



Public Meeting

**Thursday,
January 26, 2023
at 9:00AM**



PUBLIC MEETING AGENDA
Thursday, January 26, 2023 at 9:00AM
Livestreaming at <https://youtu.be/Gz1QMlrt7YQ>

Call to Order

Indigenous Land Acknowledgement

Declarations of Interest under the [Municipal Conflict of Interest Act](#).

Chief's Monthly Verbal Update

1. Confirmation of the Minutes from the meeting held [December 16, 2022](#) and of the special public Board meeting held on [January 9, 2023](#).

Presentation and Items for Consideration

2. **Update on MOU and Working Partnership with MCIS**
 - 2.1 **[The Mending a Crack in the Sky Project Presentation](#)**
 - 2.2 January 11, 2023 from Ryan Teschner, Executive Director and Chief of Staff
Re: [Special Fund Request: Research project for Midaynta Community Services and Mending a Crack in the Sky](#)
3. January 6, 2023 from Myron Demkiw, Chief of Police
Re: [Senior Officer Uniform Promotions](#)
4. December 22, 2022 from Myron Demkiw, Chief of Police
Re: [Special Constable Appointments and Re-Appointments – January 2023](#)

Consent Agenda

5. January 19, 2023 from Myron Demkiw, Chief of Police
Re: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Mr. Marc Ekamba

6. **Central Joint Health and Safety Committee Meeting Minutes**
 - 6.1 August 29, 2022 from Central Joint Health and Safety Committee
Re: Public Minutes of Meeting No. 79 held on August 29, 2022

 - 6.2 November 7, 2022 from Central Joint Health and Safety Committee
Re: Public Minutes of Meeting No. 80 held on November 7, 2022

 - 6.3 December 12, 2022 from Central Joint Health and Safety Committee
Re: Public Minutes of Meeting No. 81 held on December 12, 2022

7. **Chief's Administrative Investigation Reports**
 - 7.1 December 20, 2022 from Myron Demkiw, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.25

 - 7.2 December 20, 2022 from Myron Demkiw, Chief of Police
Re: Chief's Administrative Investigation into the Alleged Sexual Assault of Complainant 2022.26

 - 7.3 December 20, 2022 from Myron Demkiw, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.29

 - 7.4 December 20, 2022 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Death of Complainant 2022.30

8. **Election of Interim Chair and Vice-Chair**

Board to convene in a Confidential meeting for the purpose of considering confidential items pertaining to legal and personnel matters in accordance with Section 35(4) of the *Police Services Act*

Adjournment

Next Meeting

Regular Board Meeting

Thursday, March 2, 2023

Hybrid Board Meeting – at Police Headquarters, 40 College Street or virtually via WebEx

Members of the Toronto Police Services Board

Ainsworth Morgan, Chair

Lisa Kostakis, Member

Lily Cheng, Member & Councillor

Frances Nunziata, Vice-Chair & Councillor

Ann Morgan, Member

Vincent Crisanti, Member & Councillor



MCIS PRESENTATION

January 26, 2023

THE MENDING A CRACK IN THE SKY PROJECT

[Back to Agenda](#)

WHAT IS MENDING A CRACK IN THE SKY?

"If People Come Together, They Can Even Mend A Crack In the Sky"- Somali Proverb



Mending a Crack in the Sky(MCIS) is a three-phase community healing initiative that was developed to address youth violence in the greater Toronto area. The program was developed in partnership with Midaynta Community Services.

This dynamic program consists of a dedicated group of mothers who are passionate about creating safe spaces to heal and engaging in transformative community change and activism. The core group comprises Somali mothers who have lost their loved ones due to violence in the community.

The group also consists of additional community members and leaders who support the mothers in reaching their goals.

MENDING A CRACK IN THE SKY



Mending a Crack in the Sky (MCIS) has organized an unprecedented program to provide immediate support to youth and families impacted by gun violence.

- MCIS creates safe spaces to heal and leads a community healing action plan
- In response to the high rate of violence in the northwest neighbourhoods of Toronto, MCIS organized a Mothers' Healing Initiative in partnership with the Project Turn program to connect youth and the wider community to enhance their participation in safety efforts, connectivity, and gang violence prevention.

MEMORANDUM OF UNDERSTANDING

The Toronto Police Service released the final report from their transformational Task Force on January 26th, 2017. The Transformational Task Force was created due to Toronto police recognizing that Service delivery needed to be updated to reflect the growing community in Toronto. As a result of the Transformational Task Force report, Midaynta Community Services was the only group in the community that pushed for the transformational task force to be more known in the community, and the motion for the MOU was pushed forward by representative Ken Jeffers.

At the July 2019 Toronto Police Board Services meeting, the Mending A Crack in the Sky, Mother Outreach Workers, presented to the board, outlining challenges that the Somali-Canadian community in the northwest part of the city is facing. Moreover, the group also presented opportunities for collaboration and innovation with Police Board Services and MCIS to work together to build trust and address key concerns and challenges. The group highlighted three core elements that they want to directly collaborate on: A) Transparency, B) Building Trust and C) Community Safety.

CORE ELEMENTS

The board approved a motion following this meeting that prompted the development of a Memorandum of Understanding (MOU). The MOU was established to form an unprecedented formal and equal partnership between the board, TPS and Midaynta. The MOU was officially approved on December 16th, 2019 and officially signed on February 8th, 2020 at a formal ceremony hosted by Midaynta Community Services. The MOU term is in effect from January 1st, 2020 to December 31st, 2021. Due to Covid-19 the MOU has been pushed back for one more year, hence it is effect from January 1st, 2020 to December 31st, 2022.

Core Element One: Increasing Transparency and Understanding through the Service's Implementation of the Scorecard Initiative

Core Element Two: Building Trust through Integrated Collaboration with Divisions and Neighbourhood Community Officers (NCOs)

Core Element Three: Enhancing Community Safety through the Implementation of the Mothers Outreach Worker (MOW) Program

CORE ELEMENT UPDATES

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CORE ELEMENT 1: SCORECARD

Core Element One: Increasing Transparency and Understanding through the Service's Implementation of the Scorecard Initiative

The purpose of the Scorecard initiative was to investigate the experiences and perceptions of policing amongst the Somali community.

Midaynta had reached out to the Munk School of Global Affairs regarding the survey portion. They have collected a series of previous surveys to build a baseline and collaborated with the Research and Ethics Board at the University of Toronto to see what the budget would look like. U of T received approval to start from the Ethics committee. The Munk School of Global Affairs will conduct interviews and focus groups with community members starting with the mothers.

With the lack of existing research into the Somali community and relations with the police, this Scorecard initiative seeks to examine closely how the Somali community in Toronto has been impacted through years of violence and trauma. This unprecedented research will provide future recommendations and evidence for necessary improvements in strategy through the focus groups and one on one sessions.

CORE ELEMENT 2: MCIS AND NCO MEETINGS

Core Element Two: Building Trust through Integrated Collaboration with Divisions and Neighbourhood Community Officers

Successes:

- The strengthening of the trust and relationship between the NCO officers and the community members. Learning about the various programs and services being offered in the divisions by the NCOs.
- Knowledge exchange occurs during these meetings.
- Sharing the latest news in the community with the NCOs and how we can improve the six Divisions (12, 13, 22, 23, 31, 32).

Challenges :

- Trying to inform the community members the benefits of these division meetings and that they shouldn't have any worries or fear of attending these meetings for fear of being affiliated to the NCOs and MCIS for fear of the community to judge them.
 - They feel that partaking in these meetings can be a risk for them the community can view them as an ally to the police without understanding that these meetings provide a lot of benefits to the residents that they get equipped with various useful information that they can implement in their lives and in their communities.
-

CORE ELEMENT 3: THE MOTHERS OUTREACH WORKER PROGRAM

Core Element Three: Enhancing Community Safety through the implementation of the Mother Outreach Worker (MOW) Program.

Success:

- The MOWs were able to outreach successfully to a number of community members and get them engaged in the work that they are doing.
- MOWs supported in the de-escalation and conflict resolution on multiple incidences through rapport build with NCO's through community engagement sessions with the 6 divisions which has helped to increase trust within the community.
- MOWs had the opportunity to facilitate speaking engagement in multiple different community, academic spaces.

Challenges:

- The MOWs are still operating as a volunteer group despite the excessive amount of work they have done. MOWs still find it difficult to support their own families and must also pay for other costs like transportation and expenses linked to their role.
-

THE SCORECARD INITIATIVE UPDATES



Progress:

- Signing of the MOU gave the greenlight for the start of the Scorecard initiative.
- Meetings with stakeholders and community members to design a culturally sensitive and responsive research plan.
- Completion of design of the research project alongside the Munk School of Global Affairs
- We are currently recruiting Mothers Around the GTA alongside The Munk School of Global Affairs to share their experiences with the police.

Next Steps:

- Setting up dates for focus groups and one on one interviews being conducted by the research group at The Munk School of Global Affairs

TESTIMONIALS FOR THE MENDING A CRACK IN THE SKY PROJECT

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TESTIMONIAL 1:

There was an incident the involved a family that had called police to report a missing child. When police arrived, 30 police cruisers attended the residence complex. When police approached the family dwelling, the police were able to identify some of the MCIS mothers who were also present providing community supports to the family. Subsequently, a mother from the (MCIS) group was able to intervene and provide translation services between police and the family. The MCIS collaborative approach and working relationships with NCOs and Police played a role in bridging the communication between both parties. The family had, prior to police arriving, mentioned that they did not feel comfortable talking to police because of past negative interactions. Despite these grievances, MCIS mothers provided the family reassurances that they have great working relationships with NCOs and ensured a respectful interaction would be experienced. Although language was a barrier, MCIS mothers through probing questions to Police and the family, was able to ascertain that the kidnapping was a false report. The child was safe and was with the grandmother. The allegation with respects to kidnap had stemmed from domestic dispute. The MCIS mothers also used the incident as a learning opportunity to educate the family about the risks associated with false reporting and how these kind of false reports take away from important community service calls.



TESTIMONIAL 2:



"Prior to working with the NCOs through the NCO community meetings I never had a positive relationship with the police. Whenever I interacted with the police, it was always a negative interaction. I was never comfortable meeting officers or getting to know officers, it was difficult to even start sitting in on MCIS meetings at the beginning. Initially, I felt that the officers were only there for information gathering but the more I attended, and the more I got to know the NCOs, I understood that they were there for us and to support us. "

Munira

LOOKING TOWARDS THE FUTURE

The work of the Mother Outreach Workers and the Mending a Crack in the Sky team has shown the clear need for the work being done in the community. This unprecedented model has been tested and proved to show the impact that it has had upon the Somali community and highlights the need to continue the program.

While the COVID pandemic did put constraints on the work able to be done in person in the community, the mothers worked tirelessly to help bring grief and trauma counselling and support to community members in need. This period of time also showed the determination of the MCIS team to follow through with their commitment to the goals of the MCIS project.

Looking towards the future, the work of the MCIS mothers will only continue to grow and expand as more connections are formed with not only the community and officers, but also with the greater African community and other stakeholders as well.



ASKS/RECOMMENDATIONS

1

Extend the MOU with MCIS for an additional two years.

2

Financial resources for the MOW program model

3

More community initiatives developed in partnerships with the NCO program in the six divisions



THANK YOU

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PUBLIC REPORT

January 11, 2023

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: Special Fund Request: Research project for Midaynta Community Services and Mending a Crack in the Sky

Purpose: Information Purposes Only Seeking Decision

Recommendation(s):

This report recommends that the Board:

1. approve an expenditure of \$25,000 from the Board's Special Fund to fund a research project for Midaynta Community Services and Mending a Crack in the Sky, as outlined in the attached proposal; and,
2. ratify the extension of the Memorandum of Understanding with Midaynta Community Services and Mending a Crack in the Sky.

Financial Implications:

The Board's Special Fund would be depleted in the amount of \$25,000. The Special Fund balance is approximately \$360,000, as of January 1, 2023.

Summary:

This report recommends approving an expenditure of \$25,000 from the Board's Special Fund, to fund the proposed Midaynta, MCIS and Munk School research project. Additionally, the report recommends the formal ratification of the extension of the Memorandum of Understanding (MOU) between Midaynta Community Services

(Midaynta) and Mending a Crack in the Sky (MCIS), to December 31, 2024 to address the time that has been lost to the complexities of the pandemic.

Discussion:

Background

Section 132(2) of the *Police Services Act* establishes that police boards have the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the police service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." In the case of the Board, the proceeds from such sales are placed into a fund known as the Special Fund.

The Board's Policy on the Special Fund outlines the criteria for the Board to support community safety and well-being initiatives, to which the proposed research project aligns.

Relevant Board Policies and Compliance

This report is in compliance with the requirements of the Board Special Fund Policy.

Discussion

On July 31, 2019, a group of Somali mothers from Midaynta Community Services (Midaynta) provided a presentation to the Board on their newly formed group "Mending A Crack in the Sky" (MCIS). The presentation was based on a Somali proverb that states that "if people come together, they can even mend a crack in the sky." This sentiment is the basis of a community-led action plan to address the alarming rates of youth violence among Somali-Canadian youth, which violence has increased community trauma and fragmentation. MCIS also views it as essential to form and enhance positive relationships with the Toronto Police Service (Service), and in particular, local Service divisions and units that serve and support the Somali community. Many of the mothers within MCIS have lost sons to gun violence in the Somali-Canadian community.

On Saturday, February 8, 2020, the Board joined with Midaynta Community Services in embarking on an unprecedented partnership through the official signing of a Memorandum of Understanding (MOU) to work together, alongside the Service and the Somali mothers of the MCIS initiative, to address matters of community trust and safety and to build meaningful partnerships between the Somali community and police officers in several Divisions across the Northwest area of Toronto.

Since the signing of the MOU, staff members of the Office of the Toronto Police Services Board, alongside members of the Service have met regularly with members of the MCIS collective – many of them being mothers, youth and community partners. The

Service has worked with the members of MCIS in the execution of the MOU, through regular division meetings, training opportunities, and partnership building efforts.

The original MOU was slated to expire on December 31, 2021, however, due to the lost time of the pandemic, in October 2021, the Board extended the MOU to December 31, 2022. Again, in our ongoing discussions with MCIS, it was identified that a further extension would be necessary in order to allow for the completion of the proposed research project, as well as to make up for the two years the global pandemic was at its height, and which significantly impacted both MCIS's and the Service's ability to engage in the specific work under the MOU. Given that the impact of the pandemic was beyond the parties' control and meant much of the work under the MOU was delayed, this extension would serve to put the parties back in the position that was always intended.

Special Fund Request

One aspect of the MOU is *Core Element One: Increasing Transparency and Understanding through the Service's Implementation of the Scorecard Initiative*. This element is focused on the development of a scorecard that will serve as an evaluative tool to assess the effectiveness of the work that occurs under the MOU, and the efforts of all parties to work collaboratively in addressing community trust and safety matters.

In support of the development of the scorecard, academics at the Munk School of Global Affairs and Public Policy (Munk School) are proposing a research project that would investigate experiences and perceptions of policing among the Somali community in Toronto. Through a number of interviews and focus groups, the Munk School will gather research and data that will underpin the development of a variety of aspects of the scorecard, including the questions that will be asked in the scorecard survey, identification of key indicators, and the ability to contextualise and interpret findings more accurately.

The cost of the research project will total \$30,000. It is recommended that the Board approve and contribute the maximum funding under the Board's Special Fund Policy - \$25,000.

Equity Analysis

This research project will have a **high positive** equity impact for members of the Somali community, which includes Canadians, persons who have immigrated, refugees and undocumented individuals, women, 2SLGBTQ+, persons with disabilities, vulnerable youth, and seniors. The data gathered in this research project will assist in the development of a community-focused scorecard, which is a core element of the MOU.

Conclusion:

It is recommended that the Board receive the attached report for consideration and approve the requested expenditure of \$25,000 from the Board's Special Fund to fund

the proposed Midaynta, MCIS and Munk School research project. Additionally, it is recommended that the Board formally ratify the extension of the MOU with Midaynta Community Services and Mending a Crack in the Sky.

Respectfully submitted,

Ryan Teschner
Executive Director and Chief of Staff

Contact

Danielle Dowdy
Senior Advisor, Strategic Policy and Stakeholder Relations
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PUBLIC REPORT

January 6, 2023

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

Subject: Senior Officer Uniform Promotions

Purpose: Information Purposes Only Seeking Decision

Recommendation(s):

This report recommends that the Toronto Police Services Board (Board) approve the eligibility list of 19 officers to the rank of Inspector as set out in this report under Appendix 'A'. The promotion appointment dates will be determined and announced via Routine Order at a future date.

Financial Implications:

There are no financial implications arising from the recommendation contained in this report. The Inspector positions cited in this report are approved positions within the Toronto Police Service's (Service) uniform establishment. Funds for filling these vacant positions are included in the Service's 2023 operating budget request.

Summary:

The purpose of this report is to recommend the eligibility list for promotion of 19 officers to the rank of Inspector as listed in Appendix 'A'. The officers were selected in accordance with the promotional process adopted by the Board for the rank of Inspector (Min. No. 49/01 refers).

Discussion:

Background

The promotional process was announced on October 25, 2022 through a Routine Order #2022.10.25-1165.

42 candidates submitted an application and resume outlining their qualifications. The qualifications included career history, education, awards and significant contributions to the Service and the community.

The applications were reviewed by their respective Unit Commanders and Staff Superintendents and a readiness recommendation was made to the Chief of Police for consideration.

37 candidates met the qualifications and were deemed ready by their respective Unit Commander and invited to participate in an interview process in early December 2022. The interviews were conducted by a Command Officer panel and included Chief James Ramer (now retired), Chief Designate Myron Demkiw (now Chief), Acting Deputy Chief Lauren Pogue, Acting Deputy Chief Pauline Gray, Interim Chief Administrative Officer Svina Dhaliwal and Chief Information Officer Colin Stairs.

Following the completion of the interview process, 19 candidates were selected. Appendix 'A' contains the Inspector eligibility list.

A check of internal references, including Professional Standards, Equity, Inclusion & Human Rights, Legal Services and Labour Relations, reveals no historic or current information on file indicating that the officers should not be recommended for promotion.

Relevant Board Policies and Compliance

The Board approved a Policy on Recruitment, Appointments and Promotions for Uniform and Civilian Members at its September 2021 meeting (Min. No. P2021-0927-3.0 refers). The Service has reviewed the Board Policy and is submitting this report in compliance with its requirements to provide socio-demographic information about applicants applying for, and who are successful in promotions, including race, gender-identity and other demographic information.

Socio-Demographic Highlights

This section highlights the socio-demographic information of the applicants and the candidates selected in this promotional process. Appendix 'C' contains the socio-demographic information of both the applicants and the candidates selected in this promotional process.

Key highlights include:

- The total years of service of the applicants was on average 24 years, including an average of 12 years of supervisory experience. The candidates selected for the promotion had an average of 25 years of service with 19 years of supervisory experience.

- Racially diverse candidates were under-represented in the final selection (36% of applicants self-identified as being racially diverse compared to 21% of successful candidates).
- 26% of successful candidates are female and they represented 14% of the applications received.
- Over one-quarter of the successful candidates (28%) indicated they are fluent in a second language other than English.
- 63% of successful candidates self-identified as having completed post-secondary education, with several indicating on-going studies.

The Service's executive leadership team, made up of the Command team, Staff Superintendents and Directors, are committed to debriefing with all unsuccessful candidates and providing developmental opportunities to strengthen their candidacy for future promotional processes.

Conclusion:

The Board is therefore being requested to approve the eligibility list of 19 officers to be promoted to the rank of Inspector as listed in Appendix 'A'.

The promotion appointment dates will be determined and announced via Routine Order at a future date.

Also attached to this report is Appendix 'B', which contains a brief biography for each of the candidates on the promotional list.

Ms. Svina Dhaliwal, Interim Chief Administrative Officer, will be in attendance to respond to any questions that the Board may have in regards to this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

Attachments:

Appendix A – List of Promotions to the Rank of Inspector
Appendix B – Biography of Candidates on Promotional List
Appendix C - Socio-Demographic Highlights

Appendix A

Promotions to the Rank of Inspector	
Name	Badge
Maher Abdel-Malik	7670
Jeffrey Bangild	5158
Robert Choe	5392
John (Jack) Crilly	5083
Roger Desrochers	5349
Keri Fernandes	8059
Ryan Forde	86872
Jack Gurr	5407
Michael Hayles	5009
Tricia Johnston	5058
Methodios Lioumanis	5363
Franco Mancuso	7761
Joseph Matys	7886
Chris McCann	99697
Michelle Olszewski	89887
Suzanne Redman	5567
Kristy Smith	99839
Peter Wehby	7965
Craig Young	6145

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting - January 26, 2023

Name, Rank and Badge No.: Maher ABDEL-MALIK, Detective Sergeant #7670

Unit: OCE-PAR: ROPE/Fugitive/Bail & Parole

Date Promoted to current rank: September 22, 2017

Length of Service: 23 Years, 4 Months

Career History:

Unit
Organized Crime Enforcement
Emergency Management & Public Order
Intelligence Services
32 Division
Hold Up Squad
Homicide Squad
55 Division
42 Division

Management and Supervisory Training:

Course
Senior Officer Training Day /Information Session
Leadership Training (Paul Butler Presentations, LLC)
FBI Introduction to Intelligence Theory & Application for Law Enforcement Supervisors
Change Management Certification
Leading People to Effectiveness (University of Waterloo)
Occupational Health and Safety for Supervisors

Post Secondary Certificates & Degrees:

Certificate / Degree
University of Toronto - Bachelor of Arts - Major in Criminology/Minor in Sociology/Minor in Philosophy (In Progress)
University of Waterloo - Leading People to Effectiveness (Certificate)

Awards:

Award	Date
Unit Commander Award	2022
Police Exemplary Service Medal	2020
Unit Commander Award	2016
Teamwork Commendation Award	2015
Unit Commander Award	2015
Unit Commander Commendation	2012
Unit Commander Commendation	2011
Unit Commander Award	2010
Unit Commander Commendation	2008
Unit Commander Award	2007
Unit Commander Award	2006
Teamwork Commendation Award	2006
Unit Commander Award	2006
Unit Commander Award	2005
Unit Commander Award	2004
Excellence Award	2001

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Jeffrey BANGILD, Detective Sergeant #5158

Unit: Professional Standards

Date Promoted to current rank: May 4, 2020

Length of Service: 25 years, 11 months

Career History:

Unit
Professional Standards
Toronto Police Operations Centre
Business Analytics
Intelligence Services
Toronto Drug Squad
14 Division
31 Division
52 Division
Toronto Police College

Management and Supervisory Training:

Course
Leadership in Police Organizations – International Association of Chiefs of Police
Advanced Leadership
Artificial Intelligence in Business Strategy
Police Services Act
Professional Development Day – FBI LEEDA
Teaching Effectiveness
Supervisory Leadership

Post Secondary Certificates & Degrees:

Certificate / Degree
University of Guelph Humber - Police Foundations
Humber College - Cyber Crime Specialist

Awards:

Award	Date
Unit Commander Award	2022
Unit Commander Award	2020
Unit Commander Award	2019
Police Exemplary Service Medal	2017
Unit Commander Award	2017
Unit Commander Award	2017
Unit Commander Award	2011
Unit Commander Award	2009
Unit Commander Award	2008
Teamwork Commendation Award	2007

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Robert CHOE, Detective Sergeant #5392

Unit: Specialized Operations Command

Date Promoted to current rank: June 7, 2021

Length of Service: 23 Years, 9 Months

Career History:

Unit
Specialized Operations Command
Homicide and Missing Persons Unit
14 Division
23 Division
Police Cadet-in-training

Management and Supervisory Training:

Course
Sexual Harassment, Supervisor
Incident Management System 200
Foundations of Leadership
Road to Mental Readiness, Supervisor
Health and Safety, Supervisor
Occupational Health and Safety, Supervisor
Supervisory Leadership – Humber College

Post Secondary Certificates & Degrees:

Certificate / Degree
McMaster University - Honours Bachelor of Arts, Humanities

Awards:

Award	Date
Police Exemplary Service Medal	2020

Teamwork Commendation Award	2019
Teamwork Commendation Award	2018
Unit Commander Commendation	2013
Unit Commander Commendation	2011
Service Award Commendation	2011
Unit Commander Award	2010
Unit Commander Commendation	2009
Unit Commander Award	2007
Unit Commander Award	2007
Unit Commander Award	2006
Teamwork Commendation Award	2003
Unit Commander Award	2003

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: John (Jack) CRILLY, Detective Sergeant #5083

Unit: 42 Division

Date Promoted to current rank: October 25, 2021

Length of Service: 26 Years, 3 Months

Career History:

Unit
42 Division – Detective Sergeant
Organized Crime Enforcement
Combined Forces Special Enforcement Unit
55 Division
54 Division
42 Division
54 Division

Management and Supervisory Training:

Course
Duty Senior Officer Training
Cyber Awareness for Senior Officers
Incident Management System 300
Incident Command 100
TPS Foundations of Leadership

Post Secondary Certificates & Degrees:

Certificate / Degree
Laurentian University - Bachelor Of Arts – Law and Justice

Awards:

Award	Date
Teamwork Commendation	2007
Unit Commander Commendation	2009
Unit Commander Commendation	2010

Unit Commander Award	2006
Unit Commander Award	2005

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Roger DESROCHERS, Detective Sergeant #5349

Unit: 13 Division

Date Promoted to current rank: May 4, 2020

Length of Service: 24 Years

Career History:

Unit
Toronto Police Operations Centre
13 Division
Intelligence Services
Drug Squad
54 Division
Drug Squad
43 Division
42 Division
Toronto Police College

Management and Supervisory Training:

Course
Advanced Leadership
Incident Management 100
Incident Management 200
Human Resource Management (University of Guelph)
Organization Behaviour (University of Guelph)
Supervisor Leadership – Part 1
Supervisor Leadership – Part 2
Supervisor Health and Safety

Post Secondary Certificates & Degrees:

Certificate / Degree
Guelph University - Bachelor of Applied Arts – Justice Studies
Centennial College - Diploma – Business
Seneca College Certificate – Law Enforcement Level 1 Honours

Awards:

Award	Date
Mind-fit Award	2021
Unit Commander Award	2020
Police Exemplary Service Medal	2019
Unit Commander Award	2017
Unit Commander Award	2014
Unit Commander Commendation	2013
Unit Commander Award	2012
Unit Commander Award	2010
Unit Commander Award	2006
Unit Commander Award	2004
Unit Commander Award	2003

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Keri FERNANDES, Staff Sergeant #8059

Unit: Homicide

Date Promoted to current rank: May 4, 2020

Length of Service: 22 Years

Career History:

Unit
Homicide and Missing Persons Unit
Sex Crimes Unit
55 Division
43 Division
41 Division
52 Division
42 Division
Toronto Police College

Management and Supervisory Training:

Course
FBI - LEEDA (Supervisory Leadership Institute)
Sexual Harassment - Supervisor
Advanced Leadership
Supervisor Leadership Part 1
Supervisor Leadership Part 2
OHS for Supervisors

Post Secondary Certificates & Degrees:

Certificate / Degree
Brock University - Bachelor of Arts English

Awards:

Award	Date
OHIA - Mike Matthews Award	2022
Police Exemplary Service Medal – 20 Year Bar	2020
Unit Commander Award	2019
Unit Commander Commendation	2016
Unit Commander Commendation	2015
Unit Commander Award	2014
Unit Commander Award	2013
Unit Commander Award	2012
Unit Commander Commendation	2011
Unit Commander Commendation	2010
Unit Commander Award	2004

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Ryan FORDE, Staff Sergeant #86872

Unit: 42 Division

Date Promoted to current rank: February 14, 2022

Length of Service: 24 Years, 6 Months

Career History:

Unit
42 Division
Intelligence Services
52 Division
13 Division
55 Division
Toronto Police College
Records Management Section

Management and Supervisory Training:

Course
Incident Management System 300
Incident Management System 200
Incident Management System 100
TPS Foundations of Leadership
Supervisory Leadership – Guelph/Humber

Awards:

Award	Date
Teamwork Commendation Award	2022
Unit Commander Award	2022
Unit Commander Award	2016
Unit Commander Award	2016
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2013
Unit Commander Commendation	2011
Unit Commander Award	2011

Unit Commander Award	2009
Unit Commander Award	2009
Unit Commander Award	2007
Unit Commander Award	2007
Unit Commander Award	2006
Unit Commander Award	2003
Unit Commander Commendation	2002

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Jack GURR, Detective Sergeant, #5407

Unit: 32 Division

Date Promoted to current rank: March 23, 2015

Length of Service: 23 Years, 9 Months

Career History:

Unit
Talent Acquisition
People and Culture
TPOC
14 Division
Integrated Records Information System (IRIS)
13 Division
Intelligence Services
32 Division
Public Safety Unit
12 Division
Peel Regional Police - 21 Division

Management and Supervisory Training:

Course
FBI – LEEDA – Executive Leadership
FBI – LEEDA – Command Leadership
FBI – LEEDA – Supervisory Leadership
FBI – LEEDA – Officer Support and Suicide Prevention
RCMP – Countering Violent Extremism
Incident Management 200
Public Order Commander
Paul Butler – Leadership Training
Leadership in Counter Terrorism (LinCT) – Symposium on Counter Terrorism
Supervisory Leadership - Humber College

Post Secondary Certificates & Degrees:

Certificate / Degree
University of Guelph - Bachelor of Applied Arts with Distinction – Justice Studies
Humber College - Honours Diploma – Police Foundations
Seneca College - Certificate – Law and Security

Awards:

Award	Date
Unit Commander Award for Fitness	2022/Multiple years
FBI LEEDA – Trilogy Award	2019
Unit Commander – Commendation	2017
Police Exemplary Service Medal – 20 Years	2017
Unit Commander Award	2015
Teamwork Commendation – TPSB	2013
Unit Commander Award	2013
Service Award Commendation	2012
Unit Commander Commendation	2011
Unit Commander Award	2008
Chief’s Excellence Award	2006
Service Award Commendation	2004
Police Officer of the Month	2003
Provincial Certificate of Commendation – St. John Ambulance	2002
Unit Commander Award	2001
PRP award for Impaired Driver Apprehensions	1998

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Michael HAYLES, Detective Sergeant #5009

Unit: 33 Division

Date Promoted to current rank: September 27, 2021

Length of Service: 27 Years

Career History:

Unit
32 Division
33 Division
Intelligence Services
51 Division
Corporate Communications
31 Division
Toronto Police College

Management and Supervisory Training:

Course
TPS Foundations of Leadership
Occupational Health & Safety for Supervisors
Supervisory Leadership –Guelph Humber

Post Secondary Certificates & Degrees:

Certificate / Degree
Wilfred Laurier University - Bachelor's of Arts/ Criminology (In Progress)

Awards:

Award	Date
Teamwork Commendation Award	2022
25 Year Service Watch Presentation	2021
Unit Commander Award	2020
Unit Commander Award	2017
Police Exemplary Service Medal	2016
Unit Commander Award	2016

Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2009
Unit Commander Award	2007
Unit Commander Award	2006
Unit Commander Award	2002
Unit Commander Award	2002
Unit Commander Award	2002
Unit Commander Award	2001
Unit Commander Award	2001
Service Award Commendation	2000
Teamwork Commendation Award	1999

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Tricia JOHNSTON, Detective Sergeant #5058

Unit: Professional Standards

Date Promoted to current rank: February 18, 2019

Length of Service: 27 Years

Career History:

Unit
Professional Standards
Public Safety Response Team
22 Division
52 Division
Toronto Police College

Management and Supervisory Training:

Course
Advanced Leadership Course
FBI – LEEDA (Command Leadership Institute)
Supervisor – Sexual Harassment
Supervisor Health & Safety
Supervisor – Occupational Health & Safety
Supervisory Leadership – Part 2
Supervisory Leadership – Part 1

Post Secondary Certificates & Degrees:

Certificate / Degree
Sheridan College - Law & Security

Awards:

Award	Date
Unit Commander Award	2022
Unit Commander award	2022
25 Year Service Watch	2021
Unit Commander Commendation	2019

Police Exemplary Service Medal – 20 Year Bar	2016
Unit Commander Award	2016
Unit Commander Award	2013
Unit Commander Award	2012
Unit Commander Commendation	2009
Unit Commander Award	2006
Unit Commander Award	2005
Service Award Commendation	2000

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Metodios LIOUMANIS, A/Inspector #5363

Unit: Toronto Police Operations Centre

Date Promoted to current rank: February 18, 2019

Length of Service: 24 years

Career History:

Unit
Toronto Police Operations Centre
Homicide and Missing Persons Unit
12 Division
Organized Crime Enforcement
31 Division

Management and Supervisory Training:

Course
Advance Leadership Course
Supervisory Leadership Part 1 and 2
Supervisor Workplace Harassment Training
Road to Mental Health Readiness Training
Gender Diverse Trans Inclusion Training
Incident Command
Paediatric Death Review Committee
Multi-Jurisdictional Major Case Manager
Professionalism in Policing Training
Occupational Health and Safety Training
Community Policing Level 3

Post Secondary Certificates & Degrees:

Certificate / Degree
Seneca College - Law and Security Diploma
Seneca College - Computer Applications

Awards:

Award	Date
National Criminal Justice - Child Homicide Investigation Recognition	2019
Unit Commander Award	2015
Unit Commander Award	2013
Unit Commander Award	2012
Unit Commander Award	2011
Unit Commander Award	2009
Teamwork Commendation Award	2007
Teamwork Commendation Award	2006
Teamwork Commendation Award	2005
Unit Commander Award	2003
Unit Commander Award	2003

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Franco MANCUSO, Detective Sergeant #7761

Unit: Organized Crime Enforcement - Drug Squad

Date Promoted to current rank: February 18, 2019

Length of Service: 22 Years, 10 Months

Career History:

Unit
Drug Squad
Combined Forces Special Enforcement Unit (CFSEU)
Intelligence Services
14 Division
Firearms Enforcement Unit
Organized Crime Enforcement - Guns and Gangs (Pilot Project)
13 Division

Management and Supervisory Training:

Course
Advanced Leadership Course
Supervisor Leadership

Awards:

Award	Date
Billy Bishop Award	2022
Teamwork Commendation Award	2022
Unit Commander Award	2022
Police Exemplary Service Medal – 20 Year Bar	2020
Commanding Officer's Commendation For Outstanding Service – RCMP	2019
Teamwork Commendation Award	2016
Unit Commander Award	2015
Service Award Commendation	2011
Teamwork Commendation Award	2006
Unit Commander Award	2006
Unit Commander Award	2006
Unit Commander Award	2006

Unit Commander Award	2005
Unit Commander Award	2005
Unit Commander Award	2004

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Joseph MATYS, Detective Sergeant #7886

Unit: Professionalism and Accountability

Date Promoted to current rank: May 4, 2020

Length of Service: 22 Years, 7 Months

Career History:

Unit
Professionalism and Accountability
Strategy and Risk Management
14 Division
Hold Up Squad
11 Division
51 Division
Toronto Police College
Peel Regional Police - 11 Division

Management and Supervisory Training:

Course
Indigenous Canada – University of Alberta
Advanced Communications Skills – Commanding Presence
Advanced Leadership Development – York Schulich
IACP – Leadership in Police Organizations
Exercising Leadership Foundations – Harvard University
Supervisor Sexual Harassment and Discrimination

Post Secondary Certificates & Degrees:

Certificate / Degree
University of Toronto - Honours Bachelor of Arts – Double Major - Criminology and History

Awards:

Award	Date
Unit Commander Commendation	2021

Police Exemplary Service Medal	2019
Canadian Bankers Law Enforcement Award	2018
Canadian Bankers Law Enforcement Award	2017
Unit Commander Award	2016
Unit Commander Award	2013
Unit Commander Commendation	2010
Unit Commander Commendation	2009
Unit Commander Commendation	2009
Unit Commander Award	2006
Unit Commander Award	2003
Unit Commander Award	2002

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Gary (Chris) MCCANN, Staff Sergeant #99697

Unit: 11 Division

Date Promoted to current rank: September 27, 2021

Length of Service: 25 Years, 1 Month

Career History:

Unit
11 Division
52 Division
14 Division
Court Officer

Management and Supervisory Training:

Course
Sexual Harassment - Supervisor
Occupational Health & Safety for Supervisors
Supervisor Leadership Part 1
Rogers Centre Training – Sergeants
ACC Paid Duty Training for Sergeants
Exhibition PD Training for Supervisors
Rogers Centre Training Sergeants
Live Nation Supervisor Training
Road 2 Mental Readiness Supervisor
Supervisor Leadership Institute – FBI LEEDA
IMS 300
Foundations of Leadership

Post Secondary Certificates & Degrees:

Certificate / Degree
Effective Teaching

Awards:

Award	Date
Ontario Fitness Award	2021
Unit Commander Award	2020
Police Exemplary Service Medal	2019
Ontario Fitness Award	2019
Unit Commander Award	2019
Unit Commander Award	2019
FBI-LEEDA Trilogy Award	2018
Ontario Fitness Award	2017
Ontario Fitness Award	2016
Ontario Fitness Award	2014
Ontario Fitness Award	2013
Unit Commander Award	2011
Unit Commander Award	2009
Unit Commander Award	2008
Unit Commander Award	2007
Unit Commander Award	2006
Unit Commander Award	2005
Service Award Commendation	2000
Police Officer of the Month	1999

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Michelle OLSZEWSKI, Detective Sergeant #89887

Unit: OCE - Gun and Gang Task Force & Centralized Shooting Response Teams

Date Promoted to current rank: June 7, 2021

Length of Service: 29 years and 5 months

Career History:

UNIT
Organized Crime Enforcement
31 Division
14 Division PRU
Toronto Police College
Parking Enforcement Unit (Civilian)
Duty Desk (Civilian)

Management and Supervisory Training:

Sexual Harassment - Supervisor Course
Foundations of Leadership
Supervisor HAS - in 5 steps
Supervisor Leadership – Part 1

Post Secondary Certificates & Degrees:

Certificate / Degree
Toronto Metropolitan University – Public Administration and Governance Certificate

Awards:

Award	Date
Unit Commander Award	2020
Teamwork Commendation Award	2020
OWLE-Bravery Award	2020
Unit Commander Award	2018
Unit Commander Award	2018

Unit Commander Award	2017
Police Exemplary Service Medal	2017
Unit Commander Award	2017
Unit Commander Award	2016
Teamwork Commendation Award	2016
Unit Commander Award	2016
Teamwork Commendation Award	2016
Unit Commander Award	2016
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Ontario Fitness Award	2013
Unit Commander Award	2012
Unit Commander Award	2012
Unit Commander Award	2010
Unit Commander Award	2009
Unit Commander Award	2006
Unit Commander Award	2006
Unit Commander Award	2006
Ontario fitness Award	1999
PC Training Top 25%	1997

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Suzanne REDMAN, Detective Sergeant #5567

Unit: 51 Division

Date Promoted to current rank: February 13, 2012

Length of Service: 33 Years, 1 Month

Career History:

Unit
51 Division
Traffic Services
43 Division
41 Division
Major Crime Task Force
55 Division
12 Division
Traffic Services
CO Bick College
Cadet-in-Training

Management and Supervisory Training:

Course
Sexual Harassment- Supervisor
Supervisor Leadership Institute - FBI LEEDA Level 1 and 2
IRIS Detective Sergeant Course
2013 Leadership Speaker Series Seminar
OMCM Detective Sergeant Course
Supervisor Level 1
Police Leadership – Humber College Diploma

Post Secondary Certificates & Degrees:

Certificate / Degree
Humber College – Diploma – Police Leadership Program
Guelph Humber University - Justice and Public Safety Degree – (In progress)

Awards:

Award	Date
Unit Commander Award	2022
30 Year Bar for Exemplary Service	2020
OWLE- 25 Year Service Award	2015
Unit Commander Award	2014
25 Year Services Watch Presentation	2014
Ontario Fitness Award	2014
Unit Commander Award	2011
Unit Commander Award	2010
Police Exemplary Service Medal	2009
Unit Commander Award	2008
Teamwork Commendation Award	2005
Teamwork Commendation Award	2005
Service Award Commendation	2004
Service Award Commendation	2003
Police Officer of the Month Award	2002
Investigative Commendation Award	2022
Service Pay Award	1999
Service Pay Award	1994
Merit Mark	1992

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Kristy SMITH, Staff Sergeant #99839

Unit: Toronto Police Operation Centre

Date Promoted to current rank: March 2, 2020

Length of Service: 23 Years, 11 Months

Career History:

Unit
Toronto Police Operations Centre
23 Division
Strategy Management Unit – Innovation Hub
22 Division
Toronto Drug Squad
14 Division

Management and Supervisory Training:

Course
Advanced Leadership Development
Foundations of Leadership
FBI - LEEDA (Executive Leadership Institute)
Incident Command - 200
Incident Management System 200
Change Management Certification

Post Secondary Certificates & Degrees:

Certificate / Degree
University of Guelph - Bachelor of Arts Justice Studies
Humber College - Diploma Police Foundations, Leadership

Awards:

Award	Date
Police Exemplary Service Medal – 20 Year Bar	2022
Unit Commander Award	2018
Unit Commander Award	2017

Unit Commander Commendation	2017
Unit Commander Award	2015
Unit Commander Commendation	2015
Unit Commander Award	2014
Teamwork Commendation Award	2012
Unit Commander Award	2012
Unit Commander Award	2011
Unit Commander Award	2010
Unit Commander Award	2008
Unit Commander Commendation	2007
Unit Commander Award	2006
Unit Commander Award	2006
Unit Commander Award	2005
Unit Commander Award	2003

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Peter WEHBY, Detective Sergeant #7965

Unit: Organized Crime Enforcement

Date Promoted to current rank: June 7, 2021

Length of Service: 22 Years, 3 Months

Career History:

Unit
Organized Crime Enforcement
Professional Standards
Intelligence Services
14 Division
Toronto Drug Squad
Toronto Police College

Management and Supervisory Training:

Course
Conducting Workplace Harassment Investigation – Supervisor
Sexual Harassment – Supervisor
TPS Foundations of Leadership
Fair and Impartial Policing Train and Trainer
Supervisor Leadership – Part 2
Supervisor Leadership – Part 1

Post Secondary Certificates & Degrees:

Certificate / Degree
Seneca College - Police Foundations
Microsoft Visual Basic - Microsoft Technical Education Center
Microsoft SQL Server - Microsoft Technical Education Center

Awards:

Award	Date
Unit Commander Award	2022
Unit Commander Award	2022

Police Exemplary Service Medal – 20 Year Bar	2021
Teamwork Commendation Award	2019
Teamwork Commendation Award	2019
Teamwork Commendation Award	2018
Teamwork Commendation Award	2018
Unit Commander Award	2016
Unit Commander Award	2016
Teamwork Commendation Award	2016
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Unit Commander Award	2014
Teamwork Commendation Award	2014
Police Officer of the Month	2013
Unit Commander Award	2006
Unit Commander Award	2005
Unit Commander Award	2004
Unit Commander Award	2003
Unit Commander Award	2002

RECOMMENDATION

Promotion to Inspector

Police Services Board Meeting – January 26, 2023

Name, Rank and Badge No.: Craig YOUNG, A/Inspector #6145

Unit: Toronto Police Operations Centre

Date Promoted to current rank: October 29, 2007

Length of Service: 34 Years, 10 Months

Career History:

Unit
Toronto Police Operations Centre
Forensic Identification Services
Emergency Management and Public Order
43 Division
42 Division
Intelligence Services
Corporate Planning
Special Investigation Services
41 Division
Operational Support Command
Traffic Services
Morality Bureau
52 Division

Management and Supervisory Training:

Course
Initial Critical Incident Response Command - Canadian Police College
Project Management
Public Order Commander
Planning and Management of Public Safety Events - CACP
Certificate in Business Continuity
Incident Management 300
Managing Your Budget
Leadership Development - FBI National Academy Associates
Advanced Leadership - Staff Sergeants
Occupational Health and Safety for Supervisors
Management Level 1 - Sergeants

Post Secondary Certificates & Degrees:

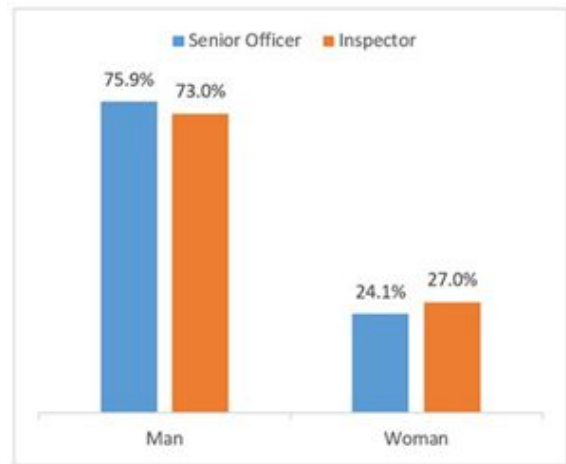
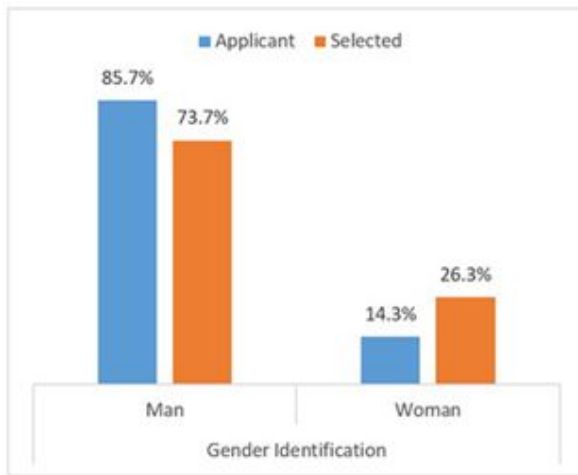
Certificate / Degree
University of Toronto - Bachelor of Arts

Awards:

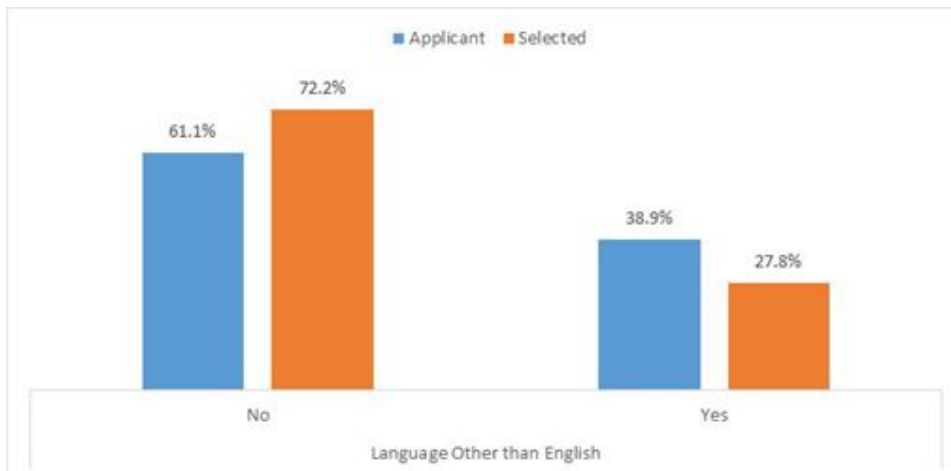
Award	Date
Police Exemplary Service Medal - Thirty Year Bar	2019
Unit Commander Commendation	2014
Unit Commander Commendation	2014
Unit Commander Award	2013
Unit Commander Commendation	2008
Teamwork Commendation	2005
Teamwork Commendation	2003
Unit Commander Award	2002
Teamwork Commendation	2001
Chief of Police Excellence Award	1999
Merit Mark	1988

Appendix C – Socio Demographic Highlights

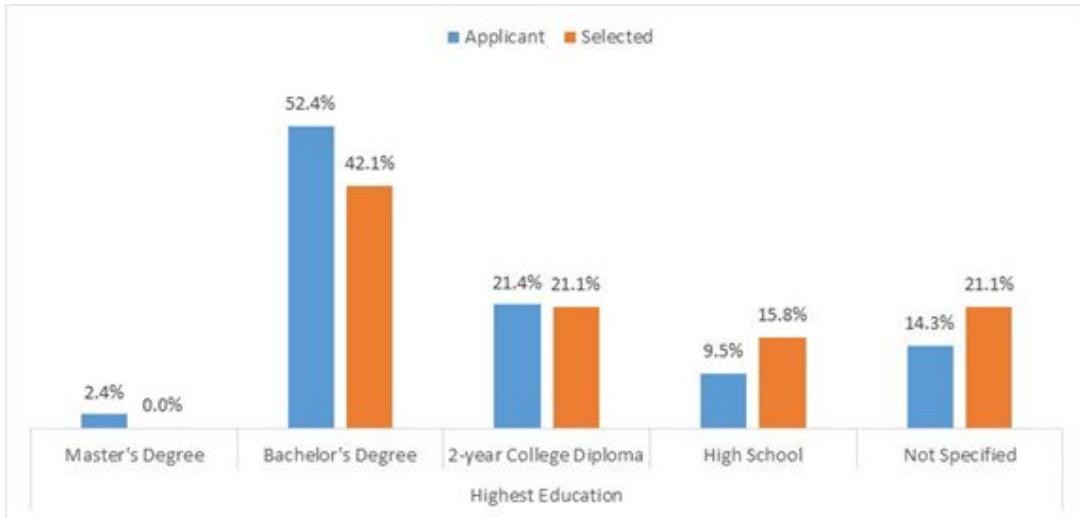
Gender Identification



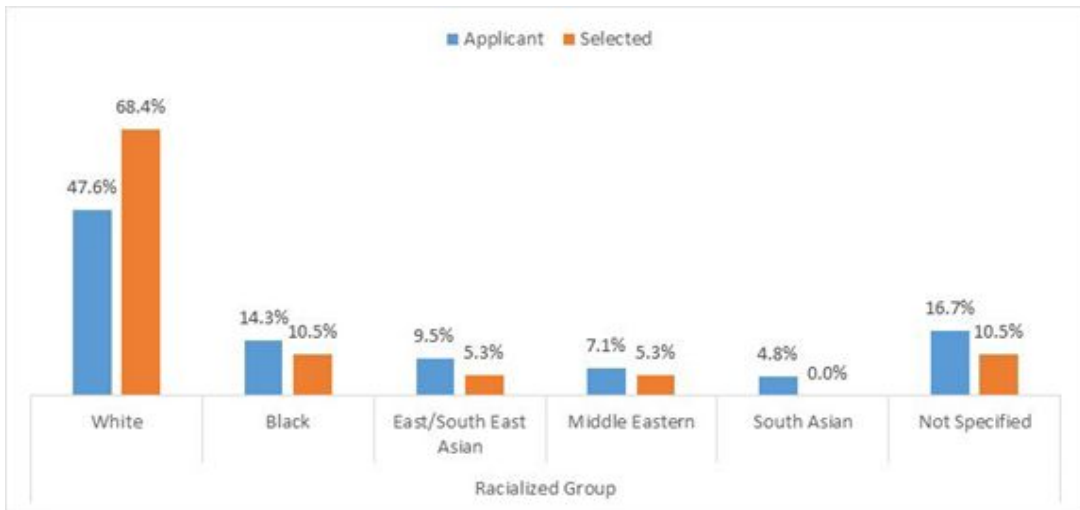
Additional Language(s) Spoken



Highest Education Level



Racial Background





PUBLIC REPORT

December 22, 2022

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

**Subject: Special Constable Appointments and Re-Appointments –
January 2023**

Purpose: Information Purposes Only Seeking Decision

Recommendation(s):

This report recommends that the Toronto Police Services Board (Board) approve the agency-initiated appointment and re-appointment requests for the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.), the Toronto Transit Commission (T.T.C.), and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General (Ministry).

Financial Implications:

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

Summary:

The purpose of this report is to seek the Board's approval for the agency requested appointment and re-appointment of special constables for the T.C.H.C., T.T.C., and U of T.

Discussion:

Background

Relevant Board Policies and Compliance

Under Section 53 of the *Police Services Act*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has agreements with T.C.H.C., T.T.C., and U of T governing the administration of special constables (Min. Nos. P153/02, P289/13 and P571/94 refer).

The Service received requests from T.C.H.C., T.T.C. and U of T to appoint the following individuals as special constables (Appendix 'A' refers):

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Current Expiry Date
T.C.H.C.	Byron HESSING	Re-Appointment	March 8, 2023
T.T.C.	Kulvinder Singh DHILLON	Re-Appointment	March 1, 2023
T.T.C.	Leslie Aaron KAMPF	Re-Appointment	March 1, 2023
T.T.C.	Sungmin KANG	Re-Appointment	March 1, 2023
T.T.C.	Michael MAGNAYE	Re-Appointment	March 1, 2023
T.T.C.	Onorio VITTI	Re-Appointment	March 1, 2023
U of T St. George Campus	Jane-Lauryn Oceanna DERY	Appointment	N/A

Special constables are appointed to enforce the *Criminal Code* and certain sections of the *Controlled Drugs and Substances Act*, *Trespass to Property Act*, *Liquor Licence & Control Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment and re-appointment as special constables. The Service's Talent Acquisition Unit completed background investigations on these individuals, of which the agencies are satisfied with the results. Re-appointments have been employed by their agency for at least one 5-year term, and as such, they are satisfied that the members have satisfactorily carried out their duties and, from their perspective, there is nothing that precludes re-appointment.

The agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their agreements with the Board. The T.C.H.C., T.T.C., and U of T's approved and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

Agency	Approved Complement	Current Complement
T.C.H.C.	300	169
T.T.C.	145 ¹	99
U of T St. George Campus	50	35

Conclusion:

The Service continues to work together in partnership with the T.C.H.C., T.T.C., and U of T to identify individuals to be appointed and re-appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on their respective properties within the City of Toronto.

Acting Deputy Chief Pauline Gray, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

Attachments:

1. TCHC Re-Appointment Request Letter
 2. TTC Re-Appointment Request Letter
 3. U of T St. George Campus Appointment Request Letter
-

¹ Compliment approved by Toronto City Council.

Toronto Community
Housing Corporation
931 Yonge Street
Toronto, ON
M4W 2H2



December 2, 2022

Special Constable Liaison Office
40 College Street
Toronto, Ontario
M5G 2J3

DELIVERED VIA ELECTRONIC MAIL

Re: Request for Toronto Police Services Board Approval for Appointment of Special Constables

In accordance with the terms and conditions set out in the Memorandum of Understanding between the Toronto Police Services Board and Toronto Community Housing, the Board is authorized to appoint special constables, subject to the approval of the Ministry of the Solicitor General.

The following individuals are fully trained, meeting all Ministry requirements, and have shown they possess the required skills and ability to perform at the level required to be a special constable. Both new appointments and re-appointments have undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks. Re-appointments have been employed by Toronto Community Housing for at least one 5-year term, and as such, we are satisfied that the members have satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Name	Type	Current Term Expiry
Byron HESSING	Re-Appointment	3/8/2023

It is requested that the Board approve this submission and forward the applicants to the Ministry of the Solicitor General for appointment of a five-year term.

Should you require any further information, please contact Kristina Seefeldt, Specialist-Compliance, Training & Quality Assurance at 416-268-8365.

Respectfully,



Allan Britton, Badge #31194
Acting Senior Director/Acting Chief Special Constable
Community Safety Unit

Toronto Community Housing
931 Yonge St, Toronto, ON M4W 2H2
T: 416 981-4116
torontohousing.ca

December 24, 2022
Sergeant Q. Yang
Special Constable Liaison Office
40 College Street
Toronto, Ontario
M5G 2J3

Sergeant Yang,

Re: Request for Toronto Police Services Board Approval for Reappointments of Special Constables for Members of the Toronto Transit Commission:

In accordance with the terms and conditions set out in the Memorandum of Understanding between the Toronto Police Services Board and the Toronto Transit Commission, the Board is authorized to appoint special constables, subject to the approval of the Ministry of the Solicitor General.

The following individuals are fully trained, meeting all Ministry requirements, and have shown they possess the required skills and ability to perform at the level required to be a special constable. Both new appointments and re-appointments have undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks. Re-appointments have been employed by the Toronto Transit Commission for at least one 5-year term, and as such, we are satisfied that the members have satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Name	Type	Current Term Expiry
Kulvinder DHILLON	Reappointment	March 1, 2023
Leslie Aaron KAMPH	Reappointment	March 1, 2023
Sungmin KANG	Reappointment	March 1, 2023
Michael MAGNAYE	Reappointment	March 1, 2023
Onorio VITTI	Reappointment	March 1, 2023

It is requested that the Board approve this submission and forward the applicants to the Ministry of the Solicitor General for appointment of a five-year term.

Should you require any further information, please contact me at 416-393-2107.

Respectfully,

Jaye Robinson, Chair
Joanne De Laurentis, Vice-Chair
Richard J. Leary, Chief Executive Officer

Brad Bradford, Commissioner
Shelley Carroll, Commissioner
Fenton Jagdeo, Commissioner
Cynthia Lai, Commissioner

Ron Lalonde, Commissioner
Jennifer McKelvie, Commissioner
Denzil Minnan-Wong, Commissioner
Julie Osborne, Commissioner



A handwritten signature in black ink that reads "Trevor Timbrell". The signature is written in a cursive style with a large initial 'T'.

Trevor Timbrell
Head (Acting),
Special Constable Service



University of Toronto
CAMPUS SAFETY
SPECIAL CONSTABLE SERVICE

21 Sussex Avenue, Suite 100, Toronto, Ontario M5S 1J8

Tel: (416) 978-2323 Fax: 416-946-8300

December 12, 2022

To: Special Constable Liaison Office

From: Michael Munroe

Subject: Request for Toronto Police Services Board approval for the Appointment of Special Constable

In accordance with the terms and conditions set out in the Agreement between the Toronto Police Services Board and the University of Toronto, the Board is authorized to appoint and re-appoint special constables subject to the approval of the Ministry of the Solicitor General.

The individual named below is fully trained, meeting all Ministry requirements, and has shown they possess the required skills and ability to perform at the level required to be a special constable. Both new appointments and re-appointments have undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks. Re-appointments have been employed by University of Toronto for at least one 5-year term, and as such, we are satisfied that the members have satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Name	Type	Current Term Expiry
DERY, Jane-Laurn	New Appointment	N/A

It is requested that the board approve this submission and forward the applicant to the Ministry of the Solicitor General for appointment of a five-year term.

Regards

M Michael Munroe – Director



Toronto Police Services Board Report

January 19, 2023

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

Subject: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Mr. Marc Ekamba

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

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

Financial Implications:

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

Background / Purpose:

A Coroner's inquest into the death of Mr. Marc Ekamba was conducted during the period May 16 to June 3, 2022. An interaction between Mr. Marc Ekamba and the Peel Regional Police Service on March 20, 2015 was the catalyst for this inquest. As a result of the inquest, the jury found the manner of death to be homicide and has made 35 recommendations. Recommendations 1 to 18 are directed to all police services in Ontario.

The purpose of this report is to inform the Board of the Toronto Police Service's (Service) review of the jury recommendations directed to all police services in Ontario for potential implementation.

The following is a summary of the circumstances of the death of Mr. Marc Ekamba and issues addressed at the inquest, as delivered by Dr. David Eden, Presiding Coroner.

Summary of the Circumstances of the Death:

Marc Boekwa Diza Ekamba, aged 22 years, died on March 20, 2015, following an interaction with Peel Regional Police. An inquest into his death was mandatory under the Coroners Act. An Ontario inquest is a public hearing which takes place before a jury. The purpose of an inquest is for the jury to hear evidence about the circumstances surrounding the death and to make findings of fact and possibly preventive recommendations. No one is on trial, there are no allegations to be proven or disproven, and no findings of law or blame are made.

Mr. Ekamba lived with his mother and his younger sister, then 16 years old, in a townhouse in a residential neighbourhood of Peel. His family had moved from the Democratic Republic of Congo, and their first language was French. Mr. Ekamba had attended post-secondary studies and had held some work positions. He and his mother were on Ontario Works benefits and were living in public housing. His sister was home-schooling as per her mother's direction, including attending some remote classes.

Prior to the events of March 20, 2015, Mr. Ekamba and his mother had sometimes behaved and spoken in a manner which appeared unusual and, at times unsettling to their neighbours. In hindsight, the unusual behaviour was likely consistent with mental illness. However, neither Mr. Ekamba nor his mother sought medical assistance, and there were no interactions with professionals which would have triggered a referral. Apart from an incident on March 16, 2015 (four days prior to Mr. Ekamba's death) neighbours did not believe the behaviour was sufficiently dangerous or bizarre for them to call police, and were not aware of other resources, such as mental health teams.

On March 16, 2015, Neighbour 'A' called the police to complain that Mr. Ekamba's mother had threatened her following a dispute about the neighbour's cat straying on to the Ekamba's front yard. Police attended and spoke to the neighbour, and Mr. Ekamba and his mother. The attending officers formed the view that both Mr. Ekamba and his mother were experiencing delusions arising from mental illness. The officers spoke to the neighbour about the potential for laying criminal charges, seeking a court order or taking a report to record the events for future reference. Neighbour 'A' advised the police that she was content with a report being taken.

On March 20, 2015, events substantially escalated. Mr. Ekamba and his mother made verbal death threats against Neighbour 'B', who was sweeping a common area outside the houses. Mr. Ekamba's mother threw a knife towards Neighbour 'B', which did not strike her. The incident was filmed, in part, from an upstairs window. Neighbour 'B' withdrew to her house, locked the door, and called police. Police dispatch took the report and advised her that police response would be delayed because of a large number of emergency calls.

Police arrived approximately 6.5 hours after the initial non-emergency call. Three officers entered the home of Neighbour 'B' and viewed the video of the incident. They

then went to Mr. Ekamba's home with the intention of arresting him and his mother and charging them with the criminal offence of uttering threats.

Mr. Ekamba came to the door to speak with police. At the time, his mother was boiling some water in the kitchen using a cooking pot. When the officers attempted to arrest Mr. Ekamba, this immediately led to a physical altercation between Mr. Ekamba and the three officers. Mr. Ekamba's mother came out of the house and struck an officer on the head with the pot, after which she was restrained by officers.

During the altercation, Mr. Ekamba stabbed two officers with a knife that he had concealed. He was pepper sprayed and managed to evade the police and run to the back of the townhouse complex. He returned shortly thereafter, likely to assist his mother, who was calling out for help. He approached an officer running while holding the knife in a manner interpreted by the officers as threatening death or serious bodily harm.

Mr. Ekamba ignored commands to stop and drop the knife, and all three officers fired a total of 19 shots from their handguns, of which 11 struck Mr. Ekamba. He collapsed to the ground, still holding the knife tightly. Emergency Medical Services (Ambulance) attended, pronounced Mr. Ekamba dead at the scene, and transported other injured persons to hospital for treatment. One police bullet struck and entered the body of Neighbour 'C', who was standing in the kitchen of her home.

During the discharge of firearms, another police bullet struck one of the officers but was intercepted by a ballistic vest. Both the officer and Neighbour 'C' sustained serious but non-life threatening injuries, which continue to cause them serious physical and psychological complications.

The Special Investigations Unit ("SIU"), which reviews deaths due to police actions, conducted an investigation and did not lay charges. The coroner also investigated and an autopsy was conducted, which showed that Mr. Ekamba died of rapidly and irreversibly fatal multiple gunshot wounds.

Expert psychiatric opinion

An expert in Forensic Psychiatry provided fact evidence to the jury. He was briefed on the facts of the case and the evidence presented to the jury. He reviewed the Ontario Review Board rulings concerning Mr. Ekamba's mother, including the likely psychiatric diagnosis.

The expert explained the diagnosis documented in ORB documents to the jury. Mr. Ekamba and his mother, both previously well, had jointly developed a rare mental disorder known as "folie à deux." In this disorder, two or more people share the same thought disorder. It usually involves two people in a close relationship, one of whom first exhibits the mental disorder, after which the other also manifests it.

Mr. Ekamba and his mother shared a delusion that he was king of the world, and that his throne had been stolen from him by others. Both thought that others wished to cause them harm, and that they needed to defend themselves, by lethal force, if necessary. Mr. Ekamba and his mother, in the weeks prior to Mr. Ekamba's death, had discussed killing Neighbour 'B', as well as staging a confrontation with police during which force would be used. The expert explained that, in such cases, the perceived threat might be from any person, including children or other bystanders. Paranoid delusions can develop quietly. The first interaction with police and other professionals may be an episode of agitation and paranoia, as in this case.

Alternative Responses to Persons in Crisis

The jury also heard evidence that Peel Regional Police has teams which respond to mental health crises, including Crisis Outreach and Support Team ("COAST") and Mobile Crisis Rapid Response Team (MCRRT) Units. These units partner police officers with mental health workers. For safety reasons, these teams are not dispatched until the scene is safe for the mental health workers' attendance. The situation here involved a person with mental disorder who had inflicted wounds using an edged weapon. Mental health teams would not have been allowed to respond until the danger had been managed.

Edged weapons

The jury heard expert fact evidence from an emergency room physician and trauma team leader. Edged weapons, which include but are not limited to knives, kill more Canadians than guns. Where they do not kill, they can inflict serious injuries causing lifelong disability. Relatively short blades, of five cm (two inches or less) length, can inflict serious wounds which can be rapidly fatal, despite immediate interventions.

Police training

The jury heard fact evidence from a trainer at the Ontario Police College, where police officers receive initial and ongoing training. The trainer explained that officers are taught the Ontario Use-of-Force Model, which provides overall guidance to police on dealing with a situation in which use of force may be required. The Model is not prescriptive, that is, it does not provide explicit instructions for every possible situation. Instead, it provides a structured, practical set of principles which officers can understand and rely upon in situations that involve considerable stress, evolve rapidly, and often last only a few seconds. While de-escalation is taught to officers as the preferred approach and is implicit in the Model, de-escalation is not explicitly listed (see Appendix 'B'). The witness also testified that a knife could inflict serious or fatal injuries on an officer. Service vest and clothing are not protective against an edged weapon. The length of the knife is not a significant factor. Kitchen knives, such as the one used in this incident, can and do inflict fatal wounds by opening major blood vessels which are close to the skin surface, for instance in the neck or thigh.

Effects on Survivors

The jury heard compelling evidence from the sister of the deceased, the bystander who was struck by the stray police bullet, the injured officers, and others who witnessed and

were profoundly affected by these events. The circumstances surrounding Mr. Ekamba's tragic death led not only to the loss of a son and brother, but to lifelong psychological and physical injuries to these persons and many others.

Discussion:

Strategy Management (S.T.M) – Governance was tasked with preparing responses to the jury recommendations directed generally to all police services in Ontario, as contained in the Coroner's Inquest into the death of Mr. Marc Ekamba.

Service subject matter experts from the Equity, Inclusion and Human Rights Unit, Communications Services Unit, Community Partnership and Engagement Unit, Toronto Police College, and the Service Mental Health Liaison contributed to the responses contained in this report.

For the purposes of reporting the Service's responses, a chart summarizing the status of each recommendation with a comprehensive response is attached to this report (See – Appendix B).

Conclusion:

As a result of the Coroner's inquest into the death of Mr. Marc Ekamba and the subsequent eighteen jury recommendations directed to all police services in Ontario, a review of Service governance, training and current practices has been conducted.

In summary, the Service concurs with recommendations 1 through 18. These recommendations have been implemented and are incorporated into current practices, Service procedures and training.

Staff Superintendent Rob Johnson, Strategy Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

Attachments:

Appendix A – Jury Verdict & Recommendations – Ekamba Inquest

Appendix B – Toronto Police Service Response to Ekamba Inquest Recommendations

VERDICT EXPLANATION

Inquest into the Death of Marc Boekwa Diza EKAMBA

**Dr. David Eden, Presiding Officer
May 16 – June 3, 2022
Virtual Inquest**

OPENING COMMENT

This verdict explanation is intended to give the reader a brief overview of the circumstances surrounding the death of Marc Ekamba along with some context for the recommendations made by the jury. The synopsis of events and comments herein are based on the evidence presented and written to assist in understanding the jury's basis for the recommendations.

PARTICIPANTS

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Inquest Investigator and Constable:	Det. Heather Readman Inquest Unit, Office of the Chief Coroner 25 Morton Shulman Avenue, Toronto, ON M3M 0B1
Recorder:	Massimo Pimentel Lynus D'Cruze Makenzie Chan Inquest Unit, Office of the Chief Coroner 25 Morton Shulman Avenue, Toronto, ON M3M 0B1

Parties with Standing¹:

Represented by:

Family of Mr. Ekamba

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¹ Suzan Zreik, represented by counsel Michael Moon, applied for and was granted standing prior to the inquest. Ms. Zreik withdrew from standing prior to the first day of evidence, and did not take part in the inquest other than as a witness.

SUMMARY OF THE CIRCUMSTANCES OF THE DEATH

Marc Boekwa Diza Ekamba, aged 22 years, died on March 20, 2015, following an interaction with Peel Regional Police. An inquest into his death was mandatory under the *Coroners Act*. An Ontario inquest is a public hearing which takes place before a jury. The purpose of an inquest is for the jury to hear evidence about the circumstances surrounding the death and to make findings of fact and possibly preventive recommendations. No one is on trial, there are no allegations to be proven or disproven, and no findings of law or blame are made.

Events Prior to Death

Mr. Ekamba lived with his mother and his younger sister, then 16 years old, in a townhouse in a residential neighbourhood of Peel. His family had moved from the Democratic Republic of Congo, and their first language was French. Mr. Ekamba had attended post-secondary studies and had held some work positions. He and his mother were on Ontario Works benefits and were living in public housing. His sister was home-schooling as per her mother's direction, including attending some remote classes.

Prior to the events of March 20, 2015, Mr. Ekamba and his mother had sometimes behaved and spoken in a manner which appeared unusual and, at times unsettling to their neighbours. In hindsight, the unusual behaviour was likely consistent with mental illness. However, neither Mr. Ekamba nor his mother sought medical assistance, and there were no interactions with professionals which would have triggered a referral. Apart from an incident on March 16, 2015 (four days prior to Mr. Ekamba's death) neighbours did not believe the behaviour was sufficiently dangerous or bizarre for them to call police, and were not aware of other resources, such as mental health teams.

On March 16, 2015, Neighbour 'A' called the police to complain that Mr. Ekamba's mother had threatened her following a dispute about the neighbour's cat straying on to the Ekamba's front yard. Police attended and spoke to the neighbour, and Mr. Ekamba and his mother. The attending officers formed the view that both Mr. Ekamba and his mother were experiencing delusions arising from mental illness. The officers spoke to the neighbour about the potential for laying criminal charges, seeking a court order or taking a report to record the events for future reference. Neighbour 'A' advised the police that she was content with a report being taken.

On March 20, 2015, events substantially escalated. Mr. Ekamba and his mother made verbal death threats against Neighbour 'B', who was sweeping a common area outside the houses. Mr. Ekamba's mother threw a knife towards Neighbour 'B', which did not strike her. The incident was filmed, in part, from an upstairs window. Neighbour 'B' withdrew to her house, locked the door, and called police. Police dispatch took the report and advised her that police response would be delayed because of a large number of emergency calls.

Police arrived approximately 6.5 hours after the initial non-emergency call. Three officers entered the home of Neighbour 'B' and viewed the video of the incident. They then went to Mr. Ekamba's home with the intention of arresting him and his mother and charging them with the criminal offence of uttering threats.

Mr. Ekamba came to the door to speak with police. At the time, his mother was boiling some water in the kitchen using a cooking pot. When the officers attempted to arrest Mr. Ekamba, this immediately led to a physical altercation between Mr. Ekamba and the three officers. Mr. Ekamba's mother came out of the house and struck an officer on the head with the pot, after which she was restrained by officers.

During the altercation, Mr. Ekamba stabbed two officers with a knife that he had concealed. He was pepper sprayed and managed to evade the police and run to the back of the townhouse complex. He returned shortly thereafter, likely to assist his mother, who was calling out for help. He approached an officer running while holding the knife in a manner interpreted by the officers as threatening death or serious bodily harm.

Mr. Ekamba ignored commands to stop and drop the knife, and all three officers fired a total of 19 shots from their handguns, of which 11 struck Mr. Ekamba. He collapsed to the ground, still holding the knife tightly. Emergency Medical Services (Ambulance) attended, pronounced Mr. Ekamba dead at the scene, and transported other injured persons to hospital for treatment. One police bullet struck and entered the body of Neighbour 'C', who was standing in the kitchen of her home.

During the discharge of firearms, another police bullet struck one of the officers but was intercepted by a ballistic vest. Both the officer and Neighbour 'C' sustained serious but non-life threatening injuries, which continue to cause them serious physical and psychological complications.

The Special Investigations Unit ("SIU"), which reviews deaths due to police actions, conducted an investigation and did not lay charges. The coroner also investigated and an autopsy was conducted, which showed that Mr. Ekamba died of rapidly and irreversibly fatal multiple gunshot wounds.

Expert Psychiatric Evidence

An expert in Forensic Psychiatry provided fact evidence to the jury.² He was briefed on the facts of the case and the evidence presented to the jury. He reviewed the Ontario Review Board rulings concerning Mr. Ekamba's mother, including the likely psychiatric diagnosis.

² For clarity, the expert was called to provide general background factual evidence to the jury about mental health crises but was not asked to provide an independent expert opinion about the mental health diagnosis of the deceased, or concerning the police interaction with Mr. Ekamba.

The expert explained the diagnosis documented in ORB documents to the jury. Mr. Ekamba and his mother, both previously well, had jointly developed a rare mental disorder known as "folie à deux." In this disorder, two or more people share the same thought disorder. It usually involves two people in a close relationship, one of whom first exhibits the mental disorder, after which the other also manifests it.

Mr. Ekamba and his mother shared a delusion that he was king of the world, and that his throne had been stolen from him by others. Both thought that others wished to cause them harm, and that they needed to defend themselves, by lethal force, if necessary. Mr. Ekamba and his mother, in the weeks prior to Mr. Ekamba's death, had discussed killing Neighbour 'B', as well as staging a confrontation with police during which force would be used. The expert explained that, in such cases, the perceived threat might be from any person, including children or other bystanders. Paranoid delusions can develop quietly. The first interaction with police and other professionals may be an episode of agitation and paranoia, as in this case.

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that is, it does not provide explicit instructions for every possible situation. Instead, it provides a structured, practical set of principles which officers can understand and rely upon in situations that involve considerable stress, evolve rapidly, and often last only a few seconds. While de-escalation is taught to officers as the preferred approach and is implicit in the Model, de-escalation is not explicitly listed (see Appendix 'B').

The witness also testified that a knife could inflict serious or fatal injuries on an officer. Service vest and clothing are not protective against an edged weapon. The length of the knife is not a significant factor. Kitchen knives, such as the one used in this incident, can and do inflict fatal wounds by opening major blood vessels which are close to the skin surface, for instance in the neck or thigh.

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The jury heard compelling evidence from the sister of the deceased, the bystander who was struck by the stray police bullet, the injured officers, and others who witnessed and were profoundly affected by these events. The circumstances surrounding Mr. Ekamba's tragic death led not only to the loss of a son and brother, but to lifelong psychological and physical injuries to these persons and many others.

THE INQUEST

Dr. Kenneth Peckham, Regional Supervising Coroner for Central Region, Central West Office, called a mandatory inquest into the death of Marc Diza EKAMBA pursuant to section 10 of the Coroners Act.

The document outlining the scope of this inquest is attached to this document as Appendix 'A'.

The inquest took place during the Covid-19 pandemic and was conducted entirely as a virtual hearing, with remote participation by all. In keeping with the open court principle, the inquest was streamed live on YouTube.

The jury sat for 11 days, heard evidence from 20 witnesses, reviewed 104 exhibits and deliberated for 4.5 hours in reaching a verdict.

VERDICT

Name of Deceased:	Maro Diza EKAMBA
Date and Time of Death:	March 20, 2015 at 10:53 p.m.
Place of Death:	3070 Queen Frederica Dr., Mississauga
Cause of Death:	Multiple Gunshot Wounds
By What Means:	Homicide

Comment: At an inquest, "By What Means" is the jury's finding of fact. The jury's determination of "Homicide" means that the jury concluded that, on the balance of probabilities, Mr. Ekamba died of an injury that was non-accidentally inflicted by another person. The jury's finding of homicide carries no criminal or other liability, nor should any be inferred.

JURY RECOMMENDATIONS

To all Ontario Police Services:

1. Improve knowledge and awareness for police communicators, call takers, and dispatchers of the signs of mental health crisis, and ensure that communicators are trained to ask questions directed at determining whether a call involves a mental health crisis.

Comment: The non-emergency call taker did not ask Neighbour 'B' about the possibility of mental disorder, even though the description of the event suggested that mental disorder was a factor. Collection of this information and communication to responding officers may have assisted them in preparation and decision-making.

2. Ensure that police officers responding to a mental health crisis are aware that police have responded previously to incidents involving the same parties and facilitate access for responding officers to significant information regarding previous calls.

Comment: Responding police officers did not view or have ready access to previous incidents, including the incident on March 16, 2015, that involved the same people.

3. Ensure that all police officers who interact directly with the public are provided with the four-day mental health training currently provided to incoming police officers in their first year of service. Regular refresher training on mental health issues should be provided to all police officers who interact with the public.

Comment: Peel Regional Police officer trainees receive four days of mandatory mental health awareness training. There is no consistent standard or guideline for police services to refresh and update officers on this knowledge after they graduate. Some police services provide this to all or some officers. The jury recommended a consistent approach for all police services.

4. Ensure that police officers can accurately identify their own Mental Health Act options and explain options available to complainants when a mental health issue is the basis for criminal conduct.

Comment: Police officers who testified had incomplete and inconsistent knowledge of the options available under the Mental Health Act when a person is exhibiting behavioural issues, which may be due to mental disorder. Members of the public who contacted police about the disturbing behaviour of Marc Ekamba and his mother were not provided these options.

5. Continue implementation of the pilot enhanced de-escalation training developed by the Ontario Police College and engage with OPC on its experience with the training and its potential implementation.

Comment: The jury supported expanding this initiative.

6. Ensure that persons with lived experience from peer-run organizations are directly involved in the development and delivery of both mental health crisis and de-escalation training.

Comment: The perspective and insight of persons with lived experience enhances the educational experience of officers and informs their future dealings with persons with mental disorder.

7. Mandate that all Police Service officers receive annual implicit bias and cultural competency training to address stereotyping of Black people, and the existing

research on anti-Black racism in policing.

Comment: Anti-Black racism is a pervasive, systemic issue in Canada, including in the criminal justice system. It substantially affects the confidence of Black people in the criminal justice system. Regular refreshers and updates for officers in anti-Black racism will assist in addressing this pervasive issue.

8. Develop methods to evaluate the effectiveness of mental health, de-escalation and anti-racism training. The evaluation of the effectiveness of such training should include the participation of affected communities, including persons with lived experience from peer-run organizations.

Comment: Little data is currently collected on the effectiveness of these interventions, so it is not possible to determine how much they improve outcome, and, where there are competing options, which option is most likely to work. The jury recommended capturing such data, then analysing it and reviewing it with appropriate persons, with the goal of improving practice and outcomes.

9. Develop and implement a pilot project to explore the feasibility of dispatching crisis support workers to mental health service calls that do not require police involvement, similar to Peel Regional Police Mental Health Strategies.

Comment: Currently, only a police officer is typically dispatched to a report of a person with an apparent mental disorder. In appropriate cases, a professional with specialized mental health crisis skills is a more effective first responder. Peel Regional Police is seeking to implement such an initiative, which the jury recommended be expanded to other police services.

10. Create emotionally supportive debrief sessions for police officers at the division or platoon level for those involved in critical incidents resulting in serious bodily harm or death, with regard for the Special Investigations Unit investigative process.

Comment: Circumstances like those surrounding the death of Mr. Ekamba are frequently traumatic to involved police officers. Early access to suitable care may assist the officer(s) but must not compromise the SIU investigation of the incident.

11. Ensure that witnesses or persons injured during an event that leads to a police-involved death are directed to trauma-informed supports.

Comment: Circumstances like those surrounding the death of Mr. Ekamba are

frequently traumatic to witnesses and other bystanders. Early, skilled access to suitable care may assist in managing the trauma.

12. Police Services and Police Services Boards shall establish standing or advisory committees on race and impartial policing and on mental health in order to meet with representatives of peer-run organizations and members of affected communities on an ongoing basis to discuss concerns and facilitate solutions.

Comment: Black people and persons with mental disorders experience systemic barriers in dealing with police. Ongoing dialog between police services and those communities will assist in improving policing practices, and trust between the communities and police.

13. Consult with the Ontario Anti-Racism Directorate to analyze race-based data collected by Police Services to measure and evaluate police service performance on use of force, take corrective action to address systemic discrimination and provide clear and transparent information to the public on bias and discriminatory use of force.

Comment: Reliable data is required in order to enable evaluation of the effectiveness and equity of police interactions. The jury supported collecting complete and accurate data, then acting upon it.

14. Police Services and Police Services Boards shall establish permanent data collection and retention systems to record race, mental health issues, and other relevant factors on use of force incidents. The data should be standardized, disaggregated, tabulated and publicly reported. The data should include age, gender, perceived race, and officer perception of whether the individual has any mental health issues;

Comment: See comment at Recommendation #13.

15. The results of the data collected on use of force incidents must be taught to all frontline Police officers.

Comment: See comment at Recommendation #13.

16. Police Services and Police Services Boards shall consult with third parties, including individuals from the Black community, Black advocacy community organizations, persons with lived experiences from peer-run organizations, and appropriate content experts, and:

- a. Develop an objective methodology to measure and evaluate police service performance on use of force;
- b. Take corrective action to address systemic discrimination; and
- c. Provide clear and transparent information to the public on biased and discriminatory use of force.

Comment: See comment on Recommendation #13. Evidence was heard that police are more likely to use force, and to use more force, when the person is Black and/or has a mental disorder.

17. Training for new officers should be amended so that the question of the suspect's mental health be as prominent in their considerations as the criminal activity they have committed.

Comment: Officers testified that the criminal matter was the primary consideration in their interaction with Mr. Ekamba and his mother. This recommendation encourages officers to give greater consideration to a mental disorder when it is a factor in apparent criminal conduct.

18. Training should be given to establish who should lead the call when dealing with a potentially violent incident or crisis.

Comment: Evidence was heard that planning by police for the interaction was limited, and no specific officer was in charge.

Jury's note on Recommendations 1-18:

All Ontario police services should seek and allocate funding and resources adequate to implement the above recommendations.

Comment: Some witnesses testified that proposed recommendations could not be provided within existing resources. The jury indicated its expectation that recipients of recommendations would actively seek and allocate the necessary resources, and not decline a recommendation strictly on the basis of resources.

To the Peel Regional Police:

19. Re-evaluate the capacity of COAST and MCRRT teams to meet the growing need for these services in the Region of Peel.

Comment: Evidence was heard that these services are heavily used, and often unavailable due to call demands or during hours the service is not staffed.

Jury's note on Recommendation 19:

Peel Regional Police should seek and allocate funding and resources adequate to implement the above recommendations.

Comment: See Presiding Officer's Comments at Jury's note on Recommendations 1-18.

To the Ministry of the Solicitor General:

20. The Ontario Use of Force Model should be renamed to accurately capture the intent and purpose of the Model, which is a guide to police engagement with the public rather than to suggest that force is inherent in police interactions.

Comment: Changing the name of the model would emphasize that it governs police interactions with members of the public, de-escalation where possible, and appropriate use of force, if required.

21. The Ontario Use of Force Model shall be redesigned to highlight and emphasize the importance of de-escalation at all points during police interactions.

Comment: See comment at Recommendation #20.

22. The Ontario Police College shall ensure that persons with lived experience are engaged in the development and delivery of de-escalation training.

Comment: Persons with lived experience can provide vital insight to police officers concerning de-escalation and use of force.

23. The Ontario Police College shall ensure that affected communities and persons with lived experience be directly engaged in the development and delivery of anti-bias training. OPC should ensure that community organizations who represent persons with lived experience are engaged in this work.

Comment: See comment at Recommendation #22

24. Revise the Use of Force Report form to require officers to document de-escalation techniques used.

Comment: See comment at Recommendation #13. This recommendation builds on Recommendations #13 – 16, by enabling detailed data of police interactions, tactics employed, and outcomes.

To the Ministry of the Solicitor General and Peel Regional Police:

25. There must be special recognition of the unique challenges Black people who also have serious mental health issues face when they come into contact with police. This unique intersection of Blackness and lived experience of mental health issues must be specifically addressed in any training on Use of Force, de-escalation, and police interaction with such persons.

Comment: The jury heard evidence that Black persons with mental health disorders are at particular risk of negative outcomes from interactions with police.

Jury's note on Recommendation 25:

The Ministry of the Solicitor General and Peel Regional Police should seek and allocate funding and resources adequate to implement the above recommendations.

Comment: See Presiding Officer's Comments at Jury's note on Recommendations 1-18.

To the Government of Ontario:

26. Commission a study to examine the creation and implementation of a province-wide, civilian-led crisis intervention system to respond to persons in crisis, including mental health crisis. This team should be staffed by trained mental health professionals, crisis intervention professionals, and persons with lived experience.

Comment: This recommendation reflects the areas identified by the jury in the previous recommendations. The current Model, in which police are the presumptive first responders to disturbing behaviour, may be improved by dispatching mental health professionals as first responders, when appropriate and safe. A mental health professional has skills and experience different from that of a police officer, skills that would assist in achieving optimal outcomes in safe and effective management of mental health crises.

27. Improve public awareness of mental health issues to counteract stigma and discrimination against persons with mental health issues. Measures to improve

public awareness should be developed in consultation with content experts and community organizations that represent persons with lived experience.

Comment: Discrimination against persons with mental disorders is common and based upon lack of knowledge. The discrimination often includes unnecessary fear of persons with mental disorder. Such education will, among other things, reduce the social isolation which represents an additional and unnecessary challenge for persons with mental disorders.

28. Improve public awareness of both policing and non-policing community-based crisis responses to mental health crisis. Efforts to improve public awareness of these options should be developed in consultation with content experts and community organizations that represent persons with lived experience.

Comment: In the time leading up to this incident, neighbours were aware of the sometimes concerning behaviour of Mr. Ekamba and his mother, but did not feel that notification of police was required, and were unaware that there were options for mental health response other than police.

29. Enhance information and supports available to families of persons experiencing mental health crisis with respect to community-based options to support their loved ones.

Comment: Mr. Ekamba's sister, who was 16 at the time of the March 20, 2015 incident, was unaware of available options and, as a teen, would not have felt comfortable initiating a response to the changes in her brother and mother, without professional guidance to assist her.

30. Improve public awareness and knowledge of community-based supports for persons experiencing mental health issues should target young people and utilize channels of communication that are accessible and suitable for youth.

Comment: See comment at Recommendation #29.

31. Rename crisis hotline services and create awareness campaigns to educate the public about their existence to make the public aware that these services are available before a person reaches the point of crisis.

Comment: See comments at recommendations #26 – 30.

Jury's note on Recommendations 26-31:
The Government of Ontario should allocate funding and resources adequate to

implement the above recommendations.

Comment: See Presiding Officer's Comments at Jury's note on Recommendations 1-18.

To Peel Housing Corporation:

32. Improve mental health awareness of housing support personnel and, in particular, concerning the recognition of mental health crisis.

Comment: Some neighbours notified their landlord, the Peel Housing Corporation ("PHC") about the sometimes concerning behaviour of Marc Ekamba and his mother. PHC did not have a structured procedure to respond to such complaints, including the ability to advise neighbours of programs available for response to persons in mental health crisis.

33. Ensure that housing support personnel are aware of both the policing and community-based options available to respond to mental health crisis.

Comment: See comment at Recommendation #32.

34. Ensure that housing support personnel communicate the options for both the policing and community-based options to address mental health crisis to affected tenants.

Comment: See comment at Recommendation #32.

35. Review and improve training to housing support personnel on cultural competency, anti-Black racism, implicit bias, mental health and its intersectional nature.

Comment: See comment at Recommendation #32.

Jury's note on Recommendations 32-35:

Peel Housing Corporation should seek and allocate funding and resources adequate to implement the above recommendations.

Comment: See Presiding Officer's Comments at Jury's note on Recommendations 1-18.

CLOSING COMMENT

In closing, I would like to again express my condolences to the family and friends of Marc Ekamba for their profound loss.

I would like to thank the witnesses and parties to the inquest for their thoughtful participation, and to thank my inquest counsel, investigator, and constable for their hard work and expertise. I would also like to thank the members of the jury for their commitment to the inquest.

One purpose of an inquest is to make, where appropriate, recommendations to help prevent further deaths. Recommendations are sent to the named recipients for implementation and responses are expected within six months of receipt.

I hope that this verdict explanation helps interested parties understand the context for the jury's verdict and recommendations, with the goal of keeping Ontarians safer.



August 11, 2022

Dr. David Eden
Presiding Officer

Date

APPENDIX A



STATEMENT OF SCOPE
Inquest into the death of Marc EKAMBA

This inquest will look into the circumstances of the death of Mr. Ekamba and will examine the events of their deaths in order to assist the jury answer the five questions and making any recommendations.

The five questions are:

1. Who was the deceased?
2. When did he come to his death?
3. Where did he come to his death?
4. How did he come to his death?
5. By what means did he come to his death?

Included in the scope and focus will be the following issues:

- A. How police interact with a person who:
 - a. Is, or appears to be under the influence of a mental disorder; and,
 - b. Is carrying an edged weapon which may represent a potential danger of serious or lethal injury to another person.

- B. Insofar as it is relevant to the circumstances of the deaths of Mr. Ekamba and necessary in order to inform their findings and recommendations, the jury will hear the following fact evidence with respect to the police interactions described in (A):
 1. Law and Procedures: The statutes, regulations and procedures which govern police officer response;
 2. Science: Current knowledge concerning effective management by police of persons similar to Mr. Ekamba;
 3. Police training, skills, and documentation: The training provided to police officers who respond to this sort of incident, the skills expected, the documentation of interactions, and the use of that data to inform future policy;

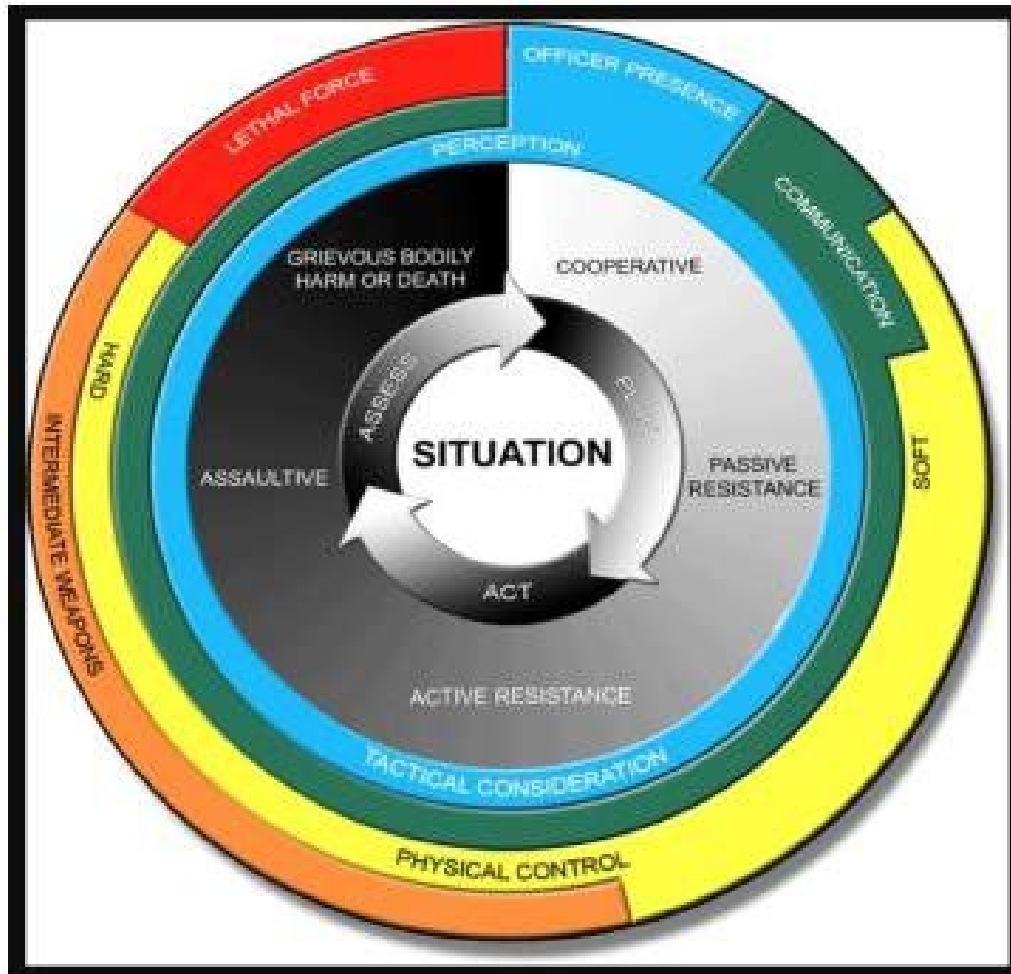
4. **Mental disorder:** The way in which a person with mental disorder may perceive events, which may differ substantially from the perception of others; and, options for de-escalating a crisis situation involving a person with a mental disorder;
5. **Racism:** To the extent that it was present in this interaction, the role of racism and cultural sensitivity;
6. **Bystander bullet injuries:** The prevention of gunshot wounds to persons in the vicinity of, but not directly involved in an incident in which police use firearms.

C. Exclusions

The following are excluded from scope, except insofar as necessary to answer the 5 questions cited above, or otherwise ruled necessary by the Coroner in order to inform jury recommendations:

1. Emergency response following the incident; and,
2. The investigation of the death by SIU and Peel Police.

Appendix 'B' – Ontario Use of Force Model



Verdict Explanation – Marc Diaz EKAMBA Inquest

Appendix B – Toronto Police Service Response to Ekamba Inquest Recommendations

Ekamba Coroner’s Inquest Recommendation	Toronto Police Service (Service) Response
<p>#1 – Directed to all Police Services in Ontario</p> <p>Improve knowledge and awareness for police communicators, call takers, and dispatchers of the signs of mental health crisis, and ensure that communicators are trained to ask questions directed at determining whether a call involves a mental health crisis.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The Communications Services Unit (C.O.M.) provides extensive ongoing training to unit members. When hired, call takers receive customer service training that focuses on how to communicate effectively and how to manage expectations of callers. They are taught techniques to establish rapport with callers, to listen to the content of the conversations, defer judgement, be attentive and tactful, and to make notes on all available information.</p> <p>All new call takers also receive mandatory training on persons experiencing a mental, emotional or substance use crisis. This de-escalation training focuses on proper techniques, empathy and tactical empathy, understanding, use of language, conflict triggers, self-awareness, and how to appropriately consider alternate perspectives. Included in this training, call takers receive a presentation from the Service’s psychologists regarding the issue of “disordered communications”. This component of training was introduced following the recommendations from the Inquest into the Death of Otto Vass in 2006. The psychologists discuss how to identify mental health issues and/or persons experiencing a crisis over the phone, and the strategies that can be utilized to effectively communicate in these situations.</p> <p>There is also a training component which focuses specifically on suicidal callers. Call takers learn to ask direct questions to determine what the person in crisis is feeling and/or experiencing, and whether the individual is or has considered hurting themselves or suicide. This training highlights the need for call takers to obtain the most accurate information possible from callers so they are able to perform a risk assessment based on the information being provided.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>The overall goal of the training is to equip call takers with the necessary tools to facilitate a positive communication with callers and bring high-intensity situations to a safe conclusion.</p> <p>The following new training modules were also developed and included with in-service training to all C.O.M. members in 2021 and 2022 to provide information and training on the latest co-located crisis support and diversion pilot programs which have been implemented to support persons in crisis:</p> <ul style="list-style-type: none"> • Gerstein Crisis Centre Diversion Pilot Project – Commenced in 2021 and went citywide October 24, 2022: <p>This collaboration between the Service and the Gerstein Crisis Centre (G.C.C.), is a community based mental health service to respond to persons in crisis who call 9-1-1 with non-emergent mental health needs. Service and G.C.C. responders work collaboratively to assist in the diversion of mental health related calls away from a police response. Call takers evaluate incoming calls for diversion based on specific non-imminent risk criteria and transfer calls to a G.C.C. crisis worker co-located in the C.O.M. The G.C.C. crisis worker assists the person in crisis by providing immediate support, intervention, referrals, and connection to further services as needed.</p> <ul style="list-style-type: none"> • Toronto Community Crisis Service Pilot Project (T.C.C.S.) – Commenced in 2022: <p>This is a non-police led mobile response to persons in crisis that incorporates a multi-disciplinary mobile team of crisis support specialists who work for partner agencies. Call takers evaluate incoming calls to determine suitability for diversion based on a specific set of criteria. Where that criteria is met, and upon consent from the caller to divert their call and</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>consent to share their personal information, the caller is transferred to 211 to receive a response and support from a T.C.C.S. mobile team.</p> <p>This program is a 3 year pilot and is only serving neighbourhoods in 41, 42, and 42 Divisions; 51, 52 and 14 Divisions; and 23, 31 Divisions, 7 days a week, 24 hours a day. The hope and intent is to provide this service to all of the neighbourhoods of Toronto.</p> <p>In all calls for service that come into the C.O.M., call takers learn to identify events involving persons in crisis which meet the pilot-specific non-imminent risk criteria, which includes events involving persons experiencing a crisis without a risk to public safety. The goal of this front-end de-escalation is for the referral or diversion of callers in crisis to the most appropriate community support service, often avoiding a police response.</p>
<p>#2 – Directed to all Police Services in Ontario</p> <p>Ensure that police officers responding to a mental health crisis are aware that police have responded previously to incidents involving the same parties, and facilitate access for responding officers to significant information regarding previous calls.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>When Service members are responding to a Call for Service involving a mental health crisis there are mechanisms in place to facilitate access to relevant information from previous calls.</p> <p>Service Procedure 06-04 entitled “Persons in Crisis” provides fulsome direction to police officers responding to a person in crisis. Specifically, the Procedure directs the police officer responding to a Call for Service involving a person in crisis shall</p> <ul style="list-style-type: none"> • Conduct a Person Query, including a CPIC and CFRO check; and • Obtain the type of information to help determine whether reasonable grounds exist to believe there is a threat to safety (contained in Service Procedure Chapter 5, Appendix A).

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>Additionally, the C.O.M. Call Taker Manual requires operators to view and relay "Location of Interest" (L.O.I.) information available for all events. L.O.I. is an inquiry process in which the system searches tables in the database for information pertinent to an address. This includes Previous Visit, Special Situation, and any CPIC information for a given location. The Special Situation information includes details entered by Records Management Services at the request of a divisional officer.</p> <p>Once a location has been verified, the Computer Aided Dispatch (C.A.D.) system automatically searches for nearby events and L.O.I. information. If L.O.I. information exists, the call taker is notified by way of a red indicator button. The number of Previous Visit and/or Special Situation entries appear as a number in brackets on the button(s). L.O.I. information can also be searched manually using the Retrieve Location of Interest command, which enables call takers to search for L.O.I. on a secondary address.</p> <p>This information may be used to assist in determining the level of response required based on the information returned. However, dispatchers do not determine the level of response based solely on L.O.I. information. There are specific C.O.M. directives available to guide dispatchers in their use of the L.O.I. information. These directives require that when a call for service is assigned to a unit, the dispatcher shall voice transmit the fact that L.O.I. information exists for the specified location to officers assigned to the event.</p> <p>When a call for service is at a location with multiple units, the dispatcher shall voice transmit that L.O.I. information exists for the specified location, as well as the main street address, when applicable. Consideration will be given to providing information to attending officers that L.O.I. exists for other apartments/units on the floor.</p> <p>Police vehicles without mobile workstations and other responding emergency services shall be advised of pertinent L.O.I. information over the radio system.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>Although CPIC returns cannot be reproduced, copied and/or pasted into the text of an event, dispatchers can indicate the presence of CPIC returns in the event. If circumstances prevent the call taker from performing a CPIC check, then the dispatcher shall ensure the appropriate queries are performed and all pertinent information is relayed to the attending officer.</p>
<p>#3 – Directed to all Police Services in Ontario</p> <p>Ensure that all police officers who interact directly with the public are provided with the four-day mental health training currently provided to incoming police officers in their first year of service. Regular refresher training on mental health issues should be provided to all police officers who interact with the public.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The Service is committed to the on-going learning of de-escalation and communication techniques to ensure an overall effective and safe response to all interactions, for both the community members and Service members involved.</p> <p>Every officer receives training on mental health, de-escalation and crisis resolution through both theory-based and scenario-based training. These topics are delivered through stand-alone courses, as well as integrated into courses related to mental health, use of force and other incident specific courses, for the purpose of ensuring a comprehensive training syllabus. Content across the range of courses focuses on:</p> <ul style="list-style-type: none"> • Crisis recognition; • Tactical communication; • Listening techniques (active and focused listening); • Self-control; • Adaptation to changing circumstances; • Proper recognition of subject behaviour (identifying persons in a mental health crisis, identifying common mental illness signs and symptoms); • Proper articulation (examples of situational considerations, available de-escalation techniques, alternative response strategies, justification for use of force.);

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<ul style="list-style-type: none"> • Identifying persons in a mental health crisis; • Demonstrating the appropriate use of force response; • De-escalation techniques (introduction, empathy, rapport, influence, behaviour change, hooks, triggers); • Agencies and advocates in the mental health sector within Toronto; and • Appreciation for police encounters from the perspective of the subject. <p>In addition, the following Service training courses primarily incorporate mental health, de-escalation and crisis resolution techniques:</p> <ul style="list-style-type: none"> • Divisional Crisis Support Officer (D.C.S.O.); and • Mobile Crisis Intervention Team (M.C.I.T.) Level 1 Enhanced Training. <p>The Divisional Crisis Support Officer (D.C.S.O.) course is an intensive 2-day course, designed specifically for D.C.S.O. members to gain enhanced knowledge and skills when responding to persons experiencing mental illness challenges, and to assist members in clearly defining their respective roles (officer and registered nurse) within the M.C.I.T. and D.C.S.O. and to enhance how members respond as a team.</p> <p>Topics Include:</p> <ul style="list-style-type: none"> • Mental Health Law (Ontario Mental Health Act Review) - Including: Intro to Mental Health Court and the Stages of Transition from Police to Partnering Hospitals; • Common Mental Health Disorders; • Toronto Police Service Operational Review / Incident Response; • Officer Safety – High Risk Incident Response; • Effective Communication Review; • Community Resources; • Intergenerational Trauma (Specific to the Indigenous Community);

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<ul style="list-style-type: none"> • Mental Health in the Black Community; and • LGBTQS2+ Communities and Mental Health. <p>In 2021, approximately 300 primary response officers received the D.C.S.O. training. In 2022, all new probationary sergeants received the D.C.S.O. training and all coach officers are scheduled to receive the D.C.S.O. training. Ongoing planning is currently underway to ensure all frontline supervisors also receive the D.C.S.O. training.</p> <p>The Mobile Crisis Intervention Team (M.C.I.T.) Level 1 Enhanced Training course is an intensive 10-day course designed specifically for prospective M.C.I.T. officers and nurses or those working in environments that make them more susceptible to interactions with those living with and going through a mental health crisis. These students will gain enhanced knowledge and skills when responding to persons experiencing mental illness challenges, and assist members in clearly defining their respective roles (officer and registered nurse) within a M.C.I.T. and to enhance how members respond as a team if M.C.I.T. is not available to respond.</p> <p>Topics Include:</p> <ul style="list-style-type: none"> • Mobile Crisis Intervention Team Overview; • Schizophrenia, Emergency Psychiatry & Pharmacology; • Autism & Fetal Alcohol Spectrum Disorder (F.A.S.D.) Mental Health; • Child & Youth Mental Health; • Seniors & Mental Health; • Mental Health Anti-Stigma & Concurrent Disorders; • Substance Use; • Homelessness Mental Health & Addictions; • Personality Disorders; • Acquired Brain Injury; • De-Escalation & Communication Skills;

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<ul style="list-style-type: none"> • Suicide & Suicide by Cop; • Resilience & Veterans; • Persons with Lived Experience; • Special Investigations Unit; • Office of the Independent Review Police Directorate; • Mental Health Court, Not Criminally Responsible (N.C.R.); • Critical Incident Response Team & TPS Wellness Unit; • Personal Protective Equipment (P.P.E.); • Trauma Informed Crisis Care; • Patient Advocacy; • Intercultural Communications; • Equity, Inclusion & Human Rights; • Health Law; • Body Worn Cameras; • Table Top Scenarios; • Officer & Nurse Self Care, Awareness and Resilience; • E.T.F. Responding to Mental Health Calls; • FOCUS/CVE & Community Resources; • Use of Force Safety Training; and • Scenario Training. <p>The course currently runs once per year and is capped at 40 participants. This course is the pre-requisite for constables and nurses entering assignment to the M.C.I.T.s.</p> <p>Additionally, the In-Service Training Program – annual use of force re-certification (I.S.T.P.) is routinely updated and provides refresher training to officers addressing the de-escalation of persons in crisis.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
<p>#4 – Directed to all Police Services in Ontario</p> <p>Ensure that police officers can accurately identify their own Mental Health Act options and explain options available to complainants when a mental health issue is the basis for criminal conduct.</p>	<p>Toronto Police Service Concurs – Implemented</p> <p>The <i>Mental Health Act</i> (M.H.A.) is covered extensively within the recruit training program at both the Toronto Police College (T.P.C.) and the Ontario Police College (OPC). It is also featured in the Provincial Statutes course available to all officers, and reviewed within the M.C.I.T. Level 1 and D.C.S.O. training courses.</p> <p>Within the Recruit Training Program at the T.P.C., all aspects of the M.H.A. covered are integrated into scenario based training where the theory is practiced and tested. Cadets in Training are put through practical exercises and role-playing scenarios to demonstrate the knowledge and skills required to perform the duties of a police officer. They are then debriefed at length by instructors.</p> <p>Officers learn that the <i>Criminal Code</i> of Canada does take precedence over the provincial M.H.A., however they are also taught to consider all factors including pre-existing and/or potential undiagnosed mental health issues.</p> <p>In addition to training, the following 2 Service Procedures are currently in effect and direct Service members when considering the persons mental health:</p> <ul style="list-style-type: none"> • Procedure 06-13 entitled “Mobile Crisis Intervention Team (M.C.I.T.)” was newly introduced into Service Governance December 07, 2021; and • Procedure 06-04 entitled “Persons in Crisis” has been incorporated in Service Governance since 1993 and recently amended to compliment the newly introduced Procedure 06-13. <p>Both of these Service Procedures are available via the Service website: https://www.tps.ca/service-procedures/.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
<p>#5 – Directed to all Police Services in Ontario</p> <p>Continue implementation of the pilot enhanced de-escalation training developed by the Ontario Police College, and engage with OPC on its experience with the training and its potential implementation.</p>	<p>Toronto Police Service Concurr – Ongoing</p> <p>The Ontario Police College (O.P.C.) continues to work on the enhanced de-escalation training pilot which includes a virtual reality component. The training was developed by Dr. Lavoie, Wilfred Laurier University and Dr. Natalie Alvarez, Toronto Metropolitan University. The virtual reality component of this training was designed through Lumet Studios, based in Toronto. This group has been working with the Ministry of the Solicitor General – Training and Development to eventually have this training designated as a Provincial standard.</p> <p>One part of the enhanced de-escalation training is through front-end loaded material in the form of online e-learning modules. This information has been gathered with input from academics, community partners, advocates and consumer survivors.</p> <p>The material is extremely thorough, and compliments the research and development of the Service mental health, de-escalation and crisis resolution training for members. It also aligns with the following key report findings and inquest recommendations which have guided the Service's mental health and de-escalation training:</p> <ul style="list-style-type: none"> • The Honourable Frank Iacobucci's Report for Chief Blair - Police Encounters with People in Crisis (July 2014); • Ontario Ombudsman Report – “A Matter of Life and Death”, Investigation into the direction provided by the Ministry of Community Safety and Correctional Services to Ontario's police services for de-escalation of conflict situations, (June 2016); <p>Also included in the training are live scenarios, which are well researched and designed in a format to simulate situations that police officers may encounter on a</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>daily basis. These scenarios allow officers to engage in conversation easily, and provide them with access to Use of Force options when required. However, there are challenges to utilizing a virtual reality component in delivering this training to our officers. The existing technology utilizes a joystick, as opposed to replica use of force options. This does not allow for an efficient transfer of skills from training to the field. Additionally, the environments used in the virtual reality scenarios do not sufficiently represent real-world events due to the lack of contextual detail. With advances in technological capabilities, the Service may be able to consider incorporating a virtual reality component into training that is relevant, consistent and meets the needs of both internal and external partners. At this time, the Service remains committed to engaging with the O.P.C. on its experience with the training and its potential implementation.</p>
<p>#6 – Directed to all Police Services in Ontario</p> <p>Ensure that persons with lived experience from peer-run organizations are directly involved in the development and delivery of both mental health crisis and de-escalation training.</p>	<p>Toronto Police Service Concurr – Implemented</p> <p>The Toronto Police Service Board (the Board) approved the establishment of the Mental Health and Addictions Advisory Panel (M.H.A.A.P.) (Min. No. P36/19 refers) at its meeting on February 21, 2019.</p> <p>The M.H.A.A.P. is comprised of members of the Board, members of the Service and members of the community, ensuring that this includes representatives from organizations run by and for people with lived experiences.</p> <p>The membership of the M.H.A.A.P. is reflective of the diversity of the City of Toronto, including representatives from locally-based groups or organizations serving youth and marginalized and racialized groups. An emphasis was placed on including individuals with both client-focused and direct lived experience of mental health and addictions issues (includes lived experience in addictions or substance use, including harm reduction and service delivery) as well as those with expertise in the areas of law and human rights, accountability and data. Specifically, there are at least 2 members with direct lived experience of mental health and addictions</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>issues, or who are connected to an organization representing people with lived experience of mental health and addictions issues that make up the membership of the M.H.A.A.P.</p> <p>The main objective of the M.H.A.A.P. is to review, provide advice and make recommendations to the Board on an annual basis, at a minimum, related to monitoring and evaluating the implementation of the Mental Health and Addictions Strategy, and other matters related to policy involving mental health and addictions issues.</p> <p>As part of this important work, the M.H.A.A.P. regularly provides input on the training and education of Service members in the area of mental health, persons in crisis and de-escalation. Members of this committee attend the T.P.C. yearly to see training in action and to provide their feedback which is then cycled into the training.</p> <p>Additionally, the M.C.I.T. Level 1 course features presentations from persons with lived experiences. Annually the lived experience presentations are updated to provide Service members with a broader exposure to different mental health diagnosis and issues that are relevant to their training.</p>
<p>#7 – Directed to all Police Services in Ontario</p> <p>Mandate that all Police Service officers receive annual implicit bias and cultural competency training to address stereotyping of Black people, and the existing research on anti-Black racism in policing.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The Service has developed and implemented a number of training initiatives that are designed to address implicit bias, cultural competency, anti-Black Racism, indigenous experience and perspectives from the LGBTQS2+ communities. This includes:</p> <ul style="list-style-type: none"> • The M.C.I.T. Level 1 Enhanced Training course which has lectures on intercultural communication, the intersection of mental health and anti-Black

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>racism, indigenous and LGBTQS2+ perspectives. Approximately 20 hours of the 80-hour course is dedicated to these lectures;</p> <ul style="list-style-type: none"> • The D.C.S.O. course contains similar lectures on intercultural communication, the intersection of mental health and anti-Black racism, indigenous and LGBTQS2+ perspectives, however, the lecture are shorter, as this course is 20 hours in length; • Mandatory training throughout 2021 and 2022 via the Canadian Police Knowledge Network (C.P.K.N.) in the form of online courses that cover anti-Black racism, the indigenous experience, and LGBTQS2+ perspectives; • As part of the Recruit Training Program at the T.P.C., Cadets in Training receive dedicated lectures on Fair and Impartial Policing, bias avoidance and a one and a half hour lecture on anti-Black racism facilitated by subject matter experts from the Service's E.I.H.R. unit; and • Training is provided as part of the I.S.T.P. This includes scenario-based training which is focused on implicit bias and provides a greater understanding of issues faced by members of racialized and vulnerable communities. This training is given to all personnel performing duties where they may engage with members of the public. <p>Additionally, a new course is currently being created in response to Direction #53 from the Toronto Police Services Board Report "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety". This course will be introduced in 2023 and is replacing the Fair and Impartial Policing training course that was previously provided to all sworn members.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>This new stand-alone training course will contribute to the professional practice in policing with a view to supporting an organizational culture committed to the delivery of fair and unbiased police services to Toronto's diverse communities and populations. The training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias and implicit bias avoidance; interactions with racialized communities, LGBTQS2+ communities and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; and principles of human rights accommodation and disabilities, including mental health and addictions issues and ethics in policing.</p>
<p>#8 – Directed to all Police Services in Ontario</p> <p>Develop methods to evaluate the effectiveness of mental health, de-escalation and anti-racism training. The evaluation of the effectiveness of such training should include the participation of affected communities, including persons with lived experience from peer-run organizations.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The Service is committed to the continuous development of officers' knowledge, skills and abilities as it pertains to persons in crisis. De-escalation is a fundamental skill and is developed and reinforced throughout an officer's career; beginning with recruit training and carried through in the I.S.T.P.</p> <p>Scenario-based training provides an opportunity for T.P.C. instructors to evaluate officers as they work through scenarios. At the conclusion of the scenarios, instructors debrief the officers with emphasis on the decision making. Officers must demonstrate good judgement and proficiency with all use of force options including de-escalation measures. The T.P.C., as a matter of standard, regularly assesses officers' knowledge through various evaluation techniques ranging from formal tests, scenario based testing, etc.</p> <p>Commencing in March 2021, the development and review of training for Service members has been done in consultation with members of the M.H.A.A.P., A.R.A.P., and the Community Advisory Panel for Training (C.A.P.F.T.). The participation of these groups ensures the input and participation of members from affected communities, including persons with lived experience.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
<p>#9 – Directed to all Police Services in Ontario</p> <p>Develop and implement a pilot project to explore the feasibility of dispatching crisis support workers to mental health service calls that do not require police involvement, similar to Peel Regional Police Mental Health Strategies.</p>	<p>Toronto Police Service Concurr – Implemented</p> <p>The Service is currently working in partnership on 2 non-police alternative mental health response pilot programs designed to explore the feasibility of dispatching crisis support workers to mental health related calls for service that don't require police involvement. This includes:</p> <ul style="list-style-type: none"> <p>• Gerstein Crisis Centre Diversion Pilot Project:</p> <p>Commencing in August 2021, the Service entered into a 9-1-1 Crisis Call Diversion pilot program in partnership with the Gerstein Crisis Centre (G.C.C.) in Toronto. This collaboration between the Service and the G.C.C., is a community based mental health service to respond to persons in crisis who call 9-1-1 with non-emergent mental health needs.</p> <p>Service and G.C.C. responders work collaboratively to assist in the diversion of mental health related calls away from a police response. C.O.M. call takers evaluate incoming calls for diversion based on specific non-imminent risk criteria and transfer calls to a G.C.C. crisis worker co-located in the C.O.M. The G.C.C. crisis worker assists the person in crisis by providing immediate support, intervention, referrals, and connection to further services as needed. This pilot has now been extended beyond the original pilot Divisions (14, 51 and 52 Division), right across the Service for a second year. Commencing on October 24, 2022, the pilot program operates 24 hours a day, 7 days a week.</p> <p>• Toronto Community Crisis Service Pilot Project:</p> <p>Commencing in March 2022, the City of Toronto launched the Toronto Community Crisis Service (T.C.C.S.) pilot program, supported by the</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>Service and designed to explore the use of non-police led, crisis response teams for certain calls for service involving mental health.</p> <p>This is a non-police led mobile response to persons in crisis which incorporates a multi-disciplinary mobile team of crisis support specialists who work for partner agencies. This pilot program is aimed at diverting certain non-emergency mental health-related calls for service to trained mental health crisis workers, instead of police officers.</p> <p>Originally, the T.C.C.S. pilot led by community anchor partners was operating in the following catchment areas across the City of Toronto:</p> <ul style="list-style-type: none"> • 42 and 43 Division (Northeast Taibu Community Health Centre) • 51 Division (Downtown East Gerstein Crisis Centre) • 14 Division (Downtown West (Indigenous-led) ENAGB Indigenous Youth Agency and Parkdale Queen West Community Health Care) • 23 and 31 Division (Northwest Canadian Mental Health Association Toronto) <p>Effective November 01, 2022, the T.C.C.S. pilot expanded to add both 41 Division and 52 Division to its coverage areas. 41 Division will be covered by the Taibu Community Health Centre, along with 42 and 43 Division. 52 Division will be covered by the Gerstein Crisis Centre, along with 51 Division.</p> <p>A call taker will evaluate incoming calls to determine suitability for diversion. Where the established criteria is met, and upon consent from the caller to divert their call and consent to share their personal information, the caller is transferred to 2-1-1 to receive a response and support from a T.C.C.S. mobile team. This 3-year pilot program currently operates 24 hours a day, 7 days a week.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
<p>#10 – Directed to all Police Services in Ontario</p> <p>Create emotionally supportive debrief sessions for police officers at the division or platoon level for those involved in critical incidents resulting in serious bodily harm or death, with regard for the Special Investigations Unit investigative process.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The Service is committed to ensuring that members involved in traumatic critical incidents are given appropriate and sufficient support both at the onset and conclusion of a traumatic critical incident. As such, emotionally supportive debrief sessions are mandated in Service Procedure.</p> <p>Service Procedure 08-04 “Members Involved in a Traumatic Critical Incident” last updated December 12, 2020 outlines the Service’s traumatic critical incident support process. This includes defusing and debriefing sessions, the opportunity for professional assistance when dealing with critical incident stress, and when required for officer–involved shooting incidents there are post incident firearms exposure sessions.</p> <p>Representatives from the following resources are available to members:</p> <ul style="list-style-type: none"> • Critical Incident Response Team (C.I.R.T.) - The C.I.R.T. consists of Peer Support Volunteers coordinated through the Service to respond to incidents where critical incident stress may occur and to assist members and their families to cope after becoming involved in a traumatic critical incident. C.I.R.T. members are trained in trauma response measures and are qualified to lead defusing sessions. C.I.R.T. members are not counsellors; and • Peer Support Volunteer (P.S.V.) - A Service member trained in trauma response measures and available on-call to provide ongoing assistance and support to members and their families after becoming involved in a traumatic critical incident. P.S.V.s are qualified to lead defusing sessions. P.S.V.s are

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>not counsellors. The P.S.V.s will assist members to seek professional treatment, if required.</p> <p>Service Procedure 13-16 "Special Investigations Unit", last updated on September 26, 2022, speaks to the medical and psychological wellbeing of Service members being a priority for the Service. To assist involved members in coping with an event in which the S.I.U. mandate is or may be invoked, access, as required, to medical care and/or a representative of the following resources will be provided:</p> <ul style="list-style-type: none"> • Critical Incident Response Team (C.I.R.T.); • Employee Family Assistance Program (E.F.A.P.); and • Peer Support Volunteer (P.S.V.). <p>The Procedure also outlines that this representative will respect the duties and obligations of the involved officer with the S.I.U. investigative, and that any communication are without privilege.</p>
<p>#11 – Directed to all Police Services in Ontario</p> <p>Ensure that witnesses or persons injured during an event that leads to a police-involved death are directed to trauma-informed supports.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The medical assistance necessary for the safety and wellbeing of all injured parties remains the primary importance in all incidents. All injured parties, shall be assisted as directed by the <i>Police Services Act</i> (PSA) and Service Governance.</p> <p>Further, officers are taught the principles of trauma informed care in relation to interactions with people in crisis, forms of victimization, and vicarious trauma in the annual I.S.T.P.</p> <p>The Service works in partnership with Victim Services Toronto to provide immediate assistance to victims. Victim Services Toronto operates a wide range of programs and services to address and support victims of crime and/or circumstances. The</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p data-bbox="730 300 1845 467">Victim Crisis Response Program provides 24/7 crisis intervention, trauma management and practical assistance for victims and their families in the immediate aftermath of crime or sudden unexpected tragedy, on-scene or by telephone (as required). The Crisis Response Teams are comprised of professional Social Workers and extensively trained volunteers.</p> <p data-bbox="730 505 1845 672">The Victim Crisis Response Program assists individuals and their families in the immediate aftermath of crime or sudden unexpected tragedy. The Victim Crisis Response Program is the only service in Toronto providing immediate on-scene crisis, trauma, safety and support services to victims of crime and sudden tragedies.</p> <p data-bbox="730 709 1845 846">The program provides crisis intervention, practical assistance, referrals to a wide range of programs, services and counselling. Services are flexible and portable. The immediacy of this service assists in mitigating the harmful effects of trauma on victim(s) and their loved ones.</p> <p data-bbox="730 883 1845 980">Service Procedure 04-31 entitled "Victim Services Toronto" is in effect and directs Service members with regards to accessing the supports offered by Victim Services Toronto.</p>
<p data-bbox="256 1026 705 1084">#12 – Directed to all Police Services in Ontario</p> <p data-bbox="256 1128 705 1390">Police Services and Police Services Boards shall establish standing or advisory committees on race and impartial policing and on mental health in order to meet with representatives of peer-run organizations and members of affected communities on an</p>	<p data-bbox="730 1026 1409 1052">Toronto Police Service Concurs – Implemented</p> <p data-bbox="730 1128 1845 1360">The Board established Advisory Panels for race and impartial policing, as well as mental health to create a structured and collaborative method to engage with representatives of peer-run organizations and members of affected communities, meeting on an ongoing basis to discuss concerns and facilitate solutions. Commencing in April 2018, as a result of a recommendation made by the jury at the Inquest into the Death of Andrew Loku, the Board established the Anti-Racism Advisory Panel (A.R.A.P.).</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
<p>ongoing basis to discuss concerns and facilitate solutions.</p>	<p>A.R.A.P.'s mandate is to advise and support the Board in relation to policing and racism, anti-Black racism and anti-Indigenous racism, including:</p> <ol style="list-style-type: none"> 1. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for approval by the Board; 2. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism; 3. Monitoring the implementation of the Board's Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis and any interventions developed by the Service to address racial disparities for feedback and recommendations for enhancement; 4. Monitoring the implementation of the recommendations from the Andrew Loku Inquest through the monitoring framework previously developed by A.R.A.P.; 5. Reviewing Service reports on Conducted Energy Weapon (C.E.W.) use and making recommendations for enhancement; 6. Monitoring the implementation of inquest recommendations as appropriate; 7. Reviewing the development and implementation of all Service training and offering recommendations for enhancement, including training on anti-racism; 8. Monitoring the implementation of the recommendations in the present report and providing advice to the Board on necessary enhancements and improvements; and

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p data-bbox="772 300 1801 365">9. Participating in the community consultation process on the Toronto Police Service's annual budget.</p> <p data-bbox="730 402 1822 638">At the same meeting, the Board approved 81 directions related to police reform that put into place a roadmap for comprehensive policing reform and includes building new community safety response models, initiatives to address systemic racism and concrete steps to improve trust with our communities. In addition, a number of recommendations focused on the A.R.A.P. directly, including a recommendation making A.R.A.P. permanent and building in certain requirements to its structure.</p> <p data-bbox="730 678 1816 776">Additionally, the Board approved the establishment of the Mental Health and Addictions Advisory Panel (M.H.A.A.P.) (Min. No. P36/19 refers) at its meeting on February 21, 2019, which superseded its existing Mental Health Sub-Committee.</p> <p data-bbox="730 816 1801 914">The M.H.A.A.P. is comprised of members of the Board, members of the Service and members of the community, ensuring that this includes representatives from organizations run by and for people with lived experiences.</p> <p data-bbox="730 954 1829 1222">An emphasis was placed on including individuals with both client-focused and direct lived experience of mental health and addictions issues (includes lived experience in addictions or substance use, including harm reduction and service delivery) as well as those with expertise in the areas of law and human rights, accountability and data. Specifically, there are at least 2 members with direct lived experience of mental health and addictions issues, or who are connected to an organization representing people with lived experience of mental health and addictions issues that make up the membership of the M.H.A.A.P.</p>
#13 – Directed to all Police Services in Ontario	Toronto Police Service Concurr – Implemented

Ekamba Coroner’s Inquest Recommendation	Toronto Police Service (Service) Response
<p>Consult with the Ontario Anti-Racism Directorate to analyze race-based data collected by Police Services to measure and evaluate police service performance on use of force, take corrective action to address systemic discrimination and provide clear and transparent information to the public on bias and discriminatory use of force.</p>	<p>The Service is committed to the promotion of equity, fairness and non-discriminatory policing in Toronto. As part of this important work, the Service has been regularly engaging with the Ontario Anti-Racism Directorate (A.R.D.) throughout the development and implementation of the Race and Identity-Based Data Collection (R.B.D.C.) Strategy. For the Service, data collection started in January 2020.</p> <p>The R.B.D.C. team has consulted extensively with the A.R.D. to develop:</p> <ul style="list-style-type: none"> • the Service’s analysis framework; • R.B.D.C. training courses; and • to identify hypotheses to better understand use of force and strip search outcomes (Phase 1 of the Strategy). <p>The A.R.D. was subsequently engaged around the early findings and prior to public release to support interpretation and communications about the results in a sensitive way to avoid stigmatizing communities, as well as proposed action items. The A.R.D. is a key stakeholder which the Service will continue to regularly engage to help us advance equitable policing services.</p>
<p>#14 – Directed to all Police Services in Ontario</p> <p>Police Services and Police Services Boards shall establish permanent data collection and retention systems to record race, mental health issues, and other relevant factors on use of force incidents. The data should be standardized, disaggregated, tabulated and publicly reported.</p>	<p>Toronto Police Service Concurr – Implemented</p> <p>With the implementation of the Race and Identity-based Data Collection (R.B.D.C.) Strategy, the Service established an ongoing and sustainable data collection process and data management procedures for the extraction and retention of race and identity-based data that protects individual privacy.</p> <p>The analysis framework and individual analysis plans developed for the purposes of the R.B.D.C. Strategy includes the use, interpretation and reporting of disaggregated data, including age, gender, and perceived race.</p>

Ekamba Coroner’s Inquest Recommendation	Toronto Police Service (Service) Response
<p>The data should include age, gender, perceived race, and officer perception of whether the individual has any mental health issues.</p>	<p>The R.B.D.C. Strategy is now providing valuable data and insights to address and reveal trends to help the Service to identify, monitor and eliminate systemic racism in our policies and practices. It is also allowing us to identify ways the Service can better support our members in their delivery of fair and equitable policing.</p> <p>In June 2022, the Service publicly reported the 2020 Race and Identity-Based Data Collection Findings of reported use of force and strip searches (Phase 1 of the R.B.D.C. Strategy) that demonstrates the Service’s leadership in transparency and accountability. These findings will act as a baseline to build upon in the years ahead. Starting in November 2022, more detailed technical reports as well as open data will be released on the Public Safety Data Portal.</p> <p>On October 27, 2022, the Service started a series of Community Town Halls throughout Toronto. These Town Halls will provide diverse community members with a forum to engage and share their perspectives and experiences, as well as, provide feedback on the 38 action items put forward to address the outcomes of the 2020 Use of Force and Strip Search report. The Service will work to co-develop actions with members and Indigenous, Black and racialized communities.</p> <p>Additionally, the Service is also starting work on Phase 2 of the R.B.D.C. Strategy which will include arrests, diversions, mental health apprehensions and child apprehensions.</p>
<p>#15 – Directed to all Police Services in Ontario</p> <p>The results of the data collected on use of force incidents must be taught to all frontline Police officers.</p>	<p>Toronto Police Service Concur – Implemented</p> <p>The T.P.C. Incident Response Training section has been delivering components of the R.B.D.C. Strategy as part of their In Service Training Program throughout 2022.</p> <p>The R.B.D.C. Strategy is a key element of the Service’s commitment to equitable, unbiased, and non-discriminatory policing. Launched in accordance with the <i>Ontario Anti-Racism Act (2017)</i> and governed by the Toronto Police Service</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>Board's Race-based Data Collection, Analysis and Public Reporting Policy, the R.B.D.C. Strategy is a key element of the Service commitment to equitable, unbiased, and non-discriminatory policing.</p> <p>The Service began collecting officers' perception of race in relation to any report for use of force commencing in January 2020. The Service expanded this scope to also include race data collection for persons strip searched, in response to the Office of the Independent Police Review Director's report "Breaking the Golden Rule: A Review of Police Strip Searches in Ontario".</p> <p>All officers attending I.S.T.P. are provided background on the R.B.D.C. Strategy, including the basis for gathering this data, and more recently the results of the data collected in the first phase of the R.B.D.C. Strategy in an effort to help them better understand the R.B.D.C. Strategy and its goal of eliminating systemic racism and advancing racial equity.</p> <p>In 2023, there will be an increased focus in the In Service Training program to provide officers with a more comprehensive review of the reported use of force and strip searches (Phase 1 of the R.B.D.C. Strategy) collected and reported on as part of the 2020 Race and Identity-Based Data Collection Findings in June 2022. Included in this lecture, officers will receive updated information relating to use of force and strip search data to help them better understand the R.B.D.C. Strategy and its purpose. These details will be incorporated into training with community and member input to identify what is driving any disparities, and to develop meaningful solutions.</p> <p>The Service is also developing and delivering a 5-day Fair and Unbiased Policing pilot program to all new recruits (uniform and civilian) in 2023. The program includes a module on both the R.B.D.C. Strategy and the Equity Strategy. This program covers the findings of the Phase 1 analyses, which includes use of force, as well as the purpose of the R.B.D.C. Strategy, its benefits and next steps. Internal change management is one of the key components of the R.B.D.C.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	Strategy and involves member liaisons embedded in each division and unit to support frontline officers and civilian staff to be aware of and understand the R.B.D.C. Strategy, share their perspectives and ask questions.
<p>#16 – Directed to all Police Services in Ontario</p> <p>Police Services and Police Services Boards shall consult with third-parties, including individuals from the Black community, Black advocacy community organizations, persons with lived experiences from peer-run organizations, and appropriate content experts, and:</p> <p>a) Develop an objective methodology to measure and evaluate police service performance on use of force;</p> <p>b) Take corrective action to address systemic discrimination; and</p> <p>c) Provide clear and transparent information to the public on biased and discriminatory use of force</p>	<p>Toronto Police Service Concur – Implemented</p> <p>Consultation is an integral part of the Service's R.B.D.C. Strategy. Under the R.B.D.C. Strategy, the Service engages with members of Black communities with lived experience, subject matter expertise and sector-specific knowledge through various means to inform data analyses, interpretation, training, communications, community engagement strategies and developing action plans to address systemic disparities in use of force and other policing outcomes. This includes ongoing consultation with:</p> <ol style="list-style-type: none"> 1. R.B.D.C. Community Advisory Panel (C.A.P.) - Established in January 2021, the C.A.P. includes 12 diverse members of communities and 4 subject matter expert consultants. Members of the C.A.P. reflect Black communities with lived experience with policing, experts in mental health research and community organizing; 2. Independent researchers who are internationally recognized experts in equity and policing matters; 3. Engagements with stakeholders such as A.R.A.P., M.H.A.A.P., Police and Community Engagement Review (P.A.C.E.R.), Community Consultative Committees (C.C.C.s), and Community Police Liaison Committees (C.P.L.C.s) on the R.B.D.C. Strategy, as well as the Service's Mental Health Data & Analytics Working Group. 4. Community organizations and social service agencies that serve Toronto's Black, Indigenous and racialized communities as partners to effectively and

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<p>inclusively outreach, communicate, and engage the public about the R.B.D.C. Strategy and action planning.</p> <p>Further information about the C.A.P. and independent researchers are available via the Service website: https://www.tps.ca/race-based-data-collection/partnerships/. Additionally, information about the R.B.D.C. Community Town Halls is available on the Service website: https://www.tps.ca/race-based-data-collection/community-consulations-ii/</p> <p>As the Service makes progress in implementing comprehensive police reform, they are committed to doing so in collaboration with communities, ensuring their priorities, diverse perspectives and lived experiences are considered in decision-making.</p>
<p>#17 – Directed to all Police Services in Ontario</p> <p>Training for new officers should be amended so that the question of the suspect's mental health be as prominent in their considerations as the criminal activity they have committed.</p>	<p>Toronto Police Service Concurr – Implemented</p> <p>Cadets in Training are educated on both the <i>Criminal Code of Canada</i> and various provincial statutes, including the M.H.A.</p> <p>The Cadets in Training are taught that the <i>Criminal Code of Canada</i> (Criminal Code) takes precedent over provincial statutes, including the M.H.A. However, in those instances where an individual is arrested due to a Criminal Code violation and mental health may be a factor, Cadets in Training are taught to consult with their supervisor(s) including the divisional or unit Detective in charge of the case, for possible processing through Mental Health court.</p> <p>In addition to training, the following 2 Service Procedures are currently in effect and direct Service members when considering the persons mental health:</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	<ul style="list-style-type: none"> • Procedure 06-04 entitled "Persons in Crisis" has been incorporated in Service Governance since 1993 and recently amended to compliment newly Procedure 06-13; and • Procedure 06-13 entitled "Mobile Crisis Intervention Team (M.C.I.T.)" was newly introduced into Service Governance December 07, 2021. <p>Both of these Service Procedures are available via the Service website: https://www.tps.ca/service-procedures/.</p> <p>Service Procedures emphasize a coordinated effort when responding to a Call For Service involving a person in crisis. In that regard, procedures engage the Community Response Unit, the Divisional Mental Health Liaison Officer, the Divisional Officer in Charge, and supervisory officers to coordinate, collaborate and work with the M.C.I.T. to ensure an overall effective response for the person in crisis.</p> <p>In every encounter, the Service is committed to taking all reasonable steps to assess, de-escalate and safely resolve the situation.</p>
<p>#18 – Directed to all Police Services in Ontario</p> <p>Training should be given to establish who should lead the call when dealing with a potentially violent incident or crisis.</p>	<p>Toronto Police Service Concurr – Implemented</p> <p>Throughout recruit training and particularly during Dynamic Simulation Training (D.S.T.), Cadets in Training are instructed to take a team approach to resolving critical incidents. Embedded within this concept is the need for designating a contact officer, whose role is to be the primary lead on the call. This training is reinforced throughout the career of an officer.</p> <p>Additionally, when specialized units such the M.C.I.T. and/or the Emergency Task Force (E.T.F.) are on scene they can take over the call and be the lead element.</p>

Ekamba Coroner's Inquest Recommendation	Toronto Police Service (Service) Response
	As of 2021, officers who have undergone the D.C.S.O. training are encouraged to be the lead officer (contact officer) on a crisis call, should neither the E.T.F. nor M.C.I.T. be available.



Central Joint Health and Safety Committee

PUBLIC MINUTES

**Monday, August 29, 2022, at 11:30AM
Communications Services / WebEx**

Meeting No. 79

Chair for this Meeting:

Jon Reid, President, Toronto Police Association (TPA) & Co-Chair, Central Joint Health & Safety Committee (CJHSC)

Members Present:

Jim Hart, Chair Toronto Police Service Board & Co-Chair, Central Joint Health & Safety Committee (CJHSC)
Jon Reid, President, Toronto Police Association (TPA) & Co-Chair, CJHSC
CAO Tony Veneziano, Toronto Police Service (TPS), Command Representative

Absent:

Brian Callanan, TPA & Executive Representative
Ivy Nanayakkara, Manager, TPS, Wellness Unit (absent)

Also Present:

Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit
Nancy Casselman, Director of People & Culture, TPS
Diana Achim, Board Administrator, TPSB
Claire Wagar, Executive Assistant, TPA (minutes)

Opening of the Meeting:

1. Co-Chair, Jon Reid, welcomed the group to the meeting and called the meeting to order.
2. The Committee approved the public minutes from the meeting that was held on March 7, 2022.

Moved by: Co-Chair Hart
Seconded by: Tony Veneziano

The Committee considered the following matters:

3. New Initiatives

Review by: All Members

None

Status	Ongoing
Action	To be left on the agenda as a standing agenda item.

4. Respiratory Protection Masks

Update by: Mr. Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit

Mr. Rob Duncan advised the Committee that members from the TPS safety section will be evaluating the potential benefits of implementing a train-the-fit-tester model for some specialized units which require the use of respirators.

Status	On-going
Action	The Committee agreed that this item will be left on the agenda as a standing agenda item until resolved. Mr. Duncan to provide an update at the next meeting.

Adjournment:

Moved by: Co-Chair Hart
Seconded by: Tony Veneziano

Next Meeting Date: November 7, 2022, at 9:00am (Mounted Unit)

Members of the Central Joint Health and Safety Committee:

Jim Hart, Co-Chair Toronto Police Services Board	Jon Reid, Co-Chair Toronto Police Association
Tony Veneziano, Command Representative, Toronto Police Service	Brian Callanan, Executive Member Toronto Police Association



Central Joint Health and Safety Committee

PUBLIC MEETING AGENDA Monday, November 7, 2022, at 9:00AM Mounted Unit / WebEx

Meeting No. 80

Chair for this Meeting:

Jim Hart, Chair Toronto Police Service Board & Co-Chair, Central Joint Health & Safety Committee (CJHSC)

Members Present:

Jim Hart, Chair Toronto Police Service Board & Co-Chair, CJHSC
Jon Reid, President, Toronto Police Association (TPA) & Co-Chair, CJHSC
CAO Svina Dhaliwal, Toronto Police Service (TPS), Command Representative

Absent:

Ivy Nanayakkara, Manager, TPS, Wellness Unit

Also Present:

Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit
Brian Callanan, TPA & Executive Representative
Diana Achim, Board Administrator, TPSB
Claire Wagar, Executive Assistant, TPA

Opening of the Meeting:

1. Co-Chair, Jim Hart, welcomed the group to the meeting and called the meeting to order.
2. The Committee approved the public minutes from the meeting that was held on August 29, 2022.

Moved by: Co-Chair Hart

Seconded by: Co-Chair Reid

The Committee considered the following matters:

3. New Initiatives

Review by: All Members

The Committee agreed that there is no new update on this matter.

Status	Ongoing
Action	To be left on the agenda as a standing agenda item.

4. Respiratory Protection Masks

Update by: Mr. Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit

Mr. Rob Duncan advised the Committee that the testing of the new models continues and that the training is scheduled for the end of the year. Mr. Duncan said that he will provide an update at the next meeting.

Status	On-going
Action	The Committee agreed that this item will be left on the agenda as a standing agenda item until resolved. Mr. Duncan to provide an update at the next meeting.

5. Other Business Items for Discussion

The Committee discussed the following new items.

Certification of Members of the Committee

In accordance with the Terms of Reference there is a requirement that two certification of members of the Committee. Ms. Svina Dhaliwal has begun the process of becoming a certified Member and is awaiting for the process to be finalized.

Briefing Notes for Minutes

Co-Chair Hart asked Committee Members to ensure that they submit briefing notes with any discussion items to be included in the Minutes.

Site Visits of New TPS Facilities

The Committee discussed and agreed to continue meeting in various facilities across the Service next year. The Committee agreed that it would attend the new courthouse, in the New Year.

Adjournment:

Moved by: Co-Chair Hart

Seconded by: Co-Chair Reid

Next Meeting Date: December 12, 2022, at 12:30pm (virtual via WebEx)

Members of the Central Joint Health and Safety Committee:

Jim Hart, Co-Chair Toronto Police Services Board	Jon Reid, Co-Chair Toronto Police Association
Svina Dhaliwal, Command Representative, Toronto Police Service	Brian Callanan, Executive Member Toronto Police Association



Central Joint Health and Safety Committee

PUBLIC MEETING MINUTES

Monday, December 12, 2022, at 12:30PM

WebEx

Meeting No. 81

Chair for this Meeting:

Jon Reid, President, Toronto Police Association, and Co-Chair, Central Joint Health, and Safety Committee

Members Present:

Ainsworth Morgan, Acting Chair Toronto Police Service Board & Acting Co-Chair, CJHSC

Jon Reid, President, Toronto Police Association (TPA) & Co-Chair, CJHSC

CAO Svina Dhaliwal, Toronto Police Service (TPS), Command Representative

Also Present:

Ivy Nanayakkara, Manager, TPS, Wellness Unit

Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit

Brian Callanan, TPA & Executive Representative

Diana Achim, Board Administrator, TPSB

Claire Wagar, Executive Assistant, TPA

Opening of the Meeting:

1. Co-Chair, Jon Reid, welcomed the group to the meeting and called the meeting to order.
2. The Committee approved the public minutes from the meeting that was held on November 7, 2022.

Moved by: Brian Callanan

Seconded by: Ivy Nanayakkara

The Committee considered the following matters:

3. New Initiatives

Review by: All Members

The Committee agreed that there are no new initiatives to be discussed.

Status	Ongoing
Action	To be left on the agenda as a standing agenda item.

4. Respiratory Protection Masks

Update by: Mr. Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit

Mr. Rob Duncan advised the Committee the respiratory fit testing training will be scheduled in early 2023.

Status	On-going
Action	The Committee agreed that this item will be left on the agenda as a standing agenda item until resolved. Mr. Duncan to provide an update at the next meeting.

5. Certification of Committee Members (Terms of Reference)

Update by: Ms. Svina Dhaliwal, CAO, Command Representative, TPS

Ms. Nanayakkara advised the Committee that a fulsome update will be provided at the January 2023 meeting. Ms. Nanayakkara said that the Wellness Unit is committed to ensuring that the right certification is offered to Members of this Committee. Mr. Rob Duncan said that he believes Svina Dhaliwal has been in contact with the trainer at the College to participate in the Spring 2023 session, but that nothing has been confirmed.

Adjournment

Moved by: Brian Callanan

Seconded by: Svina Dhaliwal

Next Meeting Date: 2023 meeting dates to be scheduled.

Members of the Central Joint Health and Safety Committee:

Ainsworth Morgan, Acting Co-Chair Toronto Police Services Board	Jon Reid, Co-Chair Toronto Police Association
Svina Dhaliwal, Command Representative, Toronto Police Service	Brian Callanan, Executive Member Toronto Police Association



Toronto Police Services Board Report

December 20, 2022

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.25

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report for information.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving death, serious injury, the discharge of a firearm at a person or the allegation of a sexual assault, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

S.I.U. Terminology:

Complainant – Refers to the Affected Person

SO – Subject Official

WO – Witness Official

TPS – Toronto Police Service

S.I.U. Investigative Conclusion:

In a letter to the Chief of Police dated October 6, 2022, Director Joseph Martino of the S.I.U. stated, *“the file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the two officials.”*

The following S.I.U. *Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCI-150, which can be found in its entirety via the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=2149

S.I.U. Incident Narrative:

“The material events in question are clear on the evidence gathered by the SIU, including police BWC footage that captured the incident, and may briefly be summarized.

In the early morning hours of the day in question, the Complainant ventured onto a construction site at 3100 Keele Street. He was trespassing at the time. A security company monitoring the site via live camera feeds detected the Complainant and contacted the police.

The first officers to arrive on scene - at about 1:07 a.m. – were SO #1 and SO #2. By this time, the Complainant had entered and was inside a blue portable toilet. Alerted to the Complainant’s presence in the portable toilet by the security company, the officers located the structure and called out to him. They announced themselves as ‘police’ and directed that the Complainant exit. The Complainant remained silent at first but eventually spoke up confirming his presence in the toilet. The officers continued to direct that the Complainant exit the toilet, and that he fall to his knees and lie flat on his stomach when he did so.

At about 1:12 a.m., the Complainant opened the door of the portable toilet and remained standing. Within moments, SO #2, positioned to the Complainant’s left, took hold of him and forced him to the ground. SO #1, to the right of the Complainant, physically engaged the Complainant on the ground. The officers brought the Complainant’s arms behind his back and handcuffed them without further incident.

Following his arrest, the Complainant complained of pain to the ribs, but declined the officers’ offer of an ambulance.

The next day, after his release from custody, the Complainant was at the

Sheridan Plaza, 1700 Wilson Avenue, Toronto, when he again complained of pain to an unknown individual. An ambulance was called and transported the Complainant to hospital where he was diagnosed with a hairline fracture of a left rib.”

Analysis and Director’s Decision:

“The Complainant sustained a serious injury in the course of his arrest by TPS officers on June 8, 2022. The officers – SO #1 and SO #2 – were identified as subject officials in the ensuing SIU investigation. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that either subject official committed a criminal offence in connection with the Complainant’s arrest and injury.

Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.

The officers were within their rights in seeking to take the Complainant into custody. He had trespassed onto private property and was subject to arrest under section 9(1) of the Trespass to Property Act.

With respect to the force brought to bear by the officers in aid of the Complainant’s arrest, it was minimal and legally justified. There was an element of risk in the situation to the officers’ safety. It was dark, the officers were on a construction site, and the Complainant had initially refused to acknowledge the officers’ call-outs and then failed to present himself without delay. In the circumstances, when the Complainant remained standing after opening the toilet door notwithstanding the clear directions from the officers, a takedown was within the range of reasonable measures available to the officers. Once on the ground, the officers could expect to more safely manage the risks associated with possible threats or resistance on the part of the Complainant. On the video footage captured by the BWCs, it is also apparent that the takedown was not executed with undue force. No strikes of any kind were delivered at any point.

In the result, while I accept that the Complainant broke a rib in the takedown, I am not satisfied on reasonable grounds that the injury is attributable to unlawful conduct on the part of either of the subject officials. The file is closed.”

Summary of the Toronto Police Service's Investigation:

The Professional Standards - S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation mandated by provincial legislation.

This investigation examined the circumstances of the custody injury in relation to the applicable legislation, policing services provided, procedures, and the conduct of the involved officers.

The S.I.U. Liaison investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-10 (Provincial Offences Act Releases);
- Procedure 02-01 (Arrest Warrants);
- Procedure 04-07 (Alarm Response);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-17 (In-Car Camera System);
- Procedure 15-20 (Body-Worn Camera)

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019*

The S.I.U. Liaison investigation determined that the T.P.S.'s policies and procedures associated with this custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The S.I.U. Liaison investigation determined the conduct of the designated officials was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

In his findings, the S.I.U. Director referenced to Body-Worn Camera (B.W.C.) footage, utilizing it to conclude that the use of force was reasonable and justified. This video footage refuted the inaccurate assertions made by the complainant regarding the excessive use of force.

Staff Superintendent Peter Code, Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

original copy with signature on file in Board office



Toronto Police Services Board Report

December 20, 2022

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

Subject: Chief's Administrative Investigation into the Alleged Sexual Assault of Complainant 2022.26

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report for information.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving death, serious injury the discharge of a firearm at a person or an allegation of a sexual assault, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On June 28, 2022, Alleged Sexual Assault Complainant 2022.26 (2022.26) reported a historic (1981) sexual assault to the Toronto Police Service.

2022.26 alleged that two individuals sexually assaulted him and that they believed them to be police officers of the Toronto Police Service.

On June 28, 2022, the S.I.U. was notified and invoked its mandate.

The S.I.U. and the T.P.S. were unable to pursue fruitful lines of investigation due to the historic nature of this allegation and the consequent purge of business records that may have identified a potential subject official. As a result, the S.I.U. did not identify a subject official in relation to this allegation. The S.I.U. designated the two investigators whom 2022.26 spoke to as witness officials.

S.I.U. Investigative Conclusion:

In a letter to the Chief of Police dated October 26, 2022, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges in this case”*.

The S.I.U. has not made the Directors Report in relation to this investigation public stating in part, *“pursuant to section 34(6) of the Special Investigations Unit Act, 2019, the SIU Director may exercise discretion, subject to prior consultation with the complainant, to not publish the report if the Director is of the opinion that the complainant’s privacy interest in not having the report published clearly outweighs the public interest in having the report published.”*

Summary of the Toronto Police Service’s Investigation:

The Professional Standards - S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation as is required by Provincial Legislation. This investigation was reviewed by Specialized Criminal Investigations - Sex Crimes as required by Procedure 13-16 (Special Investigations Unit).

This investigation examined the circumstances of the alleged sexual assault in relation to the applicable legislation, policing services provided, procedures, and the conduct of the involved officers.

The S.I.U. Liaison investigation reviewed the following T.P.S. procedures:

- Procedure 05-05 (Sexual Assault);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019.*

The S.I.U. Liaison Unit investigation determined that the T.P.S.’s policies and procedures associated with this alleged sexual assault were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate

guidance to the members. None of the examined policies and procedures required modification.

The S.I.U. Liaison investigation determined the conduct of the designated witness officials was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

This report and the investigative findings were reviewed by Specialized Criminal Investigations - Sex Crimes as per Procedure 13-16 (Special Investigations Unit).

Staff Superintendent Peter Code (6469), Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

original copy with signature on file in Board office



Toronto Police Services Board Report

December 20, 2022

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.29

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report for information.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving death, serious injury the discharge of a firearm at a person or an allegation of a sexual assault, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

S.I.U. Terminology:

Complainant – Refers to the affected person

SO – Subject Official

WO – Witness Official

BWC – Body Worn Camera's

S.I.U. Investigative Conclusion:

In a letter to the Chief of Police dated October 28, 2022, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the two officials”*.

The following *S.I.U. Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCI-169, which can be found via the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=2173

S.I.U. Incident Narrative:

“The material events in question are clear on the evidence collected by the SIU, which included video footage of the incident and interviews with the principal players, and may briefly be summarized.

At about 1:15 a.m. of July 2, 2022, SO #1 and SO #2 were dispatched to the scene of a disturbance outside the Love Child Social, 69 Bathurst Street, Toronto. The Complainant was at the centre of the disturbance. He had just been thrown out of the premises by the club’s security guards and was being pinned with his back to the sidewalk when the officers arrived.

The Complainant was intoxicated at the time. He had quarreled with persons inside the club and was combative with security guards when they endeavoured to usher him out.

SO #1 took a hold of the Complainant’s right arm intending to secure him in handcuffs, as SO #2 grabbed the Complainant’s left arm. The Complainant reacted by throwing his legs around SO #1’s upper body, after which he was subjected to a series of punches to the face by each officer, and several punches to the ribs by SO #1. The Complainant’s leg hold was released and the officers proceeded to handcuff him behind the back.

An ambulance attended at the scene and transported the Complainant to hospital. He was diagnosed with a broken nose”.

Analysis and Director’s Decision:

“The Complainant was seriously injured in the course of his arrest by TPS officers on July 2, 2022. The officers – SO #1 and SO #2 – were identified as subject officials in the ensuing SIU investigation. The investigation is now concluded. On my assessment of the evidence, there are no reasonable

grounds to believe that either officer committed a criminal offence in connection with the Complainant's arrest and injury.

Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.

SO #1 and SO #2 were proceeding lawfully to arrest the Complainant. In light of what they had learned of the 911 calls received by police, in which the Complainant was said to have assaulted patrons of a club, the officers were within their rights in seeking to take him into custody for assault.

I am also satisfied that the force used by the officers, namely, a series of punches to the Complainant's face and rib cage, were legally justified. The guards and the officers characterized the Complainant's movement with his legs around SO #1 as an attempted 'choke' hold of sorts. The video footage captured by the officers' BWCs would appear to give credence to that description. In the circumstances, the officers were entitled to act quickly to defeat the Complainant's aggressive maneuver to avoid any harm coming to SO #1. The punches delivered by the officers to the Complainant's face, in my view, constituted a proportionate response to the exigencies at hand. The same be said of the two to three punches struck by SO #1 to the Complainant's ribs when he continued to refuse to release an arm to be handcuffed. Once the Complainant was restrained, no further force was used.

In the result, while I accept that the Complainant's broken nose might well have been inflicted by the officers' punches,³ I am unable to reasonably conclude the injury is attributable to unlawful conduct on the part of either SO #1 or SO #2. As such, there is no basis to proceed with criminal charges in this case. The file is closed”.

Summary of the Toronto Police Service's Investigation:

The Professional Standards-S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation as is required by Provincial Legislation.

This investigation examined the circumstances of the custody injury in relation to the applicable legislation, policing services provided, procedures, and the conduct of the involved officers.

³ The evidence also gives rise to the possibility that the Complainant's broken nose was caused in the course of his interactions with the club security guards ahead of the officers' arrival on scene.

The S.I.U. Liaison investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-02 (Injury/Illness Reporting);
- Procedure 15-17 (In-Car Camera System);
- Procedure 15-20 (Body-Worn Camera).

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019.*

The S.I.U. Liaison Unit investigation determined that the T.P.S.'s policies and procedures associated with this custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The S.I.U. Liaison investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Staff Superintendent Peter Code, Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

original copy with signature on file in Board office



Toronto Police Services Board Report

December 20, 2022

To: Chair and Members
Toronto Police Services Board

From: Myron Demkiw
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Death of Complainant 2022.30

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report for information.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving death, serious injury the discharge of a firearm at a person or an allegation of a sexual assault, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

S.I.U. Terminology:

Complainant – Refers to the affected person

SO – Subject Official

WO – Witness Official

CW – Civilian Witness

BWC – Body-Worn Cameras

EMS – Emergency Medical Services

CPR –Cardiopulmonary Resuscitation

S.I.U. Investigative Conclusion:

In a letter to the Chief of Police dated November 7, 2022, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the official”*.

The following *S.I.U. Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCD-176, which can be found via the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=2184

S.I.U. Incident Narrative:

“The evidence collected by the SIU, including interviews with eyewitnesses to the events in question and BWC footage that captured the incident in parts, gives rise to the following scenario.

At about 10:48 p.m. of July 9, 2022, the SO and WO #1 were dispatched to a residence on Tree Sparroway, Toronto. CW #1, who resided at the address with her family, had called 911 to report a disturbance involving one of her sons, the Complainant.

The Complainant, who did not live at the address, had arrived at the residence to collect his mail. The Complainant, in possession of a knife, made threatening comments and his brothers, CW #2 and CW #3, intervened physically. The brothers were able to force the Complainant to the floor on his back, and used their greater manpower to keep him pinned. In short order, CW #2 dispossessed the Complainant of the knife. Fearing that he would retrieve another knife if they lost control of him, CW #2 and CW #3 kept the Complainant on the ground while they waited for the police to arrive.

CW #1 had reached a 911 operator at about 10:30 p.m. She indicated that the Complainant had a knife and was threatening to hurt people. She further noted that the Complainant, who suffered from a mental health disorder, was being held down by his brothers. In subsequent calls to police at 10:42 p.m. and 10:51 p.m., CW #1 explained that the knife had been taken away from the Complainant.²

The SO and WO #1 arrived on scene at about 10:53 p.m. They observed the Complainant lying prone on the ground in a dining room area just off the

²There were no officers available to respond immediately to CW #1’s initial call to police as it seems they were tied up with a shooting that had occurred in their division.

kitchen. Lying prone on top of the Complainant was CW #2. The officers took control of the Complainant's arms and, with CW #2 now off his brother, handcuffed them behind his back.

Shortly after securing the restraints, the SO noticed that something was wrong; the Complainant's eyes were not blinking and he was not breathing. WO #1 contacted EMS. The handcuffs were removed from the Complainant and the officers started CPR while they waited for the attendance of paramedics.

Paramedics and firefighters arrived about ten minutes later and took charge of resuscitative efforts.

The Complainant was transported to hospital and declared deceased at 12:02 a.m., July 10, 2022”.

Cause of Death

An autopsy was conducted on July 11, 2022. The cause of the Complainant's death remains pending.

Analysis and Director's Decision:

“On July 10, 2022, the Complainant, while in the custody of the TPS, was pronounced deceased. In the ensuing SIU investigation, one of the officers who had arrested the Complainant – the SO – was identified as the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant's death.

The offences that arise for consideration are failure to provide the necessities of life and criminal negligence causing death contrary to section 215 and 220 of the Criminal Code, respectively. Both require something more than a simple want of care to give rise to liability. The former is predicated, in part, on conduct that amounts to a marked departure from the level of care that a reasonable person would have exercised in the circumstances. The latter is premised on even more egregious conduct that demonstrates a wanton or reckless disregard for the lives or safety of other persons. It is not made out unless the neglect constitutes a marked and substantial departure from a reasonable standard of care. In the instant case, the question is whether there was any want of care on the part of the SO, sufficiently serious to attract criminal sanction, that endangered the Complainant's life or caused his death. In my view, there was not.

The SO and WO #1 were lawfully placed and in the execution of their duties throughout their engagement with the Complainant. They had been dispatched to a domestic disturbance call involving a weapon – a knife – and were within their rights in taking the Complainant into custody given what they knew of his behaviour from the 911 call. As police officers, they were also duty-bound to do what they could by way of emergency first-aid when they noticed the Complainant in medical distress shortly after he was handcuffed.

In the short time that the SO and WO #1 dealt with the Complainant, I am satisfied that they comported themselves with due care and regard for his health and wellbeing. In light of what they knew of the 911 call, involving a knife, and what they observed upon arriving at the scene – CW #2 lying prone on his brother, himself prone on the ground, as if trying to keep him from getting up – it would appear the decision to immediately handcuff the Complainant was a reasonable one made in the interests of everyone’s safety. Thereafter, the officers acted expeditiously as soon as they noticed that the Complainant was in medical crisis, contacting EMS and administering CPR.

In the result, while the cause of the Complainant’s death remains unknown at this time, there are no reasonable grounds to believe it is attributable to any unlawful conduct on the part of the subject official. As such, there are no grounds to proceed with criminal charges. The file is closed”.

Summary of the Toronto Police Service’s Investigation:

The Professional Standards-S.I.U. Liaison (S.I.U. Liaison) in consultation with the Toronto Police Service (T.P.S.) Homicide Unit (H.O.M.) conducted an administrative investigation as required by Provincial Legislation.

This investigation examined the circumstances of the custody death in relation to the applicable legislation, policing services provided, procedures, and the conduct of the involved officers.

The S.I.U. Liaison investigation reviewed the following T.P.S. procedures:

- Procedure 04-02 (Death Investigations);
- Procedure 04-16 (Death in Police Custody);
- Procedure 06-04 (Persons In Crisis);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-20 (Body-Worn Camera).

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019.*

The S.I.U. Liaison and H.O.M. investigation determined that the T.P.S.'s policies and procedures associated with this custody death were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The S.I.U. Liaison and H.O.M. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures. The following additional comments are provided. The involved officers were equipped with Body Worn Cameras (B.W.C.) and the footage captured and provided to the S.I.U. was instrumental in assisting the S.I.U.'s investigation into what happened and why.

Staff Superintendent Peter Code, Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Myron Demkiw, M.O.M.
Chief of Police

original copy with signature on file in Board office