-14	+11	\$446.4	Cost to hire 11 civilian positions; potential one-time facility renovations, equipment req'ments; potential offset with funding from City	-\$601.7	Savings of 14 uniform positions offset by cost of 11 civilian positions (note: program requires 12 civilians; one currently established)
9	Training and Course Facilitation (TPC)	I	Y	N	Y	Y	N	N	Y	Y	Y	Y	-9	+7	\$-	Cost to hire 7 civilian positions, beginning in 2015	-\$406.1	Savings of 9 uniform positions offset by cost of 7 civilian positions
10	Employment Background Consultants	I	Y	N	N	N	N	N	Y	Y	Y	N	tbd	tbd	\$549.6	Partial implementation in 2014 (still need to confirm future plans). Will reduce uniform establishment	tbd	Savings of \$1.0-\$1.5M anticipated upon full implementation

Item #	Description	Review Status	Civilianization	Consolidation	Outsourcing	Shared Services	Privatization	P.P. Partnerships	Cost Avoidance/ Savings	Efficiency	Service Excellence	Technology	Uniform Impact	Civilian Impact	2014 Budget Impact	Comments - budget impact	Program	Comments - program impact
11	Special Events Resource Assignment	I	Y	Y	N	N	N	N	Y	Y	Y	Y	tbd	tbd	tbd	tbd	tbd	tbd
12	The Right Number Review	I	N	N	N	N	N	N	Y	Y	N	N	tbd	tbd	tbd	Final decision will impact uniform establishment #	tbd	tbd
13	Outsourcing of Courts Screening Positions	C	N	N	Y	N	N	Y	Y	Y	N	N	tbd	tbd	\$-	n/a	\$-	Not implemented.
14	Closing Divisions – 13 and 54 Divisions	C	Y	Y	N	N	N	N	Y	Y	Y	N	+0	+0	\$-	n/a	\$-	Not implemented.
15	Civilianization and Combining of Divisional Positions	C	Y	Y	N	N	N	N	Y	Y	Y	N	+0	+0	\$-	n/a	\$-	Implemented in part
16	Multi-Agency Collaboration to Assist Community Development – HUB Model	A	Y	N	N	Y	N	Y	Y	Y	Y	N	tbd	tbd	tbd	tbd	tbd	tbd
17	Emergency Services Efficiencies Review	A	N	Y	N	Y	N	N	Y	Y	Y	N	tbd	tbd	tbd	tbd	tbd	tbd
18	Community Engagement and Intelligence Gathering	A	N	N	N	N	N	N	N	Y	Y	N	tbd	tbd	tbd	tbd	tbd	tbd
19	Customer Service Review	A	N	N	N	N	N	N	N	Y	Y	N	tbd	tbd	tbd	tbd	tbd	tbd
20	Internal External Processes (includes civilianization and automation)	A	Y	N	N	N	N	N	Y	Y	Y	Y	tbd	tbd	tbd	tbd	tbd	tbd

Item #	Description	Review Status	Civilianization	Consolidation	Outsourcing	Shared Services	Privatization	P.P. Partnerships	Cost Avoidance/ Savings	Efficiency	Service Excellence	Technology	Uniform Impact	Civilian Impact	2014 Budget Impact	Comments - budget impact	Program	Comments - program impact
21	Duty Operations Centre Review	A	N	Y	N	N	N	N	Y	Y	Y	N	+0	+0	tbd	Potential one-time facility renovations and equipment requirements	\$ -	Frontline deployment efficiencies anticipated
22	Civilianization of SOCO Positions	A	Y	Y	N	N	N	N	Y	Y	Y	N	-10	+10	\$405.9	Anticipated further civilianization in future years, amount tbd	-\$229.4	10 positions * marginal savings between PC and civilian ranks; potential for further civilianization
TOTAL													-122	117	\$1,569.6		-\$ 3,269.3	

C = Complete; I = In implementation; A = Active;

* "Potential Annualized Program Economies (estimates)" column identifies the impact on individual programs; "2014 Budget Impacts" identifies year-to-year budget impacts. For example, the civilianization of FIS positions will allow the Service to run that program with an overall savings of \$95,000, but the Service will require funding to hire the new civilians in 2014. All civilianization initiatives assume hiring effective July 1/14.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P19. ANNUAL REPORT: 2013 COMPLIANCE REQUIREMENT TO WEAR
NAME IDENTIFICATION**

The Board was in receipt of the following report January 10, 2014 from William Blair, Chief of Police:

Subject: COMPLIANCE OF SERVICE MEMBERS WITH THE REQUIREMENT TO
WEAR NAME IDENTIFICATION

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting held on November 14, 2012, the Board approved a new Board policy entitled 'Name Badges' and requested that the Chief of Police provide an annual report to the Board concerning incidents of non-compliance with this policy and any actions taken to remedy such incidents (Min. No. P284/12 refers).

The purpose of this report is to provide the Board with the details about the incidents of non-compliance in 2013 and the remedies in those incidents.

Discussion:

A member's requirement to wear their issued name badge is prescribed in Service Procedure 15-16 entitled Uniform, Equipment and Appearance Standards and the associated appendix to the procedure; Appendix 'H' entitled Wearing of Name Badges. The appendix advises that the name badge shall be clearly visible and worn on the outermost garment with the only exception being that a name badge is not required on rainwear.

A review of the Professional Standards Information System (PSIS) has shown that there were no incidents of non-compliance in 2013.

Conclusion:

In summary, this report provides the Board with the details regarding the incidents of non-compliance by Service members with the Board policy on the wearing of name badges in 2013.

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

The Board received the foregoing report.

Moved by: M. Thompson

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P20. TORONTO 2015 PAN AMERICAN/PARAPAN AMERICAN GAMES –
STATUS REPORT #2**

The Board was in receipt of the following report January 3, 2014 from William Blair, Chief of Police:

Subject: TORONTO 2015 PAN AMERICAN/PARAPAN AMERICAN GAMES –
STATUS REPORT #2

Recommendations:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

In November 2009, the Pan American Sports Organization (PASO) selected Toronto as the host city for the 2015 Pan American/Parapan American Games (the Games). As the host city, Toronto will house approximately 10,000 visiting athletes, coaches, and team officials in the Pan Am Athletes' Village. This 80 acre site, currently under construction, is located east of the downtown core and adjacent to the Don River.

In addition to the event participants, in excess of 500,000 tourists are expected to attend the competitions, placing a huge demand on the Toronto Police Service's resources for logistical, security, and transportation/traffic coordination. The Service must also plan for business continuity from early July when the athletes begin to arrive in Toronto through to late August following the Games and the departure of participants, venue staff, and visiting spectators.

The involvement of the Toronto Police Service in planning for the Games commenced in 2011 (Min. No. P275/12 refers). Currently, the number of personnel assigned to the Pan Am Planning Team is limited; however, this large scale event will necessitate a significant staffing complement as the Games approach in order to prepare for and manage the numerous sites and movement of participants during the deployment phase (June 24, 2015 to August 21, 2015).

The Parapan American Games is also held every four years in conjunction with the Pan American Games. The proposed Games program includes 28 Olympic sports, 9 Non-Olympic sports, and 11 Parapan sports for athletes with disabilities. Planning for the Toronto 2015 Games

must therefore encompass the identification of Parapan-specific details to ensure that accessibility requirements are met prior to the athletes' arrival.

Discussion:

Outlined below is a status report regarding the funding, sporting venues, staffing, and stakeholder components of the Games.

Funding:

Toronto2015 is the non-profit organizing committee mandated to plan, coordinate, promote, finance, and stage the Games. In accordance with a draft Agreements between Toronto 2015 and the Toronto Police Services Board covering the period April 1, 2012 to March 31, 2014, Toronto 2015 has agreed to pay the reasonable, justifiable, and incremental costs incurred by the Board with respect to the planning of security and policing services for the Games. The Board is reimbursed for these expenses on a monthly basis, with no net cost to the Service. The two Agreements have been submitted in a separate report to the Board's January 2014 meeting requesting approval for the Chair to execute the Agreements.

The Service's Pan Am Planning Team has prepared an overall Games budget covering staffing and other expenditures through to December 31, 2015. The proposed budget has been submitted to the Ontario Provincial Police (OPP) for review, and will subsequently be forwarded to the Treasury Board of Ontario for approval. The total budget amount continues to be fluid due to frequent venue changes by Toronto2015.

Upon execution of an Agreement between the Board and the Province of Ontario, the draft Agreement shall terminate. However, Toronto2015 is obliged to make any payments owing to the Board up to the date of termination.

The Ministry of Community Safety and Correctional Services (MCSCS) has been identified as the Ministry that will negotiate and manage the Integrated Security Unit (ISU) cost contribution framework and the cost recovery agreement for agencies participating in planning for the Games and the delivery of security and policing services. Discussions will commence in January 2014 and will involve input from the Service's Budgeting and Control staff and City Legal with respect to the development of this Agreement. It is intended that the cost contribution framework and cost recovery agreement will be in place for April 1, 2014 to succeed the interim arrangement with Toronto2015 for reimbursement of salary and non-salary incremental expenses incurred to date for planning activities.

The majority of the overall costs for the Games will be covered by contributions from public sponsorship, with supplemental funding from Tourism Toronto, private sponsorship, and Games revenue. The Government of Ontario and the City of Toronto have also committed to invest in the Games operating budget. At this time, no capital costs are anticipated by the Service.

Venues for Sporting Events:

The majority of the sporting events for the 2015 Games will take place in clustered competition venues located within the City of Toronto and throughout south-central Ontario. Other venues include sporting competitions in St. Catharines, Niagara Falls, Hamilton, Burlington, Ajax, Oshawa, Whitby, Mississauga, Brampton, Caledon, Orangeville, Milton, York Region, Richmond Hill, Markham, Barrie, Alliston, Minden, Hardwood Hills, and Welland.

The preference for clustered competition venues, or the holding of multiple events at the same location, is intended to facilitate the transportation and movement of attendees, improve operations, aid security, and reduce the costs associated with stand-alone venues.

Staffing:

The staff complement assigned to the Games will increase proportionate to workload as planning for the Games progresses, with peak deployment of Service personnel occurring late in the second quarter and throughout the third quarter of 2015. The staffing requirement will gradually decrease during the demobilization and closeout phase following the Games (August 22, 2015 to December 31, 2015). Further information regarding staffing requirements and business continuity plans will be provided to the Board as planning continues and more definitive information becomes available.

The Pan Am Planning Team has developed an organizational chart for the Games in accordance with the Incident Management System (IMS) Doctrine for Ontario and internationally recommended practices for emergency management.

Stakeholders:

The OPP have been designated by the province as the lead coordinator for the Games with an established Integrated Security Unit comprised of representation from a number of police services in the Greater Toronto and surrounding area, including:

- OPP
- Toronto Police Service
- Niagara Regional Police Service
- Halton Regional Police Service
- Hamilton Police Service
- Peel Regional Police Service
- York Regional Police Service; and
- Durham Regional Police Service
- South Simcoe Police Services

The 2015 Pan American/Parapan American Games Multi-Party Agreement details the commitments and responsibilities of the six main Games partners, including the Governments of Canada and Ontario, the Canadian Olympic and Paralympic Committees, the Organizing Committee (Toronto2015), and the City of Toronto. These responsibilities include:

i. The Government of Canada

The Canadian government is a major funding contributor for the Games and will also provide federal services such as border security through the Canada Border Services Agency, as well as accreditation support and assistance from the Royal Canadian Mounted Police.

ii. The Government of Ontario

The Ontario Pan/Parapan American Games Secretariat will oversee the province's financial commitment to the Games, and will coordinate the province's involvement in planning and operational activities, including the improvement and development of sport and recreational facilities. The Secretariat will liaise with Infrastructure Ontario and the Ontario Ministry of Infrastructure with respect to sport and recreation development projects, including the Pan Am Athletes' Village in the West Don Lands.

iii. The City of Toronto

As the host city and a funding contributor for the Games, Toronto has an opportunity to develop new community, sport, and housing infrastructure, and ultimately, to showcase and enhance its international reputation. Throughout the planning phase and liaison with Games' partners, Toronto is establishing and advancing partnerships with police agency representatives and other Games' stakeholders.

iv. The Canadian Olympic Committee and the Canadian Paralympic Committee

The Canadian Olympic and Paralympic Committees will provide guidance and expertise in all areas.

v. Toronto 2015

Toronto2015 is working cooperatively with the government of Canada, the Ontario government, the City of Toronto and other municipalities involved in the 2015 Games to ensure their success.

Relocation of the Pan Am Planning Team:

The Pan Am Planning Team relocated in September 2013 to a central location selected by the Ontario Provincial Police. This centralized location (in terms of the vast area of venue sites) allows for enhanced communication and information exchange between participating agencies, as well as the establishment of an Integrated Security Unit. The Service and OPP will have significant representation at this site, with space provisions for representation from other police agency and security partners.

Conclusion:

With the participation of 41 countries, the Toronto 2015 Pan American/Parapan American Games is a vast multi-sport event requiring extensive planning and the collaboration of numerous police agencies and stakeholder groups. Members of the Pan Am Planning Team will continue to liaise with these stakeholder representatives to ensure a coordinated plan for this event.

The Service will keep the Board apprised of the resource requirements for the Games and the status of the Agreements for reimbursement to the Service for all salary and non-salary incremental expenditures. Quarterly reports will be submitted to the Board throughout 2014, and bi-monthly or as required in 2015.

Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions from the Board.

The Board was also in receipt of correspondence dated January 21, 2014 from Drew Vanderduim, Director, Business and Financial Planning Branch, Ministry of Community Safety and Correctional Services, with regard to security at the PanAmerican/Parapan American Games. A copy of the correspondence is appended to this Minute for information.

Mr. Kris Langenfeld was in attendance and delivered a deputation to the Board with regard to this matter. A written copy of Mr. Langenfeld's deputation is on file in the Board office.

The Board approved the following Motions:

- 1. THAT the Chair provide the Board with a Briefing Note on the 2015 Pan American/Parapan American Games in light of Justice Morden's recommendations pertaining to major events and the Board's role with regard to those events;**
- 2. THAT the Board request the Chief to provide the Chair with a list of any key changes, practices and procedures arising from the G20 Summit that the TPS will apply to policing the PanAmerican/Parapan American Games;**
- 3. THAT the Chair coordinate a briefing to be provided by the Chief for Board members with respect to the policing the PanAmerican/Parapan American Games;**
- 4. THAT the Chair request the Ministry of Community Safety and Correctional Services to coordinate a briefing for the GTA police services boards on the funding arrangements; and**

cont...d

- 5. THAT the Board receive the Chief's report, the correspondence from the Ministry and Mr. Langenfeld's deputation.**

Moved by: D. Noria

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels

Corporate Services Division
Business & Financial Planning
Branch

Division des services ministériels
Branche de planification financière et
d'affaires

25 Grosvenor Street
10th Floor
Toronto ON M7A 1Y6
Telephone: 416-325-5384
Facsimile: 416-325-3465

25, rue Grosvenor
10^e étage
Toronto ON M7A 1Y6
Téléphone: 416-325-5384
Télécopieur: 416-325-3465



January 21, 2014



MEMORANDUM TO: Dr. Alok Mukherjee, Chair
Toronto Police Services Board
40 College Street, 7th Floor
Toronto ON M5G 2J3

RE: 2015 Pan/Parapan American Games Security

I am writing to inform the Toronto Police Services Board of upcoming consultations between the Ministry of Community Safety and Correctional Services and the Toronto Police Service to develop agreements for the reimbursement of incremental expenses incurred for the 2015 Pan/Parapan American Games.

As you may be aware, an Integrated Security Unit (ISU), consisting of the Ontario Provincial Police and the Municipal Police Services with Games venues in their jurisdiction, has been established to lead the planning and delivery of Games security. To support the Toronto Police Service in this role and throughout Games operations, the ministry will provide reimbursement to the Toronto Police Service for incremental, reasonable and justifiable expenses incurred for Games security as part of the ISU.

Agreements will be developed to ensure fair and equitable reimbursement for all municipal policing partners and to establish responsible and appropriate accountability structures for management of public funds. Under the agreements, Municipal Police Services will be responsible for security at designated Games venues that meets the standards established by the Integrated Security Unit. Municipal Police Services will still be responsible for providing policing activities that fall to them under the Police Services Act.

The ministry will work with Inspector Brian Preston and the Toronto Police Service to finalize the details of the agreement through a process of review and consultation, based on principles of collaboration, fairness and transparency. The ministry will provide updates and/or briefings for the Police Service Boards, as requested.

.../2

Consultation with all municipal partners will be ongoing through February 2014. Municipal and provincial approval of the agreements is targeted for March 2014, and will be effective from April 1, 2014 to September 30, 2015 to support Games planning, operations and demobilization. This timeline will provide a seamless transition for municipal partners from the current arrangement with Toronto 2015, which expires on March 31, 2014, to formalized agreements with the Province.

The Pan/Parapan American Games Secretariat (PPAGS) is leading engagement with municipalities regarding overall Games planning and operations, beginning with a meeting on January 23rd with Municipal CAOs. The Secretariat may provide general updates related to security planning through this forum as requested by municipalities.

We are committed to ensuring the safe and secure delivery of the Games and we recognize that strong partnerships with the Municipal Police Services will be critical as we work toward our shared objectives and responsibilities. We look forward to ongoing collaboration with the Toronto Police Service.

Thank you very much for your support.



Drew Vanderduim
Director
Business and Financial Planning Branch
Ministry of Community Safety and Correctional Services

CC to:

Chief William Blair, Toronto Police Service

Tony Veneziano, Chief Administrative Officer, Toronto Police Service

Deputy Chief Mark Saunders, Toronto Police Service

Inspector Brian Preston, Project Lead, Toronto Police Service

David Lynch, Chief Administrative Officer and Assistant Deputy Minister, Corporate Services Division,
Ministry of Community Safety and Correctional Services

Glenn Murray, Assistant Deputy Minister, Public Safety Division, Ministry of Community Safety and
Correctional Services

Mike McDonell, Integrated Security Unit Planning Lead, Ontario Provincial Police, Ministry of
Community Safety and Correctional Services

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P21. QUARTERLY REPORT: OCCUPATIONAL HEALTH AND SAFETY
UPDATE: OCTOBER TO DECEMBER 2013 AND YEAR-END
SUMMARY**

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

Subject: OCCUPATIONAL HEALTH AND SAFETY UPDATE: OCTOBER 1, 2013 TO
DECEMBER 31, 2013 AND YEAR-END SUMMARY

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting on January 24, 2005, the Board received an update on occupational health and safety matters relating to the Service (Min. No. C9/05 refers). Following consideration of the report, the Board requested the Chief of Police to provide quarterly updates on matters relating to occupational health and safety. The Board, at its meeting on August 21, 2008, further requested public quarterly reports for occupational health and safety matters (Min. No. C224/08 refers).

The purpose of this report is to update the Board on matters relating to occupational health and safety issues for the fourth quarter of 2013 and includes a year-end summary.

Discussion:

Accident and Injury Statistics:

From October 1, 2013 to December 31, 2013, 257 members reported that they were involved in 281 workplace accidents/incidents resulting in lost time from work or health care which was provided by a medical professional. These incidents were reported as claims to the Workplace Safety and Insurance Board (WSIB). During this same period, 55 recurrences of previously approved WSIB claims were reported. Recurrences can include, but are not limited to, on-going treatment, re-injury and medical follow-ups ranging from specialist appointments to surgery.

A workplace incident may have several attributes and can be reported in more than one category. For example, an officer can be assaulted and sustain a laceration injury at the same time. Each attribute would be reported. For this reporting period, the workplace or work-related accidents/incidents were categorized according to the following attributes:

- 31 arrest incidents involving suspects
- 4 vehicle incidents (member within vehicle as driver or passenger)
- 6 bicycle accidents (falls)
- 2 assaults
- 19 cuts/lacerations/punctures
- 11 traumatic mental stress incidents
- 9 slips and falls
- 249 communicable diseases and possible exposures
- 2 inhalations of other substances

As a Schedule 2 Employer, the Toronto Police Service paid \$57,636.70 in health care costs for civilian members and \$208,076.00 in health care costs for uniform members for the fourth quarter of 2013.

Critical Injuries:

The employer has the duty to report but not adjudicate the seriousness of injuries and pursuant to *Section 51* of the *Occupational Health and Safety Act (OHSA)* and *Regulation 834*, must provide notice to the Ministry of Labour (MOL) of all critical injuries which occur in the workplace.

For the 2013 fourth quarter report, there was one Critical Injury Incident reported to the MOL. The incident was confirmed by the MOL to be a Critical Injury Incident which resulted from a cause in a workplace as defined in *Regulation 834*.

Communicable Diseases:

As part of the Communicable Disease Exposure Surveillance Program, members of the Occupational Health and Safety Unit (OHS) reviewed reported exposures during the months indicated. The majority of these reports did not result in claim submissions to WSIB. However, there is an obligation to ensure the surveillance program maintains its administrative requirements and that there is a communication dispatched to members of the Service from a qualified designated officer from the Medical Advisory Services (MAS) team. Table I provides a summary of the different exposures for the fourth quarter of 2013.

Table I

Reported Exposures	October	November	December	Q4 Total
Hepatitis A, B, & C & HIV	7	3	4	14
Influenza	0	0	0	0
Tuberculosis (TB)	6	0	1	7

Meningitis (All)	0	0	0	0
Lice and Scabies	0	3	0	3
Other*	134**	39	52	225
Total	147	45	57	249

* This category can include, but is not limited to exposures to:

- infectious diseases not specified above including smallpox, severe acute respiratory syndrome (SARS), rubella and measles;
- respiratory condition/irritations;
- bites (human, animal or insect);
- varicella (chickenpox);
- Methicillin-Resistant Staphylococcus Aureus (MRSA), also known as multidrug-resistant bacteria); and,
- bodily fluids (blood, spit, vomit, etc.).

** This accounts for a normal increase in bed bug and MRSA exposures for this time period.

As a result of a determination made at the Central Joint Health and Safety Committee (CJHSC) meeting of March 29, 2010, OHS monitors incidents where members report exposure to bed bugs. There were 37 reported exposures to bed bugs in the fourth quarter.

Medical Advisory Services:

The statistics provided are limited to a consideration of non-occupational cases. By definition, short term refers to members who are off work for greater than fourteen days, but less than six months. Long term refers to members who have been off work for greater than six months.

An examination of disability distribution amongst Service members indicates the following:

Disability	October	November	December
Short Term	58	65	48
Long Term - CSLB	79	77	74
Total Disability per Month	137	142	122

Workplace Violence and Harassment:

Bill 168, the Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009, came into force on June 15, 2010. As a result of the above amendment, the Occupational Health and Safety Act now includes definitions of workplace violence and workplace harassment and Part III.0.1 refers specifically to Violence and Harassment.

In the fourth quarter of 2013, there were two documented complaints which have been categorized by Professional Standards to meet the criteria of workplace harassment as defined in the *OHSA*.

Ministry of Labour Orders, Charges & Issues:

There were no Ministry of Labour orders, charges or issues during the fourth quarter of 2013.

Other Occupational Health and Safety Matters:

Currently, the Service has 420 certified members comprised of 257 worker representatives and 163 management representatives. For administrative purposes, uniform management representatives consist of the rank of Staff/Detective Sergeant and above.

Seasonal Influenza Vaccination Clinics:

The Service, in partnership with the Toronto Emergency Medical Services (EMS), hosted ten seasonal influenza vaccination clinics at various police facilities across the Service. A total of 357 members of the Service were immunized during these clinics.

Annual X-ray Safety Inspections:

On December 2-3, 2013, annual inspections of all X-ray equipment operated by the Service were facilitated by the Occupational Health & Safety Unit. The assessments were conducted with an external Radiation Safety Consultant. Inspections included a comprehensive review of safe operating practices, safety equipment and signage, member training, and radiation leakage testing. No radiation leakage was detected in any of the machines, and no deficiencies in practices, equipment, or signage were identified. All machines and operating procedures are satisfactory and in good order.

Audiometric Testing Program:

Following noise exposure assessments facilitated by the Occupational Health & Safety Unit at the Toronto Police College and the Emergency Task Force, the decision was made to proceed with conducting annual audiometric testing. Members of the Emergency Task Force and firearms instructors from the Toronto Police College will have their hearing tested annually in order to ensure that protective measures are in place to reduce the risk of noise-induced hearing loss resulting from firearms training are appropriate and effective.

Automated External Defibrillators (AEDs):

The decision was made by the Occupational Health & Safety Unit to expand the AED Program at Toronto Police Service Headquarters. Additional AEDs will be installed in the headquarters building to ensure that each floor has a defibrillator. Additional AEDs will also be acquired for the new Property & Evidence Management Unit facility following a needs assessment, due to the larger size of the new facility.

Ontario Police Health & Safety Committee:

The Ontario Police Health & Safety Committee met on November 29, 2013, and the following agenda items were discussed: an update on the Ministry of Community Safety and Correctional Services' Future of Policing Project; a review of proposed amendments to Ontario Regulation 629/94 *Diving Operations*; a presentation by the Ontario Ministry of Labour on new mandatory health and safety training requirements under Ontario Regulation 297/13 *Occupational Health and Safety Awareness and Training*; and a discussion of amendments to the proposed Ontario Police Health and Safety Committee's *Guidance Note #6: Construction Project Hazards which Impact Police Personnel*.

Year-End Summary:

Annual Workplace Safety and Insurance Board Claims and Costs:

For the year 2013, the Service processed 3,121 Injured on Duty (IOD) reports, of which 1,197 were reported to WSIB as workplace injury or illness claims. For 2011 and 2012, there were 1,359 and 1,180 claims reported respectively. In 2013, there was an increase of 1.4% in reportable claims over 2012.

WSIB claims must be reported when workers receive medical attention, lose time or are absent from work and any recurrences due to work-related injury or illness. First aid instances do not meet the threshold for reporting to the WSIB.

The following chart lists WSIB claims for the Service for the last three years for comparison purposes.

WSIB Claims for Toronto Police Service			
Claim Description	2011	2012	2013*
Medical (no time lost)	606	581	559
Lost Time Incidents	506	447	459
First Aid Incidents	1852	1944	1924
Recurrences	247	152	179
Total	3,211	3,124	3121

* Claims can be reported at any time. This is accurate as of the date of this report. It is anticipated that there will be few reports forthcoming.

The cost to the Service for workplace injuries and illnesses, as a Schedule 2 employer, including income replacement, healthcare costs, administration fees and all other pensions and awards for the last three years is as follows:

WSIB Costs	2011	2012	2013*
Total	\$8.86M	\$8.37M	\$8.14M

* The cost is accurate as of the date of this report.

Annual Year-end Accident and Injury Statistics:

The selected 2013 year-end statistics when compared to 2012 show a decrease of 9.4%. The following selected information has also been reported to WSIB, as per protocol, and each category percentage difference has been calculated as year-end, over year-end.

Reason	2012	2013	% difference
Arrest incidents involving suspects	219	180	-18%
Vehicle incidents (members within vehicle as driver or passenger)	45	46	2.2%
Bicycle accidents (falls)	52	25	-51.9%
Assaults	74	39	-47.3%
Cuts/lacerations/punctures	121	98	-19.0%
Traumatic mental stress incidents	25	52	108.0%
Slips and falls	22	43	95.5%
Exposures to communicable diseases	55	56	1.8%
Inhalations of other substances	14	29	107.1
Total	627	568	-9.4%

Annual Year-end Communicable Disease Statistics:

For the year 2012, as part of the Communicable Disease Exposure Surveillance Program, OHS processed all reported incidents involving exposures or, more prevalently, possible exposures. These would include WSIB claims and non-reportable first aid incidents. The following table details the type of exposures arising from the reported 789 incidents.

Reported Exposures	2012	2013	% difference
Hepatitis A, B & C & HIV	117	49	-58.1%
Influenza	0	0	0%
Tuberculosis	56	50	-10.7%
Lice and Scabies	40	11	-72.5%
Meningitis (All)	10	26	160%
Other*	688	653	-5.1%
Total	911	789	-13.4%

* This category can include, but is not limited to exposure to:

- Infectious disease not specified above including smallpox, severe acute respiratory syndrome (SARS), rubella and measles;
- respiratory condition/irritations;
- bites (human, animal or insect);
- varicella (chickenpox);
- Methicillin-Resistant Staphylococcus Aureus (MRSA, also known as multidrug-resistant bacteria); and,
- Bodily fluids (blood, spit, vomit, etc.).

Annual Year-end Critical Injury Statistics:

Year	Critical Injury Incidents reported to the MOL	Critical Injury Incidents Confirmed
2012	19	18
2013	14	14

The Service continually monitors critical injury incidents and follows up, as required.

Annual Year-end Workplace Violence and Harassment:

In 2013, there were four documented complaints which were categorized by professional standards to meet the criteria of workplace harassment as defined in the *OHSA*. Two of these complaints have resulted in charges under the *Police Services Act*.

Conclusion:

This report updates the Board on matters relating to occupational health and safety issues for the fourth quarter of 2013 and provides year-end summary information.

The next quarterly report for the period of January 1, 2014 to March 31, 2014, will be submitted to the Board for its meeting in May 2014.

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 received 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 FEBRUARY 13, 2014**

#P22. ANNUAL REPORT: 2013 UNIFORM PROMOTIONS

The Board was in receipt of the following report January 16, 2014 from William Blair, Chief of Police:

Subject: ANNUAL REPORT: 2013 UNIFORM PROMOTIONS

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting on May 29, 2003, the Board approved giving standing authority to the Chair, Vice Chair, or their designates, to sign, authorize and approve all uniform promotions to the ranks of Sergeant and Staff/Detective Sergeant. The Board further requested that a summary report be submitted annually to its February meeting on the promotions made to these ranks in the previous year (Min. No. P136/03 refers). This report responds to that request.

Discussion:

The Board, after considering the approval of the 2013 operating budget at its December 10, 2012 meeting, approved the following motions (Min. No. P299/12 refers):

2. *THAT, with the exception of communication operators, the Board direct that there be no hiring of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief; and*
3. *THAT, the Board direct that there be no promotion of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief.”*

Conclusion

As a result of the Board motions, there were no promotions to the rank of Staff/Detective Sergeant or to the rank of Sergeant in 2013.

At year end 2013, there were 19 officers remaining on the Staff/Detective Sergeant eligibility list and 68 officers remaining on the Sergeant eligibility list. A promotion process to the rank of Staff/Detective Sergeant is ongoing at the time of this report and will be concluded by the end of January 2014. A promotion process to the rank of Sergeant is scheduled to start in January 2014 with an anticipated completion date of May 2014.

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 received 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 FEBRUARY 13, 2014**

#P23. ANNUAL REPORT: 2013 SUMMARY OF GRIEVANCES

The Board was in receipt of the following report January 21, 2014 from William Blair, Chief of Police:

Subject: ANNUAL REPORT: 2013 SUMMARY OF GRIEVANCES

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its confidential meeting on February 20, 2003, the Board requested that an annual summary report on grievances be provided for the public meeting in February of each year (Min. No. C30/03 refers). The Board further requested that the public report include the cost of the grievances, the total costs for the year and the number of arbitrations where the Board or Association were successful.

Discussion:

During the year 2013, 22 new grievances were filed. Of this number, 8 grievances were either deemed abandoned, withdrawn or settled by the parties, and 14 are outstanding. Nine grievances from previous years continued to be ongoing in 2013.

In addition to the above, 22 grievances that were outstanding from previous years were resolved in 2013. One grievance was resolved through an arbitration decision which did not rule in favour of the Board. Twenty-one grievances were either settled, withdrawn, or deemed abandoned.

The total legal costs expended in 2013 for all grievance activity, including matters which commenced prior to 2013, amounted to \$251,851.65. The following is an itemization of costs by type of grievance:

Number	Type of Grievance	Costs Expended in 2013
5	Policy Issues	\$148,863.77
3	Terminations	\$59,078.77
1	Promotional Process	\$21,701.75

1	Accommodation	\$11,535.75
1	Abuse of Benefits (Sick, WSIB, CSLB)	\$8,357.36
1	Harassment	\$1,880.00
2	Suspensions	\$434.25
14	TOTAL COSTS IN 2013 *	\$251,851.65

* These costs include interim or final billings for cases filed prior to 2013, as well as new cases filed in 2013 and include fees for legal counsel, disbursements and arbitrator fees related to the arbitration hearings. The breakdown is as follows:

- Legal Counsel and Disbursement Fees - \$235,278.41
- Arbitrator Fees - \$16,573.24

Conclusion:

This report provides the Board with the total number of grievances and total costs for the year 2013.

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 received the foregoing report.

Moved by: M. Moliner

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P24. ANNUAL REPORT: 2013 STATISTICAL REPORT – MUNICIPAL
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

The Board was in receipt of the following report January 24, 2014 from William Blair, Chief of Police:

Subject: ANNUAL REPORT - 2013 STATISTICAL REPORT - MUNICIPAL
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Recommendations:

It is recommended that:

- (1) the Board receive 2013 Annual Freedom of Information Statistical Report; and
- (2) the Board forward a copy of this report to the Ontario Information Privacy Commission.

Financial Implications:

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

Background/Purpose:

Historically, the Annual Statistical Report for the Ontario Information and Privacy Commission (IPC) has been completed internally by the Records Management Services - Access & Privacy Section (RMS-APS) and forwarded directly to the IPC.

At its September 23, 2004 meeting, (Min. No. P284/04 refers), the Board approved the following motion:

“Effective immediately, the Chief of Police adopt the practice of submitting the Year-End Statistical Report for the Information and Privacy Commission to the Board each year and that the Board forward the report to the Commission.”

The Toronto Police Service (Service) is legislated to provide this report on an annual basis. The attached 2013 Year-End Statistical Report must be submitted to the IPC by March 3, 2014.

Discussion:

In 2013, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*), RMS-APS received 5,246 requests for access to information held by the Service, as well as an additional 7 requests for corrections to records which are not captured in the overall

number reported in the annual statistical report. This is an increase of 80 requests from the previous year (a 1.57% increase). Of the 5,246 requests, 3,423 were completed which include requests carried forward from 2012. Requests completed within the mandated 30 calendar day period resulted in a compliance rate of 64.74% for the reporting year. In comparison, the compliance rate for the reporting year of 2012 was 58.30%.

The following chart highlights the compliance rates between 2005 and 2013.

	2005	2006	2007	2008	2009	2010	2011	2012	2013
Compliance	80.32	82.03	79.1	74.1	77.1	77	75.94	58.3	64.74

Until reporting of the 2012 compliance, the Service has been able to support a compliance rate of mid to high 70's since 2007. This is notable as it was outlined in Board Min. No. P284/04, where the Board approved the following Motion:

3. THAT recommendation no. 2 be approved with the following amendment: "...with the objective of achieving a *much higher rate of compliance for the balance of 2004* and a minimum 80% compliance rate in 2005";

The new requests increased by 81 in 2013 from 5172 to 5253. This is a 1.57% increase which is a minimal increase. The breakdown of request in 2013 as compared to 2012 is shown below.

APS New Request Volumes 2012 - 2013															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	# Increase	% Increase
2012	422	428	459	420	443	445	452	456	413	437	408	389	5172	81	1.57%
2013	465	396	416	473	432	454	436	414	474	528	406	359	5253		

In 2013, RMS-APS had one Analyst off for an extended absence and another leaving for the full month of December for maternity leave. These positions were not filled during this time.

APS has an established strength of 9 Analysts and 1 Clerk. For two extended periods during the past year, the unit was without clerical support. As a result, the administrative functions performed by those positions, namely answering general inquiries, requesting responsive material and processing vetted information was absorbed by the analysts. The amount of administrative work that is necessary for each file consumes a large amount of time which negatively impacts file closure.

The Service (APS) also received 76 appeals, which is up 27 appeals from 2012. The process of mediating closed files and then preparing 'Notice of Inquiries', takes a large volume time away from processing and closing active files. This has had a negative impact on the unit and contributes heavily to our overall compliance rate.

As reported in past Annual Reports, the increase in requests has become a trend since 2003. Although not studied, it is believed that this increase can be a result of increased public awareness of the *Act* and its processes and a growing population. The media have given much

attention to all levels of government with respect to transparency and filing Freedom of Information (FOI) requests.

In the IPC Annual Report, requests received are broken down into two categories, based on the type of requests; these are Personal Information and General Records. These two categories are further broken down by source of requests (e.g. Individual/Public, Business and Media etc.). In comparison to 2012, the number of Personal requests increased 1.5% and the number of General requests (Procedure, Statistics etc.) increased 1.54%. However, overall, Personal requests continue to be the majority received.

In addition to requests for information, RMS-APS also handles all Privacy Complaints submitted to the IPC about the Service, and also processes consultations for external agencies. RMS-APS received 2 complaints in 2013 which is a decrease of 3 from 2012. These complaints were investigated by the APS Coordinator with a formal report issued to the IPC. Both were dismissed by the IPC noting that the members of the Service did not breach any personal privacy.

In addition, the Coordinator received 65 consultations from external agencies which are not captured in the statistical report. Such agencies include the Canada Border Services Agency, Royal Canadian Mounted Police, Department of Justice, Transport Canada and the Ministry of Community Safety and Correctional Services.

Through the FOI process, a requester has the right to appeal the decision on access to records made by the government institution, to the IPC. This process involves mediation between the assigned analyst and a mediator. Mediation can consume an abundant amount of time for not only the analyst, but any stakeholder or subject-matter expert within the Service. Should mediation not succeed, the analyst is required to produce a written report to the adjudicator before a final Order is publicized. In 2013, APS was involved in 76 appeals. This is an increase of 27 (increase of 55.1%) from 2012 when 49 appeals were processed.

As required by the IPC's office, reporting on the disclosure of requests is broken down by information released in full, in part or not at all. Due to the nature of police records, RMS-APS routinely discloses records "*in part*" in order to protect the privacy interests of third parties (removing personal identifiers from the records). Additionally, access to records in direct relation to matters currently under investigation and/or currently before the courts is denied in full.

As the disclosure of records through the FOI process is strictly governed by the *Act*, the application of (Section 8 (Law Enforcement) and Section 14 (Personal Privacy)) continue to be the most commonly used exemptions prohibiting access to police records.

Conclusion:

The 2013 Annual Statistical Report has been prepared in accordance with the guidelines stipulated by the IPC and to be submitted by March 3, 2014.

Deputy Chief Michael Federico, Operational Support 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. Mukherjee



Municipal Year-End Statistical Report

Information and Privacy Commissioner of Ontario, Canada

Reporting Year: 2013 Date Report Completed: 01 / 03 / 2014
MM DD YY

All institutions must return a report to the Office of the Information and Privacy Commissioner (IPC). If no formal written requests for access to records or requests for correction of records of personal information were received, your institution must still complete and return Sections 1 and 2. Institutions that do not file a report will be noted in the IPC Annual Report.

Reporting online is quick and easy. Please email statistics@ipc.on.ca to obtain your username and password. **2013 is the final year that the IPC will accept statistical reports by mail or fax.**

SECTION 1: IDENTIFICATION

1.1 Name of Institution Toronto Police Service

Head of Institution

Contact Person/Title Alok Mukherjee

Email Address Alok.Mukherjee@tpsb.ca

Management Contact

Contact Person/Title Donald Bevers

Email Address Donald.Bevers@torontopolice.on.ca

Primary Contact

Contact Person/Title Kathryn Watts, Co-ordinator

Email Address Kathryn.Watts@torontopolice.on.ca

Phone No. (416) 808-7848 Fax No. (416) 808-7857

Mailing Address 40 College Street, 4th Floor, Toronto, Ontario

Postal Code M5G 2J3

1.2 Your institution is: (check one)		Separate reports must be filed for each municipality, board, etc.					
Municipal Corporation	<input type="checkbox"/>	Board: School	<input type="checkbox"/>	Local Roads	<input type="checkbox"/>		
Conservation Authority	<input type="checkbox"/>	Public Library	<input type="checkbox"/>	Planning	<input type="checkbox"/>		
Electricity Corporation	<input type="checkbox"/>	Health	<input type="checkbox"/>	Police Services	<input checked="" type="checkbox"/>		
Transit Commission	<input type="checkbox"/>	Local Services	<input type="checkbox"/>				
Other Agency, Board, Commission, Corporation or other body designated in the regulations (specify institution type):		<input type="checkbox"/>					

SECTION 2: INCONSISTENT USE OF PERSONAL INFORMATION

2.1 Whenever your institution uses or discloses **personal information** in a way that differs from the way the information is normally used or disclosed (**an inconsistent use**), you must attach a record or notice of the inconsistent use to the affected information. How many such records did your institution attach, if any?

If your institution received:

- No formal written requests for access or correction → please complete and return pages 1 and 2. Thank you.
- Formal written requests for access to records → please continue to Section 3.1
- Requests for correction of records of personal information only → please complete Section 11 at the back of the report

This report can be completed online at <https://statistics.ipc.on.ca> or the completed report can be faxed to us at (416) 325-9195 or mailed to the Office of the Information and Privacy Commissioner of Ontario, Canada, 2 Bloor St. E., Suite 1400, Toronto, ON M4W 1A8.

SECTION 3: NUMBER OF REQUESTS RECEIVED AND COMPLETED

Enter the number of requests that fall into each category.

	Personal Information	General Records
3.1 New requests received during the reporting year	4326	920
3.2 TOTAL NUMBER OF REQUESTS COMPLETED for the reporting year	4295	914

SECTION 4: SOURCE OF REQUESTS

Enter the number of requests you completed from each source.

	Personal Information	General Records
4.1 Individual/Public	4135	491
4.2 Individual by Agent NEW <i>Optional for 2013, Mandatory for 2014</i>		
4.3 Business	151	247
4.4 Academic/Researcher	0	12
4.5 Association/Group	8	62
4.6 Media	0	39
4.7 Government (All Levels)	1	63
4.8 Other	0	0
4.9 TOTAL REQUESTS (Add boxes 4.1 to 4.7 = box 4.8)	4295	914

Box 4.9 MUST BE EQUAL TO **Box 3.2**

SECTION 5: TIME TO COMPLETION

How long did your institution take to complete all requests for information? Enter the number of requests into the appropriate category.

How many requests were completed in:

	Personal Information	General Records
5.1 30 days or less	2859	531
5.2 31-60 days	814	177
5.3 61-90 days	180	63
5.4 91 days or longer	442	143
5.5 TOTAL REQUESTS (Add boxes 5.1 to 5.4 = box 5.5)	4295	914

Box 5.5 MUST BE EQUAL TO **Box 3.2**

SECTION 6: COMPLIANCE WITH THE ACT

In the following charts, please indicate the number of requests completed, within the statutory time limit and in excess of the statutory time limit, under each of the four different situations:

- A. NO notices issued;
- B. BOTH a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) issued;
- C. ONLY a Notice of Extension (s.20(1)) issued; or
- D. ONLY a Notice to Affected Person (s.21(1)) issued.

Please note that the four different situations are mutually exclusive and the number of requests completed in each situation should add up to the total number of requests completed in Section 3.2. (Add boxes 6.3+6.6+6.9+6.12 = box 6.13) and (box 6.13 must equal box 3.2)

A. No Notices Issued

	Personal Information	General Records
6.1 Number of requests completed within the statutory time limit (30 days) where neither a Notice of Extension (s.20(1)) nor a Notice to Affected Person (s.21(1)) were issued.	2853	530
6.2 Number of requests completed in excess of the statutory time limit (30 days) where neither a Notice of Extension (s.20(1)) nor a Notice to Affected Person (s.21(1)) were issued.	1341	338
6.3 TOTAL (Add boxes 6.1 + 6.2 = box 6.3)	4194	868

Personal Information	General Records
4194	868

B. Both a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) Issued

	Personal Information	General Records
6.4 Number of requests completed within the time limit permitted under both the Notice of Extension (s.20(1)) and the Notice to Affected Person (s.21(1)).	0	0
6.5 Number of requests completed in excess of the time limit permitted by the Notice of Extension (s.20(1)) and/or the time limit permitted by the Notice to Affected Person (s.21(1)).	0	0
6.6 TOTAL (Add boxes 6.4 + 6.5 = box 6.6)	0	0

Personal Information	General Records
0	0

C. Only a Notice of Extension (s.20(1)) Issued

	Personal Information	General Records		Personal Information	General Records
6.7	Number of requests completed within the time limit permitted under the Notice of Extension (s.20(1)).	12	7		
6.8	Number of requests completed in excess of the time limit permitted under the Notice of Extension (s.20(1)).	39	9		
6.9	TOTAL (Add boxes 6.7 + 6.8 = box 6.9)	51	16	51	16

D. Only a Notice to Affected Person (s.21(1)) Issued

	Personal Information	General Records		Personal Information	General Records
6.10	Number of requests completed within the time limit permitted under the Notice to Affected Person (s.21(1)).	20	15		
6.11	Number of requests completed in excess of the time limit permitted under the Notice to Affected Person (s.21(1)).	30	15		
6.12	TOTAL (Add boxes 6.10 + 6.11 = box 6.12)	50	30	50	30

E. Total Completed Requests (sections A to D)

	Personal Information	General Records		Personal Information	General Records
6.13	Overall Total (Add boxes 6.3 + 6.6 + 6.9 + 6.12 = box 6.13) and (box 6.13 must equal to box 3.2)	4295	914	4295	914

SECTION 6a: CONTRIBUTING FACTORS

APS has an established strength of 9 Analysts and 1 Clerk. For two extended periods during the past year, the unit was without clerical support. As a result, the administrative functions performed by those positions, namely answering general inquiries, requesting responsive material and processing vetted information was absorbed by the analysts. This amount of administrative work that is necessary for each file consumes a large amount of time which negatively impacts file closure. The Service (APS) also received 76 appeals, which is up 27 appeals from 2012. The process of mediating closed files and then preparing 'Notice of Inquiries', takes a large volume time away from processing and closing active files. This has had a negative impact on the unit and contributes heavily to our overall compliance rate.

SECTION 7: DISPOSITION OF REQUESTS

What course of action was taken with each of the completed requests? Please enter the number of requests into the appropriate category.

	Personal Information	General Records	
7.1 All information disclosed	166	48	
7.2 Information disclosed in part	3214	526	
7.3 No information disclosed	605	206	
7.4 No responsive records exist NEW <i>Optional for 2013, Mandatory for 2014</i>	211	83	
7.5 Request withdrawn, abandoned or non-jurisdictional	99	51	
7.6 TOTAL REQUESTS (Add boxes 7.1 to 7.5 = box 7.6)	4295	914	Box 7.6 MUST BE GREATER THAN OR EQUAL TO Box 3.2

SECTION 8: EXEMPTIONS & EXCLUSIONS APPLIED

For the **TOTAL REQUESTS WITH EXEMPTIONS/EXCLUSIONS/FRIVOLOUS OR VEXATIOUS REQUESTS**, how many times did your institution apply each of the following? (More than one exemption may be applied to each request.)

	Personal Information	General Records
8.1 Section 6 — Draft Bylaws, etc.	0	2
8.2 Section 7 — Advice or Recommendations	1	0
8.3 Section 8 — Law Enforcement*	1645	234
8.4 Section 8(3) — Refusal to Confirm or Deny	0	0
8.5 Section 8.1 — <i>Civil Remedies Act, 2001</i>		
8.6 Section 8.2 — <i>Prohibiting Profiting from Recounting Crimes Act, 2002</i>		
8.7 Section 9 — Relations with Governments	19	1
8.8 Section 10 — Third Party Information	0	1
8.9 Section 11 — Economic/Other Interests	0	1
8.10 Section 12 — Solicitor-Client Privilege	0	0
8.11 Section 13 — Danger to Safety or Health	0	0
8.12 Section 14 — Personal Privacy (Third Party)**	N/A	484
8.13 Section 14(5) — Refusal to Confirm or Deny	14	14

- 8.14 Section 15 — Information Soon to be Published
- 8.15 Section 20.1 — Frivolous or Vexatious
- 8.16 Section 38 — Personal Information (Requester)
- 8.17 Section 52(2) — Act Does Not Apply***
- 8.18 Section 52(3) — Labour Relations & Employment Related Records
- 8.19 Section 53 — Other Acts
- 8.20 **TOTAL EXEMPTIONS** (Add boxes 8.1 to 8.19 = box 8.20)

1	3
0	0
3005	N/A
2	4
2	3
5	2
4694	349

*not including Section 8(3)
 **not including Section 14(5)
 *** not including Section 52(3)

SECTION 9: FEES

Did your institution collect fees related to requests for access to records?

	Personal Information	General Records	TOTAL
9.1 Number of requests where fees other than application fees were collected	269	40	309
9.2.1 Application fees collected	\$21625.00	\$4600.00	\$ 26225.00
9.2.2 Additional fees collected	\$ 2456.10	\$2154.90	\$ 4611.00
9.2.3 TOTAL FEES (Add boxes 9.2.1 + 9.2.2 = box 9.2.3)	\$24081.10	\$6754.90	\$ 30836.00
9.3 TOTAL DOLLAR AMOUNT OF FEES WAIVED	\$ 6460.56	\$ 1453.10	\$ 7913.66

SECTION 10: REASONS FOR ADDITIONAL FEE COLLECTION

Enter the number of requests for which your institution collected fees other than application fees that apply to each category.

	Personal Information	General Records	TOTAL
10.1 Search time	N/A		
10.2 Reproduction			
10.3 Preparation	N/A		
10.4 Shipping	N/A		
10.5 Computer costs			
10.6 Invoice costs (and others as permitted by regulation)	N/A		
10.7 TOTAL (Add boxes 10.1 to 10.6 = box 10.7)			

SECTION 11: CORRECTIONS AND STATEMENTS OF DISAGREEMENT

Did your institution receive any requests to correct **personal information**?

		Personal Information
11.1	Number of correction requests received	7
11.2	Correction requests carried forward from the previous year	0
11.3	Correction requests carried over to next year	0
11.4	TOTAL CORRECTIONS COMPLETED [(box 11.1 + box 11.2) – box 11.3 = box 11.4]	7

Box 11.4
MUST
EQUAL
Box 11.9

What course of action did your institution take regarding the requests to correct **personal information** that were received?

		Personal Information
11.5	Correction(s) made in whole	2
11.6	Correction(s) made in part	1
11.7	Correction requests refused	4
11.8	Correction requests withdrawn by requester	
11.9	TOTAL (Add boxes 11.5 to box 11.8 = box 11.9)	7

Box 11.9
MUST
EQUAL Box
11.4

In cases where correction requests were denied, in part or in full, were any statements of disagreement attached to the affected personal information?

11.10 Number of statements of disagreement attached:

If your institution received any requests to correct personal information, the *Act* requires that you send any person(s) or body who had access to that information in the previous year notification of either the correction or the statement of disagreement. Enter the number of notifications sent, if applicable.

11.11 Number of notifications sent:

Thank you for your co-operation.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P25. ANNUAL REPORT: 2013 - SUMMARY OF LEVEL 3 AND LEVEL 4
SEARCHES OF PERSONS AND RESPONSE TO QUESTIONS
REGARDING SEARCHES OF PERSONS**

The Board was in receipt of the following report January 27, 2014 from William Blair, Chief of Police:

Subject: ANNUAL REPORT - LEVEL 3 AND LEVEL 4 SEARCHES OF PERSONS

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background:

During its meeting on May 22, 2013, the Board approved a revised Search of Persons policy which outlined the requirement for annual reporting by the Chief of Police with respect to:

- a. the total number of Level 3 and Level 4 searches conducted by members of the Toronto Police Service;
- b. in general terms, the reason articulated as the basis for the searches; and
- c. the number of times an item of concern (weapon, evidence, any item that could potentially cause harm to the individual or others, drugs, etc) were found as a result of the search (Min. No. P144/13 refers).

At its meeting on January 16, 2014, the Board approved the following motion:

THAT the Chief provide the annual report on level 3 searches pursuant to the Board's policy on Search of Persons. (Min. No. P13/14 refers)

The following information is provided in response to this motion.

Discussion:

Due to the implementation of the Toronto Police Service's new Records Management System (Versadex), data after November 4, 2013, is presently not available for extraction and verification at this time. However, this data is currently being processed and will be available in the future.

The 2013 data included in this report have been extracted from the Criminal Information Processing System (CIPS) database for the period between 2013.01.01 to 2013.11.04 (the last full day before the implementation of Versadex), and is limited to that period.

There were 60,076 Record of Arrests generated by the Toronto Police Service in 2013 (YTD 2013.11.04), of which 20,152 (34%) resulted in Level 3 searches and 4 (0.01%) resulted in a Level 4 search conducted by a qualified medical practitioner.

There were 79,990 Record of Arrests generated by the Toronto Police Service in 2012, of which 27,866 (35%) resulted in Level 3 searches and 6 (0.01%) resulted in a Level 4 search conducted by a qualified medical practitioner.

There were 83,771 Record of Arrests generated by the Toronto Police Service in 2011, of which 28,852 (34%) resulted in Level 3 searches and 1 (0.001%) resulted in a Level 4 search conducted by a qualified medical practitioner.

Table 1 lists the numbers of Level 3 and 4 searches conducted for the years 2011, 2012, 2013 (YTD 2013.11.04).

Table 1. The Number of Level 3 and 4 Searches Conducted by Toronto Police Service

	2011	2012	2013**
Level 3 Searches	28,852	27,866	20,152
Level 4 Searches	1	6	4

***Due to change in Records Management System, 2013 data is currently only available to 2013.11.04.*

Items Found During Level 3 or 4 Searches

Table 2 provides a breakdown of the number of cases in which items were found during Level 3 and Level 4 searches by category for 2011, 2012 and 2013 (YTD 2013.11.04).

Items found during a search are classified by the officer(s) as being either evidence, injury/escape, other, or none. Examples of items that have been found include:

- Evidence: drugs (marihuana, cocaine), proceeds of crime, etc.
- Injury or Escape: chains, belts, laces, earrings, lighters, etc.
- Other: keys, watches, hair ties, money, lip balm, etc.

Table 2. The Number of Cases in Which Items Were Found During Level 3 & 4 Searches

Level of Search	Result of Search	2011		2012		2013**	
		Number	Percentage*	Number	Percentage*	Number	Percentage*
Level 3	Evidence	389	1.35%	395	1.42%	270	1.34%
	Injury/Escape	3,169	10.98%	3,912	14.04%	2,841	14.10%
	Other	6,395	22.16%	6,728	24.14%	6,323	31.37%
	None	18,899	65.50%	16,831	60.40%	10,718	53.19%

Level 4	Evidence	0	0.00%	2	33.33%	2	50.00%
	Injury/Escape	0	0.00%	2	33.33%	1	25.00%
	Other	0	0.00%	0	0.00%	1	25.00%
	None	1	100%	2	33.33%	0	0.00%

* Sum of percentages which may not total due to rounding of numbers

**Due to change in RecordsManagement System, 2013 data is YTD 2013.11.04.

Of the 20,152 Level 3 searches completed in 2013 (YTD 2013.11.04), an item was found in 9,430 (47%) of the searches. Of the 4 Level 4 searches conducted in 2013 (YTD 2013.11.04) by a qualified medical practitioner, an item was found in all 4 (100%) cases.

Of the 27,866 Level 3 searches conducted in 2012, an item was found in 11,035 (40%) of the searches. Of the 6 Level 4 searches conducted in 2012 by a qualified medical practitioner, an item was found in 4 (67%) of the searches.

Of the 28,852 Level 3 searches completed in 2011, an item was found in 9,953 (34%) cases. No item was found during the single Level 4 search conducted in 2011 by a qualified medical practitioner.

Justification for the Search of a Person

The Search of Person template allows officers to select one or multiple justifications for conducting the search from a pre-set list of six categories which are outlined in Table 3.

Table 3: List of Justifications

#	Justification
1	Reasonable grounds re possession of items that could cause injury
2	Reasonable grounds re possession of items that could assist escape
3	Reasonable grounds re possession of weapons
4	Reasonable grounds re possession of evidence in relation to the offence
5	Heightened safety concerns applicable to Show Cause/Detention Order
6	Other safety concerns

In 2013 (YTD 2013.11.04), the most frequent justification for conducting a Level 3 or Level 4 Search was “Heightened safety concerns applicable to Show Cause/Detention Order”, reported in 4,101 searches. The second most frequent justification was a combination of all six justifications, reported in 2,174 searches. The third most frequent reason, reported in relation to 1,446 searches, was based on a combination of the first five justifications. (See Appendix A).

Conclusion:

The above information provides a summary of all Level 3 and Level 4 searches conducted by the Toronto Police Service in 2011, 2012 and 2013 (YTD 2013.11.04).

All Level 3 and Level 4 search statistics will be reported in the Toronto Police Service's *Annual Statistical Report*, commencing in the 2014, and annually.

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

The Board was also in receipt of the following report January 30, 2014 from William Blair, Chief of Police:

SUBJECT: SEARCH OF PERSONS

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting on January 16, 2014, the Board passed the following motion:

THAT the Board request the Chief to provide a report to the Board for its February 2014 meeting containing a response to the Chair's December 30, 2013, memo with regard to level 3 searches (Min. No. P13/14 refers).

In his December 30, 2013 correspondence regarding Level 3 searches, the Chair requested that the Chief provide the Board with information pertaining to statistics, training and education, and supervision.

The following information is provided in response to that request.

Discussion:

1. *Statistics - Comparative annual data since November 15, 2010, when Board policy entitled “Search of Persons” was substantially amended, showing a) the number of Level 3 searches conducted by year and b) the results of these searches.*

Response:

	2011	2012	2013**
Level 3 Searches	28,852	27,866	20,152
Level 4 Searches	1	6	4

Level of Search	Result of Search	2011		2012		2013**	
		Number	Percentage*	Number	Percentage*	Number	Percentage*
Level 3	Evidence	389	1.35%	395	1.42%	270	1.34%
	Injury/Escape	3,169	10.98%	3,912	14.04%	2,841	14.10%
	Other	6,395	22.16%	6,728	24.14%	6,323	31.37%
	None	18,899	65.50%	16,831	60.40%	10,718	53.19%
Level 4	Evidence	0	0.00%	2	33.33%	2	50.00%
	Injury/Escape	0	0.00%	2	33.33%	1	25.00%
	Other	0	0.00%	0	0.00%	1	25.00%
	None	1	100.00%	2	33.33%	0	0.00%

* Sum of percentages may not total due to rounding of numbers

**Due to change in Records Management System, 2013 data is YTD 2013.11.04

2. *Training and Education – The specific training received by officers with respect to the Board policy and Service procedures on this subject, including the manner in which officers are trained to exercise their discretion in determining whether to conduct a Level 3 search.*

Response:

In the course of their duties Toronto Police Service (TPS) officers routinely engage in all manner of warrant and warrantless search and seizure, including search of persons. Beginning as new recruits, cadets-in-training receive substantial instruction with respect to search of persons at the Ontario Police College (OPC). As officers progress through their careers they receive annual training during the In-Service Training Program (ISTP), as well as additional specific instruction on a variety of skill upgrading courses that address areas of search.

The Cognitive Process

One theme in the Toronto Police College (TPC) instruction is the development of an officer’s perception and ability to formulate and articulate their grounds. This is a dynamic, cognitive process where officers are trained to consider and balance numerous concepts and factors. This is

a core skill. First, an officer's grounds to support a decision or action must contain both an objective and subjective component. Secondly, prior to undertaking an action, an officer must consider the *Canadian Charter of Rights and Freedoms (Charter)*. Thirdly, the decision to act must be supported by a lawful authority. Finally, officers must constantly assess concepts such as reasonableness and necessity to guide their decisions. These factors and concepts, filtered through the lens of *Charter* scrutiny, are a paramount focus of all TPC training.

Specific Training – Level 3 Search

The lawfulness of a Level 3 search flows from an officer's authority to search incident to arrest. The high level of intrusiveness and impact on liberty of a Level 3 search requires a high level of justification. Specifically, reasonable grounds are required to conduct a Level 3 search. Training on the formation of grounds as a precursor to performing many lawful duties is a prominent component of many TPC courses.

Level 3 search is addressed specifically in the General Investigators Course, Booking Hall Course, Advanced Leadership Course, In-Service Leadership Program, ISTP training, and the academic component of Senior Officer Use of Force training. With respect to Level 3 searches, all TPS instruction is in line with and reinforces Service procedures.

General Investigators Course

This course is mandatory for any officer entering the investigative field. This is a one week course with 13 hours of prerequisite instruction through the Canadian Police Knowledge Network. During the in-class portion, the issue of Level 3 search is delivered on the 180 minute Warrantless Search and Seizure component. Instruction is approached from a legal perspective, stressing the need for proper justification, as well as the appropriateness, necessity, and reasonableness of conducting a Level 3 search. This instruction is based on Service Procedure 01-02, "Search of Persons", as well as *R. v. Golden*, 2001 SCC 83, and *R. v. Flintoff*, [1998] O.J. No. 2337.

This Warrantless Search and Seizure component is an interactive group lecture. Students are provided with a variety of different criminal cases to read and discuss in small groups. Each group then provides the class with brief instruction as to why the case is important. The facilitator guides and expands the discussion to ensure that the appropriate teaching points are covered. Both *R. v. Golden* and *R. v. Flintoff* are selected in regards to Level 3 searches.

Among others, the following points are covered:

- officers are reminded that Level 3 searches impact an individual's liberty interest and are a "significant invasion of privacy and are often a humiliating, degrading and traumatic experience for individuals subject to them" (*R. v. Golden*, SCC, 2001 p.83);
- absolute policies mandating when officers shall conduct Level 3 searches are prohibited by law. For instance, a policy or standard procedure *mandating that all prisoners being transported to court for a show cause hearing shall be Level 3 searched*, would be improper. As all searches impact individual liberties, "Officers must assess the

circumstances of each case so as to determine if the search meets the underlying objectives” (Cloutier v. Langlois (1990), SCC 53 C.C.C. (3d) 257);

- each officer must consider the totality of the circumstances and be able to justify, articulate and document in their memorandum book their individual reasonable grounds. Officers must always be able to explain the reasons and justifications for conducting a Level 3 search on this person, at this time, and in this way; and
- as per Procedure 01-02 “Search of Persons”, during a justified, necessary, and authorized Level 3 search, officers shall “not remove any more articles of clothing than necessary” and “not leave the person in a completely naked state after the search”.

Booking Hall Safety and Procedure Course

As a result of numerous inquests involving in-custody deaths and administrative investigations, the need was identified to provide specialized training to those who work in booking facilities. This includes booking officers, officers in charge, and matrons. Training topics include search, de-escalation and anger management, suicidal behaviour, medical issues, sudden in-custody death, legal issues, and policy and procedure. The course objective is to provide training to ensure officers who work in booking halls or lock-ups will respond safely, efficiently and appropriately to all prisoner management situations. This includes recognizing and responding to prisoners in a state of crisis.

Training on Level 3 searches within this two-day course is extensive, focusing not only on legalities, but also on how to conduct a Level 3 search. This training is based on Procedure 01-02, “Search of Persons”, relevant case law, and various inquests.

Instruction is lecture, discussion, practical, and group work based. As an example, students in small groups are assigned inquests and various Service procedures (i.e. Procedure 01-02 “Search of Persons”) that they are required to study, consider, and present to the class. The facilitator guides the discussion to ensure that the appropriate teaching points are covered. Of note, students are again reminded that as per Procedure 01-02 “Search of Persons”, during a justified, necessary, and authorized Level 3 search, officers shall “not remove any more articles of clothing than necessary” and “not leave the person in a completely naked state after the search.”

Some of the other points which this course addresses are as follows:

- the various levels of search and what they encompass;
- prisoner rights and *Charter* considerations at each stage of the booking process;
- potential consequences/implications of failing to adhere to *Charter* principles during the booking process;
- the manner in which *Charter* infringements could jeopardize a criminal prosecution;
- update and information on civil files arising from the booking process or where the booking process was at issue;
- update and information on inquests where the booking process has been at issue;
- inclusion of information on the Record of Arrest, especially with regard to information such as injuries, medical issues, medications, drug and/or alcohol consumption;
- the importance of transmitting information to other receiving agencies;

- the need for officers to be able to articulate their authority/grounds for conducting all levels of search;
- ensuring appropriate questions and any necessary follow-up questions are asked on camera during the booking process. Emphasizing the importance of active listening;
- record-keeping requirements of all searches (i.e. memorandum book and search of person template);
- the need to consult with the Officer in Charge prior to conducting a Level 3 search;
- Level 3 searches are to be conducted in private and are not to be video recorded;
- searches are to be conducted in a methodical manner and shall not be done to intimidate, ridicule or induce admissions;
- importance of checking and monitoring via video and in person;
- importance of courtesy; and
- Procedure 01-02 “Search of Persons”.

Advanced Leadership Course and the In-Service Leadership Program

These courses are designed for newly promoted staff sergeants and for existing sergeants and staff sergeants who are looking to enhance their skill set. Both of these courses have a lecture-based search of persons component. This is part of a 90 minute module on “court expectations of a supervisor and search of persons”. Students are provided with avenues for assisting officers in ways that complement existing training and skill-building initiatives. In addition, each student will achieve an increased understanding of Procedures 01-02 “Search of Persons” and 01-03 “Persons in Custody”, and their specific role and responsibility in relation to these procedures. This content is similar to that found on the Booking Hall Safety and Procedure Course.

ISTP and Senior Officer Use of Force

Level 3 search is also addressed in ISTP and Senior Officer Use of Force training. In 2013, ISTP training was received by all TPS officers from constable to staff sergeant. Within the ISTP training, officers receive an academic lecture spanning 90 minutes. Approximately ¼ of this material is dedicated to booking hall issues, legalities, justification, appropriateness, safety, and the reasonableness of Level 3 searches. Officers are reminded that this is not a new issue. Individualized justification, documentation, and articulation is an essential factor. As stated in *R. v. Flintoff*, [1997] O.J. No. 3919, para. 61, “One hundred years ago our Court of Appeal decided that the police are not permitted to impose a uniform policy as to the manner of search to be conducted incident to arrest if it eliminates the judgment of the officer as to what is reasonable in the particular case” (*Gordon v. Denison* (1895), 22 O.A.R. 315 (Ont. C.A.), pp. 325-7).

The ISTP lecture also reinforces verbally and visually the following key points:

- Level 3 searches are inherently *humiliating* and *degrading* for detainees regardless of the manner in which they are carried out (*R. v. Golden* 2001 SCC 83);
- the contents of Procedure 01-02 “Search of Persons”, including that officers shall “not remove any more articles of clothing than necessary” and “not leave the person in a completely naked state after the search”;
- safety can be achieved when the Level 3 search is conducted methodically in stages;

- as in all levels of search, the nexus between purpose and offence is an important consideration. This becomes even more crucial as reasonable grounds are required for level 3 searches; and
- officer and prisoner safety is a core consideration. Officers are directed to a variety of risk factors, including those contained in Procedure 01-02 “Search of Persons”, and context is provided.

Level 3 search training will continue to be provided on the expanded 2014 ISTP and Senior Officer Use of Force.

Going forward, search of person training will also be incorporated into the Coach Officer Course and the post-Aylmer recruit training. The post-Aylmer recruit training regarding search of persons will be in addition to the training they have already received on this topic at the OPC.

3. *Supervision* – *The measures in place to ensure proper accountability and supervision. Specifically, how do supervising officers ensure that officers are following the relevant Board policy and Service procedures in conducting Level 3 searches, and what action is taken when a search is found not to be in compliance with such policy and procedures?*

Response:

The behaviour of all members is governed by federal and provincial legislation, regulations, and municipal by-laws.

Members are also governed by and directed to familiarize and conduct themselves in accordance with the following Service governance:

- Police Services Board Policies and By-laws;
- Standards of Conduct;
- Service Governance Definitions;
- Policy and Procedure Manual;
- Routine Orders;
- Toronto Police Service Collective Agreements;
- Specialized manuals issued by the Chief of Police;
- Unit-specific directives issued by their Unit Commander;
- CPIC messages; and
- Direction from a supervisor.

Members are advised of the requirements contained in Service governance through such mechanisms as training and Routine Orders.

The Standards of Conduct, Routine Orders, Board policies and Service procedures are readily available to all members to view/print via the Service Intranet, which can be accessed from any Service desktop computer or through the mobile work stations in Service vehicles.

Within the Service Procedures section of the Service's Intranet site, members are informed that it is their responsibility to be fully aware of all procedures and that they are to be used in conjunction with knowledge gained from training and work experience as well as common sense and good judgement.

Part II, Section 1.3 of the Standards of Conduct states in part:

Failure by members to comply with any of the provisions of the Service or Legislative Governance without lawful excuse shall be deemed to be disobeying, omitting or neglecting to carry out a lawful order and will be subject to discipline, which may include suspension and/or dismissal.

Members shall report to a supervisor, a Unit Commander or the Unit Commander of Professional Standards – Investigative Unit as soon as practicable:

- (a) when aware of a member who they reasonably believe:
 - (i) failed or apparently failed to follow a mandatory course of action prescribed in any Service Governance,*
 - (ii) contravened or apparently contravened the section of the Police Services Act entitled 'Misconduct', Ontario Regulation 268/10 made under the Police Services Act, or the Human Rights Code,*
 - (iii) contravened or apparently contravened any statute or regulation; ...**
- (c) the details of any instances where other members act or conduct themselves in a manner which:
 - (i) will, or is likely to, bring discredit to the reputation of the Service, or*
 - (ii) calls into question the member's ability to carry out their duties in a faithful and impartial manner**

Part III, Section 2.2.1 (a) of the Standards of Conduct states:

When on duty, supervisory and managerial personnel shall:

- (a) ensure that subordinates comply with all Service and Legislative Governance; ...*

With respect to Level 3 searches specifically, Service Procedure 01-02 "Search of Persons" provides comprehensive direction to members which is consistent with the Supreme Court of Canada's decision in the matter of R. v. Golden. This Procedure directs that members must have reasonable grounds to conduct a search and that searches conducted simply as a matter of routine or "standard procedure" are not justified in law. Further, that due to the high degree of intrusiveness of this type of search, it shall only be conducted when it is reasonable and necessary, considering the purpose and the grounds that exist at the time, which justify the search. Searches shall not be conducted in an abusive fashion or be conducted to intimidate, ridicule or induce admission.

Processes have been put in place to ensure reasonable grounds exist prior to a Level 3 search being conducted. Before conducting a Level 3 search, officers must articulate their authority/grounds for conducting the search to the Officer in Charge. Procedure 01-02 "Search of Persons" directs as follows:

Stronger grounds are required as the level of intrusiveness of a search increases. The decision as to the appropriate level of search rests with the searching officer, except in the case of a Level 3 or 4 search where the searching officer must consult with the officer in charge to ensure that reasonable grounds exist for conducting the search. The more intrusive the search the more justification is required, and officers must be able to articulate the need for the more intrusive search.

Processes have also been put in place to ensure a record is made of all searches conducted. Procedure 01-02 “Search of Persons” directs that members shall record all relevant details regarding a search in their memorandum book. In addition, members must also complete a Search of Person text template for each Level 3 and 4 search conducted, regardless of whether the respective search is only partially completed.

The Officer in Charge is responsible for ensuring searches are conducted appropriately, that proper notations are made in memorandum books and that a Search of Person template has been completed. This is directed through Service procedures.

Under the duties of the Officer in Charge, Procedure 01-02 “Search of Persons” states in part:

9. *When in charge of a unit where persons are detained shall ensure*
 - *the decision to search a person has been evaluated based on all risk factors, including those found in Appendix B*
 - *all arrested parties are advised, on camera, of the level of search to be performed and the manner and location in which it will be carried out*
 - *searches are conducted appropriately and a Search of Person text template has been completed for all Level 3 and Level 4 searches, signed and enclosed in the applicable Confidential Crown Envelope ...*

10. *Upon being consulted regarding a Level 3 search shall*
 - *determine whether the search is appropriate, based on the information provided by the parading officer and the circumstances involved; and*
 - *where reasonable grounds to conduct a Level 3 search exist, ensure a Level 3 search is conducted*
 - *where reasonable grounds do not exist, ensure a Level 2 search is conducted*

Procedure 13-17 “Memorandum Books and Reports” directs that members must submit their signed memorandum book to the Officer in Charge at the completion of each tour of duty.

Under the duties of the Officer in Charge, Procedure 13-17 “Memorandum Books and Reports” states in part:

13. *In addition to the foregoing items shall, without undue delay,*
 - *inspect applicable reports, memorandum books submitted by members ...*
 - *take such action as may be necessary as a result of such inspection*
 - *place signature in the memorandum book on the line immediately following the last entry*

- *authorize the applicable reports, if satisfactory...*

Service direction to members is reinforced through training. As noted above, the training provided by the TPC is extensive with respect to search of persons and the governance surrounding search of persons. There is an onus on officers and managerial personnel to ensure members are up to date with this training.

Section 42 (1)(i) of the *Police Services Act* states that “The duties of a police officer include, completing the prescribed training”.

Part III, Section 2.1.1 (u) of the Standards of Conduct states that members shall “attend all mandatory training, as directed”.

Part III, Section 2.7.2 (b) of the Standards of Conduct states that Unit Commanders shall “ensure that members under their command attend all mandatory training”.

Non-Compliance

The actions taken when a search is found not to be in compliance with Service governance would be dependent on the facts and circumstances involved in each case. The Service takes all non-compliance with Service governance seriously. Chapter 13 of the Service’s Policy and Procedure Manual addresses the conduct of Service members and outlines the steps that must be followed when a member’s actions are found to contravene Service governance. The manner in which a contravention of governance was brought to light, would dictate the process that must be followed to ensure it is investigated thoroughly and addressed accordingly.

Procedure 13-02 “Uniform External Complaint Intake/Management” outlines the process for the intake and management of external conduct complaints involving police officers made by a member of the public. The Office of the Independent Police Review Director (OIPRD) receives and manages all public complaints concerning the conduct of police officers. The Service assists the OIPRD, as required, in its role to ensure all complaints against the police made by the public are dealt with fairly, efficiently and effectively.

Procedure 13-03 “Uniform Internal Complaint Intake/Management” outlines the process in place for the intake and management of internal conduct complaints involving police officers. As noted above, members are required to report any action by another member that may bring discredit to the reputation of the Service or contravenes Service governance. This procedure outlines the process for this to be done and the steps to be taken by supervisory and managerial members upon becoming aware of these actions.

Procedure 13-11 “Unsatisfactory Work Performance” outlines the mechanism by which work performance standards are to be established and defines the remedial steps to be taken when members’ performance does not meet established standards. Supervisors are responsible for providing consistent and effective supervision including identifying performance deficiencies and taking appropriate steps to resolve them in consultation with the member. Continued failure

by a police officer to meet an established work performance standard results in an internal conduct complaint and is then handled in accordance with Procedure 13-03 “Uniform Internal Complaint Intake/Management”.

Public trust is key to the Service’s ability to carry out its function of ensuring the safety of the City of Toronto and its residents. Service governance and training play a vital role in protecting this trust. Recognizing this, the Service takes all non-compliance with governance and training extremely seriously. All non-compliance is, and will continue to be, acted on expediently and addressed accordingly.

Conclusion:

This report is provided in response to the Chair’s December 30, 2013, correspondence requesting statistical, training, and supervision information pertaining to Level 3 searches.

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

Mr. John Sewell, Toronto Police Accountability Coalition, was in attendance and delivered a deputation to the Board. A written copy of Mr. Sewell’s deputation is on file in the Board office.

Chief Blair and Deputy Chief Mike Federico responded to questions about the foregoing reports.

Chair Mukherjee said that he would review the Board’s policy governing searches of persons and, specifically, the parts that apply to level 3 and 4 searches, to determine whether the policy should be revised in light of the number of cases in which items were found during level 3 and 4 searches as noted in the foregoing report.

The Board approved the following Motions:

- 1. THAT the Board receive the foregoing reports from the Chief;**
- 2. THAT the Board receive Mr. Sewell’s deputation and refer it to the Chair for consideration during his review of the Board’s policy and that the Chair provide the results of his review in a report for the June 2014 meeting;**
- 3. THAT the Chief provide the Board with a report for its June 2014 meeting on the training that is provided to officers on the criteria that should be applied when determining whether to conduct a Level 2 search; and**
- 4. THAT the report noted in Motion No. 3 also include a review of alternative technology options that can be used for Level 3 searches.**

Moved by: M. Thompson

APPENDIX A

Combinations of Justifications Used For Level 3 and Level 4 Searches in 2013(YTD 2013.11.04)

#	Justification
1	Reasonable grounds re possession of items that could cause injury
2	Reasonable grounds re possession of items that could assist escape
3	Reasonable grounds re possession of weapons
4	Reasonable grounds re possession of evidence in relation to the offence
5	Heightened safety concerns applicable to Show Cause/Detention Order
6	Other safety concerns

Combination of Justification(s) for Level 3 and Level 4 Searches	2013**
5	4101
1+2+3+4+5+6	2174
1+2+3+4+5	1446
5+6	1176
1+5+6	1069
1+2+3+5	1036
1+2+5	934
4+5	784
1+2+3+5+6	760
1+3+5	619
1+5	590
6	378
1+2+5+6	357
1+3+5+6	353
1+4+5	253
4+5+6	247
1+2+3+4+6	244
1+6	234
3+5	233
1+2+4+5	231
1+4+5+6	213
3+4+5	192

Combination of Justification(s) Used For Level 3 and Level 4 Searches	2013**
1+3+4+5	187
1+2+3+4	172
1+2+3	167
None	141
1+2+4+5+6	137
4	128
1+2+3+6	126
2+5	115
1+3+4+5+6	112
1+3+6	98
1+2+6	92
3+5+6	84
1	83
1+2	78
4+6	77
1+2+4	67
1+4	63
1+4+6	57
2+3+5	55
1+3+4	53
2+4+5	49
1+3	43

**Due to change in Records Management System, 2013 data is YTD 2013.11.04

Combinations of Justifications Used For Level 3 and Level 4 Searches in 2013(YTD 2013.11.04)

Combination of Justification(s) Used For Level 3 and Level 4 Searches	2013**	Combination of Justification(s) Used For Level 3 and Level 4 Searches	2013**
3+4	37	2+6	10
2+3	35	3+4+6	9
3+4+5+6	34	2	9
3+6	31	2+4	9
2+3+4+5	31	2+4+5+6	9
1+2 +4+6	29	2+3+5+6	6
2+5+6	28	2+4+6	5
3	26	2+3+4+5+6	5
1+3+4+6	19	2+3+4+6	2
2+3+4	14		

***Due to change in Records Management System, 2013 data is YTD 2013.11.04*

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

#P26. ANNUAL REPORT: 2013 LIST OF SECONDMENTS

The Board was in receipt of the following report January 17, 2014 from William Blair, Chief of Police:

Subject: ANNUAL REPORT: 2013 LIST OF SECONDMENTS

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

In 2013, forty seven (47) uniform members and five (5) civilian members were seconded to various agencies at full cost recovery for salaries and benefits to the Service. The total cost recovery for funded secondments was \$6,640,000.

In addition, for the same time period, nineteen (19) uniform members were seconded to various agencies with no cost recovery to the Service. The total cost to the Service for salaries and benefits for unfunded secondments in 2013 was \$2,637,000.

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

Background/Purpose:

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

Conclusion:

A list of secondment positions filled by Service members during 2013 is appended to this report.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions the Board may have regarding this report.

The Board received the foregoing report.

Moved by: D. Noria

APPENDIX

No. of Members	RANK	LOCATION	TERM			COST
2	Detective	Royal Canadian Mounted Police Asian Organized Crime	2009.04.15	to	Ongoing	UFD
2	D/Constable	Royal Canadian Mounted Police Asian Organized Crime	2009.04.15	to	Ongoing	UFD
1	D/Sergeant	Royal Canadian Mounted Police CFSEU	2010.01.01	to	Ongoing	UFD
2	Detective	Royal Canadian Mounted Police CFSEU	2010.01.01	to	Ongoing	UFD
4	D/Constable	Royal Canadian Mounted Police CFSEU	2010.01.01	to	Ongoing	UFD
1	Inspector	Royal Canadian Mounted Police INSET	2013.04.01	to	2014.03.31	FCR
1	PC	Royal Canadian Mounted Police INSET	2013.04.01	to	2014.03.31	GFD
1	D/Constable	Royal Canadian Mounted Police INSET	2013.04.01	to	2014.03.31	UFD
1	Superintendent	Royal Canadian Mounted Police IPOB	2013.05.25	to	2014.03.25	FCR
1	Inspector	Royal Canadian Mounted Police IPOB	2012.11.05	to	2013.11.05	FCR
1	S/Sergeant	Royal Canadian Mounted Police IPOB	2013.05.25	to	2014.03.25	FCR
1	S/Sergeant	Royal Canadian Mounted Police IPOB	2012.11.05	to	2013.11.05	FCR
1	S/Sergeant	Royal Canadian Mounted Police IPOB	2012.09.01	to	2014.03.31	FCR
2	S/Sergeant	Royal Canadian Mounted Police IPOB	2012.05.29	to	2013.06.28	FCR
2	Sergeant	Royal Canadian Mounted Police IPOB	2012.12.16	to	2013.12.06	FCR
1	Sergeant	Royal Canadian Mounted Police IPOB	2012.05.29	to	2013.06.28	FCR
1	Detective	Royal Canadian Mounted Police IPOB	2013.05.25	to	2014.03.25	FCR
3	PC	Royal Canadian Mounted Police IPOB	2012.12.16	to	2013.12.06	FCR
2	PC	Royal Canadian Mounted Police IPOB	2012.08.03	to	2013.08.20	FCR
2	PC	Royal Canadian Mounted Police IPOB	2013.05.25	to	2014.03.25	FCR
1	PC	Royal Canadian Mounted Police IPOB	2012.11.05	to	2013.11.05	FCR
1	D/Constable	Royal Canadian Mounted Police Missing Exploited Children	2011.06.30	to	2014.06.30	FCR
2	PC	Royal Canadian Mounted Police MSERT	2010.01.01	to	2014.01.01	FCR

No. of Members	RANK	LOCATION	TERM			COST
				to		
1	A11	Royal Canadian Mounted Police NWEST	2012.11.02	to	2015.11.01	FCR
1	C06	Royal Canadian Mounted Police NWEST	2013.04.01	to	2016.04.01	FCR
2	D/Constable	Royal Canadian Mounted Police Pearson International Airport	2007.02.22	to	Ongoing	UFD
1	Detective	Royal Canadian Mounted Police TADEU	2011.11.08	to	Ongoing	UFD
1	D/Constable	Royal Canadian Mounted Police TADEU	2012.11.01	to	Ongoing	UFD
1	PC	Corrections Canada CCLO Liaison Officer	2010.08.16	to	2013.08.16	FCR
2	D/Constable	Ministry of Community Safety & Correctional Services Chief Firearms Office	2010.01.02	to	2013.02.02	FCR
1	D/Sergeant	Ministry of Solicitor General CISO	2011.03.01	to	2014.02.28	UFD
1	A/D/Sergeant	Ministry of Solicitor General CISO	2011.04.11	to	2014.09.30	FCR
1	A/D/Sergeant	Ministry of Solicitor General CISO	2011.04.01	to	2014.04.25	FCR
1	Detective	Ministry of Solicitor General CISO	2011.10.06		2013.10.05	FCR
1	Detective	Ministry of Solicitor General CISO	2012.05.25	to	2014.05.24	UFD
1	PC	Ministry of Solicitor General VICLAS	2012.09.10	to	2015.09.10	FCR
1	PC	Ministry of Solicitor General VICLAS	2009.05.01	to	2013.07.27	FCR
1	Sergeant	Ontario Police College Basic Constable Training	2012.04.30	to	2014.04.04	FCR
1	A/Sergeant	Ontario Police College Basic Constable Training	2012.04.30	to	2014.04.04	FCR
1	D/Constable	Ontario Chief Coroner Coroner's Inquest	2013.03.13	to	2014.03.14	UFD
1	Inspector	Ontario Provincial Police ROPE	2012.08.31	to	2015.08.31	FCR
2	Detective	Ontario Provincial Police ROPE	2012.08.31	to	2015.08.31	FCR
7	D/Constable	Ontario Provincial Police ROPE	2012.08.31	to	2015.08.31	FCR
1	C04	Ontario Provincial Police ROPE	2012.08.31	to	2015.08.31	FCR

No. of Members	RANK	LOCATION	TERM			COST
1	T/C04	Ontario Provincial Police ROPE	2012.08.31	to	2015.08.31	FCR
2	D/Constable	Ministry of Community Safety & Correctional Services Child Exploitation	2011.04.01	to	2013.03.31	CR
1	D/Constable	United States Postal Service Telemarketing	2013.02.01	to	2014.02.01	CR
1	T/04	United States Postal Service Telemarketing	2013.02.01	to	2014.02.01	CR

Legend:

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P27. ANNUAL REPORT: 2013 PARKING ENFORCEMENT UNIT –
PARKING TICKET ISSUANCE**

The Board was in receipt of a report dated January 13, 2014 from William Blair, Chief of Police, with regard to the 2013 annual report on parking tag issuance. A copy of the report is on file in the Board office.

The Board deferred consideration of the foregoing report to its next meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P28. ICR – RECOMMENDATION NO. 17: BOARD MEMBERS:
COMMUNICATION AND INFORMATION-SHARING**

The Board was in receipt of a report dated January 27, 2014 from Alok Mukherjee, Chair, containing a policy with regard to communication and information-sharing between Board members. A copy of the report is on file in the Board office.

The Board deferred consideration of the foregoing report to its next meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P29. APPROVAL OF EXPENSES: ECONOMICS OF POLICING: NATIONAL
POLICING RESEARCH SYMPOSIUM**

The Board was in receipt of the following report January 30, 2014 from Alok Mukherjee, Chair:

Subject: Approval of Expenses: Economics of Policing: National Policing Research
Symposium

Recommendation:

It is recommended that the Board approve my attendance at the National Policing Research Symposium being hosted by Public Safety Canada and Simon Fraser University (SFU) in Vancouver from March 5 to 7, 2014 and estimated cost-related expenditures not to exceed \$2,000.00.

Financial Implications:

Funds are available in the business travel account in the Board's 2014 approved operating budget.

Background/Purpose:

As part of its continuing work on a "Shared Forward Agenda" resulting from the National Summit on the Economics of Policing, Public Safety Canada (PSC) is co-hosting a National Policing Research Symposium along with Simon Fraser University (SFU). The symposium, to be held at SFU from March 5 to 7, is intended to develop a consensus among stakeholders on significant research on issues related to Canadian policing.

The symposium will be a small event and participation is by invitation. As a member of the Board of Directors of the Canadian Association of Police Governance (CAPG), I am one of six invitees representing police boards/commissions. As Board members will recall, I have been actively involved with the issue of economics of policing at the national level since the PSC hosted the National Summit on Economics of Policing in 2011.

Since this symposium is a continuation of the agenda that resulted from the national summit, I believe it would be useful to participate in it.

Discussion:

On November 13, 2013, the Federal, Provincial and Territorial (FPT) Ministers Responsible for Justice and Public Safety approved the Economics of Policing “Shared Forward Agenda” stemming from the National Summit on Economics of Policing held in January 2011.

The objective of the Symposium is to engage law enforcement leaders, frontline officers, Canadian and international academics, federal, provincial and territorial government representatives and other policing partners in discussions on the mandate and structural elements required for a Canadian police research network and to identify research priorities for the policing community in Canada. A research network would provide leadership on policing research, disseminate best practices, and develop tools and models for policing in Canada.

Building from a study commissioned by Public Safety Canada, entitled *Economics of Policing: Baseline for Policing Research in Canada*, the National Policing Research Symposium will:

- examine existing research networks in other countries to identify elements that can be adapted to a Canadian model;
- identify priority themes and topics for policing research in Canada;
- establish synergies with Canadian universities and other academic institutions; and
- identify the features required for a research portal to house policing research.

There is no registration fee. I am seeking approval for expenses related to accommodation, travel and per diem.

The breakdown of estimated cost is as follows:

Travel costs	\$1000.00
Hotel accommodation:	\$475.00
Per Diem (3 days- travel days included)	\$300.00
Incidentals	\$100.00
TOTAL	\$2000.00

Conclusion:

It is recommended that the Board approve my attendance at the National Policing Research Symposium being hosted by Public Safety Canada and Simon Fraser University (SFU) in Vancouver from March 5 to 7, 2014 and estimated cost-related expenditures not to exceed \$2,000.00.

The Board approved the foregoing report.

Moved by: A. Pringle

2014

ECONOMICS OF POLICING
NATIONAL POLICING RESEARCH SYMPOSIUM

Dear Colleagues,

I am writing to invite you to the *Economics of Policing: National Policing Research Symposium*, hosted by Public Safety Canada and Simon Fraser University. The Symposium is being held March 5-7, 2014, at the *Morris J. Wosk Centre for Dialogue*, Simon Fraser University, Vancouver, British Columbia, Canada. A copy of the current agenda is attached for your information.

On November 13, 2013, Federal, Provincial and Territorial (FPT) Ministers Responsible for Justice and Public Safety approved the Economics of Policing *Shared Forward Agenda*. This strategy on the future of policing in Canada includes a three-pronged plan to strengthen policing research in Canada. It recognizes that policing transformation and innovation must be founded on evidence-based research if it is to be successful. However, in Canada there is currently minimal policing-related research capacity; no central repository to access research; and limited agreement within the policing community on research priorities.

The objective of the Symposium is to engage law enforcement leaders, frontline officers, Canadian and international academics, federal, provincial and territorial government representatives and other policing partners in discussions on the mandate and structural elements required for a Canadian police research network and to identify research priorities for the policing community in Canada. A research network would provide leadership on policing research, disseminate best practices, and develop tools and models for policing in Canada. As key policing stakeholders and researchers, we would like your input on this endeavor.

Building from a study commissioned by Public Safety Canada, entitled: Economics of Policing: *Baseline for Policing Research in Canada*, the National Policing Research Symposium will:

- examine existing research networks in other countries to identify elements that can be adapted to a Canadian model;
- identify priority themes and topics for policing research in Canada;
- establish synergies with Canadian universities and other academic institutions; and
- identify the features required for a research portal to house policing research.

Please note there is no registration fee to attend the Symposium; however, travel and accommodation costs are the responsibility of the participant. If you are able to attend, please confirm your attendance by return email to EoP-PESP@ps-sp.gc.ca by **February 3, 2014**; please inform us of any food allergies or other special needs.

A block of rooms has been reserved at the Delta Vancouver Suites, 550 West Hastings Street, which is located next to the *Wosk Centre*. The room rate at the Delta is **\$139** per night (plus taxes) and is available until **February 11, 2014**. In order to reserve your room at the reduced rate, please contact in-house Reservations directly at **604-689-8188** or **1-888-663-8811** or by e-mail VancouverSuites@deltahotels.com or by calling the Central Reservation Office at **1-800-268-1133**. You can also register online at: <https://www.deltahotels.com/Groups/Delta-Vancouver-Suites-Groups/National-Policing-Research-Symposium>. You may also fax your reservation request (include the group name) to the Delta at **604-605-8881**.

If you have any questions regarding reservations, please feel free to contact Annick Lauzon at (613) 990-7573 or EoP-PESP@ps-sp.gc.ca.

I hope to see you at this important event.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Mark Potter', with a long horizontal stroke extending to the right.

Mark Potter, Director General

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

#P30. SPECIAL CONSTABLES - TORONTO COMMUNITY HOUSING CORPORATION - APPOINTMENTS

The Board was in receipt of the following report January 14, 2014 from William Blair, Chief of Police:

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

Recommendation:

It is recommended that the Board approve the appointments of the individuals listed in this report as special constables 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 separate requests from the TCHC, to appoint the following individuals as special constables on the dates indicated:

Name	Date Requested
Richard Zhivko	October 22, 2013
Mike Roy	October 25, 2013
Kevin Pender	October 25, 2013
Bradley Harper	October 31, 2013
George Malcolm	October 31, 2013

William Neal	October 31, 2013
Jason Deangelis	October 31, 2013
Jason Kirkwood	November 20, 2013
David Roy	November 20, 2013

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 these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The TCHC has advised that the individuals satisfy 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 80.

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 individuals currently before the Board for consideration have 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: M. Thompson

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P31. NEW JOB DESCRIPTIONS - FORENSIC IDENTIFICATION SERVICES
- LABORATORY SPECIALIST AND PROPERTY & EQUIPMENT
CLERK**

The Board was in receipt of the following report January 24, 2014 from William Blair, Chief of Police:

Subject: NEW JOB DESCRIPTIONS IN SPECIALIZED CRIMINAL INVESTIGATIONS, FORENSIC IDENTIFICATION SERVICES - LABORATORY SPECIALIST AND PROPERTY & EQUIPMENT CLERK

Recommendation:

It is recommended that the Board approve the attached job descriptions and classifications for new civilian positions within Specialized Criminal Investigations, Forensic Identification Services. The positions include Laboratory Specialist (A10053) and Property & Equipment Clerk (A05207).

Financial Implications:

The 2014 operating budget included the impact of this initiative, with the civilianization of 4 Forensic Identification Services (FIS) positions. Three of these positions are being civilianized in 2014, with the fourth civilianization planned for 2015. Two positions have been determined to be Laboratory Specialist A10 (40 hour week) with an annual salary of \$86,643.65 to \$100,054.87 (effective January 1, 2014). The third position has been determined to be a Property and Equipment Clerk A05 (35 hour week), with an annual salary of \$51,305.81 to \$58,580.93 (effective January 1, 2014). The fourth position will be determined at a later point in time. An equivalent reduction of 4 uniform positions to the Service's approved establishment was also included in the 2014 operating budget.

Background/Purpose:

In the spring of 2012, Chief William Blair introduced the Chief's Internal Organizational Review (CIOR). All members of the Service were asked to share their ideas on how to deliver policing in the most efficient, effective and economical manner. Member's ideas were then reviewed by the CIOR Coordinating Team and submitted to the Steering Committee for approval. If approved, the suggestion was explored through an assigned Review Team.

The suggestion of civilianization of forensic identification officer positions at Forensic Identification Services (FIS) was proposed and received approval through the CIOR Steering Committee.

The primary objective of the review was to determine the feasibility of civilianizing forensic identification officer positions as a means of achieving a specific cost benefit, and to look for an opportunity to make the delivery of these services more efficient and effective. Other benefits include the redeployment of sworn officers to other areas of the Service and a new civilian career stream whereby civilian forensic technicians are educated, hired and deployed in such a way as to create a dedicated professional category.

The FIS Review Team consulted with members of the Toronto Police Service, the Ministry of the Attorney General, the Centre for Forensic Sciences, educational facilities and external police agencies (within Canada and internationally) in the research and analysis of the final proposal. The review was conducted with the focus on creating more efficient and effective service delivery keeping in mind the primary and secondary objectives.

Discussion:

The final FIS Review Team Report was eventually submitted and reviewed by the CIOR Steering Committee. After serious consideration, the recommendation to civilianize two laboratory constables and one exhibit handling officer was approved for implementation by the CIOR Steering Committee on March 13, 2013.

The new job descriptions for the Laboratory Specialist and Property & Equipment Clerk are attached. These positions have been evaluated within the Service's job evaluation plan and determined to be within the Unit "A" Collective Agreement. The Laboratory Specialist position has been determined to be a Class A10 (40 hour) position with a current salary of \$86,643.65 to \$100,054.87 per annum effective January 1, 2014. The Property & Equipment Clerk position has been determined to be a Class A05 (35 hour) position with a current salary of \$51,305.81 to \$58,580.93 per annum effective January 1, 2014.

The positions at FIS are normally occupied by very senior police officers who have acquired the skill set after many years in FIS. This equates to all three officers being first class and receiving the full retention pay. Additionally the officers all receive plain clothes allowance.

- 1st class officer with plainclothes pay \$96,740.00
- 9% retention pay \$8,156

Therefore both civilian positions will result in a lower cost for these functions.

Civilianizing these positions also has the benefit of having civilians employed into the job that are qualified (effectiveness) and less attrition through the positions as civilians tend to move less around the organization than police officers (efficiency).

Conclusion:

It is hereby recommended that the Board approve the job descriptions and classifications for the positions of Laboratory Specialist (A10053) and Property & Equipment Clerk (A05207).

Subject to Board approval, the Toronto Police Association will be notified accordingly, as required by the collective agreement and these positions will be staffed in accordance with established procedure.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command and Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

The Board approved the foregoing report.

Moved by: D. Noria



TORONTO POLICE SERVICE

JOB DESCRIPTION

Date Approved:

Board Minute No.:

Total Points: 505.5

Pay Class: A10

JOB TITLE:	Laboratory Specialist	JOB NO.:	A10053
BRANCH:	Specialized Operations Command – Detective Operations	SUPERSEDES:	NEW
UNIT:	Specialized Criminal Investigations	HOURS OF WORK:	40 SHIFTS: 2
SECTION:	Forensic Identification Services - Specialized Operations	NO. OF INCUMBENTS IN HIS JOB:	2
REPORTS TO:	Training Detective	DATE PREPARED:	2013.12.12

SUMMARY OF FUNCTION:

Examines evidence within a laboratory setting. Treats evidence with various chemicals to recover fingerprints or serial numbers. Documents and collects physical evidence discovered on items. Conducts physical matching and footwear comparisons. Maintains laboratory chemicals and equipment.

DIRECTION EXERCISED:

Conducts training when directed. Provides guidance regarding technical processes, procedures and CFS (Centre of Forensic Sciences) submissions when required.

MACHINES AND EQUIPMENT USED:

TPS workstation with associated software , including Adobe Systems (Photoshop CS, Acrobat, Bridge, Camera Raw, Photoshop Elements), Microsoft Office (Word, Excel, Powerpoint), ACDSee, Proprietary Software/Programs (Photo Imaging Network, Crime Scene Index , Property Evidence Management), Automated Fingerprint Identification System (AFIS), Cumulus and TPS Records Management Systems.

Fingerprint examination equipment (i.e. brushes, powders), alternate forensic light sources and class 4 industrial laser with associated safety equipment, specialized and hazardous chemicals, personal protective equipment (i.e. P100 Respirators, chemical suits, gloves etc.), pro-level DSLR camera, cyanoacrylate fuming chambers, vacuum metal deposition chambers, ninhydrin cabinets, DFO ovens, airflow stations, indanedione heat presses, downdraft fingerprinting stations, biohazard drying cabinets, freezers, refrigeration units and other forensic related equipment.

DUTIES AND RESPONSIBILITIES:

1. Takes photographs in the identification laboratory as required or directed.
2. Conducts fingerprint examinations in the identification laboratory as required. Establishes and confirms fingerprint identifications and opinion conclusions made by other technical service personnel.
3. Preserves and processes evidence from crime scenes. Documents and preserves continuity of evidence.
4. Acquires, examines, records or stores firearms, prohibited weapons, prohibited devices, prohibited ammunition, explosive substances, controlled drugs and substances.
5. Obtains DNA samples and data bank sampling pursuant to the Criminal Code of Canada as required.



TORONTO POLICE SERVICE
JOB DESCRIPTION

Date Approved:

Board Minute No.:

Total Points: 505.5

Pay Class: A10

JOB TITLE:	Laboratory Specialist	JOB NO.:	A10053
BRANCH:	Specialized Operations Command – Detective Operations	SUPERSEDES:	NEW
UNIT:	Specialized Criminal Investigations	HOURS OF WORK:	40 SHIFTS: 2
SECTION:	Forensic Identification Services - Specialized Operations	NO. OF INCUMBENTS IN THIS JOB:	2
REPORTS TO:	Training Detective	DATE PREPARED:	2013.12.12

DUTIES AND RESPONSIBILITIES: (cont'd)

6. Maintains notebook containing an accurate account of up-to-date activities. Prepares and submits reports as required.
7. Uses and maintains equipment, cleanliness and operability within the laboratory area. Ensures that the laboratory remains in a safe and orderly condition. Monitors storage and use of various chemicals to ensure safe and proper storage and prepares reagents as required.
8. Forensic examination of physical and impression evidence includes, but is not limited to; fingerprints, footwear, tire tracks, tool marks, bullet strikes and blood.
9. Examines and recovers Firearm Serial Numbers that have been removed using specialized equipment and chemical techniques.
10. Responsible for the safe handling of chemicals, firearms and exhibits that have been contaminated with toxic powders and liquids as well as blood, bodily fluids and/or tissue.
11. Collection of trace evidence including hair and fibers as well as gun shot residue.
12. Maintains incident files containing latent fingerprint lifts, photographic negatives, prints and documentation.
13. Provides forensic investigative support to outside agencies (i.e. Ministry of Labour, Ministry of Environment, Special Investigations Unit)
14. Prepares case submission forms and liaises with other external agencies in accordance with the Service's policies and procedures.
15. Conducts in-service training on specialized processes, equipment, or procedures with patrol, Court and investigative support members when directed; mentors and trains new members of the unit on practical applications, methods and techniques of crime scene examination related to laboratory techniques.
16. Consults and provides guidance to patrol and investigative support members regarding technical processes or procedures.
17. Provides advice and guidance to investigators in relation to CFS submissions.
18. Researches, develops and reports on identification processes and techniques when directed.
19. Maintains a record of supporting personal expert knowledge for court purposes.
20. Prepares physical, fingerprint, photographic or other demonstrative evidence for court, formal inquiries and coroner's inquests as required.
21. Attends court and provides expert testimony.
22. Performs the duties of a Fingerprint Examiner and may be designated as such under the Criminal Code of Canada.
23. Provides opinion evidence regarding the handling of firearms by suspects and the resulting effects on fingerprints.



TORONTO POLICE SERVICE

JOB DESCRIPTION

Date Approved:

Board Minute No.:

Total Points: 505.5

Pay Class: A10

JOB TITLE:	Laboratory Specialist	JOB NO.:	A10053
BRANCH:	Specialized Operations Command – Detective Operations	SUPERSEDES:	NEW
UNIT:	Specialized Criminal Investigations	HOURS OF WORK:	40 SHIFTS: 2
SECTION:	Forensic Identification Services - Specialized Operations	NO. OF INCUMBENTS IN THIS JOB:	2
REPORTS TO:	Training Detective	DATE PREPARED:	2013.12.12

DUTIES AND RESPONSIBILITIES: (cont'd)

24. Participates in the Joint Occupational Health and Safety Committee as the laboratory representative and implements required solutions identified at Committee meetings.
25. Perform any other duties as assigned by the FIS Management Team.

/ ...

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.



TORONTO POLICE SERVICE

JOB DESCRIPTION

Date Approved:

Board Minute No.:

Total Points: 322

Pay Class: A5

JOB TITLE:	Property & Equipment Clerk	JOB NO.:	A05207
BRANCH:	Specialized Operations Command – Detective Operations	SUPERSEDES:	NEW
UNIT:	Specialized Criminal Investigations	HOURS OF WORK:	35 SHIFTS: 1
SECTION:	Forensic Identification Services - Specialized Operations	NO. OF INCUMBENTS IN THIS JOB:	1
REPORTS TO:	Training Detective	DATE PREPARED:	2013.12.12

SUMMARY OF FUNCTION:

Monitors and handles sealed evidence as required. Forwards property returned from the Centre of Forensic Sciences (CFS) to Property and Evidence Management (PPB). Maintains equipment and supply levels for front line officers at Forensic Identification Services (FIS). Assists with purchasing of equipment and supplies.

DIRECTION EXERCISED:

None.

MACHINES AND EQUIPMENT USED:

TPS workstation with associated software , including Microsoft Office (Word, Excel, Powerpoint), Proprietary Photo Imaging Network, Cumulus, Proprietary Crime Scene Index Program, TPS Records Management Systems, Proprietary Property Evidence Management System (PEMS) and Divisional Locker Management System (DLMS).

DUTIES AND RESPONSIBILITIES:

1. Facilitates the movement of sealed evidence.
2. Transports and processes evidence including firearms, ammunition, controlled substances, sexual assault evidence kits to and from CFS and various units.
3. Maintains notebook containing an accurate account of up-to-date activities.
4. Prepares and submits reports as required.
5. Maintains various pieces of equipment throughout FIS (i.e. equipment on trucks, specialized equipment); researches new forensic material and equipment which may assist the unit.
6. Monitors and maintains appropriate levels of specialized equipment and supplies for the field office, AFIS, lab & document sections; maintains an updated suppliers list.
7. Maintains property records at FIS and make entries on PEMS and DLMS.
8. Organizes and liaises with the Supervisor regarding overdue property reports.
9. Archives files and memo books for the unit; retrieves information from retired officer's memo books for Access & Privacy requests; retrieves historical cases from the City archives.
10. Arranges for the proper disposal of biohazard and chemical waste as required.
11. May be required to testify in court.
12. Performs all other duties, functions and assignments inherent to the position.

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.

THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014

#P32. ADEQUATE, EFFECTIVE AND SUSTAINABLE POLICING IN TORONTO – PROPOSAL OF A BOARD-LED REVIEW

The Board was in receipt of the following report January 31, 2014 from Alok Mukherjee, Chair:

Subject: ADEQUATE, EFFECTIVE AND SUSTAINABLE POLICING IN TORONTO – PROPOSAL FOR A BOARD-LED REVIEW

Recommendation:

It is recommended that the Board:

- (1) Establish a Steering Committee comprised of Chair Alok Mukherjee, Vice Chair Michael Thompson and Joanne Campbell, Executive Director to oversee the review, including the development of scope, terms of reference, project deliverables and timelines consistent with the Board's decision of January 16, 2014;
- (2) Authorize the Steering Committee to proceed with necessary steps in accordance with the Board's By-law 147 (as amended) for the purchase of goods and services to acquire the services of an external consultant to conduct the review, and report the outcome to the Board for its information; and,
- (3) Authorize the Chair to conclude and sign an agreement with the service provider, subject to approval as to form by City Legal.

Financial Implications:

Discussions are on-going, however, City staff has agreed, subject to availability of the necessary funds, that the City of Toronto will permit the allocation of funds in the amount of \$300,000 from the Toronto Police Service's 2013 operating budget surplus for the purpose of conducting the Board-led review.

Background/Purpose:

At its meeting on January 16, 2014 (Min. P4/14 refers), in consideration of the Chief's Internal Organizational Review (CIOR), the Board agreed to:

"...initiate a comprehensive review of its own conducted by an external resource with background in policing and organization change. The purpose of the review will be (a) to assess the extensive changes recommended by the internal organizational review carried out by the Chief of Police; (b) to determine if these changes meet the Board's expectations in terms of achieving a cost of policing that is not only affordable in the short term but also sustainable over the long term; and, to that end, (c) to identify further opportunities for change that are practical, achievable and meet the statutory threshold of adequate and effective policing."

The Board also agreed to request the City of Toronto to extend financial support for the proposed review, inform the Chair of the City's Budget Committee and the City Manager; and to authorize me and the Vice Chair to initiate discussions with the City for its support.

Discussion:

In consultation with City Manager Joe Pennachetti and Deputy City Manager and Chief Financial Officer Rob Rossini, it has been determined that the City will allocate the necessary funds from the 2013 surplus for the proposed Board-led review.

As the proposed 2014 City Budget shows, policing constitutes the third highest item of expenditure for the City. At the same time, it accounts for the largest slice of the City's property tax revenue. And while the City departments continue to show a negative or marginal growth in expenditure, policing is one of the two agencies, along with the TTC, showing a significant increase in expenditure proposed for 2014. This comes after two successive years of reductions.

Three years ago, the Board committed itself to a policy of restraint by reversing the trend of year-over-year rise in the police budget. To this end, the Board agreed to explore transformative strategies that would be sustainable over the long term while ensuring that the services provided to the people of Toronto were adequate and effective.

The objective of the proposed review by an external consultant with expertise in policing and organizational change is to assist the Board finding efficiencies and economies in the organization's business practices and processes through implementing a strategy of organizational transformation.

It is essential that this effort be undertaken immediately so that its results can inform and influence the 2015 budget process.

Conclusion:

It is, therefore, recommended that the Board authorize a Steering Committee to oversee the review, including the development of scope, terms of reference, project deliverables and timelines consistent with the Board's decision of January 16, 2014. The Steering Committee will also be authorized to proceed with necessary steps in accordance with the Board's By-law 147 (as amended) for the purchase of goods and services to acquire the services of an external consultant to conduct the review, and report the outcome of the purchase process to the Board, for its information.

The Board approved the foregoing report and the following Motion:

THAT the Board request the Chief to identify a TPS member to assist the Steering Committee with its review.

Moved by: A. Mukherjee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

**#P33. APPLICATIONS MADE BY THE CHIEF OF POLICE PURSUANT TO
SUBSECTION 83(17) OF THE *POLICE SERVICES ACT* –
ADMINISTRATIVE PROCESS**

The Board was in receipt of the following report January 31, 2014 from Alok Mukherjee, Chair:

Subject: Applications Made by the Chief of Police Pursuant to Subsection 83(17) of the
Police Services Act – Administrative Process

Recommendations:

It is recommended that:

- (1) the Board approve the administrative process governing the procedures to be followed by the Chief of Police, police officers and complainants, to enable the Board to consider delay applications made by the Chief, pursuant to section 83(17) of the *Police Services Act* regarding:
 - (a) external/public complaints concerning the conduct of an officer, as set out in Appendix A;
 - (b) internal complaints concerning the conduct of an officer, as set out in Appendix B; and
- (2) the Board authorize the Chair to approve minor clarifications to the administrative processes attached as Appendices A and B, if necessary, during the period when the new administrative processes are first applied to the first applicable delay applications.

Financial Implications:

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

Background:

Subsection 83(17) of the *Police Services Act* provides that:

If six months have elapsed since the day described in subsection (18), no notice of hearing shall be served unless the board, in the case of a municipal police officer, or the Commissioner, in the case of a member of the Ontario Provincial Police, is of the opinion that it was reasonable, under the circumstances, to delay serving the notice of hearing.

A request by the Chief of Police pursuant to subsection 83(17) is commonly referred to as a “delay application.” The Board has long established administrative processes related to the consideration of delay applications. The procedures currently require that the Board provide the officers, who are the subject of the complaint, with an opportunity to make a written submission to the Board in response to the Chief’s delay application. Currently, the complainant is not given this opportunity.

Discussion:

In December 2013, the Ontario Divisional Court released a judgement in a case involving the the Regional Municipality of York Police Services Board, which dealt with the question as to whether that Board had breached its duty of procedural fairness in refusing to allow a complainant in a public complaint to make submissions to the Board on a delay application under subsection 83(17).

The Divisional Court concluded, among other things, that the York Board breached its duty of procedural fairness to the complainant by failing to give the complainant notice of the delay application and an opportunity to make submissions on the application. The Court concluded that the complainant had the same opportunity to make submissions on a delay application as the officers who are the subject of the complaint. It is my understanding that the Court decision is not being appealed.

In light of the Court’s decision, and as a result of its clarification of the state of the law in this area, the Board is required to adopt new administrative procedures which will incorporate the requirement to provide public complainants with an opportunity to provide submissions. A proposed administrative process governing delay applications arising from external/public complaints is attached as Appendix “A”.

I have also attached a proposed administrative process governing delay applications arising from internal complaints as Appendix “B”. To ensure consistency in approach, it is recommended that the Board also approve the internal complaint process even though that process is not affected by the Court’s decision.

Conclusion:

It is therefore recommended that the Board approve the recommendations contained in this report.

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

- **Peter Rosenthal, Barrister & Solicitor ***
- **Dan Ross, Vice-President, and George Cowley, Legal Counsel, Toronto Police Association ***

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

The Board approved the following Motions:

- 1. THAT the Board receive the foregoing report; and**
- 2. THAT the Board receive the deputations and refer them to the Chair for consideration and that he provide a revised report for the April 2014 meeting in light of the recommendations made by the deputants.**

Moved by: A. Mukherjee



Toronto Police Services Board

Administrative Process to Consider Applications Made by the Chief of Police Pursuant to Subsection 83(17) of the *Police Services Act* – Allegations Arising from External/Public Complaints

1. Legislative Authority

Subsection 83(17) of the *Police Services Act* (the “Act”) states that:

If six months have elapsed since the day described in subsection (18), no notice of hearing shall be served unless the board, in the case of a municipal police officer, or the Commissioner, in the case of a member of the Ontario Provincial Police, is of the opinion that it was reasonable, under the circumstances, to delay serving the notice of hearing.

Subsection 83(18) of the *Act* states that, in the cases where allegations against an officer arise from a public complaint, the delay is deemed to have begun at the time of the date that the complaint against an officer was retained by the Office of the Independent Police Review Director (the “OIPRD”) or the day on which the Chief of Police received the complaint referred to him/her by the OIPRD.

A recommendation from the Chief of Police seeking approval to serve a Notice of Hearing pursuant to subsection 83(17) of the *Act* is sometimes referred to as a “delay application”.

2. Preparation of the Delay Application, Notification and Opportunity to Respond

The Chief of Police will:

- (a) prepare a delay application when
 - (i) a complaint was retained by the OIPRD, no Notice of Hearing has been served on the officer within six months of that retention and the OIPRD directs the Chief of Police to prepare a delay application; or
 - (ii) an investigation was referred by the OIPRD to the Chief of Police and no Notice of Hearing has been served on the officer within six months of that referral;
- (b) prepare the delay application in writing, containing the reasons for the delay in the service of a Notice of Hearing and a copy of the draft Notice of Hearing;

- (c) prior to completing the delay application, consult with the staff in the office of the Toronto Police Services Board (the “Board Office”) to:
 - (i) identify the date of an *in camera* Board meeting at which the Toronto Police Services Board (the “Board”) will consider the delay application; and
 - (ii) identify the date by which any submissions that may be provided by the officer and the complainant must be submitted to the Board Office in order to place them on the Board meeting agenda;
- (d) deliver a copy of the delay application to the officer and the complainant by a date which ensures that they have a period of at least 20 business days prior to the date noted in 2(c)(ii) to provide a written response to the Board Office, and provide the officer and the complainant with written notice that:
 - (i) the delay application will be heard on the meeting date identified in 2(c)(i) and that their submissions must be submitted by the date identified in 2(c)(ii);
 - (ii) any submissions to be provided in response to the delay application must be in writing and transmitted in electronic format to the Board Office or in a format as agreed upon by the Board office;
 - (iii) a response must refer specifically to the issue of the delay and the reasons for the delay as outlined in the delay application;
 - (iv) that if either of them decides not to provide a response, the matter of the delay application will be considered by the Board solely on the basis of the information contained in the delay application and in any response actually submitted;
- (e) deliver the original delay application to the Board Office at the same time that a copy is delivered to the officer and the complainant.

Following the receipt of a delay application and any written submissions that may be provided by the officer and the complainant, the Board Office will place them on the agenda for the *in camera* Board meeting identified in 2(c)(i). The Board Office will provide a copy of the portion of the Board meeting agenda pertaining to the delay application to the Chief of Police, the officer and his/her legal counsel, the complainant and his/her legal counsel, with a copy to the OIPRD for information.

3. Board Decision and Reasons

The Board will consider the delay application in conjunction with any written submissions provided by the officer and/or the complainant at an *in camera* meeting. The Board’s legal counsel and staff will be the only persons present when the Board considers the delay application.

Prior to making a decision on the delay application, the Board may seek clarification or request additional written submissions from the Chief of Police, the officer and/or the complainant and, in doing so, would defer further consideration of the delay application until the date specified by the Board for receipt of a clarification or additional written submission.

In making a decision, the Board will review the submissions from the Chief of Police, the officer and/or the complainant.

The Board's decision will be recorded in writing and it will contain reasons for the Board's decision.

The Board Office will provide a copy of the Minute regarding the delay application to the Chief of Police, the officer or his or her legal counsel, the complainant or his or her legal counsel and the OIPRD.

Approved by the Board:

February XX, 2014 – Min. No. PXX/14



Toronto Police Services Board

Administrative Process to Consider Applications Made by the Chief of Police Pursuant to Subsection 83(17) of the *Police Services Act* – Allegations Arising from Internal Complaints

1. Legislative Authority

Subsection 83(17) of the *Police Services Act* (the “*Act*”) states that:

If six months have elapsed since the day described in subsection (18), no notice of hearing shall be served unless the board, in the case of a municipal police officer, or the Commissioner, in the case of a member of the Ontario Provincial Police, is of the opinion that it was reasonable, under the circumstances, to delay serving the notice of hearing.

Subsection 83(18) of the *Act* states that the delay is deemed to have begun at the time of the day on which the facts on which the complaint is based first came to the attention of the Chief of Police or Board, as the case may be.

A recommendation from a Chief of Police seeking approval to serve a Notice of Hearing pursuant to subsection 83(17) of the *Act* is sometimes referred to as a “delay application”.

2. Preparation of the Delay Application, Notification and Opportunity to Respond

The Chief of Police will:

- (a) prepare a delay application when he/she seeks to serve a Notice of Hearing and six months have elapsed since the day on which the facts became known to him/her;
- (b) prepare the delay application in writing, containing the reasons for the delay in the service of a Notice of Hearing and a copy of the draft Notice of Hearing;
- (c) prior to completing the delay application, consult with the staff in the office of the Toronto Police Services Board (the “Board Office”) to:
 - (i) identify the date of an *in camera* Board meeting at which the Toronto Police Services Board (the “Board”) will consider the delay application; and
 - (ii) identify the date by which any submissions that may be provided by the officer must be submitted to the Board Office in order to place them on the Board meeting agenda;

- (d) deliver a copy of the delay application to the officer by a date which ensures that he/she has a period of at least 20 business days prior to the date noted in 2(c)(ii) during which a written response can be provided to the Board Office, and provide the officer with written notice that:
 - (i) the delay application will be heard on the meeting date identified in 2(c)(i) and that the officer's submissions must be submitted by the date identified in 2(c)(ii);
 - (ii) any submissions to be provided in response to the delay application must be in writing and transmitted in electronic format to the Board Office or in a format as agreed upon by the Board office;
 - (iii) a response must refer specifically to the issue of the delay and the reasons for the delay as outlined in the delay application;
 - (iv) the officer that if he/she decides not to provide a response, the matter of the delay application will be considered by the Board solely on the basis of the information contained in the delay application;
- (e) deliver the original delay application to the Board Office at the same time that a copy is delivered to the officer.

Following the receipt of a delay application and any written submissions that may be provided by the officer, the Board Office will place them on the agenda for the *in camera* Board meeting noted in 2(c)(i). The Board Office will provide a copy of the portion of the Board meeting agenda pertaining to the delay application to the Chief of Police and the officer and his her legal counsel.

3. Board Decision and Reasons

The Board will consider the delay application in conjunction with any written submissions that may be provided by the officer at the *in camera* meeting. The Board's legal counsel and staff will be the only persons present when the Board considers the delay application.

Prior to making a decision on the delay application, the Board may seek clarification or request additional written submissions from the Chief of Police and/or the officer and, in doing so, would defer further consideration of the delay application until the date specified by the Board for receipt of a clarification or additional written submission.

In making a decision, the Board will review the submissions from the Chief of Police and the officer, The Board's decision will be recorded in writing and it will contain reasons for the Board's decision.

The Board Office will provide a copy of the Minute regarding the delay application to the Chief of Police and the officer or his/her legal counsel.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

#P34. SCHOOL CROSSING GUARDS - CRITERIA

The Board was in receipt of correspondence dated January 21, 2014 from Josh Matlow, Councillor, City of Toronto, to Michael Thompson, Councillor, City of Toronto, and Vice-Chair, Toronto Police Services Board, with regard to the criteria for determining the location of school crossing guards. A copy of Councillor Matlow's correspondence is appended to this Minute for information.

The following persons were in attendance and made depositions to the Board:

- Josh Matlow, Councillor, City of Toronto *
- Naomi Buck

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

The Board approved the following Motions:

- 1. THAT the Board request the Chief of Police, in consultation with the Toronto School Boards and members of Toronto City Council, to provide a report for its April 2014 meeting on how to improve access and the ability to provide crossing guards to schools in areas that do not meet the criteria but merit special consideration given extenuating circumstances;**
- 2. THAT the report noted in Motion No. 1 also include any recommendations for amendments to the Board's policy on school crossing guards, if applicable; and**
- 3. THAT the Board receive the correspondence from Councillor Matlow and the depositions by Councillor Matlow and Ms. Buck.**

Moved by: A. Pringle



Councillor Josh Matlow

Ward 22, St. Paul's
City Hall, 100 Queen Street West
2nd Floor, Suite A17
Toronto, Ontario M5H 2N2

Tel: 416-392-7906
Fax: 416-392-0124
councillor_matlow@toronto.ca
www.joshmatlow.ca



January 21, 2014

Councillor Michael Thompson
Vice-Chair Toronto Police Services Board
Toronto City Hall, Suite B24

Dear Councillor Thompson

Re: Adult Crossing Guard Placement Criteria

I am writing to seek your assistance in getting an item added to the Police Services Board Agenda. I have been working with parents in my community to help improve pedestrian safety, particularly along school routes. These efforts have included requests to the Toronto Police Service for Crossing Guards. We have found this to be a challenging experience.

While the front line officers have been helpful in trying to move these requests forward, we have been frustrated that the criteria in place by the Toronto Police Service is too restrictive, and does not support the goal of encouraging more students to walk to school. I am hoping that through the Police Services Board, the process for allocating Crossing Guards can be reviewed and amended to allow the parent community and the Toronto Police Service to work together to enhance pedestrian safety, and encourage more children and their parents to walk to school.

We appreciate your support on this important item. Please let me know if you require any further information.

Sincerely

A handwritten signature in black ink, appearing to read "Josh Matlow", written over a light blue horizontal line.

Josh Matlow
Toronto City Councillor
Ward 22- St. Paul's

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

#P35. EXPANDED USE OF CONDUCTED ENERGY WEAPONS (CEWS)

The Board was in receipt of correspondence dated January 23, 2014 from Henry D'Angela, Chair, Regional Municipality of Niagara Police Services Board to Madeleine Meilleur, Minister of Community Safety and Correctional Services, with regard to the need for funding to support the purchase of additional CEWs. A copy of the correspondence is appended to this Minute for information.

The Board received the foregoing correspondence.

Moved by: A. Mukherjee



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD

68 CHURCH STREET, ST. CATHARINES, ONTARIO L2R 3C6



Tel: (905) 685-0321 Fax: (905) 688-0036

E-mail: nrpboard@nrps.com

Website: www.nrps.com

January 23, 2014

The Honourable Madeleine Meilleur
Minister of Community Safety and Correctional Services
18th Floor, George Drew Building
25 Grosvenor Street
Toronto, ON
M7A 1Y6

Dear Minister Meilleur:

I am writing on behalf of the Regional Municipality of Niagara Police Services Board in response to the recent Ministry announcement about the revised Use of Force Guideline and Training Standards to support the expanded use of conducted energy weapons (CEWs) by police services.

The Niagara Police Services Board discussed this matter at its December 12, 2013 meeting, along with a capital budget request from our Police Service that included \$670,000 for the purchase of CEWs. As a result of those discussions, the Board agreed that we should correspond with you to address our concerns.

Our Board and Police Service will be reviewing the Guideline very closely over the next few months to determine changes that need to be made concerning the deployment of CEWs within the Niagara Regional Police Service. However, at the outset, the Board wishes to express our concern regarding the lack of provincial funding for this Ministry initiative.

As a result of the provincial action to revise the Guideline, any expansion of CEWs will have an impact of increasing local police services costs. The Niagara Police Services Board believes that the Ontario Government, in addition to this legislative/regulation reform should provide additional funding to allow for the purchase of additional CEWs. This will help local police services boards limit the impact on local property taxes and increase the effective and efficient delivery of local policing services.

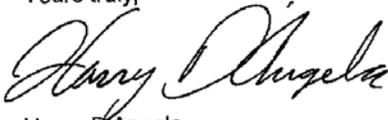
We believe this request is particularly important for areas such as the Niagara Region that have been challenged economically by the loss of jobs, especially in the manufacturing sector. The Niagara Police Services Board has worked diligently to maintain a high standard in its delivery of police services. However, the impact of rising labour costs, compounded by the existing arbitration system, and new legislation and requirements such as the CEWs puts areas that are economically depressed under severe pressure as the only source of funding is the property tax base. It is our view that a funding formula could be established to recognize the disproportionate impact this one-time cost has on areas such as the Niagara Region.

Page 2
January 23, 2014
The Honourable Minister Meilleur

It is for this reason the Niagara Police Services Board is requesting that the Ontario Government address this matter. Doing so will greatly assist our Police Service and the residents of Niagara Region. It will be an effective use of provincial tax dollars while working to ensure officer and citizen safety.

I appreciate your assistance and look forward to your response.

Yours truly,



Henry D'Angela
Board Chair

- c. Premier K. Wynne
PC Leader Tim Hudak, MPP Niagara West-Glanbrook
MPP Jim Bradley, St. Catharines
MPP Cindy Forster, Welland
Regional Chair Gary Burroughs, Niagara Region
Vice-Chair and Members, Niagara Police Services Board
Chief of Police J. McGuire, Niagara Regional Police Service
Mr. Ken East, President, Ontario Association of Police Services Boards
Big 12 Police Services Boards

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

#P36. IN-CAMERA MEETING – FEBRUARY 13, 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
Mr. Michael Del Grande, Councillor & Member
Ms. Marie Moliner, Member
Dr. Dhun Noria, Member
Mr. Andrew Pringle, Member

Absent: Ms. Frances Nunziata, Councillor & Member
Mr. Michael Thompson, Councillor & Vice-Chair

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 13, 2014**

#P37. ADJOURNMENT

Alok Mukherjee
Chair