



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

The Minutes of the meeting held on April 10, 2014 and the special meeting held on April 24, 2014, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on May 15, 2014.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **MAY 15, 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
Ms. Frances Nunziata, Councillor & Member
Mr. Andrew Pringle, Member

ABSENT:

Dr. Dhun Noria, Member

ALSO PRESENT:

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

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

#P104. INTRODUCTIONS

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

Ms. Jeanette May, Director, Human Resources
Ms. Meri Dubeau, Senior Staff Advisor, Employment
Mr. Paul Innocente, Senior Staffing Advisor, Employment
Ms. Lin Ng, Executive Assistant, Corporate Risk Management

To the rank of staff superintendent:

Mario Di Tommaso

To the rank of superintendent:

Bryce Evans
Christopher Fernandes
Douglas Quan

To the rank of staff (detective) sergeant:

Mike Carbone
Amin Hafiz
Terrence Kelly
Edward McKay
Suzanne Pinto
Andrew Sawyer

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#P105. ANNUAL REPORT: PROFESSIONAL STANDARDS 2013

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

Subject: ANNUAL REPORT: PROFESSIONAL STANDARDS - 2013

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

The Professional Standards Annual Report fulfils Toronto Police Service compliance with reporting requirements regarding public complaints, civil litigation, charges under the *Police Services Act*, use of force, Special Investigations Unit (SIU), and suspect apprehension pursuits. It also reports on the achievements of members of the Service as recognized through Service awards. Attached is the Professional Standards Annual Report for 2013.

Professional Standards is responsible for promoting a competent, well disciplined, professional police service. It does so by investigating allegations of misconduct pertaining to members of the Service, collecting and analyzing data related to various aspects of a member's duties and recognizing member's achievements with formal awards. To fulfil these functions, in 2013, Professional Standards was comprised of three pillars: the Investigative Unit; Risk Management Unit and Legal Services. Each pillar was comprised of a diverse group of sub-units responsible for a variety of functions. The attached annual report includes a short description of each unit and the initiatives undertaken by each of those units over the reporting period.

Discussion:

The Professional Standards Annual Report will show a decrease in public complaints received. Other trends the report will detail are: an increase in the notification of civil actions against the Toronto Police Services Board, the Toronto Police Service and its members, a decrease in the number of officers facing Police Services Act charges, a decrease in the number of Use of Force incidents and Use of Force reports, a decrease in the number of incidents in which the Special Investigations Unit invoked its mandate and a decrease in the number of Suspect Apprehension Pursuits.

Conclusion:

In summary, this report provides the Board with an overview of the statistics gathered between January 1 and December 31, 2013.

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

Supt. Kim Yeandle, Professional Standards Support, was in attendance and delivered a presentation to the Board on Professional Standards statistics for the year 2013. A paper copy of the presentation is on file in the Board office.

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

- **Maria Kasstan**
- **Anna Willats, Toronto Police Accountability Coalition ***
- **Janet Sherbanowski, Crime Prevention Association**

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

Following the presentation and deputations, Supt. Yeandle and Deputy Chief Mike Federico, Operational Support Command, responded to questions by the Board.

The Board approved the following Motions:

- 1. THAT the Board receive the presentation and deputations; and**
- 2. THAT the Board receive the foregoing report.**

Moved by: A. Pringle

A copy of the Executive Summary to the 2013 Professional Standards Report is appended to this Minute for information. A copy of the complete report is on file in the Board office.

Executive Summary

Professional Standards (PRS) provides effective support to the Toronto Police Service (TPS), ensuring that prescribed TPS standards concerning the administration, promotion, and support of professionalism are advanced with the goal to strengthen public trust.

Under the direction of the Staff Superintendent, Professional Standards is comprised of the Investigative Unit (INV), Legal Services (LSV), and the Risk Management Unit (RMU).

The Investigative Unit investigates all forms of complaints (criminal and conduct) alleged against TPS members and is made up of the following sub-units: Complaints Administration, Conduct Investigations, Criminal Investigations, and the Investigative Support Unit.

Legal Services includes the following sub-units: the Counsel Advisory Group, a legal researcher and law clerks, the Court Process Office, the Civil Litigation Section, and the Human Rights Section.

The Risk Management Unit consists of the following sub-units: Awards, Information Security, Inspections Unit, Prosecution Services, Special Investigations Unit (SIU) Liaison, Analysis & Assessment, and the Duty Desk.

PRS also provides a liaison function to other TPS units and committees such as the Disciplinary Hearings Office, the Business Intelligence Unit, the Use of Force Review Committee, as well as to external agencies such as the Office of the Independent Police Review Director (OIPRD) and the SIU.

As part of an organizational structure review initiated by the Chief's Internal Organizational Review (CIOR), there will be changes made to the structure of Professional Standards in 2014.

PRS Unit Initiatives

Judicial Comments

In 2013, as a result of a Toronto Police Services Board (TPSB) minute (Min. No. P74/13), PRS began tracking and reporting judicial comments regarding officer dishonesty or misconduct during judicial proceedings. In 2013, five complaints were investigated in relation to judicial comments. Of the five incidents misconduct was substantiated in three matters, one resulted in criminal charges, one is currently before the Tribunal, and one was disciplined at unit level. Two matters were found to be unsubstantiated.

The Investigative Unit

In 2013, the Investigative Unit (INV) continued to identify and investigate side issues arising during investigations.

The process includes a requirement for unit commanders to respond to the Unit Commander-INV and advise of actions taken to address identified side issues. Members of INV continued to deliver on-going training, guidance, and support to unit complaint coordinators at all TPS divisions and units, as well as training that included presentations to frontline officers, and training at the Toronto Police College (TPC) Provincial Statutes course, Organizational Development course, Ethics and Professionalism in Policing course, post-Aylmer recruit training, and during auxiliary officer training. These presentations are in response to identified trends and issues regarding conduct concerns that appear to be common throughout the Service.

In addition to this training, in 2013, members of INV delivered presentations at the TPC on the Advanced Leadership course. As well, presentations are set to be conducted on the Mobile Crisis Intervention Team course in 2014.

Complaints Administration

The Complaints Administration sub-unit continues its use of the Professional Standards Information System (PSIS) to improve the reporting relationship with the OIPRD. As well, to ensure a consistent approach in PSA investigations, PRS and the TPC initiated a comprehensive training program for TPS members and partner police services.

In 2012-2013 the OIPRD implemented the Customer Service Resolution (CSR) program. This program provides complainants and respondent officers an opportunity to resolve complaints voluntarily prior to the complaint becoming formally screened under the PSA. Since April 2013, 36 public complaints were resolved through CSR.

In 2014, the TPS is set to conduct mediations as a part of the informal resolution process, becoming the first police service in Ontario to conduct this type of complaint resolution.

Prosecution Services

In 2013, Prosecution Services continued to liaise with the Investigative Unit and other PRS units regarding trends in conduct issues. These same units also met quarterly to review the status of suspended and restricted officers with a view to returning the officers to full duties where appropriate, while remaining mindful of the principles of specific and general deterrence.

Information Security

Throughout 2013, the Information Security Unit continued their security awareness campaign by providing training sessions at the TPC and by publishing monthly security messages via Netpresenter. Information privacy and password integrity were the main focus of efforts. Following the Versadex preliminary Privacy Impact Assessment (PIA), the unit completed the logical PIA and will work to complete two smaller scale and final PIAs. Information Security participated in several committees and other Service projects and/or initiatives to ensure requirements related to systems auditing and user and device access were identified.

Awards

The Awards section administers the TPS Awards Program, recognizing outstanding achievements by TPS members and the public. The section also coordinates with agencies and organizations granting external awards to Service members.

SIU Liaison Unit

The SIU Liaison Unit works with the SIU to facilitate SIU mandated investigations. The SIU Liaison Unit presented to coach officers, recruit classes at OPC, and to the Toronto Anti-Violence Intervention Strategy - Rapid Response Team officers (TAVIS-RRT). The TAVIS-RRT presentations emphasized the frontline officer roles and responsibilities when involved in incidents where the SIU mandate has been, or may be, invoked. The unit also presented at the Ontario Association of Police Educators conference and an Ontario Association of Chiefs of Police SIU sub-committee workshop.

Analysis & Assessment

In 2013, the Analysis and Assessment Unit provided trend analysis and statistical information relating to the evaluation of work performance, compliance with TPS procedures, pursuit training, and use of force training. Enhancements were made to the Early Intervention (EI) reports to provide a more comprehensive analysis to assist supervisors in developing risk reduction strategies when dealing with identified trends.

Inspections Unit

In 2013, the Inspections Unit continued to provide a proactive monitoring function to identify, analyze, and respond to risk issues associated with members' non-compliance with TPS governance. The continuation of the Inspections Unit's pro-active approach to conducting risk management inspections and assessments, enabled the unit to identify high-risk issues across the TPS as a whole.

Legal Services

Legal Services continued to provide advice and support to the Chief of Police, command officers and members of the TPS in relation to relevant aspects of criminal, civil, and corporate law. The unit also manages all new and outstanding civil actions and external human rights applications.

Highlights

The PRS Annual Report provides statistical comparisons and trend analysis on the following topics: awards, public complaints, civil litigation, external applications to the Human Rights Tribunal of Ontario, *PSA* charges, use of force reporting, SIU investigations, and suspect apprehension pursuits.

Awards

In 2013, 582 awards were presented to members of the TPS, the community, and other police services by the TPSB and the Chief of Police. This is a decrease from 610 awards presented in 2012 and an increase from 518 awards presented in 2011. TPS members also received 222 awards from external agencies in 2013.

Public Complaints

Public complaints made against TPS officers are processed by the TPS Professional Standards Complaints Administration Unit. In 2013, a total of 725 public complaints were received concerning the conduct of uniform members and/or the policies/services of the TPS, a decrease of 5.5 % from 2012. In an attempt to reduce the number of investigations and to improve customer service, the unit also provides information and training sessions to front-line supervisors on local resolution options. There were 22 successful local resolutions in 2013, compared with 13 in 2012.

Police Services Act Charges

Prosecution Services reviews conduct investigations to determine the appropriateness of holding hearings and prosecutes disciplinary charges against officers. In 2013, there was a decrease in the number of new charges from 105 charges in 2012 to 67 charges, as well as a decrease in officers charged from 59 in 2012 to 37 officers in 2013.

Inspections Unit

In 2013, the Inspections Unit conducted Service-wide inspections in the areas of Level 3 Searches and memorandum books. In 2014, the Inspections Unit will be moved to Audit and Quality Assurance, under the Operational Support Command as part of the CIOR and will continue to focus on areas of high risk across the Service.

Use of Force

Officers are required to submit the Ontario Ministry of Community Safety and Correctional Services' standard Use of Force Form 1 report (UFR) when they use force in the performance of their duties. In 2013, there was a decrease in the number of incidents during which officers reported force was used from 1407 incidents in 2012 to 1150 incidents. There was also a decrease in the number of incidents in which a conducted energy weapon (CEW) was used from 255 incidents in 2012 to 192 incidents in 2013.

SIU Investigations

In 2013, there was a decrease in the total number of incidents where the SIU invoked their mandate, 74 compared to 78 in 2012. In 2013, the SIU invoked its mandate to investigate seven deaths in which TPS officers were involved, a decrease from 10 deaths investigated in 2012.

Suspect Apprehension Pursuits

There was a decrease in the number of pursuits initiated from 129 in 2012 to 110 pursuits initiated in 2013, this decrease is consistent with the five year declining trend. In part, this trend can be attributed to training initiatives undertaken by the Police Vehicle Operations unit to educate TPS members about the risks involved in pursuing vehicles and to offer alternative strategies to engaging in pursuits. Officers and/or supervisors continue to call off the majority of pursuits in the interest of public safety.

In December 2013, the TPS purchased a driving simulator. It is the only driving simulator owned by a police service in Ontario. It will be used to deliver driving and Suspect Apprehension Pursuit (SAP) training to front-line officers making the TPS a leader within Ontario in this type of training. As a result, a new driving course has been developed. Delivery to front-line officers will begin in January 2014.

Public Contact

Community-based policing is a priority for the TPS. The residential population of Toronto is estimated at 2.87 million, however, the daytime population increases to approximately 3.32 million. Service members have extensive contact with members of the community in order to ensure public safety. In 2013, there were over 1.9 million calls for service, just under 400,000 provincial offence tickets issued, over 197,000 Field Information Reports (FIRs) completed, over 8,000 *Mental Health Act* apprehensions, and more than 39,500 arrests. In total, TPS officers had more than 2.5 million documented contacts with members of the public last year (this figure includes repeat contacts).

It is important to consider the amount of interaction TPS members have with members of the public when evaluating the statistics presented in this report. For example, the total number of public complaints filed represents only a small fraction (less than 0.1%) of documented contacts. Further, when considering the total number of use of force incidents relative to arrests made, force was required in less than 3% of arrests. When comparing the number of SIU investigations to the documented contact there was one incident investigated for every 34,583 contacts with members of the public.

Moving Forward

PRS will continue to proactively identify strategic issues, goals, and actions to build upon the initiatives underway in 2013.

PRS will continue to educate members to raise their awareness of the potential risks they face and ways to mitigate those risks. Complaints Administration, for example, is developing an information package for dissemination to all Unit Complaint Coordinators (UCCs) within the TPS. This package contains a comprehensive list of legal authorities to assist and guide the UCCs when conducting their investigations.

To ensure continued alignment with the TPS mandate, PRS plans to conduct reviews of our procedures and processes, as well as participating on committees such as the Civil Litigation Review Committee, the Human Rights Case Review Committee, the Use of Force Review Committee, and the Service Vehicle Collision and Pursuit Reduction Committee.

Following several race-based human rights complaints, the TPSB and the TPS, in partnership with the Ontario Human Rights Commission (OHRC), launched the Human Rights Project Charter (HRPC) in May 2007. Members of PRS participated in the HRPC, the goal of the project is to identify and eliminate any discrimination that may exist in the employment practices and in delivery of services that may be contrary to the *Ontario Human Rights Code*. It is anticipated that the final report will be completed in 2014.

The TPS has successfully engaged the community in efforts to reduce crime and develop collaborative partnerships as part of the Police and Community Engagement Review (PACER) project. In 2013, members from PRS became involved in assisting and contributing towards the implementation of the project's recommendations.

PRS is committed to identifying and rectifying areas of risk exposure to the TPS. To this end, Information Security has undertaken the development of an analysis tool and report framework to complete Privacy Impact Assessments on all new programs, systems and/or service delivery where personal information is collected, used, and disclosed.

The initiatives cited above, and others that the unit is planning, support the PRS commitment to promoting professional and ethical conduct.

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#P106. ADULT SCHOOL CROSSING GUARD PLACEMENT

The Board was in receipt of the following report March 20, 2014 from William Blair, Chief of Police:

Subject: ADULT SCHOOL CROSSING GUARD PLACEMENT

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting of February 13, 2014 the Board received correspondence and a deputation from Councillor Josh Matlow, with regard to criteria for determining locations of crossing guards. 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 school areas that do not meet the criteria, but merit special consideration given extenuating circumstances; and
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 (Min. No. P34/14 refers).

Discussion:

Adult school crossing guards serve an important function in keeping children who are walking to and from school safe. Many factors contribute to the necessity for the placement of an adult school crossing guard. Since 1967 a police officer has been assigned to conduct traffic surveys to determine the necessity for the placement of an adult school crossing guard at crossing sites throughout the City of Toronto.

At its meetings of July 20, 2001 and August 30, 2001, the Board approved the policy for the establishment and removal of school crossing guards at locations throughout the City (Min. No P196/01 and P235/01 refers). This policy was based on the criteria that was established by the Ontario Traffic Conference (OTC) in 1992 and continues as the criteria being utilized by

municipalities within the Greater Toronto Area (GTA). The established criteria ensures the safety of school children from kindergarten up to and including grade six, by providing a consistent and appropriate process for the evaluation of the need for an adult school crossing guard.

Traffic Services (TSV) co-ordinates the Adult School Crossing Guard Program on behalf of the Service including undertaking surveys and recommendations for the placement or removal of an adult school crossing guard based on the Board approved criteria. The *Traffic Services School Crossing Guard Site Evaluation Program Policy, Criteria and Procedure* is attached as an Appendix to this report. A review of this document has occurred and we believe there is no need for any amendments to the policy as each application is reviewed on a case by case basis.

The following are additional strategies and programs that can and are utilized to increase safety at crossing locations in lieu of a crossing guard;

- Traffic enforcement
- Parking enforcement
- Pedestrian/Traffic safety education through the local Divisional School Resource Officers and/or school crossing guard co-ordinators
- Service representation at community meetings to discuss potential solutions or safety strategies
- Address student drop off and pick up hazards through School Newsletters to parents
- Suggest alternative safety programs such as Walking School Bus Program, Kiss ‘N’ Ride
- Consult City of Toronto Transportation Services regarding:
 - Speed calming measures (speed bumps)
 - Road markings
 - Signage
 - Site lines (removal of visual obstructions)
 - Installation of traffic control devices
 - Speed Board Program (Digital Speed Display for motorists)
 - Recommend By-Law changes (Parking restrictions, speed limits)

The Service regularly consults with all stakeholders involved when considering a request for the placement of adult school crossing guards including school officials, parents, parent teacher counsels, City Transportation and Members of Toronto City Council.

Conclusion:

Each year there are significant requests from our communities to consider the placement of an adult school crossing guard. The current protocol in place to measure these requests is comprehensive. When it is determined by TSV that a guard is not warranted the Service still offers a wide range of viable solutions to those areas that don’t meet the established criteria to ensure the safety of children walking to and from school locations.

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

The following persons were in attendance and delivered a joint deputation to the Board:

**Josh Matlow, Councillor, City of Toronto; and
Naomi Buck**

Following their deputation, Councillor Matlow responded to questions by the Board.

Chief Blair also responded to questions by the Board.

The Board approved the following Motions:

- 1. THAT the Chief review the TPS's Traffic Services School Crossing Guard Evaluation Program Policy, Criteria and Procedure with the intention of establishing a new procedure, if required;**
- 2. THAT the Board defer the foregoing report from the Chief and consider it at the August 2014 meeting;**
- 3. THAT the Board request the Chief, or his designate, to meet with Councillor Matlow; and**
- 4. THAT the Board receive the deputation by Councillor Matlow and Ms. Buck.**

Moved by: A. Pringle



TRAFFIC SERVICES
SCHOOL CROSSING GUARD SITE EVALUATION PROGRAM
POLICY, CRITERIA AND PROCEDURE

Mission Statement

To enhance the safety of elementary school children by providing school crossing supervision at suitable locations and to make recommendations to the appropriate groups and agencies concerning pedestrian, traffic and road conditions at school crossing sites.

Request for a Site Evaluation

Requests for the evaluation of a site shall be submitted in writing to the Chief of Police, and forwarded to the attention of the Unit Commander, Traffic Services. Site evaluations will be conducted in the order received, unless an over-riding safety concern has been demonstrated.

Unless new and relevant circumstances (i.e. increase in student enrolment/vehicle traffic) can be shown to exist since the time an evaluation was conducted, a re-evaluation would not ordinarily be conducted within two years of the date of an original evaluation.

Evaluation Methodology

The criteria contained in this document will be used for establishing the necessity of the placement of a School Crossing Guard.

An evaluation of a site will include an analysis of accident data for the previous 24 months.

An evaluation will include a single inspection of the site during each of the normal school crossing times. Inspections will be conducted, so far as possible, on days with reasonable weather conditions and typical school activities with consideration given to area construction and other temporary roadway or sidewalk obstructions.

Staff of the local school(s) will be contacted to obtain school start and finish times and input on the necessity for crossing supervision.

Radar and photographs will be utilized, as necessary, in the evaluation of a site.

In addition to the data required to establish scores for the weighting factors listed in this document, the following general information shall be gathered at a site survey:

- Number of elementary school children crossing prior to normal school crossing times
- Times first and last child crossed
- Times guard(s)/ patroller(s) arrived and departed (when appropriate)
- Distance from school to crossing site
- Number of adults or guardians walking children to school
- Number of adults or guardians driving children to school (when known)
- Type of intersection (when appropriate)
- Road measurements
- Highway Traffic Act offences
- Municipal bylaws
- Visual obstructions and road design

Criteria and Definitions

The purpose of the criteria is to ensure the safety of school children by providing a consistent and appropriate process for the evaluation of the need for a school crossing guard.

Safety, Not Convenience, Must be a Primary Motivator

The safe crossing of a street by young children is a matter of great concern to all members of the community. While it could be argued that no effort would be too great, nor could resources be better spent, the Toronto Police Service is governed by the reality of competing demands and the ability to pay for services. The intent of the program then, is to provide a reasonable level of safety by placing adult school crossing supervision at crossings that are unsafe for children and when no reasonable alternative is apparent.

A School Crossing Guard may only be placed at a site for the purpose of escorting elementary school children across a street. Elementary school children include Kindergarten up to and includes Grade Six. School Crossing Guards ordinarily will not be appointed on private roadways.

When it is found that children avoid a crossing and cross nearby or at another site, consideration shall be given to the possibility that a safer or more convenient alternate site exist, or that the hazards on the roadway may not warrant the need for a school crossing guard.

The warrant checklist is intended for use as a guideline only in determining the need for placement of a School Crossing Guard. Unique or over-riding factors (e.g. an excessively high number of accidents) may indicate a guard is warranted. In such situations, the Unit Commander, Traffic Services will determine the recommendations to be made. Otherwise, a majority of positive responses to the criteria would suggest that a guard is warranted.

In some situations a School Crossing Guard may appear to be warranted, however, such a recommendation may be unnecessary if improvements in road design or signage, re-location of the crossing, traffic law enforcement, or parent/student education is undertaken to correct the observed conditions.

Temporary School Crossing Guards can be appointed when the following situations apply:

- Construction / roadwork creates unsafe crossing situation
- When the conditions are met for the placement of a permanent School Crossing Guard, a temporary School Crossing Guard will be placed pending approval from the Chief of Police.

The Placement of a School Crossing Guard is not an Action of First Resort

A School Crossing Guard **may be warranted** when one of the following situations apply:

- There are insufficient safe crossing gaps (In Toronto the presence of adequate traffic control devices would normally provide for safe gaps)
- Child or motorist visibility is impaired (determined by formula calculations)
- There are 4 or more lanes of traffic and the speed limit is greater than 50 km/h.

Removal of a School Crossing Guard

At the request of a school principal, police officer or other person, a site can be surveyed to determine if an existing School Crossing Guard is necessary. Removal of a School Crossing Guard requires a three-day site survey to be conducted. The same factors and criteria are considered for the placement of a School Crossing Guard are also considered for the removal. The findings of the Survey Team are presented to the Chief of Police for final approval.

Other factors listed below are assessed in order to determine whether the criteria exists and to illustrate that alternatives are not available.

1	Insufficient Safe Gaps	A safe gap is a break in traffic that permits sufficient time for a child to cross in safety. Insufficient safe gaps occur frequently during crossing times, specifically, there are 3 or less gaps in a 5-minute period. Safe gaps are not ordinarily calculated when traffic controls are present.
	Inadequate Traffic Control Devices	Signs, signals, markings or devices placed or erected for the purpose of regulating, warning or guiding traffic are inadequate or non-existent. Gaps will be calculated in these situations.

2	Inadequate Visibility	When it is apparent that pedestrian or motorist visibility is restricted, calculations will be performed to determine "Child's Visibility Distance" and/or "Driver Stopping Distance".
	Obstructions or Inadequate Road Design	Poor visibility for pedestrians or motorists due to turns, hills, trees, shrubs, billboards, bus shelters or buildings.
	High Volume of Traffic entering or leaving roadway	When turning onto a roadway from private drives or other roads so that the ability to view pedestrians crossing is severely restricted.
	Traffic Interference	Presence of road or building construction, stopping, parking or unloading of vehicles creates a hazard for safe crossing due to restricted visibility.
	No Boulevards or Sidewalks	The ability of a motorist to be aware of a pedestrian's intention to cross the road is limited, or pedestrians are forced to walk on or immediately beside a roadway, due to the lack of a boulevard or sidewalk.
3	Number of Lanes of Traffic and Speed Limit	There are 4 or more lanes of traffic. Speed is greater than 50 km/h. (Posted or 85 th percentile in excess of 50 km/h)
	Traffic Violations	Impede the safe crossing of children (radar and observation used to establish criteria).
4	Other Factors	
	High Volume of Turning Traffic at Crossing	There is a high volume of traffic turning at an intersection so as to create a hazard. Ordinarily determined by frequency in which turning traffic is observed to interfere with crossing pedestrians.
	High Collision Location	During the previous 24 months there has been a child pedestrian collision or more than 4 other types of collisions at the crossing site during crossing times.
	High Volume of Children Crossing	Average number of children crossing, per crossing time, is higher than 35.
	Alternate Transportation not Available	School bussing is not provided. The majority of children are not driven to school.
	No Alternate Crossing Site	There is no safe alternate site at which children might cross.

School Safety Patroller Program

Administration of the School Safety Patroller Program is the responsibility of the Toronto Police Service, Traffic Services.

Upon completion of a site evaluation, the School Traffic Survey Officers will advise the person(s) requesting the survey, the local school and the Co-ordinator of the School Safety Patroller Program of the results of the survey.

A site may only be approved for the School Safety Patroller Program with the consent of the principal of the involved school, the local community, and the Unit Commander of Traffic Services.

School Safety Patroller Program Criteria

- The location does not meet the criteria for a school crossing guard and specifically, the speed limit must be no greater than 50 km/h and the road width must not exceed 3 lanes of traffic
- The location must be within visual sight or close proximity of the school
- The location is not controlled by automated traffic signals (traffic lights)
- To maintain the interest of a school patroller and to justify the existence of the program, the location should have a minimum of 30 - 40 elementary school students crossing and 40 - 50 vehicles, per half hour, using the roadway
- A teacher from the school must be assigned to co-ordinate the program and to supervise the school patrollers
- Written parental consent is required for each school patroller
- School Patroller must receive training from the Toronto Police Services at the beginning of each school year
- School Patrollers must always wear the supplied equipment (florescent vest or cape) while performing their duties. At some school locations, patrollers may be issued with orange arm sleeves
- School Patrollers are not permitted to stop traffic
- School Patrollers must perform their duties on the sidewalk or in order to view traffic around a parked vehicle may proceed onto the roadway only to the extent that their vision is not obstructed
- The School Safety Patroller Program is subject to cancellation should the criteria not be adhered to

Community Consultation

The Toronto Police Service acknowledges the importance of local community consultation in decisions involving the placement of School Crossing Guards; accordingly, the following policy has been implemented.

Following an initial assessment of a site proposed for placement of a School Crossing Guard, where it would appear that the site does not meet the established criteria:

- verbal and/or written communication will be initiated with the parties requesting a School Crossing Guard
- such communication will detail the initial findings of the site inspection
- in the event there is objection to such findings, a public meeting, to which all interested parties will be invited, will be held during evening hours at the local elementary school
- at such public meetings the Toronto Police Service will engage in dialogue with the community as to:
 - the findings of the site inspection
 - existing criteria
 - adequacy of the criteria
 - over-looked factors or extenuating circumstances
 - amount of community concern/support for placement of a school crossing guard
 - availability of other options in lieu of placement of a school crossing guard
- the opinions of the community will be considered in making a final decision as to the appropriateness of placing a school crossing guard at the location in question.

Conclusion

It is believed that this policy will adequately address the need for community input and will identify, on an on-going basis, any modifications required to the established criteria, or additional factors which are appropriate for consideration in the assessment of a particular location.

Any person wishing to appeal or present information directly related to a traffic survey may do so by making application to the Chief of Police, Toronto Police Service.

PROCEDURE FOR SURVEY REQUESTS
(Summary for distribution to school or community members)

- Traffic surveys are required for the installation of an Adult Crossing Guard, School Safety Patroller Program, removal of an Adult Crossing Guard or the change from Adult Crossing Guard to Safety Patroller program at the same location.
- A traffic survey is not required for a Driveway Patroller Program.
- All correspondence requesting traffic surveys, adult crossing guard appointment or installation of a School Safety Patroller Program **MUST** be directed to the Chief of Police. Survey requests by a member of the Toronto Police Service should be directed to the Unit Commander of Traffic Services.
- Once received by the Traffic Survey Team, an acknowledgement letter is mailed to the person(s) making the requests. The letter indicates that surveys are assigned according to date received and could take several months to complete.
- A survey will then be conducted at the earliest possible opportunity.
- At the completion of the survey the requesting person(s) are contacted by the Survey Team and advised of the results.
- Surveys are not normally repeated within a 2-year period unless there has been a significant increase in school enrolment or other extenuating circumstances.
- A traffic survey is completed for any School Safety Patroller Program request to ensure that an adult Crossing Guard is not warranted.
- All survey locations must be approved by the Chief of Police before an Adult Crossing Guard is permanently assigned. Present insurance restrictions prohibit moving an Adult Crossing Guard, even temporary without the permission of the Chief of Police.
- Any questions regarding traffic surveys can be directed to the Traffic Survey Liaison at 808-1917.

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

**#P107. TORONTO POLICE SERVICE – RESULTS OF FOLLOW-UP OF
PREVIOUS AUDIT RECOMMENDATIONS**

The Board was in receipt of a report dated April 23, 2014 from Jeffrey Griffiths, Auditor General, City of Toronto, regarding the results of the follow-up of previous audit recommendations. A copy of Mr. Griffiths' 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 MAY 15, 2014**

**#P108. TORONTO 2015 PAN AMERICAN/PARAPAN AMERICAN GAMES –
STATUS REPORT**

The Board was in receipt of a report dated April 17, 2014 from William Blair, Chief of Police, containing an update on the preparation for the Toronto 2015 Pan American/Parapan American Games. A copy of the Chief's 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 MAY 15, 2014**

#P109. PAID DUTY RATES – JULY 01, 2014

The Board was in receipt of the following report April 16, 2014 from Alok Mukherjee, Chair:

Subject: PAID DUTY RATES – JULY 01, 2014

Recommendation:

It is recommended that the Board receive the attached notification from the Toronto Police Association dated April 14, 2014, with respect to paid duty rates effective July 1, 2014.

Financial Implications:

There are no financial implications with regard to the receipt of this report.

Background/Purpose:

Article 20:01 of the uniformed collective agreement stipulates the following with respect to paid duty rates:

“The rate to be paid to each member for special services requested of the Service for control of crowds or for any other reason, shall be determined by the Association and the Board shall be advised by the Association of the said rate when determined or of any changes therein”.

At its meeting on December 12, 2013, the Board received notification that the paid duty rates effective January 1, 2014 would be increased from \$65.00 per hour to \$66.50 for constables

We have been notified of a 2nd increase in paid duty rates for 2014. The attached notice advises the Board that paid duty rates for constables will increase to \$68.00.

The table below provides a summary of the dates and amounts of increases for constables in each of the past 5 years.

Year	Amount	Amount of Increase (per hour)	% Increase
2010	\$65.00	0	0
2011	\$65.00	0	0
2012	\$65.00	0	0
2013	\$65.00	0	0
2014 (Jan. 1, 2014)	\$66.50	\$1.50	2.3%
2014 (July 14, 2014)	\$68.00	\$1.50	2.3%
Total		\$3.00	4.6%

Conclusion:

It is, therefore, recommended that the Board receive the attached notification from the Toronto Police Association dated April 14, 2014, with respect paid duty rates effective July 1, 2014.

Mr. Miguel Avila was in attendance and delivered a deputation to the Board.

The Board approved the following Motions:

- 1. THAT the Board receive the deputation by Mr. Avila;**
- 2. THAT the Board receive the foregoing report; and**
- 3. THAT the Board express its disappointment to the Toronto Police Association on the proposed increase to paid duty rates.**

Moved by: F. Nunziata



**TORONTO
POLICE
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Mike Abbott
*Director Uniform
Administrative Services*

Rondi Craig
*Director
Uniform Field Services*

Jon Reid
*Director
Uniform Field Services*

April 14, 2014

SENT BY EMAIL ONLY

Ms. Joanne Campbell
Executive Director
Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3
Email: joanne.campbell@tpsb.ca

Dear Ms. Campbell:

Re: 2014 Paid Duty Rates – Increase

In conformance with Article 20:01 of the Uniform Collective Agreement, we are advising the Toronto Police Services Board there will be an increase in the 2014 hourly paid duty rates. Effective July 1, 2014 the Paid Duty Rates will be as follows:

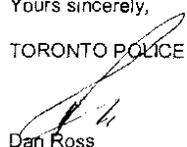
	<u>July 1, 2014</u>
Constables (All classifications)	\$68.00 (minimum \$204.00)
Sergeants	\$76.50 (minimum \$229.50)
Staff Sergeants	\$85.00 (minimum \$255.00)

Partial hours (beyond a minimum of three hours) that an officer performs at such paid duty are paid out at the established hourly rate.

The Association will forward this information to all units today. We ask that this information be included on Routine Orders and that Unit Commanders be advised of same.

Yours sincerely,

TORONTO POLICE ASSOCIATION


Dan Ross
Vice President

DR: tk

c. Mr. Bill Blair, Chief of Police, TPS
Deirdre Ostrom-Peake, A/Manager, Labour Relations, TPS
TPA Board of Directors

WE PROTECT THOSE WHO PROTECT OTHERS

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

**#P110. QUARTERLY REPORT: OCCUPATIONAL HEALTH AND SAFETY
UPDATE: JANUARY TO MARCH 2014**

The Board was in receipt of the following report April 28, 2014 from William Blair, Chief of Police:

Subject: QUARTERLY REPORT: OCCUPATIONAL HEALTH AND SAFETY
UPDATE: JANUARY 1, 2014 TO MARCH 31, 2014

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).

Discussion:

Accident and Injury Statistics:

From January 1, 2014 to March 31, 2014, 254 members reported that they were involved in 277 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, 41 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
- 12 vehicle incidents (member within vehicle as driver or passenger)
- 16 assaults
- 27 cuts/lacerations/punctures
- 2 traumatic mental stress incidents
- 11 slips and falls
- 83 communicable diseases and possible exposures

As a Schedule 2 Employer, the Toronto Police Service paid \$42,401.53 in health care costs for civilian members and \$180,080.70 in health care costs for uniform members for the first quarter of 2014.

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 first quarterly report for 2014, there were two Critical Injury Incidents reported to the MOL. The incidents were confirmed by the MOL to be Critical Injury Incidents.

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 that 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.

Reported Exposures	January	February	March	Q1 Total
1. Hepatitis A, B, & C & HIV	0	4	0	4
2. Influenza	0	0	0	0
3. Tuberculosis (TB)	3	0	0	3
4. Meningitis	5	0	0	5
5. Lice and Scabies	5	0	0	5
6. Other*	22	27	17	66
Total	35	31	17	83

* The category “Other” 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.).

As a result of a determination made at the Central Joint Health and Safety Committee (CJHSC) meeting on March 29, 2010, OHS monitors incidents where members report exposure to bed bugs. There were 14 reported exposures to bed bugs in the first quarter.

Medical Advisory Services:

The statistics below summarize non-occupational disabilities which are tracked by Medical Advisory Services. Short term disabilities refer to absences that are greater than fourteen days, but less than six months in length; long term disabilities refer to absences that are greater than six months in length and are broken down by Long Term Disability (LTD), a plan administered by Manulife covering the members of the Senior Officer Organization, and Central Sick Leave Bank (CSLB), a self-administered plan covering the members of the Toronto Police Association.

A summary of disability absences amongst Service members is as follows:

Disability	Jan	February	March
Short Term	63	71	67
Long Term - LTD	4	4	4
Long Term - CSLB	73	73	71
Total Disability per Month	140	148	142

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 this 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 first quarter of 2014, there were two documented complaints which have been categorized by Professional Standards as having the potential to meet the criteria of workplace harassment as defined in the *OHSA*. One complaint has been withdrawn and one is under investigation.

Other Occupational Health and Safety matters:

Currently, the Service has 420 members who have health and safety certification training, 257 of whom are worker representatives and 163 of whom are management representatives. For the purpose of the health and safety committee obligations, uniform management representatives consist of members at or above the rank of Staff/Detective Sergeant.

Ministry of Labour Orders, Charges & Issues:

There were no Ministry of Labour orders, charges, or issues during the first quarter of 2014.

Conclusion:

In summary, this report provides the Board with an update on matters relating to occupational health and safety for the period January 1 to March 31, 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: M. Del Grande

Additional information regarding occupational health and safety matters was also considered during the *in camera* meeting (Min. No. C89/14 refers).

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

#P111. ANNUAL REPORT: 2013 CORPORATE & COMMUNITY DONATIONS

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

Subject: ANNUAL REPORT: 2013 CORPORATE & COMMUNITY DONATIONS

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting of March 26, 1998, the Board approved a report from the Chief of Police regarding a policy with respect to the acceptance of donations to the Service and requested that regular updates be provided to the Board for its information. (Min. No. 113/98 refers).

In November of 2010, the Board amended their policy governing the acceptance of donations and sponsorships.

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

The Chief of Police will ensure that Service members not solicit or accept donations from any person, including any organization or corporation, for the benefit of the Service, without the consent of the Board in accordance with the established policy;

Acceptance of donations valued at ten thousand dollars (\$10,000) or less, requires the approval of the Unit Commander and the completion of a Donor's Declaration Form (TPS 668);

Acceptance of donations valued at more than ten thousand dollars (\$10,000.00) requires the approval of the Board and the submission of a completed Donor's Declaration Form (TPS 668); or

Where there is insufficient time to seek Board approval for the donation, approval may be delegated to the Chair and Vice Chair.

Discussion:

A chronological listing of all requests submitted for the period of January 1, 2013 to December 31, 2013, is appended to this report.

A total of two (2) requests were received, all of which were approved.

All donations accepted were in compliance with the criteria as outlined in Service Procedure 18-08, entitled 'Donations' governing corporate and community donations.

Conclusion:

In summary, this report provides the Board with a summary of all corporate and community donations in the year of 2013.

Inspector Stu Eley, Executive Officer, Office of the Chief of Police will be in attendance to respond to any questions, if required.

The Board received the foregoing report.

Moved by: A. Pringle

CENTRAL DIRECTORY
CORPORATE & COMMUNITY DONATIONS: 2013

Donor	Purpose	Decision & Date
The Toronto Blue Jays Baseball Team	Donation of \$6,000.00 to be used towards the purchase of a horse for the Mounted & Police Dog Unit.	Approved by: Chief William Blair on March 22, 2013.
Mr. Ihor Macijiwsky, Producer of Man Tracker Television Show	Donation of \$4,500.00 to be used towards the purchase of a horse for the Mounted & Police Dog Services.	Approved by: Chief William Blair on April 9, 2013.

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

**#P112. ANNUAL REPORT: 2013 USE OF THE TORONTO POLICE SERVICE
AND TORONTO POLICE SERVICES BOARD IMAGES**

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

Subject: ANNUAL REPORT: 2013 USE OF THE TORONTO POLICE SERVICE
IMAGE

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting of May 16, 1998, the Board approved a report from the Chief of Police regarding a policy pertaining to requests for the use of the Service Crest. (Min. No. 173/96 refers).

The Board approved the following Motion:

That the Board designate authority to the Chair of the Police Services Board to approve requests for the use of the Service image, with an annual report submitted to the Board by the Chief of Police listing all request for the use of the Service image.

Discussion:

A chronological listing of all requests submitted for the period of January 1, 2013 to December 31, 2013, is appended to this report.

A total of five (5) requests were received, all of which were approved.

Conclusion:

In summary, this report provides the Board with a summary of all requests for the use of the Service image in the year of 2013.

Inspector Stu Eley, Executive Officer, Office of the Chief of Police will be in attendance to respond to any questions, if required.

Chair Mukherjee advised that, with regard to the requirement to report annually on the use of the Board crest, there was one request for use of the Board crest in 2013. The request was made by the Elspeth Heyworth Centre for Women, however, after approval was granted for use of the crest, the Centre inadvertently used the TPS crest (details are contained in the Chief's attachment).

The Board received the foregoing report and the update by Chair Mukherjee regarding the use of the Board's crest in 2013.

Moved by: A. Pringle

**CENTRAL DIRECTORY
USE OF THE SERVICE IMAGE: 2013**

External Requester	Internal Requester	Purpose	Decision & Date
Youth in Policing Initiative Logo		Use of the Service image to be used on items promoting the Youth in Policing program.	Approved by: Chair, Toronto Police Services Board on January 4, 2013.
Breyer Animal Creations (“Breyer”) a Division of Reeves International Inc.		Use of the name and likeness of the Toronto Police Service horse “Trooper” in connection with the manufacture, promotion and sale, either directly or by sub-contract or sub-license, of model horses, related accessories and other equine-related products or services.	Approved by: Chair, Toronto Police Services Board on January 25, 2013.
Toronto Police Service Toronto Tornadoes Soccer Team		Use of the Service image to be used specifically on a calendar that will be sold in order to raise funds that will be used to offset travel and accommodations costs related to the Team’s participation in the 2013 World Police & Fire Games.	Approved by: Acting Chair, Toronto Police Services Board on February 4, 2013.
Hospice Palliative Care Ontario		Use of the Service image on promotional materials for the Healing Cycle Rides to raise funds for hospice palliative care in Ontario in the years 2013 to 2017.	Approved by: Chair, Toronto Police Services Board on May 15, 2013.

		partnership between the Toronto Police Service and the Canadian Home Care Association.	
Elspeth Heyworth Centre for Women (EHCW)		Use of the Service image in a booklet to be produced by the EHCW to draw attention to domestic abuse and the assistance that is available to women who may be the victims of domestic abuse.	Approved by: Chair, Toronto Police Services Board on December 9, 2013.

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TORONTO POLICE SERVICES BOARD HELD ON MAY 15, 2014**

**#P113. ANNUAL REPORT: GRANT APPLICATIONS AND CONTRACTS:
APRIL 2013 TO MARCH 2014**

The Board was in receipt of the following report April 28, 2014 from William Blair, Chief of Police:

Subject: ANNUAL REPORT: APRIL 1, 2013 TO MARCH 31, 2014 - GRANT APPLICATIONS AND CONTRACTS

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. Grant funding fully or partially subsidizes the program for which the grant is intended. Grants with confirmed annual funding at the time of budget development are included in the Service's operating and capital budgets. Grants that are awarded in year result in a budget adjustment to both expenditure and revenue accounts, with a net zero impact on budgets. Any program costs not covered by grants are accounted for in the Toronto Police Service's (Service's) capital and operating budgets.

Background/Purpose:

At its meeting of February 28, 2002, the Board granted standing authority to the Chair of the Toronto Police Services Board (Board) to sign all grant and funding applications and contracts on behalf of the Board (Min. No. P66/02 refers). The Board also requested that a report be provided on a semi-annual basis, summarizing all applications and contracts signed by the Chair (Min. Nos. P66/02 and P145/05 refer).

At its meeting of November 24, 2011, the Board approved that the Chief report annually on grant applications and contracts, instead of the previous semi-annual requirement (Min. No. P295/11 refers). This annual report covers the period of April 1, 2013 to March 31, 2014.

Discussion:

During the current reporting period, April 1, 2013 to March 31, 2014, the Chair of the Police Services Board signed seven (7) grant contracts. Appendix A provides the details of grant applications submitted by the Service. Appendix B provides the details of new grants awarded and/or contracts and contract amendments signed by the Chair of the Police Services Board.

Active Grants:

As of March 31, 2014, the Service had a total of thirteen (13) active grants, as outlined below:

- Community Policing Partnership Program (\$7.5M, annually)
- Safer Communities – 1,000 Officers Partnership Program (\$8.8M, annually)
- Toronto Anti-Violence Intervention Strategy (\$5.0M annually for two years ending June 30, 2015)
- Youth In Policing Initiative and Youth In Policing - After School Program (\$914,000 for year ending March 31, 2014, awarded annually)
- Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet (\$349,782 annually for two years ending March 31, 2015)
- Reduce Impaired Driving Everywhere (RIDE) (\$184,854 – one-time funding, awarded annually)
- Civil Remedies Grant – Asset Forfeiture Unit – Subject Matter Expert Training & Forensic Accounting (\$126,966 – one-time funding)
- Provincial Electronic Surveillance Equipment Deployment Program (PESEDP) – Toronto (\$100,000 – one-time funding)
- Proceeds of Crime Front-line Policing Grant – F.O.C.U.S. (Furthering our Communities – Uniting Services) Rexdale Phase II (\$100,000 – one-time funding)
- Proceeds of Crime Front-line Policing Grant – Somali Community Outreach Initiative (\$100,000 – one-time funding)
- Civil Remedies Grant – Online Undercover Investigations (\$43,350 – one-time funding)
- Civil Remedies Grant – Implementing a Multidisciplinary Team for a Child & Youth Advocacy Centre (\$43,100 – one-time funding)
- Proceeds of Crime Front-line Policing Grant – Closed Circuit Television (CCTV) (\$35,000 – one-time funding)

Conclusion:

This report provides the Board with information on the activity that occurred with respect to grants during the period of April 1, 2013 to March 31, 2014, as well as the active grants in place as at the same date.

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

The Board received the foregoing report.

Moved by: M. Moliner

Appendix A

Grant Applications April 1, 2013 to March 31, 2014

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Toronto Anti-Violence Intervention</p> <ul style="list-style-type: none"> Funding for a Service-wide intelligence initiative to reduce violence, increase community safety and improve the quality of life for members of the community. 	\$5,000,000 per fiscal year	July 1, 2013 to June 30, 2015	Proposal submitted to Ministry of Community Safety and Correctional Services in April, 2013. Funding approved -see Appendix B.
<p>Proceeds of Crime Front-line Policing Grant – F.O.C.U.S. (Furthering our Communities – Uniting Services) Rexdale Phase II Rexdale</p> <ul style="list-style-type: none"> Funding to build a risk-based community safety model that focuses on prevention prior to occurrence in partnership with academics, community organizations, and governmental agencies. 	\$100,000	April 1, 2013 to March 31, 2014	Application submitted to Ministry of Community Safety and Correctional Services in May, 2013. Funding approved – see Appendix B.
<p>Proceeds of Crime Front-line Policing Grant – Somali Community Outreach Initiative</p> <ul style="list-style-type: none"> Funding to implement an outreach initiative to predominantly Somali neighbourhoods experiencing extensive violent crime, involving activities for all pillars of crime prevention, including social development, situational measures, education and awareness. 	\$100,000	April 1, 2013 to March 31, 2014	Application submitted to Ministry of Community Safety and Correctional Services in May, 2013. Funding approved – see Appendix B.
<p>Reduce Impaired Driving Everywhere (R.I.D.E.) Grant</p> <ul style="list-style-type: none"> A program to reduce impaired driving. 	\$213,028	April 1, 2013 to March 31, 2014	Application submitted to Ministry of Community Safety and Correctional Services June, 2013. Funding approved - see Appendix B.
<p>Civil Remedies Grant – Freeing the Innocent: Combatting Human Trafficking through Awareness and Expertise</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to enhance expertise in anti-human trafficking investigations and to increase awareness of the crime for internal and external stakeholders. 	\$172,754	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.

**Grant Applications
April 1, 2013 to March 31, 2014**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Civil Remedies Grant – Cyber Crime Response and Training Initiative</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to facilitate new training programs to develop more police officers with expertise in cyber related investigations and to equip the cybercrime officers with computer equipment and specialized software. 	\$76,300	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Project GOING DARK</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for training and equipment necessary to counter the technology used by criminals and their organizations. 	\$73,400	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Project Celeritas</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to provide officers with the training, skills and equipment needed to become leaders in the forensic retrieval of evidence from mobile devices. 	\$199,400	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Using DNA in Cold Case Serious Crime Investigations</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for DNA testing at private forensic phenotypic characterization companies that use SNP (single nucleotide polymorphisms) technology and associated software to generate far more detailed investigative leads from DNA samples than has previously been possible. 	\$59,100	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.

**Grant Applications
April 1, 2013 to March 31, 2014**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Civil Remedies Grant – Rigid Hull Inflatable Operator Training (RHOT)</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to enable officers to attend an advanced boat operators course, Rigid Hull Inflatable Operator Training (RHOT) 	\$28,200	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Financial Crimes Unit Investigative Analysis Software</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for licensing costs for investigative analysis software that would allow the Financial Crimes Unit to receive and exchange information in a format which is recognized by law enforcement agencies worldwide. 	\$8,400	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Financial Crimes – Asset Forfeiture Unit – Training, Equipment and Forensic Accounting</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for equipment, training and Forensic Accounting support for officers to assist in investigating and dismantling organized criminal groups. 	\$143,100	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Community E-Mobilization App</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to create a Community Safety Mobile Application. Special developer's service expertise will be required to create a cross-platform APP; hardware, software, and licensing will be required to ensure the App has full functionality. 	\$60,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.

Grant Applications
April 1, 2013 to March 31, 2014

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Civil Remedies Grant – Specialized Expertise Training on Asian Organized Crime</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to enable officers to attend training in order to develop officers' expertise in a specialized investigative field and to develop Expert Witness status in the area of Asian Organized Crime. 	\$11,600	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Training for Biker Enforcement Unit</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to allow officers, who have previously qualified as Outlaw Motorcycle Gang (OMG) experts, to keep up to date on current trends and investigative techniques used in police investigations which in turn benefits their ability to testify as an expert witness on OMG's. 	\$9,700	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Maritime Thermal Imaging Camera (FLIR)</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for a Thermal Imaging Camera, which has been proven by other Services to be an effective and highly successful way of addressing the growing problem of smugglers using low-profile radar-evading vessels, as well as aiding in search-and-rescue efforts. 	\$33,200	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Western Canada Robbery Conference</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for attendance at a conference with speakers focusing on kidnapping investigations, current trends in these types of investigations as well as victim and witness handling. 	\$8,400	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.

Grant Applications
April 1, 2013 to March 31, 2014

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Civil Remedies Grant – Training for Gun & Gang Task Force</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for current and relevant training for Gun & Gang Task Force investigators, from a national and international perspective. 	\$22,500	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Forensic Shooting Scene Reconstruction Course</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to host a Forensic Shooting Scene training session in-house, bringing the expert trainer to the Service. This training has been shown to provide conclusive evidence at trial to increase conviction rates and sentences. 	\$10,100	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Explosive Detection Canines</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for 2 additional dogs, as well as explosive canine detection training, to enhance Service's ability to combat firearm/explosives crimes. 	\$18,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Cadaver Detection Canine</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for 1 additional dog and respective training to enable additional canine search capabilities to identify, detect and locate remains (increase number of canines from 2 to 3). 	\$10,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.

**Grant Applications
April 1, 2013 to March 31, 2014**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Civil Remedies Grant – Underwater Pole Camera</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for an underwater pole camera with topside viewing and reporting equipment. This equipment would allow officers to quickly and safely view under vessel hulls, seawalls and underwater obstructions for the detection of contraband, drugs, weapons and explosives. 	\$10,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Civil Remedies Grant – Fraud Prevention for Our City</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to enable the Service to take professionally designed campaigns from two renowned schools of design and put them in print for distribution to the community. 	\$27,100	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Attorney General March, 2014.
<p>Proceeds of Crime Front-line Policing Grant – F.O.C.U.S. (Furthering our Communities – Uniting Services) – Phase III</p> <ul style="list-style-type: none"> Funding to continue to improve and expand a risk-based community safety model that focuses on prevention prior to occurrence in partnership with academics, community organizations, and governmental agencies. 	\$100,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Community Safety and Correctional Services March, 2014.
<p>Proceeds of Crime Front-line Policing Grant – Somali Community Outreach Initiative – Phase II</p> <ul style="list-style-type: none"> Funding to continue to improve and expand on an outreach initiative to predominantly Somali neighbourhoods experiencing extensive violent crime, involving activities for all pillars of crime prevention, including social development, situational measures, education and awareness. 	\$100,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Community Safety and Correctional Services March, 2014.

Appendix A

**Grant Applications
April 1, 2013 to March 31, 2014**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
Youth In Policing Initiative and the Youth In Policing Initiative After School Program <ul style="list-style-type: none">A program to provide summer and after school employment opportunities for youth who are reflective of the cultural diversity of the community.	\$914,000	April 1, 2014 to March 31, 2015	Application submitted to Ministry of Children and Youth Services March, 2014.

Appendix B

New Grants Awarded (Contracts May or May not Be Signed) April 1, 2013 to March 31, 2014

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>A Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet</p> <ul style="list-style-type: none"> Funding to coordinate the increased identification of victims, to provide support services to victims of child internet sexual abuse and exploitation and to assist in preventing the cycle of recurring victimization. 	\$349,782 per fiscal year	April 1, 2013 to March 31, 2015	The Chair signed the contract in August, 2013.
<p>Toronto Anti-Violence Intervention</p> <ul style="list-style-type: none"> Funding for a Service-wide intelligence initiative to reduce violence, increase community safety and improve the quality of life for members of the community. 	\$5,000,000 per fiscal year	July 1, 2013 to June 30, 2015	The Chair signed the contract in August, 2013.
<p>Proceeds of Crime Front-line Policing Grant – F.O.C.U.S. (Furthering our Communities – Uniting Services) Rexdale Phase II Rexdale</p> <ul style="list-style-type: none"> Funding to continue to build a risk-based community safety model that focuses on prevention prior to occurrence in partnership with academics, community organizations, and governmental agencies. 	\$100,000	April 1, 2013 to March 31, 2014	The Chair signed the contract in October, 2013.
<p>Proceeds of Crime Front-line Policing Grant – Somali Community Outreach Initiative</p> <ul style="list-style-type: none"> Funding to implement an outreach initiative to predominantly Somali neighbourhoods experiencing extensive violent crime, involving activities for all pillars of crime prevention, including social development, situational measures, education and awareness. 	\$100,000	April 1, 2013 to March 31, 2014	The Chair signed the contract in October, 2013.
<p>Reduce Impaired Driving Program (RIDE)</p> <ul style="list-style-type: none"> A program to reduce impaired driving. 	\$184,854	April 1, 2013 to March 31, 2014	The Chair signed the contract in November, 2013.

Appendix B

**New Grants Awarded (Contracts May or May not Be Signed)
April 1, 2013 to March 31, 2014**

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>Provincial Electronic Surveillance Equipment Deployment Program (PESEDP) Refresh - Toronto</p> <ul style="list-style-type: none"> Funding to support the investigation of major crime occurrences, in which funding may be used for specialized equipment and other costs associated with electronic-based investigations including tracking devices and audio/video probes. 	\$100,000	October 1, 2012 to March 31, 2014	The Chair signed the contract in November, 2013.
<p>Youth In Policing Initiative and the Youth In Policing Initiative After School Program</p> <ul style="list-style-type: none"> A program to provide summer and after school employment opportunities for youth who are reflective of the cultural diversity of the community. 	\$914,000	April 1, 2013 to March 31, 2014	The Chair signed the contract in February, 2014.
<p>Civil Remedies Grant Program - S.M.A.R.T. – Social Media Analysis Response Team</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to purchase hardware, software licenses and the training required by the pilot team, SMART. 	\$59,200	April 1, 2013 to March 1, 2014	Contract is under review and is not yet signed.
<p>Civil Remedies Grant Program - Online Undercover Investigations</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to purchase hardware, software and the training required by the officers in undercover operations to conduct online undercover investigations using social media. 	\$43,350	April 1, 2013 to March 31, 2014	Contract is under review and is not yet signed.
<p>Civil Remedies Grant Program - Western Robbery Conference</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for training. 	\$7,600	April 1, 2013 to March 1, 2014	Contract is under review and is not yet signed.

Appendix B

**New Grants Awarded (Contracts May or May not Be Signed)
April 1, 2013 to March 31, 2014**

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>Civil Remedies Grant Program - Asian Organized Crime Subject Matter Expert Training</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for training to establish expert witness status and to enhance investigative techniques. 	\$9,600	April 1, 2013 to March 1, 2014	Contract is under review and is not yet signed.
<p>Civil Remedies Grant Program - Biker Enforcement Unit Training</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for training to develop expert witness status. 	\$20,200	April 1, 2013 to March 1, 2014	Contract is under review and is not yet signed.
<p>Civil Remedies Grant Program - Asset Forfeiture Unit – Subject Matter Expert Training & Forensic Accounting</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding for training and to utilize the services of Forensic Accountants to assist with the financial aspects of investigating and dismantling complex organized crime groups. 	\$126,966	April 1, 2013 to March 31, 2014	Contract is under review and is not yet signed.
<p>Civil Remedies Grant Program - Implementing a Multidisciplinary Team for a Child & Youth Advocacy Centre</p> <ul style="list-style-type: none"> A program to assist victims and prevent unlawful activity that results in victimization, through the provision of funding to support the implementation of a Multidisciplinary Team for the Child & Youth Advocacy Centre. 	\$43,100	April 1, 2013 to March 31, 2014	Contract is under review and is not yet signed.

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

**#P114. ANNUAL REPORT: 2013 AUDIT: CONDUCTED AT THE FIREARMS
PROCESSING SECTION, PROPERTY & EVIDENCE MANAGEMENT
UNIT AND OF THE PROPERTY HELD AT OTHER SPECIALIZED
UNITS**

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

Subject: AUDIT OF THE FIREARMS PROCESSING SECTION, PROPERTY &
EVIDENCE MANAGEMENT UNIT AND PROPERTY HELD AT OTHER
SPECIALIZED UNITS

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

Ontario Regulation 03/99, Adequacy and Effectiveness of Police Services, was created under the *Police Services Act (PSA)* to provide provincial standards for the delivery of policing services in six core areas. One of the requirements of the Regulation is that there are policies and procedures in place with respect to property and evidence control and the related collection, handling, preservation, documentation and analysis of physical evidence.

The provisions of the Regulation make the Board responsible for establishing policy and the Chief of Police responsible for creating processes and procedures that set the Board policies into operation.

At its meeting of August 10, 2006, the Board approved policy TPSB LE-020, Collection, Preservation and Control of Evidence and Property (Min. No. P244/06 refers). One requirement of this policy is that the Chief of Police “shall ensure that an annual audit of the property/evidence held by the Service is conducted by a member(s) not routinely or directly connected with the property/evidence control function, and report the results to the Board.” On December 13, 2006, Service Procedure 09-03, Property – Firearms, was updated to include the requirement that the Unit Commander – Audit & Quality Assurance “shall ensure that an audit of the property/evidence held by the Service is conducted annually and that the results of the audit are reported to the Toronto Police Services Board.”

Discussion:

In 2013, Audit & Quality Assurance conducted an audit of the Firearms Processing Section of the Property & Evidence Management Unit and property held at other specialized units. The scope of the audit included an examination of the internal controls, physical inventory and supporting documentation along with storage, tracking and disposal of property.

Conclusion:

Audit & Quality Assurance determined that the Firearms Processing Section of the Property & Evidence Management Unit is in compliance with the relevant section of the *PSA* and *Ontario Regulation 03/99*. Internal controls that are in place appear to be functioning as intended.

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 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 MAY 15, 2014**

#P115. COMMUNITY SAFETY TASK FORCE REPORT

The Board was in receipt of the following report April 30, 2014 from Frances Nunziata, Member, and Chair, Community Safety Task Force, and Councillor, City of Toronto:

Subject: COMMUNITY SAFETY TASK FORCE (CSFT) REPORT

Recommendation:

It is recommended that:

1. The Board approve the 10 recommendations included in the final report of the Community Safety Task Force appended to this report,
2. The Board correspond with the Chair of the Toronto Community Housing Corporation (TCHC) Board of Directors to encourage it to:
 - (a) consider the formalization of a strategic partnership and sustainable relationship focussed on community safety, between TCHC, Toronto District School Board and the Toronto Catholic District School Board; and,
 - (b) form Safety Committees at all TCHC buildings, to be comprised of tenants, representatives from TCHC and representatives from the Toronto Police Service
3. The Board forward this report to the Chief of Police with a request that he report to the Board on the feasibility of implementing Recommendations 1 and 2 in the CSTF report,
4. The Board forward this report to the TCHC Board of Directors, and to the City of Toronto Executive Committee with a request that they approve and take any necessary action to implement the recommendations in the CSTF report,
5. The Board request that the Chief of Police engage in an ongoing dialogue with the City's relevant division and agencies, boards and commissions to develop a 'definition' of community safety and associated metrics; and,
6. The Community Safety Task Force meet in the fall of 2014, to review responses to the recommendations in its final report and to further consider the results of the consultation requested in Recommendation 5, noted above.

Financial Implications:

There are no financial implications arising from the Board's consideration of this report.

Background/Purpose:

At its *in camera* meeting on January 23, 2013, the Toronto Police Services Board approved my motion to establish a Task Force with membership from the Toronto Police Services Board, the Toronto Police Service, the Toronto Community Housing Corporation (TCHC), the City's Employment and Social Services Unit and two community and/or tenant representatives to look at options to improve overall security and community safety on, and adjacent to, TCHC properties. The Task Force was also to consider practices and partnerships to enhance security. The Board agreed that I will chair the Task Force.

At its meeting on February 19, 2013, the Board further approved the inclusion of Somali-Canadian youth on the Task Force.

In proposing the establishment of this Task Force it was my hope that we could further expand on, and advance, the existing partnership between the Toronto Police Service, the Toronto Community Housing Corporation and the City of Toronto, to further improve safety in our City.

Discussion:

The CSTF Terms of Reference established that, in the course of its work, the Task Force, would consult with a wide spectrum of TCHC resident groups and stakeholder organizations from surrounding neighbourhoods, subject matter experts and other community members including Somali-Canadian youth and would review the following:

- An inventory of initiatives, practices and partnerships currently in place involving TCHC and the Toronto Police Service (TPS). The Task Force may also consider whether it will compile and review an inventory of initiatives involving various City of Toronto agencies, boards and commissions and other community partners
- An analysis of current crime trends and public safety indicators in, and around, TCHC properties

The Task Force agreed to address the following questions:

1. How effective are the current initiatives, practices and partnerships involving TCHC and TPS? How is success measured?
2. What other agency or community partnerships are in place that address safety and security and assist in crime prevention?
3. What service delivery and/or safety gaps exist?
4. Which gaps are most critical to address?
5. What program or policy changes should be recommended to improve safety?

The Task Force committed to deliver to the Police Services Board, a report proposing a strategy that aims to improve overall security and community safety on, and adjacent to, TCHC properties; the strategy will include measurable objectives where possible. If necessary, the Task Force was to identify recommendations to be directed to other jurisdictions.

The CSTF met on 4 occasions including one meeting which was open to the public and held at the York West Active Living Centre.

At its final meeting the CSTF discussed the importance of a coordinated approach to community safety, particularly as it pertains to the school boards and TCHC. As a result, the CSTF agreed to recommend that the Board correspond with the Chair of the Toronto Community Housing Corporation (TCHC) Board of Directors to encourage it to consider the formalization of a strategic partnership and sustainable relationship focussed on community safety, between TCHC, Toronto District School Board and the Toronto Catholic District School Board. Some CSTF members suggested that this relationship might be codified in a formal protocol, using the existing Safe Schools protocols as a guideline.

In considering the final report, some community members of the CSTF expressed concern that the recommendations did not directly address residents' concerns. They wanted recognition that poverty and lack of employment opportunities or under-employment may be part of the root causes of compromised community safety. It was suggested that TCHC residents need more opportunities to give input into community safety issues respecting their homes and that there needs to be more discussion about the sources of guns and drugs in communities.

The CSTF decided to convene an additional meeting in the fall of 2014 to gauge reaction to its recommendations and to further consider the need for a definition of community safety and associated metrics.

Conclusion:

The appended report is the final report of the Community Safety Task Force (CSTF). It summarizes the considerations of the CSTF and makes 10 recommendations to improve overall security and community safety on and adjacent to Toronto Community Housing Corporation (TCHC) properties including new partnerships, legislative changes and a pilot project for an innovative Hub-style approach to community policing on and around TCHC buildings.

The following persons were in attendance and delivered deputations to the Board with regard to this report:

- **Idil Burale ***
- **Miguel Avila**
- **Susan Gapka**
- **Tracey Cook, Executive Director, Municipal Licensing and Standards**
- **Steven McCammon, Legal Counsel, Office of the Information and Privacy Commissioner of Ontario**

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

The Board was also in receipt of a written submission from Zakaria Abdulle, Coordinator, Policing Literacy Initiative. A copy of Mr. Abdulle’s written submission is on file in the Board office.

Following the deputations, Councillor Frances Nunziata responded to questions by the Board. Deputy Chief Peter Sloly, Community Safety Command, also responded to questions by the Board.

The Board approved the following Motions:

- 1. THAT the Board approve the foregoing report with the following amendments:**
 - THAT recommendation no. 1 in the foregoing report from Councillor Nunziata be revised to read as follows:**

THAT the Board approve the 10 recommendations included in the final report of the Community Safety Task Force appended to this report subject to consultation with the Office of the Information and Privacy Commissioner of Ontario (IPC) in order to identify and address any privacy issues;
 - THAT recommendation no. 9 in the final report of the Community Safety Task Force be amended to indicate that the Community Mobilization pilot should be Community “HUB-Style” pilot;**
 - THAT an additional recommendation (no. 11) be included in the final report as follows: the Toronto Police Services Board send a recommendation to the TCHC Board of Directors that TCHC Special Constables be trained in Crime Prevention Through Environmental Design (LPTED) principles.**
- 2. THAT the Board receive the deputations; and**
- 3. THAT representatives of the IPC be invited to attend a meeting of the Community Safety Task Force.**

Moved by: F. Nunziata



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March 20, 2014

Attn: Members of the Community Safety Task Force

From: Councillor Frances Nunziata, Chair

Re: **Final Report - Community Safety Task Force**

Summary:

This report is the final report of the Community Safety Task Force (CSTF). It summarizes the considerations of the CSTF and makes recommendations to improve overall security and community safety on and adjacent to Toronto Community Housing Corporation (TCHC) properties including new partnerships, legislative changes and a pilot project for an innovative Hub-style approach to community policing on and around TCHC buildings.

Recommendations:

The Community Safety Task Force recommends that the Toronto Police Services Board request that:

1. Toronto Police Service enter into an agreement with Toronto Community Housing Corporation to access Closed Circuit Television (CCTV) camera images from TCHC properties
2. Toronto Community Housing Corporation pursue the proposed partnership with the York West Active Living Centre to provide programming for the tenants of Eagle Manor and possibly, 101 Humber Boulevard.
3. Toronto Community Housing Corporation (TCHC) consider inviting all agencies currently located within TCHC properties to submit proposals for partnerships with TCHC that could enhance the well-being of tenants and enhance safety in and around the properties within which they are located
4. Toronto Police Service, in partnership with Toronto Community Housing Corporation (TCHC), undertake a Crime Prevention Through Environmental Design (CPTED) analysis of TCHC properties, starting with those reported to have the highest incidents of violent calls in and around the property¹, to identify changes that may be made to enhance safety through environmental design.
5. Toronto Community Housing Corporation, going forward, commit to consulting with those trained in Crime Prevention Through Environmental Design when building new facilities or retrofitting existing ones.
6. The City of Toronto request the Province of Ontario to:

¹ As listed in the report "Toronto Community Housing Corporation" from Chief Blair (April 3, 2013) to the Toronto Police Services Board

- a. Through the Ministry of Health and Long Term Care (MOHLTC), require Local Health Integration Networks (LHIN) to provide funding to housing organizations (or through community agencies to housing organizations) similar to that being piloted at 291 George Street with the Toronto Central LHIN and social agencies, reducing costs for emergency room visits, policing and for the Toronto Community Housing Corporation while also reducing the number of tenants being taken to the Landlord and Tenant Board.
 - b. Increase funding for supportive housing
 - c. Through the Ministry of Health and Long Term Care or Local Health Integration Network, increase funding for existing supportive housing agencies operating in Toronto Community Housing Corporation space under an agreement. Increases would be based on a flexible model, if we could demonstrate that there is a spike in activity or supportive need based on agreed indicators.
 - d. Provide funding for building retrofits and new construction to increase sound-proofing in Toronto Community Housing Corporation buildings (to mitigate noise, a major anti-social behaviour issue)
 - e. Create an exception, under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), for Toronto Police Service to share information with Toronto Community Housing Corporation (TCHC) regarding incidents on TCHC property.
 - f. Review the Residential Tenancies Act (RTA) to identify opportunities to expedite the eviction process in cases where eviction is merited.
7. Toronto Community Housing Corporation (TCHC) undertake an evaluation of TCHC buildings to determine which may benefit from “seniors only” designation
 8. Toronto Community Housing Corporation ask the City of Toronto to, by way of a written agreement, mandate Eagle Manor, located at 1901 Weston Road, a seniors-only building
 9. Toronto Community Housing Corporation (TCHC) endorse the establishment of a Community Mobilization pilot and advise the Toronto Police Service of which property, among the 25 TCHC buildings with the highest number of violent calls for service and greatest number of quality of life issues, would be ideal for this pilot.
 10. Upon receipt of the information requested in recommendation #9, Toronto Community Housing Corporation lead the development and implementation of the Community Mobilization pilot program.

Background/Purpose:

At its *in camera* meeting of January 23, 2013, during the consideration of a report containing statistical information related to violent crimes that were committed at or near Toronto Community Housing Corporation (TCHC) facilities, the Toronto Police Services Board (TPSB) directed the creation of a Task Force with a mandate to look at options to improve overall security and community safety on, and adjacent to, properties owned by TCHC, with the review to include consideration of practices and partnerships to enhance security (Toronto Police Services Board Minute C3/13 from January 23, 2013 refers).

The TPSB directed that, in addition to representation from the TPSB, the Task Force include representation from the Toronto Police Service, the Toronto Community Housing Corporation, the City of Toronto’s Employment and Social Services division and two community and/or tenant representatives.

On February 6, 2013, the Board of Directors of the Toronto Community Housing Corporation resolved to support the Task Force established by the TPSB (Toronto Community Housing Corporation Board Report TCHC:2013-08 from February 6, 2013 refers).

The membership of the Task Force was made up as follows:

- Councillor Frances Nunziata, Board Member, Toronto Police Services Board and Task Force Chair
- Alok Mukherjee, Chair, Toronto Police Services Board
- Dr. Dhun Noria, Board Member, Toronto Police Services Board
- Eugene Jones, Chief Executive Officer, Toronto Community Housing Corporation
- Jilian Baker, Tenant Representative, Toronto Community Housing Corporation
- Jayon Hall, Tenant Representative, Toronto Community Housing Corporation
- Deputy Chief Peter Sloly, Toronto Police Service
- MPP Laura Albanese, York South-Weston
- MPP Mike Colle, Eglinton-Lawrence
- Munira Abukar, Director, Toronto Community Housing Corporation Board
- Zach Omar, Dixon Youth 4 Youth
- Faduma Mohammed and Idil Burale – Positive Change
- Lekan Olowaye, For Youth Initiative
- Trustee Chris Tonks, Toronto District School Board
- Trustee Frank D’Amico, Toronto Catholic District School Board
- Ted Lis, Director, City of Toronto Employment and Social Services
- Tracey Cook – Executive Director, Municipal Licensing and Standards

Advisory members included:

- Inspector Douglas Quan, Toronto Police Service
- Inspector Chris Fernandes, Toronto Police Service
- Joanne Campbell, Executive Director, Toronto Police Services Board
- Sandy Murray, Senior Advisor, Policy and Communications, Toronto Police Services Board

Other representatives included:

- Kathleen Llewellyn-Thomas, Chief Operating Officer, Toronto Community Housing Corporation
- Patricia Narine, Director, Resident Engagement & Community Development, Toronto Community Housing Corporation
- Staff Sergeant Steve Pipe, Toronto Police Service
- Lisa Overholt, Senior Director, Community Safety and Council Liaison, Toronto Community Housing Corporation
- Irwin Stanley, Director, Employment and Social Services

Discussion:

The TPS conducted a spatial analysis of violent crime (i.e. confirmed shootings, street robberies, assaults, homicides, and violent calls for police service) and found that street robberies and assaults were more likely to occur on main roads close to TCHC property, and not within the complex itself, whereas homicides and shooting offences took place on TCHC property. In 2012, over one-quarter of city-wide shootings, and just over one-fifth of city-wide homicides, took place in or around TCHC property. With over 10% of violent crimes city-wide taking place on or around TCHC property, it is imperative that we look at ways to enhance the safety both on and around TCHC properties.

The Community Safety Task Force:

Law enforcement alone cannot address community safety issues on and around TCHC properties. For this reason, the Task Force was established to identify existing partnerships, opportunities to enhance these partnerships, and opportunities for new partnerships as a means to foster community safety.

The Community Safety Task Force considered the following questions:

1. How effective are the current initiatives, practices and partnerships involving TCHC and TPS?
How is success measured?
2. What other agency or community partnerships are in place that address safety and security and assist in crime prevention?
3. What service delivery and/or safety gaps exist?
4. Which gaps are most critical to address?
5. What program or policy changes should be recommended to improve safety?

In addition to considering reports from the police and external agencies, the Task Force considered deputations/submissions from members of the public. Key points made by deputants included: overall concern with safety in and around TCHC property including drug and prostitution-related activity; residency as a privilege – not a right; and, the need for increased presence of security/management after hours.

Working Together: The existing partnership between TCHC and TPS

As a first step, the Task Force examined the partnership that currently exists between TCHC and TPS, and ways in which this partnership could be enhanced. This partnership includes practices such as information-sharing, TCHC's attendance at TPS crime management meetings, and joint patrols and snap inspections by TPS and TCHC, to name a few. Opportunities to enhance this partnership were identified, including enabling the TPS to access TCHC CCTV camera images as they currently do with the TTC.

Partnerships with other agencies

In addition to the partnership that currently exists between TCHC and TPS, partnerships between TCHC and other service agencies were identified. The Task Force was provided with a list of all TCHC properties which house social service agencies. The services provided by these agencies include, but are not limited to, recreational activities, health services, case management, supportive housing and youth programming. It is important to note that in addition to the agencies housed within TCHC buildings, there are many other agencies that utilize TCHC properties to provide services to tenants. The Task Force noted the positive effects these agencies have on the lives and well-being of TCHC tenants, with a view that opportunities to form new partnerships, and enhance existing partnerships, should be explored.

-New Opportunities: York West Active Living Centre-

The York West Active Living Centre (YWALC) was host to one of the Task Force's meetings, providing members with the opportunity to learn about the services this Centre, located within Eagle Manor (1901 Weston Road), provides. The YWALC, an agency which provides social, recreational, educational and health and wellness programs to those 55 years of age and older in the community, has a lease with TCHC which includes, in addition to rent, 30 membership passes for tenants of the building. The services they provide promote, encourage and support healthy independent living. Opportunity currently exists at

Eagle Manor to initiate a partnership with the YWALC to provide programming for tenants in the building, above and beyond the 30 membership passes included in the lease agreement.

Eagle Manor has recreational space on the second floor, which used to be heavily used when the building was designated as a senior's residence. Since this designation was removed, usage of this space has significantly declined, with the seniors in the building consistently reporting that they no longer feel safe in the building and prefer to remain in their units. This is not a healthy way of living. A partnership is currently being explored in which the YWALC would provide both recreational (i.e. line dancing, zumba classes) and social programming in this space, exclusive to TCHC tenants, with benefits which would include: promoting socialization among tenants; reclaiming the second floor space as a safe space to interact with others; and, promoting a healthy and active lifestyle for those tenants 55 years of age and older.

In addition to opportunities at Eagle Manor, residents of 101 Humber Boulevard have, upon hearing of the services provided by the YWALC, voiced an interest in opportunities to partake in the programming offered by the Centre. Discussion is currently taking place between TCHC and the YWALC to identify ways in which this building can benefit from the Centre's programs and activities which would result in the same positive effects as those noted for the proposed partnership at Eagle Manor.

The above opportunities, which will benefit the health and well-being of TCHC tenants, while helping to foster a sense of community within the buildings and should be supported by the Task Force.

Crime Prevention as a Key to Safe Communities

The Task Force identified the role that crime prevention has in maintaining safe communities, with specific focus placed on early intervention with youth. In addition, safety through design, the way in which how the design of the physical environment can help create safer communities, was discussed.

-The Role of Early Intervention-

The School Resource Officer (SRO) program, initiated in 2008, is a partnership between the TPS, the Toronto District School Board and the Toronto Catholic District School Board, in which Officers are assigned to a particular school and work with the students, teachers, administrators and community to promote and maintain a safe school community. The goal of SROs are to establish positive relationships with those in the school community, with a focus on students, by coordinating school lectures, taking part in school activities, and participating in crime prevention activities.

-Crime Prevention Through Environmental Design-

There are Officers within the TPS who are trained in Crime Prevention Through Environmental Design (CPTED). The TPS website explains that:

"CPTED is a crime prevention approach based on a theory that the built environment influences the behaviour of people. The proper design and effective use of the built environment can lead to a reduction in the incidence and fear of crime, thereby improving the quality of life. CPTED involves the design of the physical space relative to the needs of the users the normal use of the space the predictable behaviour of the users of the space. Crime decreases if the opportunity to commit the crime is reduced or eliminated. CPTED works by eliminating criminal opportunities in and around your property. This can result in your property being a less appealing target" (Crime Prevention, 2014).

TCHC, in partnership with the TPS, should undertake a CPTED analysis of TCHC properties, starting with those reported to have the highest incidents of violent calls in and around the property², to identify changes that may be made to enhance safety through environmental design. TCHC should also commit to, going forward, consult with those trained in CPTED when building new, or retrofitting existing, TCHC facilities.

Program and Policy Changes: Enhancing safety in our buildings

It was noted that a key to enhancing safety in and around TCHC buildings is adequately managing and addressing anti-social behaviour of tenants, which is often attributed to mental illness. Without the appropriate supports, tenants exhibiting anti-social behaviour will continue to be a problem for tenants residing in TCHC buildings and the surrounding community.

Numerous ways in which the Province of Ontario can assist in this regard were identified:

1. Through the Ministry of Health and Long Term Care (MOHLTC) require Local Health Integration Networks (LHIN) to provide funding to housing organizations (or through community agencies to housing organizations) similar to that being piloted at 291 George Street with the Toronto Central LHIN and social agencies, reducing costs for emergency room visits, policing and for TCHC while also reducing the number of tenants being taken to the Landlord and Tenant Board.
2. Fund more supportive housing
3. Through the MOHLTC or LHIN increase funding for existing supportive housing agencies operating in TCHC space under an agreement. Increases would be based on a flexible model, if we could demonstrate that there is a spike in activity or supportive need based on agreed indicators.
4. Funding for building retrofits and new construction to increase sound-proofing (to mitigate noise, a major anti-social behaviour issue)

In addition to the above, the Task Force identified additional changes to Provincial Legislation which could enhance the quality of life for TCHC tenants:

5. Create an exception, under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), for TPS to share information with TCHC regarding incidents on TCHC property. Currently, the only way TCHC could obtain this information is by summoning the officers to the Landlord and Tenant Board. Having this information in advance can assist in determining whether sending a matter to the LTB is appropriate.
6. Review the Residential Tenancies Act (RTA) to identify opportunities to expedite the eviction process in cases where eviction is merited. Currently, it can take more than a month to schedule a hearing related to anti-social behaviour eviction applications. These hearings can be adjourned, causing further delays and rescheduling, and consequently negatively affecting the lives of others in the building for a longer period of time.

-Redesignating Buildings as "Seniors Only"

² As listed in the report "Toronto Community Housing Corporation" from Chief Blair (April 3, 2013) to the Toronto Police Services Board

The Social Housing Reform Act, 2001 (SHRA) allowed the City, as Service Manager, to amend, terminate, or replace a mandate (i.e. Seniors, frail seniors, alternative housing, etc.) with a written agreement between the City and the housing provider. At its Meeting of November 26, 2002, Toronto City Council adopted recommendations that allow providers to request special mandates. A provider may approach the City if they do not have a mandate and would like to request one, or if they feel that their current mandate is not appropriate. On January 1, 2012, the SHRA was replaced by the Housing Services Act, 2011 (HSA). The HSA maintained the provision for the housing provider and the service manager to amend, terminate or replace a mandate by way of a written agreement.

Among the concerns the Task Force heard from members of the public was that senior residents in buildings previously designated “seniors only” felt that their safety had been compromised when the building was opened up to other age groups. An example of this is Eagle Manor. While tenancy at this building was opened up to those below 59 years of age due to a high vacancy rate in this building of bachelor apartments, service providers are of the view that if support services are provided in a building, seniors would not be opposed to bachelor units.

Having buildings designated “seniors only” provides a critical mass for service providers to offer support services to those in the building. While not all buildings previously designated “seniors only” may benefit from a redesignation, as the demographics within the buildings may have since changed, an evaluation of these properties should be done to see which ones may benefit from redesignation. The necessary agreements could then be made with the City, as Service Manager, to mandate these buildings as “seniors only.” The transition to a seniors-only building would happen over time, filling units with seniors when they become available (existing tenants would not be forced out, although they could be offered accommodations elsewhere).

Community Mobilization in TCHC Communities: HUB-Style Pilot

In 2011, the Prince Albert Police Service developed the Community Mobilization (CM) approach to policing, which has proven to be successful and has been replicated by other police forces since. Central to the CM approach is partnerships between different government and non-governmental agencies as a tool to identify and intervene in issues before they have the potential of escalating into larger problems.

The CM approach is made up of two elements: the HUB committee and the Centre of Responsibility (COR).

The membership on the HUB committee is made up of both governmental and non-governmental partners including the police, social services, health, mental health, education, and housing, to name a few. The Committee meets regularly to discuss and identify cases of "elevated risk" among individuals or families and then arrange for the appropriate partners to meet with the individuals to offer services and assistance.

The COR, made up of members of various agencies, focuses on community problems. It looks at issues such as addiction and mental health and develops community action plans to address current community issues. Together with the HUB committee, the COR is key to early intervention (Department of Justice, 2014)

It is proposed that a Community Mobilization model, similar to that noted above, be piloted for a TCHC-identified property that is among those on the list of TCHC properties with high incidence of violent calls for service.

Conclusion

The promotion, maintenance and enhancement of community safety is not the responsibility of one agency or organization, but a collaborative effort. It is hoped that implementing the recommendations of the Community Safety Task Force will help move towards safer communities for residents living in, and residents living around, TCHC buildings.

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

#P116. SEARCH OF PERSONS – REVIEW BY CHIEF

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

Subject: SEARCH OF PERSONS – REVIEW BY CHIEF

Recommendations:

It is recommended that the Board request the Chief to:

- (1) Undertake an examination of the practice of searches of persons in order to determine specifically, whether the Board's policy and the Service's procedure are being operationalized appropriately, with the examination to include a focus on the training of officers and supervisors, the rigour exercised by supervisors in authorizing level 3 and 4 searches, and the quality of the articulation of reasonable and probable grounds to conduct a search;
- (2) Conduct a two-month process of random "spot checks" of how searches of persons are being carried out in the field; and
- (3) Provide a complete report to the Board containing the results of the examination and the "spot checks," including the data collected and findings made, for its October 9, 2014 meeting.

Financial Implications:

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

Background/Purpose:

In December 2001, the Supreme Court of Canada released its decision in the case of *R. v. Golden*, which imposed limitations on the right of police officers to search individuals. Over the last several years, the Board and the Service have, on several occasions, reviewed and amended both the Service procedure and the Board policy governing searches of persons (Toronto Police Service Policy and Procedure Directive 01-02, *Search of Persons*). The chronology of these changes can be found in "Appendix A."

Another review process was initiated in response to a direction from the Ontario Civilian Commission on Police Services (OCCPS) contained in an OCCPS Review Panel decision, received December 19, 2003, with respect to a complaint about a "strip search" of a 14-year old boy.

The Board has paid a great deal of attention to ensuring that the Service procedure is consistent with the decision in *R. v. Golden*. Following a comprehensive review by both Board staff and City of Toronto – Legal Services Division, which included a consideration of deputations and submissions made by the community, the existing procedure was amended to “...remove the automatic Level 3 search for persons held in custody pending a Show Cause hearing and insert, instead, a requirement that officers engage in a case-by-case analysis prior to a person being subject to a Level 3 search as a consequence of being introduced into the prison population.”

The revised procedure is now in use.

Since this time, the Board has repeatedly reviewed the issue of searches of persons.

The Board has also heard numerous deputations on this issue, and has met with members of the community to discuss concerns. I have recommended policy changes that, in my view, balance the concerns raised members of the community with the legal and operational issues that must be borne in mind in dealing with this issue.

As a result of the Board’s own reviews and submissions from the community, changes in policy, procedure and the Service’s Procedure Information Sheet have been made where appropriate.

Most recently, the Board, at its meeting of February 13, 2014, once again discussed this issue in reference to a report entitled *Annual Report – Level 3 and Level 4 Searches of Persons*. (Min. No. P25/14 refers). At this time, a deputation on behalf of the Toronto Police Accountability Coalition was delivered by Mr. John Sewell.

At this time, I said that I 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.

At this time, 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.

Discussion

Searches of persons, in particular, level 3 and 4 searches, is an important and sensitive element of policing with significant *Charter* implications because of their inherently intrusive nature. Consequently, search of persons has been the subject of Board consideration many times over the last several years. In my opinion, both the Service and the Board have developed robust and comprehensive procedures and policies, respectively. Yet, there continue to be concerns associated with the practice of searches of persons.

The Board was particularly concerned about recent data showing that level 3 and 4 searches have continued to be conducted on over 30% of detainees year-over-year, objects have been found in under 2% of these searches consistently, and only a fraction of those found objects posed a risk.

As a result, I believe that it is critical to now look beyond the governance tools and examine how officers and their supervisors are operationalizing our policies and procedures in their day-to-day work.

An examination of this issue would be based on questions including but not limited to questions such as the following:

- How are the relevant policies and procedures being communicated to police officers and how are they being interpreted?
- What factors are being taken into account by officers in establishing the reasonable and probable grounds for conducting a search?
- How is this concept taught at the College, and how is it reinforced by supervisors in the Divisions?
- How rigorously do supervisors scrutinize requests for authorization to conduct level 3 and 4 searches from officers?
- What steps do supervisors take if and when they find the policies and procedures are not being followed?
- Is the threshold that is being used to justify searches of persons under the current procedures too low?

In addition, I believe that such an examination should be based on random “spot-checks” of level 3 and 4 searches in every Division, to determine exactly how the policies and procedures are being appropriately followed not only in the letter but also the spirit behind them. This methodology will ensure that the analysis is based on the reality of what is happening in the field as opposed to being merely a theoretical exercise.

I would recommend that this random “spot check” be carried out over the period of June 15 to August 15, 2014, inclusive and I would propose that the Chief report back at the Board’s meeting of October 9, 2014, with a complete report that includes all data collected during this period, as well as any findings made as a result of the analysis of this data.

Conclusion:

Therefore, it is recommended that the Board request the Chief to:

- (1) Undertake an examination of the practice of searches of persons in order to determine specifically, whether the Board's policy and the Service's procedure are being operationalized appropriately, with the examination to include a focus on the training of officers and supervisors, the rigour exercised by supervisors in authorizing level 3 and 4 searches, and the quality of the articulation of reasonable and probable grounds to conduct a search;
- (2) Conduct a two-month process of random "spot checks" of how searches of persons are being carried out in the field; and
- (3) Provide a complete report to the Board containing the results of the examination and the "spot checks," including the data collected and findings made, for its October 9, 2014 meeting.

Ms. Anna Willats, Toronto Police Accountability Coalition, was in attendance and delivered a deputation to the Board. A written copy of Ms. Willats' deputation is on file in the Board office.

The Board approved the following Motions:

- 1. THAT the Board receive Ms. Willats' deputation; and**
- 2. THAT the Board approve the foregoing report.**

Moved by: A. Mukherjee

Appendix A

Chronology of Review of Search of Persons Procedure and Board Policy

- December 2001 – Supreme Court of Canada releases decision in case of *R. v. Golden*, which states that the common law authority to conduct strip searches is subject to limitations. At this time, the Board requests that the Chief review all Service procedures pertaining to searches of the person and report back to the Board with respect to the Service’s compliance with the *Golden* decision (Min. No. P363/01 refers).
- At the Board meeting of May 30, 2002, the Board receives a report from the Chief entitled “Review of the Supreme Court Ruling in the Matter of *R. v. Golden*” (Board Minute No. P142 refers). Report indicates that it is the Chief’s belief that that “...all persons held in custody pending a Show Cause hearing are deemed to have entered the prison system, and will be treated as such. By making this distinction, I believe that we are justified in continuing the practice of conducting complete searches of prisoners being held for Show Cause hearings.” He notes that “the Supreme Court decision distinguishes between searches immediately incidental to arrest, and searches related to safety issues in a custodial setting. It acknowledges (at line 96) that where individuals are going to be entering the prison population, there is a greater need to ensure that they are not concealing weapons or illegal drugs on their persons.”
- December 2003 – Ontario Civilian Commission on Police Services (OCCPS) writes to the Service/Board with respect to an OCCPS Review Panel decision regarding a complaint about a “strip search” of a 14-year old boy. Decision expresses concern with the current Toronto Police Service Policy and Procedure Directive 01-02 entitled *Search of Persons* as it “...is so broadly worded that it appears that anyone entering into the cell area would be deemed to be entering the prison population and must be subject to a strip search.” Letter directs Board to deal with the matter “as a policy issue.”
- The Board, at its meeting of July 29, 2004, approves a report from the Chair that directs the Chief to review the Toronto Police Service Policy and Procedure Directive 01-02 entitled Search of Persons and report back to the Board (Min. No. P239/04 refers).
- At this time, the Board was in receipt of a report from the Chief that states that “[a] policy review was conducted and it was determined that the Toronto Police Service procedure entitled “Search of Persons” 01-02, conforms to the decision/philosophy of the Supreme Court of Canada and affords the rights of individuals in custody to be secure against unwarranted/unreasonable searches.”
- At the July 29, 2004 meeting, the Board also approves a motion “that the Board request City of Toronto – Legal Services to review the policies and procedures of the Toronto Police Service pertaining to searches of persons and provide a report to the Board with an opinion as to whether the interpretation as outlined by the Chief in his reports (dated February 26, 2004 and June 16, 2004) is consistent with the principles as set out by the Supreme Court of Canada in its decision in *R. v. Golden*.”

- At its meeting of March 8, 2005, the Board receives a report from Mr. Albert Cohen, Director, Litigation, City of Toronto – Legal Services Division, which states that, in his view, an amendment to the current procedure is appropriate (Min. No. 75/05 refers). The Board discusses the issue with the Interim Chief and emphasizes the need for a Service Procedure that is consistent with the principles set out in the December 06, 2001 Supreme Court of Canada decision in the matter of *R. v. Golden*.
- The Board also approves a motion that asks the Interim Chief "...to amend Toronto Police Service Procedure 01-02 entitled "Search of Persons" to remove the automatic Level 3 search for persons held in custody pending a Show Cause hearing and insert, instead, a requirement that officers engage in a case-by-case analysis prior to a person being subject to a Level 3 search as a consequence of being introduced into the prison population."
- Community submissions and deputations on the subject are received and referred to the Interim Chief for consideration during the amendment of the procedure.
- At its September 6, 2005 meeting, the Board receives a report from the Chief indicating that while the Chief was of the belief that the procedure, without amendment, was in compliance with the decision in *R. v. Golden*, the requested amendment has been made. The procedure, as revised, "...removes the direction of mandatory level 3 searches for those entering the prison population." (Min. No. P288/05 refers).
- At this time, the Board also receives a deputation from Mr. John Sewell, refers his submission to the Chief for review and requests the Chief to provide a report indicating whether Mr. Sewell's concerns are addressed in the revised Service procedure. The Board also asks the Chief to provide a report indicating whether portions of the new Service Procedure can be released publicly or whether an additional version of the Service Procedure can be produced which is suitable for releasing publicly.
- At its October 14, 2005 meeting, the Board receives a report from the Chief which includes excerpts from the search procedure and addresses Sewell's areas of concern. (Min. No. P317/05 refers). The Board also passes a number of motions at this time, including a motion that the Chief and Chair meet to discuss the importance of this public policy and a request for the Chief to review whether any additional excerpts of the search procedure could be released publicly.
- At its March 23, 2006 meeting, the Board considers a report from the Chief as well as additional submissions from Mr. Sewell. (Min. No. P77/06 refers). The Chief's report contains additional excerpts from the procedure deemed suitable for public release. At this time, the Board refers the Chief's report and Mr. Sewell's submissions to the Chair along with a request that he review the search procedure in conjunction with Mr. Sewell's recommendations. The Board also requests that the Chair provide a final report on this matter to the Board following his review.

- At its meeting on April 7, 2011, the Board hears a deputation from Mr. John Sewell with respect to the Search of Persons Procedure and requests the Chief to review the Search of Persons procedure posted on the Service's website to determine whether or not it should be modified in light of the comments raised by Mr. Sewell and provide a report on the annual number of searches that are conducted, including level 3 and level 4 searches, and including the procedure that must be followed by police officers prior to authorizing a search to be conducted (Min. No. P74/11 refers).
- At its meeting of July 21, 2011, the Board considers a report from the Chief noting that review a review of the Search of Persons Procedure Information Sheet contained on the Service's website was conducted (Min. No. P183/11 refers). It was determined that while the Service's Search of Persons Procedure addresses and complies with the direction provided by the Supreme Court of Canada in the matter of *R. v. Golden*, this was not reflected in the Procedure Information Sheet. In light of Mr. Sewell's comments, the Procedure Information Sheet was amended.
- At its meeting of October 20, 2011, the Board receives a report from the Chief (Min. No. P265/11 refers). The report discusses the issue of videotaping of searches and includes a chart that shows the total number of level 3 and level 4 searches conducted during 2009 and 2010 and the number of complaints identified. It also notes that Procedure 01-02 "Search of Persons" was reviewed as a result of the Board's motion and that the procedure remains in compliance with the direction provided by the Supreme Court of Canada in *R. v. Golden*. The report also notes that Service Procedure 01-02 "Search of Persons" will continue to be reviewed and evaluated on an ongoing basis.
- July 20, 2011 to the present- Board engages in ongoing consultation and revision with respect to Board policy and reviews concerns regarding operationalization of the policy

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

**#P117. SUSPENSION WITHOUT PAY: SUPPORT OF RESOLUTION BY
 HAMILTON POLICE SERVICES BOARD**

The Board was in receipt of a report dated April 30, 2014 from Alok Mukherjee, Chair, containing a resolution made by the Hamilton Police Services Board with regard to suspensions without pay. A copy of Chair Mukherjee's report is on file in the Board office.

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

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

**#P118. 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 May 02, 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, as revised, governing the procedures to be followed by the Chief of Police, police officers and complainants, for 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 initial period of one year following the Board's adoption of the new administrative processes; and
- (3) the Board direct the Chair to report back to the Board at the end of the one year period identified in recommendation (2), on the suitability of the proposed administrative processes.

Financial Implications:

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

Background:

At its meeting on February 13, 2014, the Board considered a report containing proposed administrative processes governing the procedures to be followed by the Chief of Police, police officers and complainants, to enable the Board to consider a delay application made by the Chief, pursuant to section 83(17) of the *Police Services Act* (the Act). The draft procedures dealt with delay applications arising from both external/public complaints and internal complaints concerning the conduct of an officer.

As part of its consideration of this matter, the Board received deputations from George Cowley, legal counsel acting behalf of the Toronto Police Association, and Peter Rosenthal, Barrister. Given that both deputants recommended specific amendments to the proposed procedures, the Board requested that I consider their recommendations and submit revised procedures, if appropriate (Min. No. P33/14 refers).

Discussion:

I have reviewed the written submissions provided by both Mr. Cowley and Mr. Rosenthal which were provided in addition to their oral deputations. I have summarized the recommendations made by Mr. Cowley and Mr. Rosenthal and my response to each point in the report below. Copies of the written submissions provided by Mr. Cowley and Mr. Rosenthal at the February 13, 2014 meeting are on file in the Board office. In each case below, the responses were determined in consultation with the Board's legal counsel at the City of Toronto – Legal Services Division.

1. Written Submissions of Others – recommended by Mr. Cowley and Mr. Rosenthal

- (A) Opportunity to Comment: In his deputation, Mr. Rosenthal said that the draft “procedures provides that each party make written submissions without the benefit of being aware of the other party’s submissions, and no party is given the opportunity to respond to the other party’s submissions.” Mr. Cowley made a similar comment and recommended the importance of viewing, and be afforded the opportunity to respond to, the written submissions of the other parties. Mr. Cowley also recommended that with regard to the order of filing response submissions, the officer should be permitted to file after the submissions of both the Chief and the complainant.

Response:

The attached procedure Appendix A has been revised to permit the officer and the complainant to receive each other’s written submission and to provide, in writing, a supplementary submission to the Board for consideration, if they choose to provide one. Each party would be provided with the same deadline for filing their submission as opposed to permitting the officer to file his/her submission last. This amendment to the procedures could result in several written submissions for each delay application which, in some cases, could involve multiple complainants and multiple officers.

- (B) Clarifications or Additional Information: Mr. Rosenthal recommended that if, after reviewing the submissions of the parties, and prior to making a decision on the delay application, the Board requires clarification, or requests additional information, from any of the parties, the request should be forwarded to the other parties, and all parties should be given an opportunity to respond.

Response:

The attached procedures Appendix A and B have been revised to permit each party to receive any requests made by the Board and to provide each party with an opportunity to respond.

2. Oral Submissions – recommended by Mr. Cowley and Mr. Rosenthal

Both deputants recommended that the Board permit the parties to deliver oral submissions to the Board in order to supplement the parties' written submissions

Response:

The attached procedures Appendix A and B have been revised to permit each party with an opportunity to deliver an oral submission to the Board at the meeting at which the Board considers the delay application and responding submissions. The oral submissions would be permitted for the purpose of providing each party with an opportunity to summarize key points in either of their two submissions, if applicable, and/or provide additional comments that may not have been included in their written submissions.

3. Delay Application to be Considered in Public - recommended by Mr. Rosenthal

Mr. Rosenthal recommended that the Board consider a delay application at a public meeting or, if it is not considered at a public meeting, the Board ought to release its decision in a public session of the Board.

Response:

I believe that the consideration of a delay application and the release of the Board's decision regarding a delay application should continue to remain confidential and have not, therefore, made any changes to the procedures in this regard. As Board members are aware, subsection 35(4)(b) of the Act provides that Board hearings may be held *in camera* if, in the Board's opinion, intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public.

In my view, the balancing of the considerations under that subsection leads to the conclusion that the matters should continue to be dealt with *in camera*. Intimate personal matters about an officer or a complainant may be considered as part of a delay application, even though such matters may not be the focus of the application. While these intimate personal matters may ultimately be made public as part of the hearing into the substance of the complaint if the matter proceeds to that stage, the disclosure of such matters at this initial, procedural and administrative

stage of the complaints process, when it is still uncertain whether the matter will proceed to a hearing and the disclosure of the information could negatively affect the individuals involved, reinforces the desirability of continuing to consider the applications in confidential session.

4. Requirement for a Confidential Undertaking - recommended by Mr. Cowley

Mr. Cowley recommended that a complainant should be required to enter into a confidentiality undertaking prior to receiving a copy of the delay application.

Response:

Given my conclusion, above, on the question of the consideration of the application *in camera*, I believe it is appropriate that the Board requires the parties to a delay application to undertake not to disclose any information learned as part of their participation in the delay application (including that contained in the application materials).

Section 95 of the Act provides that:

Every person engaged in the administration of this Part shall preserve secrecy with respect to all information obtained in the course of his or her duties under this Part and shall not communicate such information to any other person except,

- (a) as may be required in connection with the administration of this Act and the regulations;
- (b) to his or her counsel;
- (c) as may be required for law enforcement purposes; or
- (d) with the consent of the person, if any, to whom the information relates.

According to this section, the Board must preserve the secrecy of information it obtains in respect of the administration of a complaint (including delay applications), and shall not communicate such information except in the limited circumstances set out above.

Given this statutory obligation, the Board is not authorized to disclose to people other than the participants in the application process, any information obtained as a result of its participation in the administration of a delay application. To allow a participant to disclose the application materials in any manner he or she sees fit may have the effect of nullifying the legislative obligation of the Board to preserve secrecy as set out in section 95 of the Act.

In order to ensure it can meet its obligations under section 95 of the Act, the Board should require a legal undertaking from the participants in the process not to disclose any of the information received.

The attached procedure Appendix A has been revised to reflect the confidential undertaking.

Revised Administrative Process:

I have attached revised proposed administrative processes governing delay applications arising from external/public complaints (Appendix A) and internal complaints (Appendix B) which incorporate the amendments I have referred to in the responses above.

In addition, in light of the new provision to share copies of each party's submissions with the other parties, I have revised the procedures by indicating that the Board office will transmit the copies of the submissions to, and receive the submissions from, the parties, and will administer the confidential undertakings, as required.

Conclusion:

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

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

Mr. Albert Cohen, City of Toronto – Legal Services Division, responded to questions by the Board about the recommendation to continue to consider delay applications *in camera*.

The Board approved the following Motions:

- 1. THAT the Board receive Mr. Langenfeld's deputation; and**
- 2. THAT the Board approve the foregoing report.**

Moved by: M. Del Grande



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 and the Confidential Undertaking:

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, advise the office of the Toronto Police Services Board (the “Board Office”) that a delay application is being prepared and provide the name of the officer, the name and address of the complainant and the file number for the complaint that was retained by the OIPRD and which is the basis for the delay application;

The Board Office will:

- (d) advise the complainant that a delay application is being prepared and, subject to the completion of a confidential undertaking in respect of the information and materials that would be provided to him/her as part of the delay application process, he/she will be provided with an opportunity to provide submissions with regard to the delay application;
- (e) upon the receipt of the completed confidential undertaking, advise the Chief of Police that a completed confidential undertaking has been received;

3. Completion of the Delay Application, Notification and Opportunity to Respond

The Chief of Police will:

- (a) consult with the staff in 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 initial written submissions that may be provided by the officer and the complainant must be submitted to the Board Office;
- (b) 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 3(a)(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 3(a)(i) and that their submissions must be submitted by the date identified in 3(a)(ii);
 - (ii) any written submissions to be provided in response to the delay application should be 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 responses actually submitted;
 - (v) that a copy of one party's written submission noted in 3(b)(ii) and (iii) will be provided to the other party by the Board Office along with a date, which ensures a period of at least five business days, by which they can provide a supplementary electronic written submission in response to the other party's submission noted in 3(b)(ii) and (iii); and
 - (vi) oral submissions may also be made in addition to any written submissions that may be provided and that the oral submissions would be delivered at the meeting identified in 3(a)(i).
- (c) 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 pursuant to 3(b), the Board Office will:

- (d) forward a copy of each party's written submission to the other parties along with the date by which each party may submit a supplementary written submission; the Board Office will also request that each party confirm with the Board Office whether they intend to provide an oral submission at the meeting at which the Board considers the delay application; and
- (e) upon receipt of any supplementary written submissions, place the delay application and all written submissions on the agenda for the *in camera* Board meeting identified in 3(a)(i) and provide a copy of the portion of the Board meeting agenda pertaining to the delay application to the Chief of Police, the officer or his/her legal counsel, the complainant or his/her legal counsel and the OIPRD for information.

4. Board Decision and Reasons

The Board will consider the delay application in conjunction with any oral and/or written submissions provided by the Chief of Police, the officer and/or the complainant at an *in camera* meeting. The Chief of Police and/or his/her representative, the officer and/or his/her legal counsel, the complainant and/or his/her legal counsel, the Board's legal counsel and Board 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. If such a request is made for a clarification or additional information, a copy of the request will be provided to the other parties and all parties would be given an opportunity to respond.

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 in a Minute 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/her legal counsel, the complainant or his/her legal counsel and the OIPRD.

Approved by the Board:

May 15, 2014
Min. No. P118/14



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 written 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 written submissions must be submitted by the date identified in 2(c)(ii);
 - (ii) any written submissions to be provided in response to the delay application should be 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) 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;
 - (v) oral submissions may also be made by the officer or his/her legal counsel in addition to a written submission and that the oral submissions would be delivered at the meeting identified in 2(c)(i);
- (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).

3. Board Decision and Reasons

The Board will consider the delay application in conjunction with any oral and/or written submissions that may be provided by the Chief of Police or his/her representative and the officer or his/her legal counsel at the *in camera* meeting. The Chief of Police or his/her representative, the officer and/or his/her legal counsel, the Board's legal counsel and Board 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 in a Minute 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.

Approved by the Board:

May 15, 2014
Min. No. P118/14

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

**#P119. INDEPENDENT REVIEW BY RETIRED SUPREME COURT OF
CANADA JUSTICE FRANK IACOBUCCI**

The Board was in receipt of the following report May 01, 2014 from William Blair, Chief of Police:

Subject: INDEPENDENT REVIEW BY RETIRED SUPEREME COURT OF CANADA
JUSTICE FRANK IACOBUCCI

Recommendation:

It is recommended that the Board approve an increase in the agreement with Torys LLP to \$985,000, including taxes, to cover expenditures associated with services being rendered by former Justice Frank Iacobucci and his team.

Financial Implications:

By-law 147 delegates authority to the Chief of Police to make commitments not exceeding \$500,000. The cost of services billed by Torys to March 31, 2014 totalled \$560,000, including taxes. Torys has advised that based on the estimated cost to complete the review and issue a report, the cost for the review will total \$985,000, including taxes. As a result, Board approval for the cost is being requested.

The cost of these services will be funded from the Service's Legal Reserve.

Background/Purpose:

In August 2013, the Chief retained the Honourable Justice Frank Iacobucci (ret) to conduct a portion of the administrative investigation required under S.11 of Ontario Regulation 267/10 as result of the death of Sammy Yatim.

This administrative review includes an independent assessment of the policies, practices and procedures of, and the services provided by, the Toronto Police Service (TPS, Service) with respect to the use of lethal force or potentially lethal force, in particular in connection with encounters with persons who are or may be emotionally disturbed. (P233/13 refers)

The independent review started in August 2013 and is scheduled to be completed by June 15, 2014, at which time, a report setting out recommendations will be provided to the Service. The Service will then make that report's findings public.

The Terms of Reference for the review include an examination of the following:

- TPS policies, procedures and practices;
- TPS training, and training at the Ontario Police College;
- Equipment used by TPS;
- Psychological assessments and other evaluation of TPS police officers and officer candidates;
- Supervision and oversight;
- The role of the Mental Crisis Intervention Teams currently employed by the TPS;
- The role of the TPS Emergency Task Force;
- Best practices and precedents from major police forces internationally (in Canada, the United States, the United Kingdom, Australia and other jurisdictions);
- Available studies, data and research; and
- Such other related matters as he may reasonably determine falls within the scope of the independent review.

As part of the review, Justice Iacobucci and his team can:

- Receive submissions and/or meet with stakeholder groups or individuals as he sees fit;
- Examine TPS use of force equipment;
- Attend to observe TPS training;
- Interview TPS personnel;
- Consult with experts in the field of mental, emotional and cognitive disorders;
- Consult with experts in the use of force, the selection and training of police, crisis intervention and all other matters that are the subject of the review;
- Assemble and retain an advisory panel of experts;
- Conduct research;
- Make recommendations as he deems fit and proper based on the work performed and the information obtained;
- Perform such other work as may be reasonably incidental to the independent review.

The review was originally estimated to cost less than \$500,000.00.

Discussion:

The review team has been working to complete their mandate. TPS has ensured a mechanism of accountability for expenditures incurred with this review, without compromising the independence of Justice Iacobucci's work and assessment. Justice Iacobucci and his team have

consulted extensively with the community stakeholders and subject matter experts to fully understand the issues involved and to arrive at comprehensive informed and useful conclusions.

The original estimate has been surpassed. Expenditures incurred since August 2013 up to and including the end of March 2014 are \$560,000, which includes \$64,000 in HST. Torys has advised that the project will be completed by the established time line of June 2014, and services will continue to be performed by the review team in the months of April, May and June in order to complete their mandate.

Torys has advised that the additional expenses associated with services in April, May and June are estimated at \$425,000, which is inclusive of all disbursements and applicable HST. This results in projected total cost for this independent review of \$985,000.

Conclusion:

The findings of Justice Iacobucci's review are of great importance to the Service and the public at large. The independent nature of the review and the comprehensive approach to examining the issues will provide a forward looking report that enhances the Service's ability to deal with incidents of use of force and our interactions with those who may be emotionally disturbed, suffering from a mental illness or in crisis.

As the cost of the review will exceed \$500,000, under By-law 147, Board approval for the \$985,000 cost is required.

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

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

Chief Blair responded to questions by the Board.

The Board approved the following Motions:

- 1. THAT the Board approve the foregoing report;**
- 2. THAT the Board request the City Solicitor to review the legal bills to ensure the costs are necessary and reasonable; and**
- 3. THAT the Board receive the deputation by Mr. Langenfeld.**

Moved by: A. Pringle

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

**#P120. LEGAL INDEMNIFICATION: CASE NO. 1661/2013 –
RECOMMENDATION TO DENY A PORTION OF THE LEGAL FEES**

The Board was in receipt of the following report April 29, 2014 from William Blair, Chief of Police:

Subject: LEGAL INDEMNIFICATION - CASE NO. 1661/2013

Recommendation:

It is recommended that the Board deny \$632.80 of the \$2,734.60 billed by Mr. Donald Bellehumeur of Warren, McKay, Geurts, Bellehumeur, for his representation of a police constable in relation to a Special Investigations Unit (SIU) investigation.

Financial Implications:

Funding for the legal indemnification cost of \$2,101.80 is available and would be funded from the Service's Legal Reserve.

Background/Purpose:

A police constable has requested payment of his legal fees as provided for in the legal indemnification clause of the uniform collective agreement. The purpose of this report is to recommend denial of a portion of the invoice that City Legal has determined is not necessary nor reasonable.

Discussion:

This report corresponds with additional information provided on the Confidential Agenda.

Conclusion:

Article 23:10 of the uniform collective agreement states:

For the purposes of this provision, "necessary and reasonable legal costs" shall be based on the account rendered by the solicitor performing the work, subject initially to the approval of the City of Toronto Solicitor and, in the case of dispute between the solicitor doing the work and the City of Toronto solicitor, taxation on a solicitor and client basis by the taxing officer.

The account totalled \$2,734.60 for legal services. City Legal deemed a portion of the invoice in the amount of \$632.80 as not necessary nor reasonable for payment. The balance of the account, \$2,101.80, was determined to be necessary and reasonable and will be paid, as recommended by City Legal.

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

The Board approved the foregoing report.

Moved by: A. Pringle

Additional information with regard to this matter was considered by the Board during the *in camera* meeting (Min. No. C83/14 refers).

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

**#P121. TORONTO POLICE SERVICES BOARD – OPERATING BUDGET
VARIANCE REPORT FOR THE PERIOD ENDING MARCH 31, 2014**

The Board was in receipt of the following report May 01, 2014 from Alok Mukherjee, Chair:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE
SERVICES BOARD – PERIOD ENDING MARCH 31, 2014

Recommendation:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

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

Background/Purpose:

The Board, at its November 7, 2013 meeting, approved the Toronto Police Services Board's 2013 operating budget at a net amount of \$2,358,200 (Min. No. P254/13 refers). Subsequently, Toronto City Council, at its January 30, 2014 meeting, approved the Board's 2014 operating budget at the same amount.

The purpose of this report is to provide information on the Board's 2014 projected year-end variance.

Discussion:

The following chart summarizes the variance by category of expenditure.

Expenditure Category	2014 Budget (\$000s)	Actual to Mar 31/14 (\$000s)	Year-End Actual Expend (\$Ms)	Fav / (Unfav) (\$000s)
Salaries & Benefits (incl. prem.pay)	\$1,022.1	\$218.3	\$954.2	\$67.9
Non-Salary Expenditures	<u>\$1,336.1</u>	<u>\$32.4</u>	<u>\$1,336.1</u>	<u>\$0.0</u>
Total	<u>\$2,358.2</u>	<u>\$250.7</u>	<u>\$2,290.3</u>	<u>\$67.9</u>

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

As at March 31, 2014, a favourable variance of \$67,900 is anticipated. Details are discussed below.

Salaries & Benefits (including Premium Pay)

A favourable variance of \$67,900 is projected. This favourable variance is a result of the elimination of the Chauffeur position at the start of the year.

Non-salary Budget

The majority of the costs in this category are for arbitrations / grievances and City charge backs for legal services.

The Toronto Police Services Board cannot predict or control the number of grievances filed or referred to arbitration as filings are at the discretion of bargaining units. In order to deal with this uncertainty, the 2014 budget includes a \$610,600 contribution to a Reserve for costs of independent legal advice. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets. The Board has expended approximately \$93.0 in unbudgeted legal costs related to the development of a Community Contacts policy during this reporting period.

The Board is seeking \$300,000 in additional funding for a Board-led organizational review of the Toronto Police Service. At its meeting of April 10, 2014, the Board approved a recommendation to contribute \$300,000 of the Toronto Police Service's 2013 operating budget surplus to the City's Tax Stabilization Reserve as the source of this funding. This request will have to be approved City Council. The review is anticipated to begin in June 2014 and to be completed by October 15, 2014.

No variance is anticipated at this time.

Conclusion:

A favourable variance of \$67,900 is projected to year end.

The Board approved the foregoing report.

Moved by: F. Nunziata

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

**#P122. TORONTO POLICE SERVICE – OPERATING BUDGET VARIANCE
REPORT FOR THE PERIOD ENDING MARCH 31, 2014**

The Board was in receipt of the following report April 28, 2014 from William Blair, Chief of Police:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE
SERVICE – PERIOD ENDING MARCH 31, 2014

Recommendations:

It is recommended that the Board forward a copy of this report to the City of Toronto's (City) Deputy City Manager and Chief Financial Officer for information and for inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

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

Background/Purpose:

The Toronto Police Services Board (Board), at its November 7, 2013 meeting, approved the Toronto Police Service (Service) 2014 operating budget at a net amount of \$957.7M (Min. No. P255/13 refers). Subsequently, Toronto City Council, at its January 30, 2014 meeting, approved the Service's 2014 operating budget at the same amount.

The purpose of this report is to provide information on the Service's 2014 projected year-end variance.

Discussion:

As at March 31, 2014, a net zero variance is anticipated. Given the significant size of Service's operating budget, many components require several months of lead time and planning before expenditures can be made responsibly. As noted above, given that the Service budget was approved fairly recently, the Service is still evaluating the plans originally approved as part of the 2014 operating budget to ensure that spending can be made in the most effective and economical way possible.

The following chart summarizes the variance by expenditure and revenue category. Details of each major expenditure category and revenue are discussed in the sections that follow.

Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Salaries	\$727.1	\$156.2	\$726.1	\$1.0
Premium Pay	\$45.6	\$9.4	\$46.6	(\$1.0)
Benefits	\$192.4	\$48.1	\$192.4	\$0.0
Materials and Equipment	\$23.7	\$9.4	\$23.7	\$0.0
Services	\$98.9	\$17.9	\$98.9	\$0.0
Total Gross	\$1,087.7	\$241.0	\$1,087.7	(\$0.0)
Revenue	(\$130.0)	(\$13.6)	(\$130.0)	\$0.0
Net	\$957.7	\$227.4	\$957.7	(\$0.0)

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in-year grant funding, therefore, the revenue and expense budgets are adjusted when receipt of funds is confirmed.

Salaries:

A favourable variance of \$1.0M is projected in the salary category.

Expenditure Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform Salaries	\$558.2	\$119.7	\$557.2	\$1.0
Civilian Salaries	\$168.9	\$36.5	\$168.9	\$0.0
Total Salaries	\$727.1	\$156.2	\$726.1	\$1.0

The Service's 2014 budget assumed that 165 uniform members would separate from the Service in 2014. Early indications are that separations may exceed this figure and as a result, the Service is projecting favourable variance of \$1.0M. The Service will continue to re-evaluate the year-end estimate and any changes will be reported in future variance reports.

Premium Pay:

An over expenditure of \$1.0M is projected in the premium pay category.

Expenditure Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Court	\$12.3	\$2.6	\$12.3	\$0.0
Overtime	\$4.6	\$1.1	\$4.9	(\$0.3)
Callback	\$8.7	\$1.8	\$9.4	(\$0.7)
Lieutime Cash Payment	<u>\$20.0</u>	<u>\$3.9</u>	<u>\$20.0</u>	<u>\$0.0</u>
Total Premium Pay	<u>\$45.6</u>	<u>\$9.4</u>	<u>\$46.6</u>	<u>(\$1.0)</u>

* Approx. \$0.7M is attributed to grant-funded expenditures (revenue budget has been increased by same amount)

Additional premium pay is incurred as units address critical workload issues resulting from a significant number of civilian staff vacancies across the Service. Overtime and callbacks are required to ensure deadlines are met, to maintain service excellence to customers, to ensure risk is mitigated and additional hard dollar costs are avoided. As vacancies are filled, the Service will place less reliance on premium pay. At this time, the projected premium variance has not been offset by a corresponding savings in civilian salaries as there was a significant gapping reduction already included in the 2014 operating budget.

The Service continues to strictly monitor and control premium pay. Overtime is authorized by supervisory personnel based on activities for protection of life (i.e., where persons are at risk), protection of property, processing of arrested persons, priority calls for service (i.e., where it would be inappropriate to wait for the relieving shift), and case preparation (where overtime is required to ensure court documentation is completed within required time limits). It must be noted that premium pay is subject to the exigencies of policing and uncontrollable events can have an impact on expenditures.

Benefits:

A net zero variance is projected in the benefits category.

Expenditure Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Medical / Dental	\$39.2	\$6.6	\$39.2	\$0.0
OMERS / CPP / EI / EHT	\$122.9	\$33.8	\$122.9	\$0.0
Sick Pay / CSB / LTD	\$17.3	\$5.6	\$17.3	\$0.0
Other (e.g., WSIB, life ins.)	<u>\$13.0</u>	<u>\$2.1</u>	<u>\$13.0</u>	<u>\$0.0</u>
Total Benefits	<u>\$192.4</u>	<u>\$48.1</u>	<u>\$192.4</u>	<u>\$0.0</u>

The budget for Medical/Dental is based on the costs of drugs and services, dental fee schedule, utilization rates and administrative fees. The 2014 cost estimates for drugs and dental services were based on the average increase experienced over the last four years. In 2013, the Service observed a marked decline in the increase for these benefits. This was reflected in the 2014 request and therefore 2014 spending will be monitored closely to ensure these trends continue.

Historically, the expenditures for the Central Sick Bank are funded through draws from a reserve, and this reserve is funded through budgeted contributions equal to 1/6 of 1% of salaries plus the value of the EI rebate. At the time of budget development for 2014, a small 2013 year-end reserve balance had been projected. Final 2013 year-end entries have resulted in a \$0 balance for this reserve, and a potential \$0.4M pressure in 2014. Expenditures will be monitored to see if this potential pressure changes during the year.

Materials and Equipment:

A net zero variance is projected in this category.

Expenditure Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Vehicles (gas, parts)	\$13.2	\$3.6	\$13.2	\$0.0
Uniforms	\$3.8	\$3.3	\$3.8	\$0.0
Other Materials	\$4.6	\$1.9	\$4.6	\$0.0
Other Equipment	<u>\$2.1</u>	<u>\$0.6</u>	<u>\$2.1</u>	<u>\$0.0</u>
Total Materials & Equipment*	<u>\$23.7</u>	<u>\$9.4</u>	<u>\$23.7</u>	<u>\$0.0</u>

* Approx. \$0.1M is attributed to grant-funded expenditures (revenue budget has been increased by same amount)

The Service obtains gasoline through consolidated procurement with the City. The budget for gasoline is based on the cost per litre as provided by City Finance. At this time, no variance from budget is projected. Gas prices have been lower than budgeted in the early part of the year and the Service may experience a favourable price variance. However, gas prices can fluctuate significantly. Therefore, this account will continue to be monitored closely.

Services:

A net zero variance is projected in this category.

Expenditure Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Legal Indemnification	\$0.6	\$0.0	\$0.6	\$0.0
Uniform Cleaning Contract	\$1.3	\$0.0	\$1.3	\$0.0
Courses / Conferences	\$1.4	\$0.2	\$1.4	\$0.0
Clothing Reimbursement	\$1.6	\$0.0	\$1.6	\$0.0
Computer / Systems Maintenance	\$12.1	\$8.4	\$12.1	\$0.0
Phones / cell phones / 911	\$5.6	\$1.1	\$5.6	\$0.0
Reserve contribution	\$38.3	\$0.0	\$38.3	\$0.0
Caretaking / maintenance utilities	\$19.2	\$0.0	\$19.2	\$0.0
Other Services	<u>\$18.8</u>	<u>\$8.2</u>	<u>\$18.8</u>	<u>\$0.0</u>
Total Services	<u>\$98.9</u>	<u>\$17.9</u>	<u>\$98.9</u>	<u>\$0.0</u>

The City provides caretaking and maintenance services for the Service, and administers the Service's utility costs. During the 2014 operating budget process, City and Service staff reviewed the costs for all facilities in detail and, taking into consideration appropriate service levels for caretaking and maintenance, as well as historical spending for utilities, reduced the 2014 budget request by \$1.3M. Service and City staff will closely monitor expenditures and service levels during the year to ensure this spending level is not exceeded and service levels remain unchanged.

Revenue:

A net zero variance is projected in this category.

Revenue Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Recoveries from City	(\$21.7)	(\$9.0)	(\$21.7)	\$0.0
CPP and Safer Comm'y grants	(\$17.4)	\$0.0	(\$17.4)	\$0.0
Other Gov't grants	(\$24.1)	\$0.0	(\$24.1)	\$0.0
Fees (e.g., paid duty, alarms, ref.)	(\$11.4)	(\$1.6)	(\$11.4)	\$0.0
Secondments	(\$4.0)	(\$1.1)	(\$4.0)	\$0.0
Draws from Reserves	(\$18.5)	\$0.0	(\$18.5)	\$0.0
Other Revenues (e.g., pris return)	(\$32.9)	(\$1.9)	(\$32.9)	\$0.0
Total Revenues	(\$130.0)	(\$13.6)	(\$130.0)	\$0.0

Conclusion:

As at March 31, 2014, the Service is projecting a net zero variance. Expenditures and revenues will continue to be closely monitored throughout the year.

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

The Board approved the foregoing report.

Moved by: F. Nunziata

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

**#P123. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
OPERATING BUDGET VARIANCE REPORT FOR THE PERIOD
ENDING MARCH 31, 2014**

The Board was in receipt of the following report April 28, 2014 from William Blair, Chief of Police:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE
SERVICE PARKING ENFORCEMENT UNIT – PERIOD ENDING MARCH
31, 2014

Recommendations:

It is recommended that the Board forward a copy of this report to the City of Toronto's (City) Deputy City Manager and Chief Financial Officer for information and for inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

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

Background/Purpose:

The Toronto Police Service Parking Enforcement Unit (PEU) operating budget is not part of the Toronto Police Service's (Service) operating budget. While the PEU is managed by the Service, the PEU's budget is maintained separately in the City's non-program budgets. In addition, revenues from the collection of parking tags issued accrue to the City, not the Service.

The Board, at its November 7, 2013 meeting, approved the PEU 2014 operating budget at a net amount of \$44.6 Million (M) (Min. No. P256/13 refers). Subsequently, Toronto City Council, at its January 30, 2014 meeting, approved the Service's 2014 operating budget at the same amount.

The purpose of this report is to provide information on the PEU 2014 projected year-end variance as at March 31, 2014.

Discussion:

The following chart summarizes the variance by category of expenditure.

Category	2014 Budget (\$Ms)	Actual to Mar 31/14 (\$Ms)	Year-End Actual Expend (\$Ms)	Fav/(Unfav) (\$Ms)
Salaries	\$28.77	\$6.45	\$28.77	\$0.00
Premium Pay	\$2.71	\$0.36	\$2.71	\$0.00
Benefits	\$7.05	\$1.11	\$7.05	\$0.00
Total Salaries & Benefits	\$38.53	\$7.92	\$38.53	\$0.00
Materials	\$1.62	\$0.17	\$1.62	\$0.00
Equipment	\$0.05	\$0.00	\$0.05	\$0.00
Services	\$5.78	\$0.75	\$5.31	\$0.47
Revenue	(\$1.35)	\$0.00	(\$1.35)	\$0.00
Total Non-Salary	\$6.10	\$0.92	\$5.63	\$0.47
Total Net	\$44.63	\$8.84	\$44.16	\$0.47

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

As at March 31, 2014, a favourable variance of \$0.47M is projected to year end. Details are discussed below.

Salaries & Benefits (including Premium Pay):

No variance is projected in salaries and benefits at this time. PEU schedules one recruit class per year and hires the appropriate number of officers to ensure that, on average, it is at its full complement of officers during the year. The size of the recruit class is based on projected separations in 2014. Current trends indicate that the 2014 attrition will be greater than the budgeted amount. As a result, PEU may be scheduling its 2014 class earlier in the year than planned to ensure the average complement of officers engaged in enforcement duties is maintained.

Nearly all premium pay at the PEU is related to enforcement activities, attendance at court and the backfilling of members attending court. With respect to enforcement activities, premium pay is utilized to staff special events or directed enforcement activities. The opportunity to redeploy on-duty staff for special events is minimal, as this will result in decreased enforcement in the areas from which they are being deployed. Directed enforcement activities are instituted to address specific problems. All premium pay expenditures are approved by supervisory staff and carefully controlled. No premium pay variance is projected at this time.

Non-salary Expenditures:

The Parking Enforcement East (PKE) and Parking Headquarters Management (PHQ) operation will be relocating from its current leased facility to the Progress Avenue site. The current PKE and PHQ lease has a five-year term, expiring June 30, 2014. At the time of budget preparation, the exact move date was not confirmed and therefore, the 2014 lease budget was not reduced.

The substantial completion of the space for Parking Enforcement at 330 Progress Avenue is now scheduled for May 12, 2014, at which time fit up of the space will commence, followed by the move and decommissioning of the leased facility. City of Toronto Real Estate, on behalf of the Service, has negotiated a two-month extension to the lease at a cost comparable to the existing rent of approximately \$50,000 per month. The cost of the lease extension will be accommodated within the capital project. PKE and PHQ are working with members of the Service's Facilities Management and Information Technology Services to plan the move to the new facility by the end of July. The project is at the finishing stage of construction and the furniture has been ordered. The entire move is planned to be completed by the end of July. As a result, PEU is projecting a favourable variance of \$0.47M in its facility lease budget.

No other variances are projected at this time.

Conclusion:

As at March 31, 2014, the PEU operating budget is projected to be \$0.47M under spent at year end.

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

The Board approved the foregoing report.

Moved by: F. Nunziata

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

**#P124. TORONTO POLICE SERVICE – CAPITAL BUDGET VARIANCE
REPORT FOR THE PERIOD ENDING MARCH 31, 2014**

The Board was in receipt of the following report April 28, 2014 from William Blair, Chief of Police:

Subject: 2014 CAPITAL BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE – PERIOD ENDING MARCH 31, 2014

Recommendations:

It is recommended that the Board receive this report and forward a copy of this report to the City's Budget Committee and to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

The Council-approved net budget for 2014 is \$14.3 million (M) and, including the 2013 carry forward, the net available funding in 2014 is \$21.4M.

As at March 31, 2014, the Toronto Police Service (Service) is projecting total net expenditures of \$13.1M compared to \$21.4M in available funding (a spending rate of 61%). The projected under-expenditure for 2014 is \$8.3M of which \$6.9M will be carried forward to 2015. The remaining \$1.4M projected surplus will be returned back to the City. The projected surplus is for the Property and Evidence Management Facility (\$809,000) and Parking East Facility (\$600,000) projects which are expected to be completed below budget.

Background/Purpose:

At its meeting of November 7, 2013, the Toronto Police Services Board (Board) approved the Service's 2014-2023 Capital Program (Min. No. P257/13 refers). Toronto City Council, at its meeting of January 30, 2014, approved the Service's 2014-2023 Board-approved Capital program. Attachment A provides a summary of the Board and Council approved program.

This capital variance report provides the status of projects as at March 31, 2014.

Discussion:

Summary of Capital Projects:

Attachment B provides a status summary of the on-going projects from 2013 as well as three projects that started in 2014. Any significant issues or concerns have been highlighted below in the “Key Highlights/Issues” section of this report.

Key Highlights/Issues:

As part of its project management process, the Service has adopted a colour code (i.e. green, yellow or red) to reflect the health status of capital projects. The overall health of each capital project is based on budget, schedule and scope considerations. The colour codes are defined as follows:

- Green – on target to meet project goals (scope/functionalities), and on budget and schedule;
- Yellow – at risk of not meeting certain goals, some scope, budget and/or schedule issues, and corrective action required; and
- Red – high risk of not meeting goals, significant scope, budget and/or schedule issues, and corrective action required.

The following provides summary information on key projects within the 2014-2023 Capital Program. Summary information includes status updates as at the time of writing this report.

- Property and Evidence Management Facility (\$39.3M)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	GREEN

This project provides funding for a new property and evidence management (P&EM) facility which is expected to meet the Service’s property and evidence storage requirements for the next 25+ years. The main P&EM facility is complete and P&EM members have been operating out of the new facility since September 2013. A Vehicle Pound, heating and air conditioning enhancements, additional racking and other minor work within the scope of the project are being priced and will commence in the second quarter of 2014. It is anticipated that this project will be under budget by \$0.8M, due to lower-than-anticipated construction costs. This amount will be returned to the City at the end of 2014.

- Parking Enforcement East (\$9M)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	GREEN

This project provides funding to relocate the Parking Enforcement East (PKE) and Parking Headquarter Management (PHQ) operation from its current leased facility to the Progress Avenue site. The current PKE and PHQ lease has a five-year term, expiring June 30, 2014.

The original substantial completion date was April 30, 2014. However, due to unanticipated issues, the construction was delayed by two weeks and now is scheduled for substantial completion on May 12, 2014. The original substantial completion date was an aggressive one, as it included little time to fit up the space with computer, data, equipment and other necessary infrastructure to facilitate operations. City of Toronto Real Estate, on behalf of the Service, has negotiated a two-month extension to the lease at a cost comparable to the existing rent of approximately \$50,000 per month which will be accommodated within the capital project. Extending the existing lease by two months was considered the most viable option as it reduced operational disruption at a cost lower than setting up an alternative facility. PKE and PHQ are working with members of Facilities Management (FCM) and Information Technology Services (ITS) to plan the move to the new facility. The project is at the finishing stage of construction and the furniture has been ordered. The entire move is planned to be completed by the end of July.

The project is currently expected to be completed below budget by \$600,000 due to lower than anticipated construction cost.

- IRIS – Integrated Records and Information System (\$23.4M)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	GREEN

This project provides funding for the implementation of Versadex, a commercial off-the-shelf (COTS) integrated records and information system, and the core operations system for the Service. eJust is an Electronic Disclosure System (EDS) that is part of the IRIS project, and will help reduce time spent on manual/paper preparation of court disclosure documents.

The full implementation for Versadex and eJust was completed on November 5, 2013, and the Service is continuing with stabilization/production support efforts including retraining members, variance corrections, and refining processes with stakeholders, where necessary.

Work being performed in 2014 will largely focus on:

- Refining processes and corresponding support documentation;
- Forming, and transitioning the project to, a permanent Business Change Management team;
- Preparing work plans for deferred scope items such as court-side prisoner management and property management;
- Ensuring reliable business analytics and reports;
- Development of crime analysis and mapping tools; and
- Closeout reporting including benefits realization.

It is anticipated that work with respect to ensuring reliable business analytics and reports, and the development of crime analysis and mapping tools, may continue into 2015. This work may require a maximum of five contractors in 2015. Notwithstanding this possible cost, the project is projecting a \$1.4M surplus at the end of the project. Future capital variance reports will identify if there are any changes to these estimates.

- Peer to Peer Site (\$18.8M)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	N/A

This project provides funding for a new Peer to Peer facility. The Service’s current peer to peer data centre is co-located with the City’s main data centre in a City-owned and managed facility. The current location has space and power requirement issues which put this mission-critical facility at risk. The Service is subject to limitations in the current facility which impairs current operations and future growth requirements. Also, the current line of site distance from the primary site at Headquarters is 7 km, significantly less than the industry standard minimum of 25 kilometers.

The Board requested TPS to seek out what other organizations are doing to manage their disaster recovery and continuity of operations. It is anticipated that a report in this regard will be provided to the Board’s May 15, 2014, meeting. Based on the result of that meeting, next steps will be determined.

- State of Good Repair (\$4.6M in 2014 – ongoing)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	GREEN

This project, managed by the Service’s Facilities Management (FCM) Unit, provides funds to maintain the interior of Police-occupied buildings. Due to a staffing shortage, and the need to provide considerable support to the IRIS project, some of the work scheduled for 2013 was deferred or not completed. As the staff shortage will continue to be an issue in 2014 until all vacancies are filled, the 2014 project plan, which includes 2013 projects that must be completed, was adjusted to reflect current capacity. As a result, from the available funding of \$7.1M, it is anticipated that \$2.6M will be carried forward to 2015.

- 52 Division Renovations (\$8.3M)

Overall Project Health Status	
Current	Previous Variance Report
YELLOW	N/A

This project provides funds for the renovation of 52 Division. Due to a staffing shortage in the Service's FCM Unit, the project will have a delayed start, since the consultant selection will not occur until the 3rd quarter of 2014. As a result, it is anticipated that only \$50,000 will be spent in 2014, with the remaining balance of \$2.9M being carried forward to 2015.

- Vehicle and Equipment Lifecycle Replacements

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement's operating budgets. The Reserve has no impact on the Capital Program and does not require debt funding. Items funded through this Reserve include the regular replacement of vehicles, furniture and information technology equipment.

The projected under-spending of \$2.9M is primarily due to lower than anticipated expenditures for server replacement, information technology business resumption and locker replacement. This under-spending will be carried forward to 2015.

Conclusion:

As of March 31, 2014, the Toronto Police Service (Service) is projecting total net expenditures of \$13.1M compared to \$21.4M in available funding (a spending rate of 61%). The projected under-expenditure for 2014 is \$8.3M of which \$6.9M will be carried forward to 2015. The remaining \$1.4M projected surplus will be returned back to the City.

In all instances, project managers monitor projects status and expenditures very closely. Any opportunity to accelerate work plans will be taken.

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

The Board approved the foregoing report.

Moved by: F. Nunziata

REVISED 2014-2023 CAPITAL PROGRAM REQUEST (\$000s) - NOVEMBER 7, 2013

Attachment A

Project Name	Plan to end of 2013	2014	2015	2016	2017	2018	Total 2014-2018 Request	2019	2020	2021	2022	2023	Total 2019-2023 Forecast	Total 2014-2023 Program	Total Project Cost
Projects In Progress															
State-of-Good-Repair - Police	0	4,594	4,469	4,601	4,600	4,200	22,464	4,200	4,200	4,200	4,200	4,200	21,000	43,464	43,464
Parking East	4,358	4,642	0	0	0	0	4,642	0	0	0	0	0	0	4,642	9,000
IRIS - Integrated Records and Information System	18,493	4,866	0	0	0	0	4,866	0	0	0	0	0	0	4,866	23,359
Total, Projects In Progress	22,851	14,102	4,469	4,601	4,600	4,200	31,972	4,200	4,200	4,200	4,200	4,200	21,000	52,972	75,823
Upcoming projects															
54 Division (includes land)	0	0	6,966	7,884	17,825	3,622	36,296	0	0	0	0	0	0	36,296	36,296
HRMS Upgrade	0	360	761	0	0	0	1,121	0	378	799	0	0	1,177	2,298	2,298
TRMS Upgrade	0	0	600	3,522	0	0	4,122	0	0	0	630	3,698	4,328	8,450	8,450
Peer to Peer Site	0	250	2,295	8,650	6,455	1,100	18,750	0	0	0	0	0	0	18,750	18,750
52 Division - Renovation	0	2,948	5,352	0	0	0	8,300	0	0	0	0	0	0	8,300	8,300
41 Division (includes land)	0	0	0	372	9,282	19,050	28,705	10,224	0	0	0	0	10,224	38,929	38,929
Expansion of Fibre Optics Network	0	0	0	0	0	0	0	881	4,785	6,385	0	0	12,051	12,051	12,051
Radio Replacement	0	0	0	13,913	2,713	3,542	20,168	2,478	4,093	5,304	4,480	0	16,354	36,523	36,523
TPS Archiving	0	0	0	0	750	0	750	0	0	0	0	0	0	750	750
32 Division - Renovation	0	0	0	0	4,990	1,997	6,987	0	0	0	0	0	0	6,987	6,987
13 Division (includes land)	0	0	0	0	0	372	372	8,645	19,753	10,159	0	0	38,556	38,928	38,928
AFIS (next replacement)	0	0	0	0	0	3,053	3,053	0	0	0	0	0	0	3,053	3,053
Business Intelligence Technology	0	0	336	500	2,741	4,623	8,200	0	0	0	0	0	0	8,200	8,200
Electronic Document Management	0	0	50	450	0	0	500	0	0	0	0	0	0	500	500
Next Generation 911	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
55 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	8,300
22 Division - Renovation	0	0	0	0	0	0	0	0	0	0	0	3,000	3,000	3,000	8,300
Relocation of PSU	0	0	0	0	0	0	0	0	0	0	500	7,400	7,900	7,900	13,048
Relocation of FIS	0	0	0	0	0	0	0	0	0	0	0	1,000	1,000	1,000	60,525
Total, Upcoming Capital Projects:	0	3,558	16,360	35,292	44,755	37,359	137,324	22,227	29,009	22,647	5,610	18,098	97,591	234,915	310,188
Total Debt Funded Capital Projects:	22,851	17,660	20,829	39,893	49,355	41,559	169,296	26,427	33,209	26,847	9,810	22,298	118,591	287,887	386,010
Total Reserve Projects:	161,400	21,357	17,845	18,594	24,899	30,013	112,708	22,499	19,496	21,293	22,850	32,388	118,526	231,234	392,633
Total Gross Projects	184,251	39,017	38,674	58,487	74,254	71,571	282,003	48,926	52,705	48,140	32,660	54,686	237,117	519,121	778,644
Funding Sources:															
Vehicle and Equipment Reserve	(161,400)	(21,357)	(17,845)	(18,594)	(24,899)	(30,013)	(112,708)	(22,499)	(19,496)	(21,293)	(22,850)	(32,388)	(118,526)	(231,234)	(392,633)
Recoverable Debt	(2,800)	(1,598)	0	0	0	0	(1,598)	0	0	0	0	0	0	(1,598)	(4,398)
Funding from Development Charges	(13,751)	(1,725)	0	(3,572)	(14,125)	(5,020)	(24,442)	0	(10,126)	(5,255)	(500)	(5,938)	(21,819)	(46,261)	(60,012)
Total Funding Sources:	(177,951)	(24,680)	(17,845)	(22,166)	(39,024)	(35,033)	(138,748)	(22,499)	(29,622)	(26,548)	(23,350)	(38,326)	(140,345)	(279,093)	(457,043)
Total Net Debt-Funding Request:	6,300	14,337	20,829	36,321	35,230	36,539	143,256	26,427	23,083	21,592	9,310	16,360	96,772	240,028	321,600
5-year Average:							28,651						19,354	24,003	
City Target:		23,922	30,105	36,321	31,143	33,487	154,978	26,691	23,083	18,036	19,606	19,606	107,022	262,000	
City Target - 5-year Average:							30,996						21,404	26,200	
Variance to Target:		9,585	9,276	0	(4,087)	(3,052)	11,722	264	(0)	(3,556)	10,296	3,246	10,250	21,972	
Cumulative Variance to Target			18,861	18,861	14,774	11,722		11,986	11,986	8,430	18,726	21,972			
Variance to Target - 5-year Average:							2,344						2,050	2,197	

Note: Development Charges cashflow has been optimized for 2014-2023 program

2014 Capital Budget Variance Report as at March 31, 2014 (\$000s)

Project Name	Carry Forward from 2013	2014 Budget	Available to Spend in 2014	2014 Projection	Year-End Variance - (Over)/ Under	Total Project Budget	Total Project Cost (Projects)	Project Variance - (Over) / Under	Comments	Overall Project Health
Debt-Funded Projects										
<u>Facility Projects:</u>										
Property and Evidence Management Facility	2,253.5	0.0	2,253.5	1,445.0	808.5	39,286.8	38,477.8	809.0	Please refer to the body of the report.	Green
Parking East Facility	1,645.8	4,642.0	6,287.8	5,687.8	600.0	9,000.0	8,400.0	600.0	Please refer to the body of the report.	Green
<u>Information Technology Projects:</u>										
Integrated Records and Information System (IRIS)	674.7	4,866.0	5,540.7	4,133.1	1,407.5	23,359.0	21,959.0	1,400.0	Please refer to the body of the report.	Green
Peer to Peer Site	0.0	250.0	250.0	250.0	-				Please refer to the body of the report.	Green
HRMS Upgrade	0.0	360.0	360.0	360.0	-				Planning in progress. It is anticipated to be on time and on budget.	Green
<u>Replacements / Maintenance / Equipment Projects:</u>										
State-of-Good-Repair - Police	2,535.0	4,594.0	7,129.0	4,577.0	2,552.0	n/a	n/a	n/a	Please refer to the body of the report.	Green
52 Division Renovations	0.0	2,948.0	2,948.0	50.0	2,898.0				Please refer to the body of the report.	Yellow
Total Debt-Funded Projects	7,109.0	17,660.0	24,769.0	16,502.9	8,266.0					
<u>Lifecycle Projects (Vehicle & Equipment Reserve)</u>										
Vehicle Replacement	1,251.8	4,422.0	5,673.8	5,673.8	-	n/a	n/a	n/a	Please refer to the body of the report.	Green
IT-Related Replacements	8,483.6	13,609.0	22,092.6	20,189.5	1,903.1	n/a	n/a	n/a	Please refer to the body of the report.	Green
Other Equipment	778.5	3,326.0	4,104.5	2,719.2	1,385.4	n/a	n/a	n/a	Please refer to the body of the report.	Green
Total Lifecycle Projects	10,513.9	21,357.0	31,870.9	28,582.4	3,288.5					
Total Gross Expenditures:	17,622.9	39,017.0	56,639.9	45,085.4	11,554.5	Percent spent:		79.6%		
<u>Less other-than-debt funding:</u>										
Funding from Developmental Charges	0.0	-1,725.0	-1,725.0	-1,725.0	-	n/a	n/a	n/a		
Recoverable Debt - Parking East	-87.8	-1,598.0	-1,685.8	-1,685.8	-					
Vehicle & Equipment Reserve	-10,513.9	-21,357.0	-31,870.9	-28,582.4	-3,288.5	n/a	n/a	n/a		
Total Other-than-debt Funding:	-10,601.7	-24,680.0	-35,281.7	-31,993.3	-3,288.5					
Total Net Expenditures:	7,021.2	14,337.0	21,358.2	13,092.1	8,266.0	Percent spent:		61.3%		

Total Project Budget is adjusted for returned funds to the City in previous years

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

**#P125. RESPONSE TO CITY COUNCIL MOTIONS PERTAINING TO PAID
DUTIES**

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

Subject: RESPONSE TO CITY COUNCIL MOTIONS PERTAINING TO PAID DUTIES

Recommendations:

It is recommended that:

- (1) the Board receive this report for the information; and
- (2) the Board forward a copy of this report to the City Budget Committee as well as Deputy City Manager and Chief Financial Officer.

Financial Implications:

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

Background/Purpose:

At its meeting of January 16, 2014, the Board requested that the Chief of Police provide a report to the May meeting responding to the City's Budget Committee request for a briefing note on the annual costs incurred by the City of Toronto for paid duty officers and what initiatives have been taken to reduce the cost on the City's capital projects (Min. No. P7/14 refers).

Attached to this report is a briefing note responding to the Board's request.

Discussion:

On December 16, 2013, the Deputy City Manager and Chief Financial Officer submitted a letter to the Board outlining a number of motions adopted by the City of Toronto Budget Committee at its meeting on December 10, 11, 12 and 13, 2013 in relation to deliberations on the 2014 budget. One such motion was:

That the Chair, Toronto Police Services Board provide a briefing note on paid duty officers and how much it is costing the City on an annual basis and what initiatives have been taken to reduce the cost on our Capital projects.

As a result, the Board has requested the Chief of Police to provide this briefing note to the Board's May meeting.

Attached to this report is a briefing note, as requested.

Conclusion:

It is therefore requested that the Board receive this report for information and forward a copy to the City Budget Committee as well as Deputy City Manager and Chief Financial Officer.

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

The Board approved the following Motions:

- 1. THAT the Board and the Chief of Police, in consultation with the City of Toronto Economic Development & Culture Division, Emergency Medical Services Division, Parks, Forestry & Recreation Division, and Transportation Services Division, coordinate a public and stakeholder review of the policies governing requirements for paid duty officers at special events held within the city, including the new Toronto Police Service Staffing Matrix for special events, and report back to the Board at its meeting on July 17, 2014 with recommendations to:**
 - (a) ensure the preparation of integrated safety and security plans describing the role and responsibilities of Toronto Police Service on duty and paid duty officers, auxiliary members, and private security staff;**
 - (b) minimize the need for Toronto Police Service paid duty officers through alternative options such as the use of auxiliary members and private security at special events; and**
 - (c) ensure for large scale special events that the paid duty officers and auxiliary members on site have a sufficient degree of experience with similar scale events.**
- 2. THAT the Board request the Chief to ensure that, in future, the TPS will discuss with prospective paid duty clients, the conditions when paid duty officers may or may not be warranted to assist the requester in determining whether they wish to proceed with their request;**
- 3. THAT the public be allowed to provide input regarding paid duty;**
- 4. THAT the Board approve the foregoing report from the Chief; and**
- 5. THAT the Board establish a sub-committee to undertake the project set out in Motion No. 1 and that it would include Councillor Thompson, Councillor Del Grande and Mr. Pringle.**

Moved by: A. Pringle



Briefing Note: City of Toronto Paid Duties

Issue:

At its meeting of January 16, 2014, the Board requested that the Chief of Police provide a report to the May meeting responding to the City of Toronto's request for a briefing note on the annual costs incurred by the City of Toronto for paid duty officers and what initiatives have been taken to reduce the cost on the City's capital projects.

Background:

The *Police Services Act* restricts police officers from performing secondary activities, with one exception:

- ***Exception, Paid Duty***

- *Clause (1) (d) does not prohibit a member of a police force from performing, in a private capacity, services that have been arranged through the police force. R.S.O. 1990, c. P.15, s. 49 (2).*

As a result, the Chief of Police has authorized that paid duties be performed, the purpose of which is to:

- Increase public safety;
- Meet certain legislative requirements; and
- Make business and event organizers financially responsible for police resources they may require as a result of their activities.

A number of policing activities are performed as paid duties, including traffic and/or pedestrian control or security for various occurrences, as mandated by legislation or personal requirement. The City of Toronto engages in a number of activities that require the presence of paid duty officers. As an example, infrastructure work, construction activities and special events organized by City departments, Agencies, Boards and Commissions may occur on roads or in areas of the City governed by the *Highway Traffic Act*, requiring that paid duty officers be present when such work or activities occur. In addition, permit requirements, as established by City departments such as Transportation Services, instruct holders to hire paid duty officers before certain actions can occur.

In order to ensure the safety of the public or meet legislative requirements, the Toronto Police Service (Service) has worked with City of Toronto divisions to establish permit criteria for the use of paid duty officers. In all instances, the Service makes recommendations when paid duty officers are needed. However, it is ultimately the City of Toronto that determines the final permit conditions.

Who is the customer for the Toronto Police Service?

The Service centralized the order intake for paid duties in 2003, requiring that customer requests be submitted to the Central Paid Duty Office (CPDO). CPDO reviews customer requests, makes arrangements for prepayment of accounts if customers were considered a high collection risk and assigns the paid duty to the “host” division, based on the geographic location of the paid duty. In all cases, the “customer” is recognized as the organization or individual submitting the request. The customer is required to provide additional information (if necessary), authorize the request form and pay the officers and administrative fee invoice on time. There could be many instances where the organization submitting the request is doing so on behalf of another organization. For example, a contractor may be submitting a request on behalf of a developer for a construction project. Although the developer may ultimately provide full reimbursement to the contractor for all costs, if the contractor submits the request for paid duty officers to the Service, the contractor is recognized as the “customer”. In all such cases, the Service is not aware of whose behalf that contractor is acting.

City of Toronto Paid Duties:

Paid duty requests can be received from City departments and ABC’s directly, or indirectly through other agents as noted above. As the Service recognizes the “customer” as the requesting party, no information is captured relating to who that customer is performing work for. Therefore, information on City paid duties is limited to where the department or ABC is the “customer”.

The following chart shows paid duty costs incurred directly by City departments and ABC’s between 2010 and 2013. In addition, the chart also shows the paid duties ordered by the City electrical infrastructure contractors, which are assumed to be entirely related to City work.

TORONTO POLICE SERVICE				
PAID DUTIES (INCLUDING 15% ADMIN COST)				
	2010 Cost	2011 Cost	2012 Cost	2013 Cost
BIAs	\$ 135,673	\$ 130,067	\$ 123,715	\$ 113,249
TRANSPORTATION	\$ 6,877	\$ 23,398	\$ 897	\$ 1,346
WATER	\$ 52,101	\$ 34,236	\$ 35,806	\$ 31,022
CNE (no longer part of City as of April 1, 2013)	\$ 452,314	\$ 519,288	\$ 500,154	\$ -
TTC	\$ 417,479	\$ 434,746	\$ 545,301	\$ 574,080
CITY - OTHERS	\$ 69,370	\$ 48,140	\$ 44,327	\$ 59,576
CITY - PAID DUTY ACCOUNTS	\$ 1,133,814	\$ 1,189,875	\$ 1,250,200	\$ 779,273
CONTRACTORS				
STACEY ELECTRIC	\$ 1,433,032	\$ 1,333,615	\$ 1,236,440	\$ 138,811
GUILD ELECTRIC	\$ -	\$ -	\$ -	\$ 520,260
	\$ 1,433,032	\$ 1,333,615	\$ 1,236,440	\$ 659,071
GRAND TOTAL	2,566,846	2,523,490	2,486,640	1,438,344
Notes:				
Cost = Paid duty hours x \$65 x 1.15 for Admin fee.				
HST is not included in this analysis for comparative purposes.				
Vehicles are not included - amount immaterial.				

The above costs relate solely to paid duty costs where the City department or ABC is the “customer”. Where a request was made by a City agent or contractor on behalf of the City for capital or other work, no information can be provided as this information is not gathered by the Service.

New Paid Duty System:

In March, 2014, the Service will implement a new paid duty system, which will alter the way that paid duties are distributed. A number of process changes will also be implemented, accompanied by new forms and information requirements from and back to customers. As a result of requests for information from the City, a “City of Toronto” button has been added to the request form and the system to allow CPDO to gather information, where the contractor or agent has provided it, for paid duties requested “on behalf of the City of Toronto”. This will enable the CPDO to provide the City with a report, when requested, that allows the City to reconcile back to their contractor and agent relationships and contracts. It is important to note that as requests are e-mailed into CPDO, this information can only be captured if City agents provide it on the request form. Therefore, it is imperative that all City departments and ABC’s communicate this requirement to any organizations they are contracting with.

Paid duty costs and City capital projects:

The Service responds to paid duty requests submitted by customers. When requests are received, CPDO and home units scrutinize the requests to ensure that they are performed for permitted duties only and that the number of officers present does not risk public or officer safety. The

Service does not question the requestor on why a paid duty is required nor who is ultimately paying the bill related to the project that the paid duty officer was hired for. As a result, the Service cannot directly impact the cost of City capital projects where paid duties were requested by agents working on behalf of the City. It is ultimately the responsibility of City departments and ABC's to manage all costs incurred for capital projects, including those related to paid duties. In a letter to the City Manager from the Chief of Police, dated September 11, 2012, the City Manager was advised that the management of paid duty needs is not the Service's responsibility but rather, that of the City department or ABC placing a direct or indirect order.

However, where the Service is consulted prior to permit issuance by the City, paid duties are recommended only where there is a legislative requirement or a significant public safety risk.

Conclusion:

The *Police Services Act* allows the Chief of Police to approve policing services in a private capacity, hence the provision of "paid duties" to customers. Since 2010, costs associated with requests made directly by City departments and ABC's have decreased. However, the Service does not gather information related to paid duties ordered by organizations acting on behalf of the City. The Service considers legislative requirements and public safety needs when making recommendations to the City for mandatory paid duties related to permits. However, the Service does not question any customer, including City departments and ABC's from ordering officers for approved paid duty when they simply wish to have them present at a location or event.

To assist the City in reconciling costs for paid duties from contractors or other agents, the new request form, to be rolled out with the new system in March, 2014, will allow contractors, at their discretion, to communicate that they are making the request on behalf of the City. Provided the contractor indicates in their paid duty request that the work is for City departments or ABC's, the Service can provide paid duty costs to the City.

For further information, please forward requests to:

Sandra Califaretti
Director, Finance & Business Management
Toronto Police Service
416-808-7877
Sandra.califaretti@torontopoliceservice.on.ca

Date: February 17, 2014

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

**#P126. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION: APPOINTMENT**

The Board was in receipt of the following report April 07, 2014 from William Blair, Chief of Police:

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

Recommendation:

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

Financial Implications:

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

Background/Purpose

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

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

The Service received a request from the TCHC, dated November 20, 2013, to appoint the following individual as a special constable:

Stephen Newberry

Discussion:

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

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

The TCHC has advised that the individual satisfies all of the appointment criteria as set out in the agreement between the Board and the TCHC for special constable appointment. The TCHC's approved strength of special constables is 83; the current complement is 73.

Conclusion:

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

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

The Board approved the foregoing report.

Moved by: F. Nunziata

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TORONTO POLICE SERVICES BOARD HELD ON MAY 15, 2014**

#P127. IN-CAMERA MEETING – MAY 15, 2014

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

The following members attended the in-camera meeting:

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

Absent: Dr. Dhun Noria

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#P128. ADJOURNMENT

Alok Mukherjee
Chair