



Public Meeting

Thursday March 22, 2018

**Auditorium – Police Headquarters
1:00 PM**

PUBLIC MEETING – AGENDA
Thursday, March 22, 2018 at 1:00 PM
Board Room, 40 College Street, 7th Floor

www.tpsb.ca

1. Call to Order
2. Declarations of Interest under the *Municipal Conflict of Interest Act*.
3. Confirmation of the Minutes from the meeting held on February 22, 2018

Presentation(s)

4. Issuance of Naloxone Kits

Superintendent Scott Baptist will provide an update regarding the ongoing implementation of officers being equipped with naloxone.

5. The Way Forward (T.W.F.) Implementation Update

Staff Superintendent Frank Bergen, Strategy Management and Staff Sergeant Greg Watts will deliver a presentation to discuss the year in review.

Items for Consideration

6. March 15, 2018, 2018, from John Tory, Mayor
Re: [Independent External Review into Systemic Concerns Related to Missing Persons Investigations](#)
- 6.1 March 15, 2018, 2018, from Mark Saunders, Chief of Police
Re: [Independent External Review into Systemic Concerns Related to Missing Persons Investigations](#)
7. January 16, 2018, from Mark Saunders, Chief of Police
Re: [Organizational Chart](#)

8. March 5, 2018 from Mark Saunders, Chief of Police
Re: Request to Increase the Establishment of Communications Operators and Operations Supervisors at Communications Services
THIS REPORT HAS BEEN WITHDRAWN FROM THE AGENDA
9. March 5, 2018 from Mark Saunders, Chief of Police
Re: Purchasing Services Reorganization: Approval of New Job Descriptions for Senior Procurement Specialist (Z28028) and Procurement Specialist (Z26020) position, Corporate Services Command
10. March 8, 2018 from Mark Saunders, Chief of Police
Re: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Mr. Andrew Loku
11. October 15, 2015, Robert L. Baldwin, City of Toronto Legal Services
Re: Inquest into the Death of Zoltan Hyacinth
 - 11.1 February 8, 2018 from Mark Saunders, Chief of Police
Re: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Zoltan Yusuf Terence Hyacinth
12. February 8, 2018 from Mark Saunders, Chief of Police
Re: Response to the Jury Recommendations from the Coroner's Inquest into the Death of Mr. Eric Aiyebekpen Osawe
13. **Access to Historical Contact Data**
 - 13.1 November 23, 2017 from Mark Saunders, Chief of Police
Re: Access to Historical Contact Data – Third Quarter 2017 (July – September)
 - 13.2 February 22, 2018 from Mark Saunders, Chief of Police
Re: Access to Historical Contact Data – Fourth Quarter 2017 (October – December)

- 13.3 March 7, 2018 from Regulated Interactions Review Panel
Re: Regulated Interactions Review Panel: Review of Chief's Access to Historical Contact Data, Third & Fourth Quarter Reports 2017
14. February 14, 2018 from Mark Saunders, Chief of Police
Re: Special Constable Appointments Toronto Transit Commission & Toronto Community Housing Corporation - March 2018
15. March 1, 2018 from Mark Saunders, Chief of Police
Re: Contract Extension – Vendor of Record for Desktop Equipment, Software, Related Hardware and Professional Services
16. February 1, 2018 from Mark Saunders, Chief of Police
Re: Special Fund: Request for Funds 2018 Annual Community Events

Consent Agenda

17. January 20, 2018, from Mark Saunders, Chief of Police
Re: Annual Report: 2017 Proof of Claim Documents Filed on Behalf of the Toronto Police Services Board
18. February 21, 2018 from Mark Saunders, Chief of Police
Re: Semi-Annual Report: Write-off of Uncollectible Accounts Receivable Balances July to December 2017
19. February 13, 2018, from Mark Saunders, Chief of Police
Re: Labour Relations Counsel and Legal Indemnification: Cumulative Legal Costs from January 1 - December 31, 2017
20. February 13, 2018, from Mark Saunders, Chief of Police
Re: Annual Report: 2017 Secondary Activities

21. February 14, 2018, from Mark Saunders, Chief of Police
Re: Annual Report: 2018 Filing of Toronto Police Service Procedures

22. February 20, 2018, from Mark Saunders, Chief of Police
Re: Annual Report 2017: Use of Conducted Energy Weapons

23. February 28, 2018, from Mark Saunders, Chief of Police
Re: Annual Report: Toronto Police Service Audit & Quality Assurance

24. March 1, 2018, from Andy Pringle, Chair
Re: City Council: Site Selection for a New Consolidated Police Station – 54/55 Division Report

25. March 6, 2018, from Andy Pringle, Chair
Re: City of Toronto Council – 2018 Capital and Operating Budgets

Adjournment

Next Meeting

Date: Wednesday, April 18, 2018 at 1:00 PM

Members of the Toronto Police Services Board

Andy Pringle, Chair
Chin Lee, Councillor & Vice-Chair
Shelley Carroll, Councillor & Member
Uppala Chandrasekera, Member

Marie Moliner, Member
John Tory, Mayor & Member
Ken Jeffers, Member

<https://www.ontario.ca/laws/statute/90m50>



John Tory
Mayor

March 15, 2018

Chair and Members
Toronto Police Services Board
40 College St.
Toronto, Ontario
M5G 2J3

Dear Chair and Members,

For some time now, cases involving the disappearance of individuals including members of our LGBTQ communities have been generating a large number of deeply troubling questions which must be fully answered.

At the February 22, 2018 meeting of the Toronto Police Services Board (TPSB) I took some initial steps by introducing a motion to have the results of the Toronto Police Service internal review of these matters, initiated by Chief Saunders, made public as soon as possible. This motion was supported by the Chief and approved by the TPSB.

Chief Saunders has been working with provincial officials to explore the possibility of the Government of Ontario holding a public inquiry into the McArthur case, which I support. Legal counsel and others will have to determine the timing of such a public inquiry relative to a paramount requirement not to jeopardize ongoing investigations and/or subsequent judicial proceedings.

.../2

But since the February 2018 meeting, the list of unanswered questions has grown. I strongly believe that there is work we can and should begin now in the cause of an open and transparent review. This is why I called for an independent external review into systemic concerns of missing persons investigations and indicated I would be moving a motion to that effect at the Board's upcoming meeting on March 22, 2018. Chief Saunders is actively supportive of this proposal.

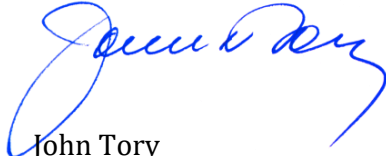
Accordingly, the motion is as follows:

1. That the TPSB Chair report to the April 2018 meeting on the composition of a working group mandated to advise the TPSB with respect to structural and process options for an independent external review or reviews. The working group should consist of not more than 4 members including a member of the TPSB as well as 3 external members. In order to identify the three external members, the Chair will consult the community including: organizations which work with sex workers, harm reduction and homeless populations, and groups representing Indigenous people and LGBTQ communities, including the Alliance for South Asian AIDS Prevention.
2. That the working group report to the TPSB at its May 2018 public meeting. Its report should include:
 - a. Identifying the best possible form of such an external review or reviews, including one commissioned by the Board, for example, and/or one conducted by a third party, such as the Ontario Independent Police Review Director (OIPRD).
 - b. Discussion with respect to the possible terms of references, including:
 - i. Toronto Police Services practices and actions related to past missing persons investigations, subject to any legal restrictions;
 - ii. TPSB policies, TPS procedures, protocols, training and organizational structures related to missing persons investigations, which will not include any information or discussion of the McArthur investigation and possible trial proceedings;
 - iii. Any systemic concerns, especially those which related to bias against people based on protected grounds outlined in the Ontario Human Rights Code; and
 - iv. National and international best practices into missing persons investigations.
 - c. Anticipated costs of such a review and timelines associated therewith.

The safety of all Toronto residents is my primary responsibility, and I believe that building up and maintaining the trust of all of our communities is paramount to the success of the Toronto Police Service overall and the people who serve us.

Many of these steps have been recommended by representatives of the LGBTQ communities and I thank them for their leadership, strength, collaboration, understanding and wise counsel during the difficult times experienced to date.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Tory". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

John Tory
Mayor of Toronto



Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3
(416) 808-2222 FAX (416) 808-8202
Website: www.TorontoPolice.on.ca



Mark Saunders
Chief of Police

File Number:

March 15, 2018

Toronto Police Services Board
40 College St.
Toronto, ON M5G 2J3

Dear Chair Pringle:

I am writing to express my support for the recommendations proposed by Mayor Tory to be considered by the Board at its meeting of March 22, 2018. I share the Mayor's view concerning the need for an independent and external review. Such a review will help identify any gaps that exist in policies, procedures and practices including issues of systemic bias. My hope is that such a review would help to build community confidence in the work of the Toronto Police Service.

I recognize that setting terms of reference and parameters for such a process will be challenging but I am certain the Board will strike the right balance between addressing the questions and concerns of the public while protecting ongoing investigations and prosecutions.

Accordingly, I support the Mayor's proposal to see a Working Group formed under the direction of the Board to consider the terms of such a review. This will give the Board an opportunity to consult, consider all points of view carefully and reach a thoughtful set of recommendations.

During this work, I will continue with the efforts I have put forward to get answers to very difficult questions. This work includes, but will not be limited to:


- A Professional Standards investigation into an incident uncovered during the current homicide investigation
- A Professional Standards investigation into the handling of the Alloura Wells and Tess Richey cases
- Creating a dedicated Missing Persons Unit, tasked with the responsibility of reviewing and updating the status of missing person reports as well as considering the efficacy of our current procedures and training

To Serve and Protect - Working with the Community

- Engaging in a robust community outreach plan that includes in-person presentations by Deputy Chief of Police Barbara McLean and LGBTQ Liaison Officer Danielle Bottineau
- Expressing my support for a public inquiry to be called by the provincial government

In conclusion, I want to assure the Board and the community of my commitment to addressing these issues head-on, with transparency and accountability. I look forward to the meeting of the Toronto Police Services Board and hearing the views expressed at that table.

Sincerely,

A handwritten signature in black ink that reads "Mark Saunders". The signature is written in a cursive, slightly slanted style.

Mark Saunders, O.O.M.
Chief of Police

MS/mg/lk



Toronto Police Services Board Report

January 16, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Organizational Chart

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) approve the new organizational chart for the Toronto Police Service (Service).

Financial Implications:

There are no financial implications relating to the recommendation contained within this report. The restructuring reflected in this report will result in the realignment of various existing positions and units. The Service will accommodate any costs related to the restructuring within the 2018 Operating Budget and the 2018-2027 Capital Program.

Background / Purpose:

At its meeting on January 25, 2001, the Board requested that all organizational charts be submitted on an annual basis (Min. No. P5/01 refers).

At its meeting on February 23, 2017, an annual report was submitted to advise the Board that there were no changes to the organizational chart (Min. No. P30/17 refers).

In keeping with the requirement to report annually, this report is being submitted to advise the Board of recent restructuring changes which have taken place and request the Board's approval of the new organizational chart for the Service.

Discussion:

As a result of detailed consultation between the Board, Chief and Command Officers, in addition to recommendations made by the Transformational Task Force in June 2016 (Min. No. P138/16 refers) and January 2017 (Min. No. P02/17 refers), this new organizational chart addresses the modernization of the Service. The following are the highlights of the restructuring:

Corporate Support Command

- Corporate Services Command has been renamed as Corporate Support Command. This has been done to reflect the necessary support services it provides to the entire organization.
- Operations Support was formerly known as Operational Support Services (O.S.S.), and has been relocated to this command. Communications Services, Court Services and Parking Enforcement, that were formerly in the O.S.S. pillar, have been moved to other commands to provide enhanced efficiencies. Facilities Management has been moved to this pillar as it aligns with operational supports provided to the Service.
- Employee Services is a new unit within the Finance and Business Management pillar, which comprises the formerly known Payroll and Benefits Administration and Employee Records sections. This unit will provide more streamlined and efficient service to employees.

Human Resources Command

- This new command will encompass our inward facing focus to our employees and enhance our ability to ensure the highest possible performance of our employees.
- Corporate Risk Management has moved under this command to align with the inward focus.
- The People and Culture pillar, formerly known as Human Resources, has begun its implementation of a modernized structure, approved by the Board in October 2017 (Min. No. P228/17 refers), and a service delivery model that will position them as strategic business partners with their management colleagues.
- Talent Acquisition is transitioning from the former Employment Unit and will represent a more modern approach in partnering with managers to fill positions and in sourcing and attracting talent to the Service.
- People Strategy & Performance is a newly named unit replacing the unit formerly known as H.R. Performance Management & Administration and will lead many of the new programs in the People Plan.
- Business Partnership is a new unit which will assign Business Partners to every supervisor/manager in order to provide strategic assistance in the management of their units.

Priority Response Command

- This is a new command that will focus on managing the Service's responses to priority calls within the new District model.
- Communications Services has moved under this command, and along with the Toronto Police Operations Centre forms the new Priority Operations, which will increase consistency in resource deployment
- Court Services has been relocated to this command so they are more closely aligned with the front line.

Communities & Neighbourhoods Command

- This is a new command that will increase the focus on the communities by developing new relationships and continuing to cultivate existing partnerships.
- Traffic Operations has been formed encompassing Traffic Services and Parking Enforcement. They will work collaboratively to facilitate a coordinated approach toward promoting road safety and improved traffic flow.

The 17 Divisions have now become ten Districts. Five of the Districts report to Priority Response Command and the other five report to Communities and Neighbourhoods Command and are separated and referred to as East Field Command and West Field Command. However, each District will provide both priority responses and community services.

Priority Response Command and Communities & Neighbourhoods Command will work as a close partnership. The two Staff Superintendents in these Commands will ensure consistent messaging across all Districts. They will have a direct reporting relationship to their Deputy Chief on administrative matters and program issues within that Command, and a dotted line reporting relationship to the other Deputy Chief on program issues within their Command.

This is the first iteration of the organizational chart for the new Priority Response Command and Communities & Neighbourhoods Command. It is anticipated that further changes will be made as the Service works toward the final vision of these two commands.

A complete listing of all restructuring changes has been captured as a word document, and is appended to this report for the Board's information. The attached document outlines where each of the units contained in the current organizational chart, approved on February 23, 2017, can be found in the new organizational chart.

Next steps

The Service reorganization requires alignment of unit budgets and staff movement associated with the changes in reporting.

Conclusion:

In summary, this report provides the Board with the Service's new organizational chart for approval.

I will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS:JM:jg

Filename: Board Report – Organizational Chart 2018.doc

Organizational Chart Changes – January 2018

Toronto Police Services Board

- **Toronto Police Services Board** remains unchanged
 - Led by: **Chair Andy Pringle** remains unchanged

Chief of Police

- **Chief of Police** remains unchanged
 - Led by: **Chief Mark Saunders** remains unchanged
 - **Disciplinary Hearings Office** remains unchanged
 - **Corporate Communications** remains unchanged
 - Led by: **Director Mark Pugash**
 - **Executive Officer** remains unchanged
 - **Strategy Management** remains unchanged
 - Led by **Staff Superintendent Frank Bergen**
 - **Diversity & Inclusion** remains unchanged
 - **Customer Service Excellence** remains unchanged
 - **Strategic Planning** remains unchanged
 - **Corporate Projects** remains unchanged
 - **Business Intelligence & Analytics** remains unchanged

Corporate Support Command

- Corporate Services Command has been renamed
 - Led by: **Chief Administrative Officer Tony Veneziano**
- **Operations Support** is the pillar formerly known as Operational Support Services and has moved here.
 - Led by: **Director Kristine Kijewski**
 - **Records Management Services** remains unchanged
 - **Property and Video Evidence Management** remains unchanged
 - **Facilities Management** was formerly under Finance and Business Administration and has now moved under this pillar.
 - **Fleet & Materials Management** remains unchanged
 - *The following units have been moved out of this pillar:*
 - *Communications Services to Priority Response Command*
 - *Court Services to Priority Response Command*
 - *Parking Enforcement to Communities & Neighbourhoods Command*
- **Information Technology Services** pillar remains unchanged
 - Led by **Director Cel Giannotta**
 - **Information Systems Services** remains unchanged
 - **Enterprise Architecture Office** remains unchanged

- **Infrastructure & Operations Support Services** remains unchanged
- **IT Customer Service** remains unchanged
- **Project Management Office** remains unchanged
- **Telecommunications Services** remains unchanged
- **Finance & Business Management**
 - Led by: **Director Svina Dhaliwal**
 - **Accounting Services** remains unchanged
 - **Budget & Financial Analysis** remains unchanged
 - **Employee Services** replaces the unit formerly known as Payroll & Benefits Administration and has absorbed the sub-unit formerly known as Employee Records (formerly within Human Resources)
 - **Purchasing Services** remains unchanged
- **Audit & Quality Assurance**, formerly a direct report to the Operational Support Command, has now been moved under this command.

Human Resources Command

- New command
 - Led by: **Deputy Chief Barbara McLean**
- **People & Culture** pillar formerly known as Human Resources
 - Led by: **Director Jeanette May**
 - **Business Partnership** - new unit
 - **People Strategy & Performance** renamed from HR Performance Management & Administration
 - *Staff Planning section moved to Talent Acquisition*
 - *Employee Records section moved to Employee Services*
 - **Labour Relations** remains unchanged
 - **Talent Acquisition** renamed from Employment Unit
 - **Staff Planning** section moved to this unit
 - **Wellness** renamed from Occupational Health & Safety
 - **Psychological Services** moved to Wellness
 - **Nutritionist** and **Fitness Instructor** moved from the Toronto Police College to this unit
- **Corporate Risk Management** pillar moved here from the former Operational Support Command
 - Led by **Staff Superintendent Randy Carter**
 - **Professional Standards** remains unchanged
 - **Professional Standards Support** remains unchanged
 - **Legal Services** remains unchanged
 - **Toronto Police College** remains unchanged
 - *Nutritionist and Fitness Instructor moved to Wellness*

Operational Support Command

- Deleted

Community Safety Command

- Deleted

Communities & Neighbourhoods Command

- New Command
 - Led by **Deputy Chief Peter Yuen**
- New pillar: **West Field Command**
 - Led by: **Staff Superintendent Mario Di Tommaso**
 - **Traffic Operations** is a new unit which will be led by a Superintendent and comprised of the following two sub-units:
 - **Traffic Services** moved here from Public Safety Operations.
 - **Parking Enforcement** moved here from the former Operational Support Services pillar.
 - **Community Partnerships and Engagement Unit** formerly known as Divisional Policing Support Unit moved here from the former Area Field Command pillar.
 - The following uniform Divisions will become 5 Districts. Each District will be led by a Superintendent and fall under this pillar:
 - D12
 - D23
 - D31
 - D11
 - D22
 - D14
 - D52
 - D51

Priority Response Command

- New command
 - Led by **Deputy Chief Shawna Coxon**
- New Pillar: **East Field Command**
 - Led by: **Staff Superintendent Kim Yeandle**
 - **Priority Operations** is a new unit which will be led by a Superintendent and comprised of the following two sub-units:
 - **TPOC (PRG)** moved here from the former Community Safety Command
 - **Communications Services** moved here from the former Operational Support Services.
 - **Court Services** has moved here from the former Operational Support Services
 - The following uniform Divisions will become 5 Districts. Each District will be led by a Superintendent and fall under this pillar:
 - D32

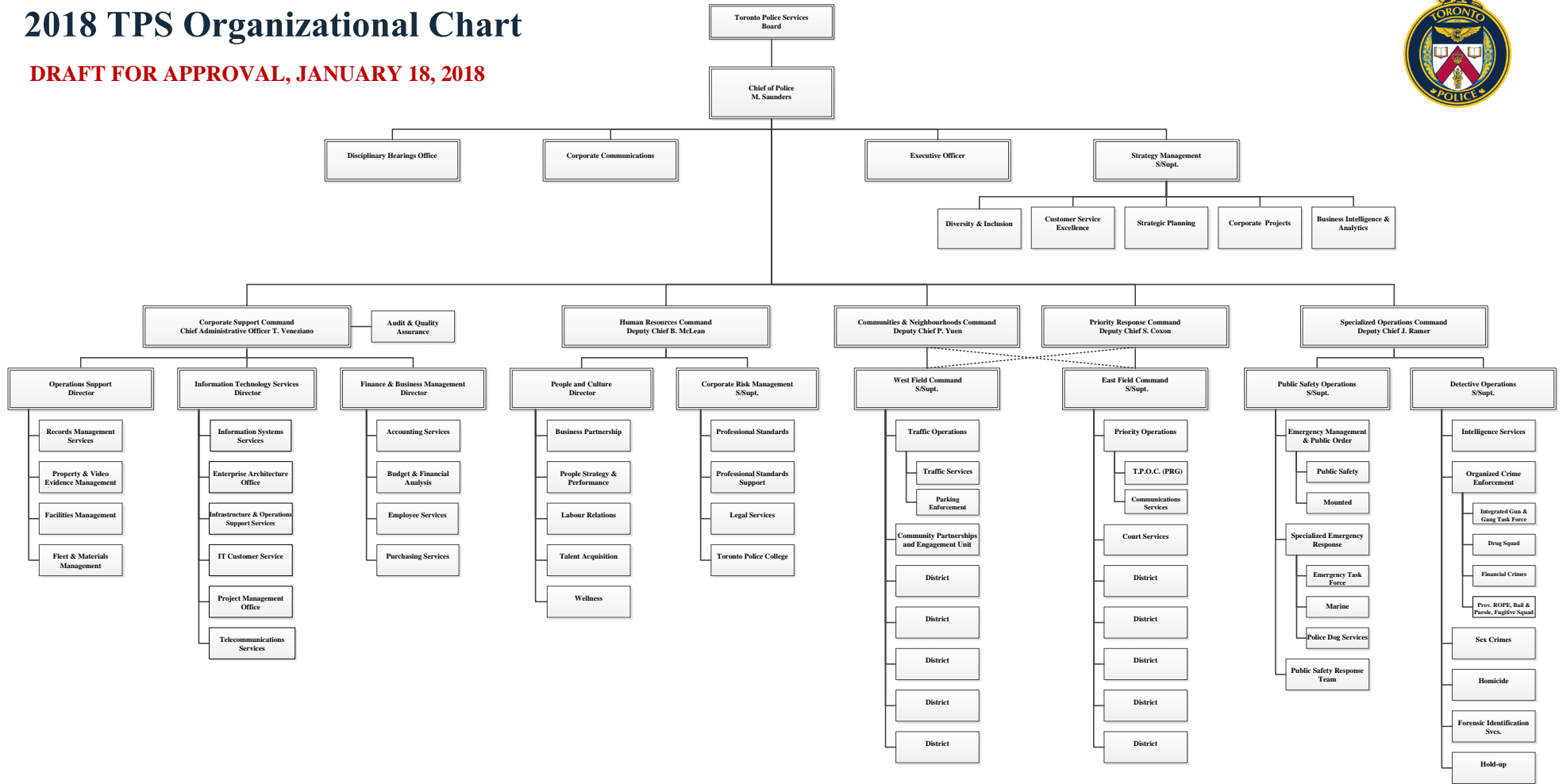
- D33
- D41
- D42
- D43
- D53
- D13
- D54
- D55

Specialized Operations Command

- Led by **Deputy Chief James Ramer**
- **Public Safety Operations** pillar
 - Led by **Staff Superintendent Don Campbell**
 - **Emergency Management & Public Order** remains unchanged
 - **Public Safety** remains unchanged
 - **Mounted** remains unchanged
 - **Specialized Emergency Response** remains unchanged
 - **Emergency Task Force** remains unchanged
 - **Marine** remains unchanged
 - **Police Dog Services** remains unchanged
 - **Public Safety Response Team** remains unchanged
- **Detective Operations** pillar
 - Led by **Staff Superintendent Kathryn Martin**
 - **Intelligence Services** remains unchanged
 - **Organized Crime Enforcement** remains unchanged
 - **Integrated Gun & Gang Task Force** remains unchanged
 - **Drug Squad** remains unchanged
 - **Financial Crimes** remains unchanged
 - **Provincial ROPE, Bail & Parole, Fugitive Squad** remains unchanged
 - **Sex Crimes** remains unchanged
 - **Homicide** remains unchanged
 - **Forensic Identification Services** remains unchanged
 - **Hold-up** remains unchanged

2018 TPS Organizational Chart

DRAFT FOR APPROVAL, JANUARY 18, 2018





Toronto Police Services Board Report

March 5, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Purchasing Services Reorganization

Recommendation:

It is recommended that the Toronto Police Services Board (Board.) approve the attached new job descriptions for a Senior Procurement Specialist (Z28028) and Procurement Specialist (Z26020) position, Corporate Services Command.

Financial Implications:

The table below compares the cost of the current purchasing organization with the proposed reorganized unit.

Current Establishment (assume all positions filled)	Proposed Staffing Mix
Manager (Z30)	Manager (Z30)
Purchasing Coordinator (A09)	Sr. Procurement Specialist (Z28)
Purchasing Coordinator (A09)	Purchasing Coordinator (A09)
Buyer (A07)	Buyer (A07)
Buyer (A07)	Procurement Specialist (Z26)
Assistant Buyer (A07)	Assistant Buyer (A06) - vacant
TOTAL 2018 Salary: \$538, 397	TOTAL 2018 Proposed (annualized:) \$594,010

Current vs. Proposed Cost Difference \$55,613

The Procurement Specialist position has been determined to be a Class 26 (35 hour week), with an annual salary of \$100,123.25 to \$115,908.53, effective January 1, 2018.

The Senior Procurement Specialist position has been determined to be a Class 28 (35 hour week), with an annual salary of \$115,727.66 to \$133,972.08, effective January 1, 2018.

The cost of moving from the current to the proposed state is approximately \$56,000. There is no increase to the overall position establishment. Rather, the greater expertise

in the proposed staffing mix will be better suited to respond to complex procurement, contract and vendor management requirements.

Moreover, since 2016, due to current vacancies and to address increased volume and tight timelines of the Police Effectiveness Modernization (P.E.M.) grant and The Way Forward initiatives, three contracted staff have been engaged to work within the Purchasing Services Unit (P.S.U.). Their specialized skills were aligned to complex buying areas such as information technology, facilities and other capital projects. However, the use of contractors is expensive and not a sustainable or cost-effective way to manage the procurement work. The proposed staffing approach will reduce the reliance on contractors, helping to avoid upwards of \$200,000 annually, as the team will be staffed with the specialized skills required.

Background / Purpose:

The P.S.U. is part of the Finance and Business Management (F.B.M.) pillar within Corporate Services Command.

The unit's mandate is to manage various procurements for operational units and ensure that the processes are fair, open and transparent. The unit is guided by the current Financial Control By-Law 147, which essentially sets out the authorities for the purchase of goods and services and related matters.

The P.S.U. meets the procurement requirements of the Toronto Police Service (Service) by issuing various procurement call documents such as Request for Proposals, Request for Quotes, Tenders, etc. In order to gain efficiencies and benefit from better pricing through larger volumes, the unit is part of the Police Cooperative Purchasing Group, which is comprised of various police services in Ontario who issue joint consolidated procurements for police specific goods and services. As part of shared services, it also works actively with the City of Toronto and other agencies on consolidated procurements and piggy-backs on existing contracts where appropriate, with the goal of gaining efficiencies and cost savings.

The purpose of this report is to obtain Board approval of required new job descriptions for a reorganized procurement function.

Discussion:

With the hiring of a new Director of F.B.M. in January 2018, the overall pillar is undergoing a review of its strategic direction, with the objective of developing a strategic plan for the pillar by the second quarter of 2018. Part of this review includes identifying further improvement opportunities to gain efficiencies and shift to a less administrative and more value added support function for the Service.

The first action item in the F.B.M. plan is the recommended reorganization of the current purchasing function. It is being proposed at this time to address critical business and service issues in a more sustained manner.

Current Procurement Situation:

The current procurement team cannot accommodate current and forecasted procurement requests, without relying on costly external contractors as a result of the volume generated by increasingly complex modernization procurement requirements.

The Transformational Task Force (T.T.F.) modernization recommendations require investments to enable the transition to, and implementation of, the modernized Service envisioned by the T.T.F. These investments often include the purchase of goods and services for capital and transformational projects. This is over and above day-to-day operational procurement requirements, and cannot currently be sustained in a cost-effective manner. Long-term reliance on contractors is not cost-effective and is disadvantageous to the Service as the knowledge, history of the supplier relationship and its contracts are not being retained.

The consequences of insufficient procurement staffing and lack of required knowledge and expertise are as follows:

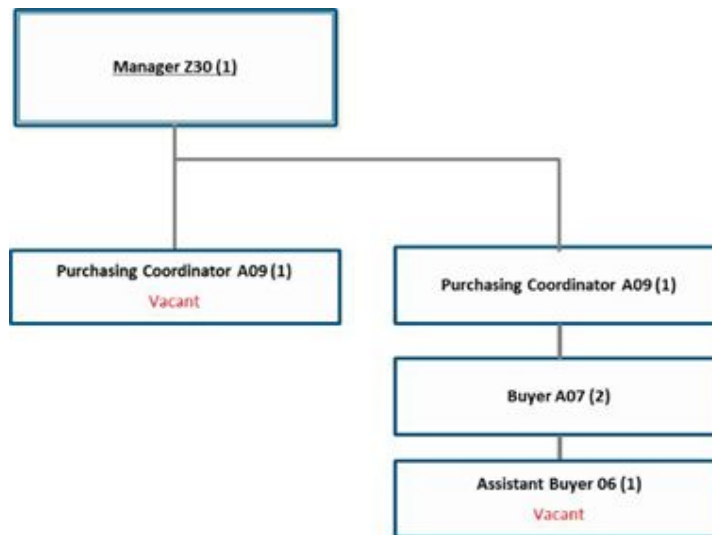
- the Procurement Manager is spending more time on tactical day-to-day and transaction processing instead of strategic procurement transformation, including the increased use of technology;
- there is limited ability to provide oversight and review of critical buying activity creating a risk of ineffective and/or inappropriate procurement practices;
- there is a higher cost to the Service through use of contractors;
- there is insufficient lead time to fully leverage the Service's total purchasing power and optimize the value it receives from suppliers; and
- there is an inability to effectively enable T.T.F. recommendations related to maturing the procurement function, including more active management of spending categories, supplier relationships, demand and risk.

Therefore, in support of gaining efficiencies, streamlining processes, addressing critical business needs and moving towards a more strategic procurement function, a re-organization is being proposed that increases the skill level of the team and reduces reliance on contractors that will otherwise be required for the foreseeable future.

The following are the highlights and rationale of the procurement restructuring:

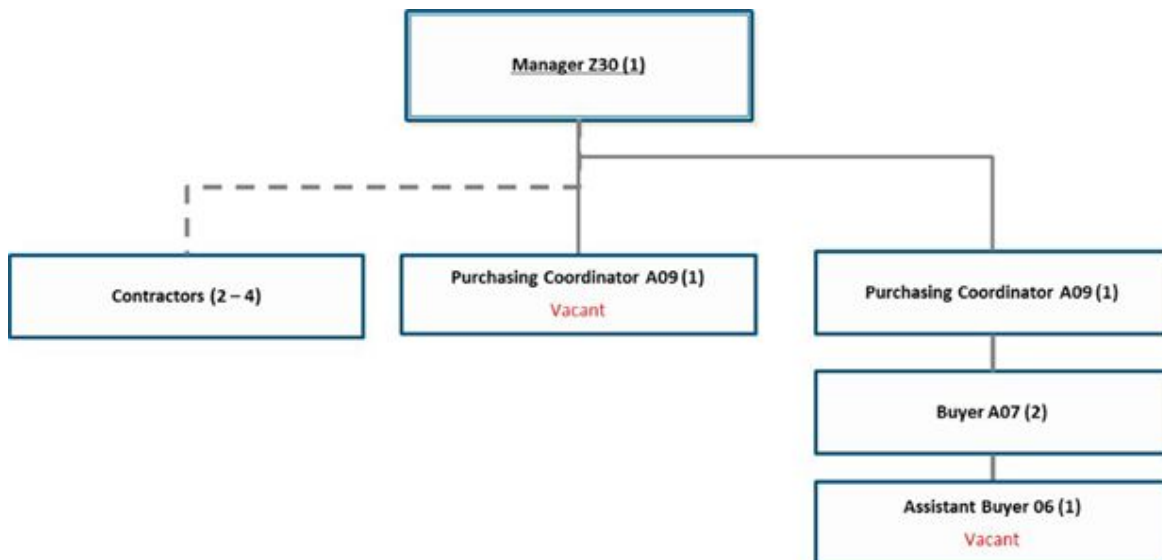
Current Organization Structure:

The P.S.U.'s current establishment is made up of six civilian positions as follows:



The Assistant Buyer position was approved by the Board at its meeting on December 17, 2015 (Min. No. P315/15 refers), but due to the hiring moratorium has yet to be staffed.

As a result of staff movements, position vacancies, increasing operational needs and modernization recommendations, there was a need to augment the team with external procurement contractors in 2016 and 2017, and continuing into 2018, as depicted in the chart below.



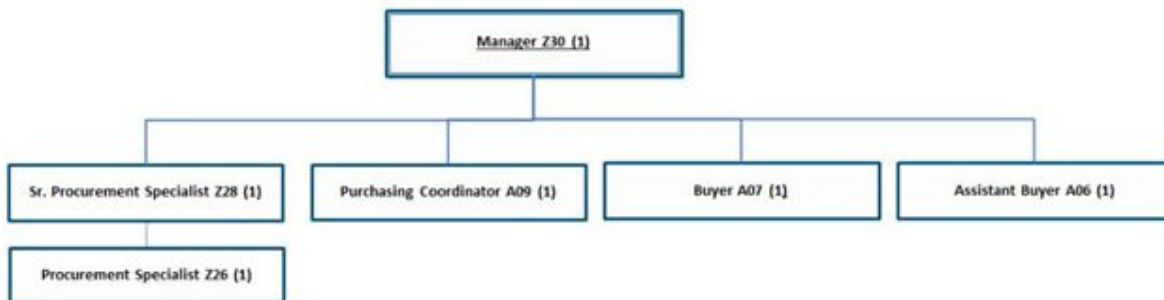
The skill and competency of the 2017 resource mix (depicted above) positioned the team to handle high value, complex, specialized procurement projects, such as the radio replacement project (a \$33 Million spend), as well as modernization and grant funded opportunities. As the Service continues its modernization journey, the

specialized and complex nature of procurement projects is expected to continue for the foreseeable future.

To support the long term modernization of the Service and increasing complexity of procurement requirements, the current procurement unit must be revised and updated to reflect a more experienced and knowledgeable procurement organization. Members of the team in the proposed structure will have up-to-date knowledge of procurement best practices and expertise, and processes will be reviewed to ensure they are cost-effective and value-added, and enable the Service to move forward in a responsible as well as innovative manner.

Proposed Organization Structure:

The organization chart for the proposed future state is provided below.



Key features of this proposed organizational chart are as follows:

- dedicated and knowledgeable team to focus on complex and specialized procurement projects
- increased focus on cross-jurisdiction and shared services buying by the Purchasing Coordinator
- flatter organizational chart to gain administrative efficiencies and greater level of service consistency
- a team made up of the right skill and competencies to support the Service's purchasing requirements and more progressive approaches
- sufficient opportunities for succession planning and growth in strategic procurement areas
- overall lower cost compared to the current staffing approach that includes an over-reliance on contractors

The position impacts of the proposed structure to the current structure are as follows:

- Elimination of one of two Purchasing Coordinator positions;

- Reduction of one of two Buyer positions; and
- Creation of a Senior Procurement Specialist and Procurement Specialist positions.

Workload:

The table below outlines actual and projected procurement volume information:

Year	2016	2017	2018 onwards	
Scenario	Actual	Actual	Current	Proposed
Spend Under Management (\$ Millions)				
- Non-Grant	\$76	\$89	\$100	\$100+
- Grants - estimated		\$10	\$10	\$10
Total Spend	\$76	\$99	\$110	\$110
# Purchase Orders (P.O.s)				
- Information Technology Service Requests	700	800	800	800
- Other P.O.s	500	800	800	800
Total Purchase Orders	1200	1600	1600	1600
# R.F.X.s				
- New	172	200	183	183
- Extensions	50	50	98	98
Total R.F.X.s	222	250	281	281
# F.T.E.s				
Approved # of Positions	6	6	6	6
- Actual Staff	4	4	4	6
- Contract Staff	2	3.25	2.75	0.5
Total Resources	6.0	7.3	6.8	6.5
Workload Ratios				
Spend (\$M) / F.T.E.	\$13	\$14	\$16	\$17
# P.O.s / F.T.E.	200	221	237	246
# R.F.X.s / F.T.E.	37	34	42	43

- There is a year over year increase in spending and procurement requests (R.F.X.) as a result of both operational and modernization activities. This increase in spending is expected to continue or increase since the Service is relatively early in its overall modernization journey.

- Actual Full Time Equivalent (F.T.E.) for 2018 onwards is slightly lower than 2017 levels and volume of work by F.T.E. is higher as the expectation is that a dedicated establishment, flatter organization structure and process efficiencies will allow the Service to do more with less.

Conclusion:

The 2015 K.P.M.G. report, Comprehensive Organization Review, Potential Opportunities for the Future, included recommendations to move towards a less tactical and more mature procurement function including:

- improving service delivery and consistency;
- actively managing spending categories, supplier relationships, demand and risk; and
- further increasing the use of shared services and co-operative procurement arrangements.

The P.S.U. has proactively identified opportunities for joint consolidated procurements and piggy-backing on existing contracts, which have resulted in efficiencies and savings. The proposed organizational structure and mix of positions will further enable the unit to explore opportunities for improvement that will support the professionalization and effectiveness of the procurement function. It will also help shift the procurement function from a tactical approach to a more strategic one, so that it can better meet the needs of the Service and the Board.

Next steps:

Upon approval of the proposed job descriptions, the Unit will work with the Service's Talent Acquisition unit to fill vacant and new positions and discontinue the use of contractors, as necessary.

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

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

/SD

Procurement ReOrg.docx

5. Oversees and leads strategic acquisitions for the Service, such as through the establishment of new Rosters and Prequalified vendor lists for services that are repeatedly utilized by the Service.
6. Provides analytical and problem-solving support and/or manages the various purchasing methods and processes on a range of proposal or bid solicitations that are high-valued, complex and specialized.
7. Provides support staff of Purchasing Services with direction, oversight, guidance, problem solving support, day-to-day counselling, and assign tasks, as required.
8. Responsible for supervising Procurement Specialist(s) and completing the annual performance appraisal.
9. Chairs proposal evaluation committees to ensure the process is open, fair, transparent and defensible.
10. Develops and implements Service-wide training programs and policies related to purchasing.
11. Delivers policy interpretation, advice and recommendations on procurement practices, planning methods and processes to clients.
12. Provides guidance and consultation to clients on their operational and long-range business plans for procurement; validates business requirements and develops procurement plans and strategies.
13. Identifies and assesses legal risks associated with procurement in order to minimize/mitigate the Service's exposure to procurement litigation. Liaison with Legal Services with respect to various complex procurement, issues, risks, and concerns.
14. Identifies, recommends and implements process simplification, standardization and system automation.
15. Manages vendors throughout the procurement process, including assisting or responding to bid complaints & bid disputes and/or enquiries and able to provide debriefings to unsuccessful bidders/proponents.
16. Negotiates and mediates contract disputes and vendor performance issues with suppliers.
17. Performs other typical duties and responsibilities inherent to the job on an as-requested basis.

EDUCATION:

University degree in Business Administration, Commerce, Economics or related field.

Preference given to those with a designation and be actively involved with either the Supply Chain Management Association (S.C.M.A.) as a Certified Supply Chain Management Professional (S.C.M.P.); or a designation with the National Institute of Government Purchasing (N.I.G.P.) as a Certified Public Procurement Officer (C.P.P.O.) or equivalent designations

ADDITIONAL REQUIREMENTS:

- Minimum of eight to ten years related experience including two years of supervisory experience.
- Strong project management skills to implement new programs, manage existing programs and multiple priorities.
- Knowledge and experience in business law, procurement law and its application to contracts, competitive bidding and procurement processes.

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

- Excellent negotiation and communication skills.
- Progressive experience with proposals and tendering processes including increasing complexity, size, specialization and resolving technical and regulatory issues.
- Excellent command of various computer applications, including online purchasing systems, financial systems, contract management and procurement systems, Microsoft Word, Office and Excel.

QUALIFYING PERIOD:

One year.

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

5. Provides guidance and consultation to clients on their operational and business plans for procurement; validates business requirements and develops procurement plans and strategies to achieve spend objectives.
6. Identifies and assesses legal risks associated with procurement in order to minimize/mitigate the Service's exposure to procurement litigation.
7. Identifies, recommends and implements process simplification, standardization and system automation.
8. Ensures compliance with the Service's financial by-laws, trade agreements, industry standards and benchmarks to achieve the goals of fair, open and transparent procurement practices.
9. Manages vendors throughout the procurement process, including assisting or responding to bid complaints & bid disputes and/or enquiries and able to provide debriefings to unsuccessful bidders/proponents.
10. Manages vendors throughout the procurement process, including assisting or responding to bid complaints & bid disputes and/or enquiries and able to provide debriefings to unsuccessful bidders/proponents.
11. Negotiates and mediates contract disputes and vendor performance issues with suppliers.
12. Performs other typical duties and responsibilities inherent to the job on an as-requested basis.

EDUCATION:

University degree or three year College diploma in Business Administration, Commerce, Economics or related field.

Preference will be given to those with a designation and be actively involved with either the Supply Chain Management Association (S.C.M.A.) as a Certified Supply Chain Management Professional (S.C.M.P.); or a designation with the National Institute of Government Purchasing (NIGP) as a Certified Public Procurement Officer (C.P.P.O.).

ADDITIONAL REQUIREMENTS:

- Minimum of five years related experience.
- Strong project management skills to implement new programs, manage existing programs and multiple priorities.
- Knowledge and experience in business law, procurement law and its application to contracts, competitive bidding and procurement processes.
- Strong negotiation skills.
- Progressive experience with proposals and tendering processes including resolving technical and regulatory issues.
- Proficient with various computer applications, including online purchasing systems, financial systems, contract management and procurement systems, Microsoft Word, Office and Excel.

QUALIFYING PERIOD:

One year.

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



Toronto Police Services Board Report

March 8, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

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

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:

At its meeting on August 24, 2017, the Board received correspondence from the City Solicitor's Office entitled "Final Report: Inquest into the Death of Mr. Andrew Loku – Verdict and Recommendations of the Jury". This report summarized the outcome of the Coroner's Inquest into the death of Mr. Andrew Loku (Min. No. P183/17refers).

The inquest was conducted in the City of Toronto (City) during the period of June 5 to June 30, 2017. As a result of the inquest, the jury made 39 recommendations, with recommendations 1- 15 being directed to the Toronto Police Service (Service). In addition, recommendation 23, which, though directed to the Ministry of Health and Long Term Care, is operational in nature and therefore, more appropriately directed to the Service.

The purpose of this report is to inform the Board of the Service's review and implementation of the jury's recommendations.

The following is a summary of the circumstances of the death of Mr. Andrew Loku and issues addressed at the inquest, as delivered by Mr. John Carlisle, presiding coroner.

Summary of the Circumstances of the Death:

Near midnight on July 5, 2015, Toronto Police were dispatched to 502 Gilbert Avenue to respond to a 911 call regarding a man armed with a hammer who had threatened to kill the caller's friend.

Two police officers arrived at the low rise apartment building and ran up the stairs to the third floor where they saw a man, later identified as Mr. Andrew Loku, who had a hammer in his hand.

The man was standing in the hallway next to a woman who went into one of the apartments.

Police issued several verbal commands to the man to drop his hammer but he failed to do so and advanced toward the two officers continuing to hold the hammer at which time one of the officers fired his pistol.

The man fell to the floor, dropping the hammer, at which time police began cardiopulmonary resuscitation.

Emergency Medical Services arrived on the scene shortly thereafter and took over resuscitation efforts, but at 12:25 am, despite all efforts, the man was pronounced dead at the scene.

A coroner was called and a post-mortem examination was conducted which revealed that the man died as a result of gunshot wounds to the left chest.

An inquest was held at the Coroner's Court in Toronto from June 5 to June 30, 2017. The jury heard from 28 witnesses, considered 37 exhibits and deliberated for 23.5 hours.

Discussion:

Professional Standards Support – Governance was tasked with preparing responses for the jury recommendations directed to the Service from the Coroner's Inquest into the death of Mr. Andrew Loku.

Service subject matter experts from the Toronto Police College (T.P.C.), Divisional Policing Support Unit (D.P.S.U.), Police and Community Engagement Review (P.A.C.E.R.) Team, Diversity and Inclusion, and Communication Services contributed to the responses contained in this report.

For the purposes of reporting the results, a chart summarizing the status of each recommendation with a comprehensive response is attached (See – Appendix B).

Conclusion:

As a result of the Coroner's inquest into the death of Mr. Andrew Loku and the subsequent jury recommendations, the Service has conducted a review of Service governance, training and current practices.

The Service has implemented, implemented in part, or implemented in an alternative form 10 of the 15 recommendations. One of the recommendations is under consideration because it requires further research and review (#6 Review Intercultural Development Program). The Service does not concur with four of the recommendations as well as recommendation 23, which was directed to the Ministry of Health and Long Term Care.

In summary, the Service responds to calls for service involving emotionally disturbed persons or the mentally ill using thorough well-established practices and procedures. These practices and procedures are the result of the latest worldwide research, benchmarking, experience, consultation with subject matter experts, and inquest recommendations. The Service continues to provide training to all officers on interactions with emotionally disturbed persons to assist officers with developing appropriate responses. This training emphasizes communication and de-escalation skills, consistent with the Service's goal of zero deaths.

In terms of interactions with racialized communities, in particular Toronto's Black community, the Service recognizes this is multifaceted and will continue to leverage and work with the City with respect to the "Toronto Action Plan to Confront Anti-Black Racism", the Board's consultative committee of the black community and Ryerson University. Through these partnerships and collaboration, the Service will assess the incorporation of anti-black racism training into the Service's training curriculum to ensure it is in line with the City's overall plan and expectations. Further, the Service remains committed to delivering police services to all our communities and our members in a sensitive, professional, fair, impartial, ethical and bias-free manner.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

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Loku Inquest.docx

Attachments:

Appendix A – Jury Verdict & Recommendations (Loku Inquest)

Appendix B – Status and Response to Loku Inquest Recommendations

Appendix A

Verdict Explanation

Inquest into the Death of
Andrew Loku

Dr. John R. Carlisle, Presiding Coroner
June 5 – 30, 2017
Coroner's Courts
25 Morton Shulman Ave
Toronto, Ontario

Opening comment:

This verdict explanation is intended to give the reader a brief overview of the circumstances surrounding the death of Andrew Loku along with some context for the recommendations made by the jury. The synopsis of events and coroner's comments herein are based on my recollection, as presiding coroner of the evidence presented, and on what I believe to be the jury's findings of fact from that evidence. This explanation has been written to assist in understanding the intent of the various recommendations so that recipient organizations, agencies and ministries of government might be in a better position to consider their implementation.

Participants:

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The Empowerment Council	Ms. Anita Szigeti Mr. Joseph Berger 2001-400 University Ave. Toronto, ON M5G 1S5 416-504-6544
Across Boundaries	Mr. Howard F. Morton Mr. Shane Martinez 31 Prince Arthur Ave. Toronto, ON M5R 1B2 416 418 6507
The Black Action Defence Committee	Mr. Selwyn Pieters Mr. Rick Frank 181 University Ave. Toronto, ON M5H 3M7 416-787-5928
The Toronto Police Association	Mr. Peter Brauti Mr. Michael Lacy Ms. Maureen Salama 151 Yonge St., Suite 1800 Toronto, ON M5C 2W7 416-362-4567
The Canadian Mental Health Association (Toronto Branch)	Ms. Breese Davies Mr. Owen Goddard 171 John St., Suite 101 Toronto, ON M5T 1X3 416-649-5061

Summary of the Circumstances of the Death:

Near midnight on July 5, 2015, Toronto Police were dispatched to 502 Gilbert Avenue to respond to a 911 call regarding a man armed with a hammer who had threatened to kill the caller's friend.

Two police officers arrived at the low rise apartment building and ran up the stairs to the third floor where they saw a man, later identified as Mr. Andrew Loku, who had a hammer in his hand.

The man was standing in the hallway next to a woman who went into one of the apartments.

Police issued several verbal commands to the man to drop his hammer but he failed to do so and advanced toward the two officers continuing to hold the hammer at which time one of the officers fired his pistol.

The man fell to the floor, dropping the hammer, at which time police began cardiopulmonary resuscitation.

Emergency Medical Services arrived on the scene shortly thereafter and took over resuscitation efforts, but at 12:25 am, despite all efforts, the man was pronounced dead at the scene.

A coroner was called and a post-mortem examination was conducted which revealed that the man died as a result of gunshot wounds to the left chest.

An inquest was held at the Coroner's Court in Toronto from June 5 to June 30, 2017. The jury heard from 28 witnesses, considered 37 exhibits and deliberated for 23.5 hours.

Verdict:

Name of the Deceased:	Andrew LOKU
Date and Time of Death:	July 5, 2015 at 0025H (12:25 AM)
Place of Death:	502 Gilbert Ave., Toronto
Cause of Death:	Gunshot Wounds to Left Chest
By What Means :	Homicide

Recommendations:

TO THE TORONTO POLICE SERVICE:

1. Using reputable, external educators and other experts, TPS should ensure that the Service develops and implements annual/regular training at division and platoon meetings with a focus on the equitable delivery of policing services. The training should acknowledge the social inequities and challenges faced by racialized communities and consumer survivors who have experienced mental health challenges and equip officers with skills needed to

provide appropriate responses and service delivery. Training topics should include, but not be limited to:

- Bias-free service delivery
- Social disparity
- Equitable outcomes for all
- Stress and fear inoculation techniques
- Mindfulness techniques
- De-escalation
- Crisis communication
- Negotiation
- Implicit bias
- Trauma informed approaches
- Anti-black racism
- Visible and invisible disabilities

Coroner's Comment:

The jury heard the Toronto Police Service has already incorporated most of the listed topics in its initial and yearly training (varying from year to year) at the Toronto Police College. They also heard that there is some training on a regular basis at the divisional and platoon levels. The jury felt that the listed topics should be included in these division and platoon level training sessions and that the material should be designed by experts and adult educators.

2. Measure the effectiveness of the above mentioned training in anti-Black racism and persons in crisis by requiring both a written and oral exam of the participants. Failure in such exams should result in requiring re-attendance at such training.

Coroner's Comment:

The jury heard that when training on these subjects, training officers are required to sign off attesting that the officers have met the training objectives. The jury felt that there should be both written and oral examinations and that failure in such examinations should require further training to be taken.

3. Mandate that all officers complete the Implicit Association Test as part of initial and requalification training.

Coroner's Comment:

The jury heard that psychologists have a test that can be administered which might help some persons to become more aware of implicit biases that they hold. The jury felt that this test should be taken by officers as part of initial training and any requalification training.

4. TPS should continue to emphasize the importance of planning in a crisis situation to identify the lead in communication.

Coroner's Comment:

The jury heard that current training emphasizes that, in communication with persons in crisis, it is preferable for one officer to speak to the person rather than more than one at once. The jury felt that one officer should be designated to be the one to speak to the person in crisis and that training in this best practice should continue.

5. Expose or continue to expose officers in training to the perspectives and lived experience of racialized communities, the Black community and individuals with mental health issues and/or addictions.

Coroner's Comment:

The jury heard that, by various means, the Toronto Police training programs attempt to expose officers to members of racialized and mental health consumer/survivor communities so as to better appreciate their perspectives on policing. The jury felt this should continue.

6. Review the Intercultural Development Program deployed by the Toronto Police Service and consider the continued use of the Intercultural Development Inventory or other similar tool, as well as in-house intercultural competence facilitators, to further the intercultural competence of Toronto Police Service members.

Coroner's Comment:

The jury heard that Toronto Police had carried out a pilot project involving the use of an instrument called the Intercultural Development Inventory. This required filling out a survey and then debriefing that with skilled facilitators. The jury felt that this program should be reviewed and that consideration should be given to continuing it despite some concerns regarding its practicality due to resource intensiveness.

7. Amend the annual Use of Force recertification to include qualification in areas such as mental health and/or addictions, anti-racism, particularly anti-black racism, implicit and unconscious bias, fear inoculation, de-escalation and crisis communication.

Coroner's Comment:

The jury heard that all officers are required to annually requalify in the use of force options provided to them. They also heard that the Toronto Police go beyond the provincial requirement and also provide training at that annual opportunity in other subjects selected annually. The jury felt that the listed topics should be included in the required requalification.

8. Continue to emphasize that where the police challenge is issued and the subject does not comply, where possible, alternative methods of communication, de-escalation, disengagement and containment should be attempted. For example, consider making it clear that lethal force will be used if commands aren't obeyed.

Coroner's Comment:

The jury heard that officers are trained to issue the "Police Challenge" when they are confronted with a weapon to clearly deliver the message in a way likely to be heard and understood. The phrase to be used is "Police, Don't Move". The jury felt that where this is done and the person with the weapon does not comply, some other approaches should be tried some of which they listed. They felt that, in the extreme, and where the person with the weapon is behaving in a way likely to require the use of deadly force, a warning that lethal force will be used if there is no compliance should be considered.

9. Consider the use of trained de-briefers to be deployed following exceptional critical incidents, having regard to any SIU investigation and the rights of officers, with a view to using the knowledge gained to inform de-escalation training. If resources permit, consider using the de-briefers in situations with positive outcomes as well as negative ones, even if they are less serious incidents, in order to learn from those occurrences.

Coroner's Comment:

The jury heard that debriefing after critical incidents takes place but is often limited by the requirements of Special Investigation Unit processes and by various forms of litigation which may follow such incidents. The jury felt that where it could be done to gain information about the incidents which might inform training, it should be done by persons trained to maximize the benefit. The jury also felt that consideration might be given to trying to do it in incidents which have good outcomes but did recognize that there are tens of thousands of these each year and that therefore volume and resources might be an issue.

10. Require Coach officers and Supervisory officers take the 5-day Mobile Crisis Intervention Team training. Make mental health and/or addictions and policing of racialized communities, in particular Toronto's Black community, a key component of Coach Officer training.

Coroner's Comment:

The jury heard that there is a training course for officers interested in becoming part of the Mobile Crisis Intervention Teams which are teams made up of one officer and a mental health professional who respond to some calls involving emotionally disturbed persons. Since coach officers who train newly activated officers and supervisors who oversee their work have so much influence on the practical training of new officers, they should take this training as well so as to appreciate better the issues mentioned.

11. Ensure that all patrol cars are equipped with less lethal weapons, e.g., CEW, sock or beanbag guns and that all officers are trained in the use of such weapons along with defensive equipment such as shields and helmets.

Coroner's Comment:

The jury heard that some of the less lethal weapons provided to first response officers are carried in some but not all first response police cars. They felt that such equipment should be carried in all cars and that all officers should be trained in its use.

12. Undertake a structural/cultural review and analysis to ensure that the Service has a clear policy with respect to serving and protecting persons with mental health or addiction issues and/or racialized persons, in particular, Black persons. The Chief's review and analysis should include input from experts in this field together with persons in the communities falling within the above-mentioned descriptors. Following this, the Chief shall clearly state the TPS policy and communicate it in detail to all officers and employees. The Chief shall ensure that all members through continuous training have a clear understanding of the Chief's mandate in this regard. Failure to follow the Chief's mandate should have consequences and sanctions.

Coroner's Comment:

The jury heard the concept of a structural/cultural review wherein the impetus for organizational change comes from the leadership of the organization informed by the members of the affected communities. The jury felt that this process should be adopted by the Toronto Police Service and should result in the enunciation of clear policy which should be implemented with measures to encourage compliance.

13. When making decisions about promotions, supervisors should consider an officer's skill and experience in dealing with Emotionally Disturbed Persons (EDPs), members of the Black community and racialized communities, including their ability to de-escalate and negotiate during crisis situations.

14. Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre police telephone line when interacting with a person in crisis.

Coroner's Comment:

The jury heard that there is a crisis line for police and felt that it should be used when interacting with persons in crisis.

15. Consider additional funding and training for 911 operators in order to improve their skills in extracting more pertinent information during an emergency call. Consider beginning the de-escalation process during a 911 call.

Coroner's Comment:

The jury heard a recording of the 911 call in this death and felt that training for call takers might be augmented so as to permit some de-escalation techniques to be used at that stage.

TO THE TORONTO POLICE SERVICE BOARD:

16. Maintain its existing committee on mental health in ongoing partnership with members of the mental health community (throughout this document, 'mental health community' means to include the phrase in particular people who have been directly affected by mental health issues), the Toronto Police Service and subject matter experts.

Coroner's Comment:

The jury heard about the committee mentioned and felt it should be continued in the manner described.

17. Establish a new committee to consider possible or identified disparities in services and outcomes for racialized persons and consider interventions to address any such disparities. The committee should include representatives of the Toronto Police Service, subject matter experts and members of racialized communities, including the Black community. The committee should consider the intersectionality of mental health and race both in terms of member composition and issues to be addressed.

Coroner's Comment:

Notwithstanding previous efforts in respect of the matters identified about which the jury heard, they felt that a further committee should be established with the terms and composition they specified.

18. Conduct a pilot study of two divisions (preferably 14 and 51 division) where there would be more intensive community involvement, education, and training (keeping in mind resourcing) concerning interactions with people who have racial and/or mental health and/or addiction differences to determine whether this has a positive impact on reducing 'use of force' incidents.

Coroner's Comment:

Recognizing that there is already significant community involvement in education and training the jury felt that there should be a pilot study in two divisions with large populations of persons in the groups described wherein a more intensive involvement might take place to see if this reduced the number of "use of force" incidents. The jury heard that one of the limiting factors was that persons from those groups might have resource problems with more intensive participation as volunteers and felt that due regard should be had for this issue.

TO THE CANADIAN MENTAL HEALTH ASSOCIATION (CMHA-TORONTO BRANCH):

19. Offer education to the appropriate building superintendents and managers on information sharing policies; in particular, what sort of information ought to be shared with CMHA (Toronto Branch) housing or support workers about CMHA (Toronto Branch)

residential clients. In addition, it should deliver in-service training on how to better serve these clients.

Coroner's Comment:

The jury heard that the deceased was having serious problems with noise in the building made by certain of his neighbors to the extent that the superintendent of the building found him sleeping in the laundry room. This information was not given to CMHA. The jury felt that training should be offered to private sector superintendents in buildings not owned by CMHA but where they leased units for sublease to their clients such that CMHA would be more likely to learn of information pertinent to its providing necessary assistance to those clients.

20. Together with Across Boundaries study ways of ensuring that clients are able to access the services that they require across multiple agencies so that clients don't fall through the cracks'.

Coroner's Comment:

The jury heard that sometimes information and service was not as readily available to clients as it might have been due to uncertainty as to which agency was to be contacted or how that contact should be made for any particular kind of issue. The jury encouraged the agencies to study this issue and to try to find remedies.

TO THE MINISTRY OF HEALTH AND LONG TERM CARE/LHIN's:

21. Fund a province-wide telephone crisis support line staffed by people trained in crisis intervention or peer support to be available to clients in supportive housing and community mental health and addiction programs, 24 hours a day, 7 days per week.

Coroner's Comment:

The jury heard that there are and have been crisis lines available for persons in crisis to call whereby they may contact help or advice. These have been variable in their availability and some have only been able to provide limited hours or type of resource. Some have been unavailable at times. The jury felt that the Ministry should provide a province wide, expert, reliable and available resource of the kind described for the benefit of such persons.

22. Provide additional funding for a sufficient number of nurses to staff Mobile Crisis Intervention Teams (MCIT) in Toronto, 24 hours a day in each police division.

Coroner's Comment:

The jury heard that the limiting factor for the availability of the Mobile Crisis Intervention teams described above was the availability of nurses to support the teams. They heard that, with current resources, the hospitals which employ the nurses

cannot provide enough staffing to make teams widely available at all times. The jury felt that the Ministry should provide the necessary resources.

23. Together with the Toronto Police Service, explore all possible avenues to assess whether MCITs could be available as first responders in crisis situations, specifically including situations where weapons are involved.

Coroner's Comment:

The jury heard that currently MCIT teams do not respond to calls where weapons or significant danger are involved so as not to expose non-police trained mental health professionals to risk of bodily harm or death. The jury felt that the matter should be explored to see if there could be ways to allow teams to be first responders even where weapons were involved having regard to the employment conditions of the health workers as to occupational health and safety and other such concerns.

24. Fund and create a program to provide appropriate housing support to individuals suffering from noise sensitivity.

Coroner's Comment:

The jury heard that the deceased was a man suffering from Post-Traumatic Stress Disorder and was very sensitive to environmental noise. They heard that the ongoing dispute between him and his neighbors surrounding both making and receiving noise was central to him and had been exacerbated by the thin walled construction of the buildings where CMHA leased space for sublease to its clients. They understood the practical problems for CMHA in considering renovations for noise reduction in buildings it did not own but felt that the Ministry should create and fund a program to support people with noise sensitivity as a health concern with appropriate housing.

TO THE MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICE:

25. Using a research based approach, update provincial standards for de-escalation, crisis communication and bias-free police training.

26. Provide funding to research and establish appropriate benchmarks for measuring effectiveness and outcomes of current police response to persons in crisis.

Coroner's Comment:

The jury heard about the content and delivery of police training at the provincial level. They also heard the details of police actions during the confrontation with Mr. Loku. They felt that the Ministry should research and look into benchmarking the effectiveness of the training.

27. The Ontario Police College should consider additional training for police officers on de-escalation techniques, implicit bias awareness training, crisis intervention, mechanisms for combating stressful encounters and negotiation techniques.

Coroner's Comment:

The jury heard about the training delivered at the Ontario Police College and felt that the listed topics should be considered for additional training.

28. Consider requiring annual de-escalation, crisis communication and bias-free policing requalification, separate from any 'use of force' requalification based on developed provincial standards.

Coroner's Comment:

The jury heard about the annual training and requalification of all Ontario officers in their "Use of Force" options. The jury felt that consideration should be given to increasing the requirements for annual training and requalification to include the listed items.

29. Establish a provincial standard for the collection of race-based data pertinent to all interactions involving police and persons in crisis, including as a sub-set those interactions resulting in an application of use of force. This standard should be applicable to police services across the province and must include sustained funding for research to establish appropriate benchmarking for, the collection of and analysis of the data by an independent auditor.

Coroner's Comment:

The jury heard that there currently are no reliable statistics based on race relating to the described interactions between those in crisis and police. They felt that the described mechanisms should be adopted to provide better insight into these matters to inform policy and that this data should be independently audited.

30. Establish a provincial standard for the collection of data concerning emotionally disturbed persons pertinent to all interactions involving police and persons in crisis, including as a sub-set those interactions resulting in an application of use of force. This standard should be applicable to police services across the province and must include sustained funding for research to establish appropriate benchmarking for, the collection of and analysis of the data by an independent auditor.

Coroner's Comment:

The jury heard that there currently are no reliable statistics based on emotionally disturbed status of the person with whom police interact and relating to the described interactions between those in crisis and police. They felt that the described mechanisms should be adopted to provide better insight into these matters to inform policy and that this data should be independently audited.

31. Once the data in recommendations 29 and 30 has been analyzed and interpreted, the results should be made public in an accessible format. The data should be collected in a manner consistent with human rights principles and in consultation with affected communities and appropriate experts about the purpose, use, benefits and methods of collecting data.

32. The Police Services Act - Use of Force Report (UFR Form 1 2013/12), or its successor) should be amended to include the collection of race-based data including perceived race.

Coroner's Comment:

The jury heard that analysis of use of force reports required under the Police Act cannot assist with concerns about the statistical analysis of use of force as it applies to racialized communities because the race of the subject person is not recorded. They felt that it should be recorded.

33. The Use of Force Report (or its successor) should be redesigned to require officers to set out what de-escalation techniques were attempted before force was used.

Coroner's Comment:

The jury felt that data of the kind described would help inform policy and training.

34. Establish a provincial standard, in conjunction with police services and accredited academic institutions, for measuring the effectiveness of police training. This standard should be applicable to police services across the province and must include sustained funding for research to establish appropriate benchmarking for the collection and analysis of data. The province should ensure that any trends or indicators that are subsequently identified be used to inform the provincial standard on an ongoing basis. Data will be used to inform police training in municipalities that provide training additional to the Ontario Police College.

Coroner's Comment:

As mentioned above the jury were concerned when they contrasted the training with the facts of this death, that there might be issues concerning the effectiveness of the training which should be explored by the responsible Ministry.

35. Fund and continue to study the use and deployment of less-lethal use of force options such as, the CEW, sock rounds and the use of defensive equipment such as helmets and shields and to study the expanded use and deployment and related training on less-lethal use of force options to front-line officers as well as specialized teams.

Coroner's Comment:

The jury felt that the best chance of avoiding deaths in similar circumstances in future after all attempts at de-escalation had been properly tried and had failed, lay in the development and deployment of better less lethal use of force options as well as proper training for officers to use them. They felt that the Ministry should fund and study developing the best options for Ontario in this area.

36. Ensure that all front-line or “primary response” officers are trained and equipped with conductive energy weapons (CEWs known as “Tasers”).

Coroner’s Comment:

The jury heard that distribution of Conducted Energy Weapons (Taser) to front line officers is determined by local police authorities after being permitted by The Ministry. The jury heard about concerns regarding their deployment from some communities but felt that they should be deployed in order to prevent deaths in similar circumstances in future.

37. Study and consider implementing de-escalation techniques as used in other jurisdictions, particularly those in the U.K. for example, study and consider equipping officers with less lethal weapons.

Coroner’s Comment:

The jury heard about and saw video of de-escalation techniques using less lethal options in Britain and felt that the Ministry should study and consider approaches adopted in the UK.

38. Create a program to encourage, fund and support the participation of members of the mental health and addictions community, racialized communities and the Black community in training at the Ontario Police College, the Toronto Police College and the divisional level, and to participate in any standing or advisory committees.

Coroner’s Comment:

The jury felt that communities as listed could contribute their lived experience to training at all levels and that the Ministry should create a program to promote their participation.

39. Rename the Use of Force Model (e.g. Compliance Model) and redesign it to incorporate and emphasize communication, de-escalation, disengagement and containment and that the use of lethal force is a last resort.

Coroner’s Comment:

The jury heard evidence about the provincial use of force model and how it is used for training. They felt that the name emphasized the use of force and did not adequately incorporate the various de-escalation techniques nor convey the idea that use of lethal force should be seen as a last resort.

Closing Comment:

In closing, I reiterate that this document has been prepared solely for the purpose of assisting interested parties in understanding the jury's verdict and providing some context for its recommendations so that their intent might be better understood. The comments are based on my personal recollection of the evidence, and on what I believe to be the jury's findings of fact. Should the reader contest any of my recollection of the evidence, I would defer to the official record maintained by the court reporter.



John R. Carlisle M.D., LL.B., FCLM
Coroner

Date

Appendix B

LOKU Report Recommendations – T.P.S. Responses

Legend

C.A.P.	Community Access Portal
C.E.W.	Conducted Energy Weapon
C.I.I.C.C.	Collection of Identifying Information in Certain Circumstances
C.P.K.N.	Canadian Police Knowledge Network
E.D.P.	– Emotionally Disturbed Person
E.T.F.	Emergency Task Force
F.I.P.	- Fair and Impartial Policing [©]
I.S.T.P.	– In Service Training Program
M.C.I.T	– Mobile Crisis Intervention Team
P.A.C.E.R.	- Police and Community Engagement Review
P.R.S.	Professional Standards
P.R.U	Primary Response Unit
S.I.U.	– Special Investigations Unit
T.P.C.	– Toronto Police College
T.P.S.	– Toronto Police Service
T.P.S.B	Toronto Police Services Board

Response Legend

T.P.S. Concur	–	Implemented
T.P.S. Concur in part	–	Implemented in an alternative form
T.P.S. Concur	–	Implemented in part
T.P.S. Concur	–	Under consideration
T.P.S. Does not concur	–	
T.P.S. Does not concur	–	Implemented in an alternative form

Loku Coroner’s Inquest Recommendation	T.P.S. Response
<p>#1 – TO THE TORONTO POLICE SERVICE</p> <p><i>Using reputable, external educators and other experts, TPS should ensure that the Service develops and implements annual/regular training at division and platoon meetings with a focus on the equitable delivery of policing services. The training should acknowledge the social inequities and challenges faced by racialized communities and consumer survivors who have experienced mental health challenges and equip officers with skills needed to provide appropriate responses and service delivery. Training topics should include, but not limited to:</i></p> <ul style="list-style-type: none"> • <i>Bias-free service delivery</i> • <i>Social disparity</i> • <i>Equitable outcomes for all</i> • <i>Stress and fear inoculation techniques</i> • <i>Mindfulness techniques</i> • <i>De-escalation</i> • <i>Crisis communication</i> • <i>Negotiation</i> • <i>Implicit bias</i> • <i>Trauma informed approaches</i> • <i>Anti-Black Racism</i> • <i>Visible and invisible disabilities</i> 	<p>T.P.S. Concurs in part – Implemented in an alternative form</p> <p>The Service proactively and comprehensively educates its officers and is committed to continuous learning and improvement, to ensure the equitable delivery of policing services to all communities. The content of police training reflects the latest knowledge and practices and is developed in consultation with experts, community members, advocacy groups, agencies and institutions, mental health professionals and consumer survivors.</p> <p>In the divisional setting, the time available for annual/regular training is limited by resources, operational considerations and the compressed work week schedule. With 85 platoons, shift scheduling and a limited number of trainers at the College, it would not be possible to provide annual training at the division and platoon meetings.</p> <p>However, notwithstanding these limitations, the Service believes that when standardized training at the College is harmonized with platoon training, it can meet the training needs of its members. Platoon training is led by the divisional training sergeant and consists of training that is regulated through the College. A variety of methods can be used including class-room training, guest speakers, video and web based using the C.P.K.N. Additionally, the Service uses existing forums including Community Police Liaison Committees (consisting of local community members) to expose officers to speakers who can discuss personal experience, public expectations and community resources available. As well, any new information/updates from the College are disseminated at this time.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>The T.P.C. continually reviews, develops and updates training to ensure officers are equipped with the knowledge, skills and abilities needed to provide appropriate responses and Service delivery to all communities. T.P.C. instructors and section heads sit on various committees and working groups at the provincial and national level to help enhance training and related standards for the Service and its partners. Over the past several years T.P.C. has worked collaboratively with community partners and subject matter experts to design effective training in the areas of human rights, profiling, mental health, community engagements, emotional intelligence and critical thinking to name a few.</p> <p>For example, the T.P.S.B.’s Mental Health Sub-Committee has been pivotal in providing valuable content in relation to mental health training that has been incorporated into the Services I.S.T.P. In 2013 a panel of E.D.P. consumer/survivors spoke of their lived experience with mental illness as well as their encounters with police while in crisis.</p> <p>In 2014, training was further enhanced by the work of several mental health stakeholders in Toronto whose objective was to reduce and improve emotionally disturbed persons’ contact with police. They provided a forensic clinician’s description of disorders that officers would likely encounter on patrol, as well as communication strategies to encourage a peaceful resolution when encountering persons in crisis.</p> <p>Also in 2014, the Service invested in the Fair and Impartial Policing[®] (F.I.P.) training program, a proprietary curriculum developed by international experts external to the Service, which addresses implicit bias with a focus on racial and ethnic bias as</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>well as biases based on factors such as gender, sexual orientation, religion and social-economic status. The course was designed and implemented to address the needs of all communities that the Service serves and to provide members with the tools to ensure the delivery of bias-free policing consistent with the Service’s Core Values. The one-day course was delivered to all uniform officers by 2015 and continues to be delivered to new recruits as well as auxiliary officers.</p> <p>In 2015, the Service did their annual evaluation on I.S.T.P., and gave consideration to all aspects of the Mental Health Commission of Canada’s 2014 Training and Education about Mental Health for Police Organizations (T.E.M.P.O.) document. T.P.C. consulted with experts in the fields of de-escalation, crisis negotiation, adult education and suicide intervention, taking into account the perspective of consumer survivors. The result was the development of the Negotiator Workshop, a scenario-based approach to training in which officers were introduced to the concepts, tactics and best practices of certified crisis negotiators with a focus on de-escalation and improving active listening skills.</p> <p>The Negotiator Workshop included input from a number of key advisory bodies including:</p> <ol style="list-style-type: none"> 1. The Mental Health Sub-Committee of the Toronto Police Service’s Board. 2. The Mental Health Commission of Canada’s T.E.M.P.O. model (June 2014). 3. The Honourable Frank Iacobucci’s report for Chief Blair, Police Encounters With People In Crisis (July 2014).

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p data-bbox="1060 305 1835 505"> 4. The Mental Health Commission of Canada – Applied Suicide Intervention Skills Training 5. The Mental Health Commission of Canada – Mental Health First Aid 6. Canadian Police College – National certifying body for crisis negotiation training </p> <p data-bbox="1060 545 1858 813"> This scenario-based approach to training was praised by many stakeholders including the Centre for Mental Health and Addition, University of Toronto, the P.A.C.E.R. training sub-committee and Dr. Terry Coleman from the Mental Health Commission of Canada as well as the officers who received it. For this reason, T.P.C. expanded and enhanced the Negotiator Workshop and continued to utilize it to train front line and plainclothes officers in 2016. </p> <p data-bbox="1060 854 1835 1089"> In 2016, T.P.C. instructors were involved in the creation of provincial training on the new Ontario Regulation 58/16, Collection of Identifying Information in Certain Circumstances. The training addressed racial profiling, the history of how those issues evolved, improved communication and empathy towards various communities, understanding and managing implicit bias, as well as respecting and complying with the Regulation itself. </p> <p data-bbox="1060 1130 1858 1365"> Also, in 2016, an additional day of training was added to I.S.T.P. The third full day of training was designed to build upon the F.I.P. course and also to satisfy recommendations from both the P.A.C.E.R. report and the report by the Honourable Frank Iacobucci. The additional day of training continues to articulate the Service’s commitment to bias-free policing, through in-person presentations and dialogue between members and community </p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>representatives with the goal being to enhance cultural competence, improving member’s capacity to engage Toronto residents, particularly racialized community members and specifically black youth, in a professional, ethical and customer service oriented approach. Emphasis is placed on emotional intelligence and critical thinking in relation to investigative detention with an emphasis on collecting and articulating grounds. One important goal of the 2016 I.S.T.P. was to maximize public and police safety with a goal of zero harm and zero bias.</p> <p>In November of 2016, through the efforts of the Vulnerable Persons Coordinator at the Divisional Policing Support Unit, the Service formed a Disabilities Chief Community Consultative Committee. The committee is comprised of eight members, representing:</p> <ul style="list-style-type: none"> • Autism Speaks Canada • Canadian National Institute for the Blind • Bob Rumball Centre for the Deaf • Centre for Addiction and Mental Health • Learning Disabilities Association of Ontario • March of Dimes • Brain Injury Society of Toronto • Community Living Toronto <p>The Committee attended T.P.C. and participated in use of force training including taking part in scenario training and as a result have provided guidance and input on training and a number of Service Procedures. Several initiatives are also currently being developed or have been developed regarding education and training for Service personnel to be delivered in the form of</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>training videos and C.P.K.N. online modules to allow for training at the divisional level. Topics include Autism, blindness/partially sighted awareness, and mental health awareness.</p> <p>In 2017, I.S.T.P. built upon the foundation of the 2016 program which involved emotional intelligence, critical thinking and de-escalation techniques as well as de-bunking stereotypes and treating all people fairly. The Negotiator Workshop techniques of the previous two years were also utilized. The intent of the 2017 program was to provide a cultural shift regarding issues of mental health and racial bias. The development of training content is a collaborative initiative and will continue in 2018 with youth and community participation. The Learning Development and Standards Section of the T.P.C. has initiated a partnership with Humber College students and has requested their assistance in developing scenarios that will re-create incidents involving officers and young people. On day one of 2018 I.S.T.P. students will be invited to attend training sessions to provide a youth perspective during the de-brief and discussion. The goal of this initiative is to enhance all relationships through professional, ethical and bias free interactions with an emphasis on communication skills and a theme of “Every Contact Matters”.</p> <p>Training with respect to mental health has been enhanced to increase officers’ knowledge, skills, and abilities in the areas of coordination, containment, and communication strategies including principles and techniques of de-escalation. All Service training has been redesigned to emphasize de-escalation as an essential element of the Service’s response to emotionally disturbed persons, which supports the guiding principle of preservation of life.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>All sworn uniform officers receive the following on an annual basis as part of their I.S.T.P.:</p> <ul style="list-style-type: none"> • Communication and De-escalation: officers are shown the most effective means of communication when dealing with a person experiencing a crisis. Officers are reminded that de-escalation techniques should be attempted whenever possible. This is delivered through discussion in classroom settings and practiced in dynamic scenario based training. • Containment: officers are taught, whenever possible, to slow down the course of events in crisis situations and to consider the use of specialized response teams such as M.C.I.T. or E.T.F. or referral to outside resources or agencies. • Subject Safety: preservation of life is the highest priority. • Fear: officer fear management that includes recognition and mitigation strategies including discussions of officers’ fear responses during debriefings of practical scenarios that require de-escalation and communication techniques to defuse a crisis situation. • Stigma: the Service has incorporated the use of a video series developed by the T.P.C. and consumers to address and debunk stereotypes and stigmas concerning mental health.

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<ul style="list-style-type: none"> • Use of Force: the Use of Force Model is a decision making aid that trains officers to use the amount of force that is reasonable and necessary. • Firearm Avoidance: dynamic scenario training in which officers do not have to draw a firearm. Emphasis is placed on non-lethal means of stabilizing a situation and reducing the potential for over-reliance on lethal force. <p>With input from professor Judith Andersen at the University of Toronto the Service is working to implement evidence-based de-escalation and use of force training. The Service has participated in the professors International Performance Resilience and Efficiency Program (iPREP) training program which will assist officers to control stress and hone their split-second decisions during critical incidents. The iPREP measures and analyzes an officer’s sensory nervous system reading during highly realistic training sessions that simulate real life events. Each officer receives instruction from expert trainers tailored to their individual stress responses and delivered in a manner that maximizes learning and retention. The training provides officers with improved mental and physical control, leading to enhanced safety for officers and the communities they serve.</p> <p>In 2018, I.S.T.P. will build upon previous years focuses. Topics will include but are not limited to bias awareness, prevention of discrimination, strategic disengagement, conflict de-escalation, reasonable suspicion, investigative detention, tactical communication, court testimony, note-taking, Charter of Rights and Freedom, Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act, levels of Service and Warrior vs.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>Guardian principles, all of which will be incorporated through role-playing, scenarios and lectures. The Service will continue to work closely with the community on the Mental Health Portfolio. As part of this commitment, in February 2018 the Service will conduct its annual “Community Training Day” which involves members from the mental health community attending the Toronto Police College and observing the 2018 I.S.T.P. Community members will have the opportunity to provide input on the training and offer suggestions for improvement.</p> <p>The Service will continue to work with the City of Toronto with respect to the Toronto Action Plan to Confront Anti-Black Racism and the consultative committee of the black community in terms of anti-black racism. (see recommendation #12).</p> <p>In addition, the Service has partnered with Ryerson University who will be offering members combined online/classroom lectures on a number of topics such as, but not limited to, bias avoidance training (geared towards anti-black racism and implicit/explicit biases as well as gender violence/mental health community/LGBTQ community), and community engagement (see recommendation #12).</p>
<p>#2 – TO THE TORONTO POLICE SERVICE</p> <p><i>Measure the effectiveness of the above mentioned training in anti-Black racism and persons in crisis by requiring both a written and oral exam of the participants. Failure in such exams should result in requiring re-attendance at such training.</i></p>	<p>T.P.S. Agrees In Part- Implemented in an alternative form</p> <p>The Service agrees that assessments of competencies and skills are integral to police training and currently uses established standards of measurement for evaluating training based on the four levels of the <u>Kirkpatrick Hierarchy of Evaluation</u>.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>The four levels include: reaction, learning, transfer and impact. The Service recognizes that learning cannot simply be measured by a pass or fail on an oral or written exam.</p> <p>Practical academia is subjective and should be measured by the understanding of concepts learned and transfer and synthesis of learning.</p> <p>Beginning in 2018, the Service will be implementing an incoming knowledge check on day one of I.S.T.P. The knowledge check will consist of 15 questions covering a broad range of topics (such as use of force, racial bias, C.I.I.C.C., crisis communication and de-escalation , responding to emotionally disturbed persons) that will identify a baseline of what officers know and their attitudes upon entry. That information will be utilized to consider areas requiring more emphasis and to effectively address the educational needs of the class. On day three of I.S.T.P. an outgoing written exam will be administered to assess the progression of the topics covered, measuring skills, knowledge and attitudes upon exit to determine any changes. Failure to show competence in the training covered in I.S.T.P. would result in officers having their use of force options removed/suspended until they are able to show competence in all areas.</p> <p>In addition, the Service employs a number of alternate exercises for oral/practical knowledge assessment, some of which include reviewing and interactive discussion of topics, active learning and practical exercises, presentations, dynamic scenarios and debriefs, participant course surveys, interviews with training co-ordinators and supervisors, and in-field training session observance of students by co-ordinators.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>Lastly, the Service is enhancing how it evaluates training and whether members follow their training. The Service has partnered with Dr. Nancy McNaughton of the University of Toronto Faculty of Medicine to further develop an academically and scientifically sound methodology. Preliminary assessments are underway.</p>
<p>#3 – TO THE TORONTO POLICE SERVICE</p> <p><i>Mandate that all officers complete the Implicit Association Test as part of initial and requalification training.</i></p>	<p>T.P.S. Concurs –Implemented in part</p> <p>The F.I.P. curriculum training, taken by all Service officers, underscores that all people, even well-intentioned individuals, have biases and these biases are often unconscious or implicit and can influence choice and actions without conscious thinking or decision making.</p> <p>To enhance awareness and understanding of this concept, the Service offers the link to the Harvard Implicit Association Test (I.A.T) at several of the T.P.C. courses, including I.S.T.P. Members are strongly encouraged to complete the I.A.T. for self-awareness of attitudes and beliefs they may have. This will help members to better understand what implicit associations they are making non-consciously and how biases related to various social factors may overlap.</p> <p>Due to confidentiality of the test and therefore inability to track who has taken the test, the Service does not mandate participation in I.A.T.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
<p>#4 – TO THE TORONTO POLICE SERVICE</p> <p><i>TPS should continue to emphasize the importance of planning in a crisis situation to identify the lead in communication.</i></p>	<p>T.P.S. Concurs – Implemented</p> <p>The I.S.T.P. delivered by the T.P.C. incorporates the importance of planning in a crisis situation. The annual three day training includes a number of scenario-based exercises that encourage officers whenever possible and time permitting to have a plan when entering into a crisis situation. The caveat, of course, is that no plan is perfect and situations can change dramatically. Officers are taught to continually assess the situation and readjust their plan accordingly.</p> <p>With respect to one officer communication with the person in crisis, since 2015, the I.S.T.P. Negotiator Workshop directly addresses that one officer, when feasible, act as the primary negotiator with the person in crisis. The workshop focuses on de-escalation and crisis negotiation and involves using active listening skills to improve officers’ chances of demonstrating empathy in order to build rapport with the goal of influencing a subject’s behaviour. Training scenarios also encourage and incorporate the identification of a secondary negotiator who could potentially take the lead if rapport is not developed with the primary negotiator. Officers are trained in both roles of the primary and secondary negotiator.</p>
<p>#5 – TO THE TORONTO POLICE SERVICE</p> <p><i>Expose or continue to expose officers in training to the perspectives and lived experience of racialized communities, the Black community and individuals with mental health issues and/or addictions.</i></p>	<p>T.P.S. Concurs – Implemented</p> <p>The Service’s 2013-2017 Police and Community Engagement Review (P.A.C.E.R.) was an undertaking that looked at all levels of the organization to find ways for widespread advancement in the area of bias-free police service delivery and resulted in the</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>2013 P.A.C.E.R. report which contained 31 recommendations to assist the Service with continuing to improve public safety while reducing social costs incurred during community engagements. The P.A.C.E.R. initiative remained active between 2013 and 2017. During this period, T.P.S. and community participants worked together to ensure effective and comprehensive implementation of the P.A.C.E.R. recommendations. P.A.C.E.R. recommendation #12 was to ensure all uniform officers and investigators receive training that includes, along with other topics:</p> <ul style="list-style-type: none"> • Tactical communication, strategic disengagement & conflict de-escalation, mediation and resolution, with a focus on people in crisis; and • Prevention of discrimination, racism and Black racism. <p>P.A.C.E.R. recommendation #12 also specified that this training should incorporate role-play and scenario-based training in relation to the Community Safety Note Procedure 04-14, and further that, all training involve community participation in training design, delivery and evaluation.</p> <p>Further to recommendation #1 and the additional day of I.S.T.P. training, the T.P.C. has worked extensively with consumers and continues to work with them, as well as other stakeholders to maximize training opportunities for officers. This includes continuing the program of incorporating consumers’ lived experience into the I.S.T.P.</p> <p>As stated in recommendation #1, the extra training day also emphasizes the Service’s core values and commitment to bias-</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>free policing, with in-person presentations and dialogue between members and community representatives. In this training component, members are exposed to a variety of scenarios through practical role-playing, video and judgement-simulator exercises which provide members with an opportunity to think critically about their courses of action while identifying reasonable steps that may avoid racially-biased policing.</p> <p>The development of the content and the scenarios was a collaborative initiative between T.P.C. staff and the P.A.C.E.R. advisory committee. Further, elements of diversity and inclusiveness are interwoven through all training and mentoring programs provided by the T.P.C.</p> <p>The Service will leverage the partnerships and work of the City, the Board’s consultative committee of the black community and Ryerson University to inform Service training with respect to anti-black racism (see recommendation #12).</p>
<p>#6 – TO THE TORONTO POLICE SERVICE</p> <p><i>Review the Intercultural Development Program deployed by the Toronto Police Service and consider the continued use of the Intercultural Development Inventory or other similar tool, as well as in-house intercultural competence facilitators, to further the intercultural competence of Toronto Police Service members.</i></p>	<p>T.P.S. Concurs – Under Consideration</p> <p>Further to recommendation #5, P.A.C.E.R. recommendations 16-18 relate to enhancing the intercultural competence of officers across the Service.</p> <p>The Service is currently researching and developing the next phase of its Intercultural Development Program (I.D.P.) with the specific goal of furthering the intercultural competence of Service members.</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>Intercultural competence is the ability to communicate effectively and appropriately with people of other cultures. For the implementation of P.A.C.E.R. recommendations 16-18, in 2014, the Service began working with consultants to create an I.D.P. The consultants indicated that members who spend a large part of their worktime in diverse communities are not necessarily more interculturally competent than members who spend little time interacting with diverse others. Effective learning about cultural differences is grounded in combining cross cultural experience with intentional, developmental facilitation and reflection to derive lessons learned. The benefit to communities and the Service of interculturally competent officers is that they can effectively bridge across diverse cultural values and practices.</p> <p>In 2015, the consultants delivered a report, the “IDI Assessment Project on Building Intercultural Competence within the Toronto Police Service”, which contained 16 recommendations to assist the Service with enhancing the intercultural competence at both the individual and organizational levels.</p> <p>Consistent with jury recommendation #6, the Service has conducted an implementation review of the 16 recommendations in the consultant’s report, along with the original P.A.C.E.R. recommendations, and continues to move forward with its I.D.P.</p>
<p>#7 – TO THE TORONTO POLICE SERVICE</p> <p><i>Amend the annual Use of Force recertification to include qualification in areas such as mental health and/or addictions, anti-racism, particularly anti-Black racism, implicit and unconscious bias, fear inoculation, de-escalation and crisis communication.</i></p>	<p>T.P.S. Concurs – Implemented</p> <p>Further to recommendation #1, the Service’s annual I.S.T.P. addresses this recommendation.</p> <p>The I.S.T.P. includes training to ensure all members are provided with the skills to effectively deal with persons in crisis. The 10</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>core elements of the Memphis Model are incorporated into the Service’s I.S.T.P. training, which re-emphasizes the core principle of de-escalation as an essential element to the Service’s response to emotionally disturbed persons.</p> <p>As stated in recommendation #1, I.S.T.P. incorporates training in crisis communication and negotiation, de-escalation and containment measures. Communication and de-escalation are thoroughly discussed in the classroom setting and practiced in the dynamic scenarios involving mental health and crisis situations. The dynamic scenarios include dynamic video training and scenarios in both the outdoor tactical village and the indoor tactical area. While the focus of these exercises is de-escalation, teamwork and communication, officer fear management is also included; this includes recognition and mitigation strategies. The Service has participated in the iPREP train the trainer program which will assist officers to control stress and hone their split-second decisions during critical incidents. The iPREP measures and analyzes an officer’s sensory nervous system reading during highly realistic training sessions that simulate real life events. Attendees receive instruction from expert trainers tailored to their individual stress responses and delivered in a manner that maximizes learning and retention. The training provides officers with improved mental and physical control, leading to enhanced safety for officers and the communities they serve.</p> <p>Further to recommendation #1 and #5, through judgement training, practical exercises and simulator scenarios, I.S.T.P. covers awareness and bias avoidance training and reiterates the importance of maintaining neutral, bias free encounters that are</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>respectful of the rights of all community members during all interactions.</p> <p>Failure to show competence in these or any other part of the I.S.T.P. program results in officers having their use of force options removed/suspended until they are able to show competence.</p> <p>The service will leverage the partnerships and work of the City, the consultative committee of the black community and Ryerson University to inform Service training with respect to anti-black racism (see recommendation #12).</p>
<p>#8 – TO THE TORONTO POLICE SERVICE</p> <p><i>Continue to emphasize that where the police challenge is issued and the subject does not comply, where possible, alternative methods of communication, de-escalation, disengagement and containment should be attempted. For example, consider making it clear that lethal force will be used if commands aren’t obeyed.</i></p>	<p>T.P.S. Concurs – Implemented</p> <p>Officers are trained that if a subject does not comply with their initial direction, they are to attempt alternative communication strategies with the person. However, many situational factors can affect an officer’s attempt to de-escalate a situation, including the person’s condition, distance from the officer and their reaction in response to the officer’s commands. Officers are taught to try various communication strategies including, when feasible and consistent with safety, offering help and understanding. However, disengagement is not always an option and should only be used if the person is contained in a safe manner that allows for continued communication.</p> <p>"Police Don’t Move" is the standardized challenge for police officers when confronting someone who poses an imminent and dangerous threat to the officer. This provides clear and concise direction to the person as well as other officers who are on scene.</p>

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	<p>Officers are trained that if a person does not respond to the challenge, they are to attempt alternative communication with the person. Officers are encouraged were possible to provide a warning to the person that lethal force may be used if there is non-compliance by the person; however, this is contingent on a number of factors such as the speed of the attack or to prevent an attack on a member of the public.</p>
<p>#9 – TO THE TORONTO POLICE SERVICE</p> <p><i>Consider the use of trained de-briefers to be deployed following exceptional critical incidents, having regard to any SIU investigation and the rights of officers, with a view to using the knowledge gained to inform de-escalation training. If resources permit, consider using the de-briefers in situations with positive outcomes as well as negative ones, even if they are less serious incidents, in order to learn from those occurrences.</i></p>	<p>T.P.S. Does Not Concur</p> <p>It should be noted that the Service also reported to the Board regarding debriefing in the Iacobucci Report (Recommendation #25) in September 2015 (Min. No. P232/15 refers).</p> <p>The Service recognizes the value of learning from experience as part of continuous improvement in individual and corporate performance. While acknowledging that some observers suggest that there are benefits from conducting operational debriefings, it is also recognized that operational debriefings may place officers at heightened psychological risk, a concern that is supported by a review of the scientific literature relating to the impact of trauma exposure and the identification of factors that both facilitate and interfere with recovery. Noted experts in the field of police psychology from the Psychological Services section of the International Association of Chiefs of Police who were canvassed by the Service expressed concern about the potential risk to officers’ psychological well-being if a procedure for debriefing is developed that requires mandatory participation.</p> <p>In 2013, the Ontario Ombudsman in his report entitled <i>In the Line of Duty</i> made it clear that police services have an obligation to</p>

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	<p>protect officers and their families from the effects of operational stress injury. While acknowledging the need for accountability for police actions, it is the opinion of the Service that the requirement that officers participate in a mandatory critical analysis of actions taken may result in negative impact on the psychological health and well-being of some officers.</p> <p>Furthermore, it is also important to recognize that the act of reliving the event from the perspective of others, as required by an operational debriefing, has the potential to alter the recall of the event among those who participate in the debriefing, and may lead to, or the perception of, contamination of the ability of participants to provide accurate testimony in any subsequent legal proceeding.</p> <p>It should also be noted that of the two million radio calls the Service responds to yearly, an overwhelming number of those involve officers utilizing de-escalation techniques. These calls comprise not only persons in crisis but also many other situations such as domestic violence. Due to the sheer volume, having enough “trained de-briefers” available would be an obvious capacity issue not to mention the time officers would spend out of their communities and in police stations participating in de-briefing sessions.</p> <p>Given the potential for adverse outcomes for some individuals the Service will not implement this recommendation.</p> <p>Nevertheless, to achieve the goal of this and related recommendations which is for the Service to learn from critical events, the Service can rely on established systems and processes</p>

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	<p>that do not put the psychological well-being of members at risk, and do not undermine their capacity to provide accurate first-hand testimony. These processes include:</p> <ul style="list-style-type: none"> • A review of the event by the Service’s P.R.S.-S.I.U. Liaison via a Section 11 investigation, P.R.S.-Criminal Section 11 report, the Use of Force Analyst and the Use of Force Committee to identify trends or possible gaps in training, equipment, or procedure, using documents and records including: <ul style="list-style-type: none"> ▪ the Use of Force Report completed by involved officers when they use force that results in injury or when the officer uses certain force options such as the C.E.W. or firearm, ▪ other officer submitted reports including occurrences, injury reports, and arrest records, ▪ officers’ memo books and other notes, ▪ results of officer interviews or testimony, and ▪ any video evidence from both police and private sources. • A full evidentiary review by Professional Standards as part of a legislated investigation required when police actions have led to serious injury or death of a civilian or a police officer [PSA O. Reg. 267/10, s. 11 (1)]. • Analysis by the Police College of recommendations resulting from coroner’s inquests and other legal proceedings, inquiries, and reviews. • At the conclusion of every practical exercise, especially scenario-based training, (which are based on real-life events) participants are probed for the reasons behind their decisions and they are given an opportunity to peer and

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	<p>self-critique their decisions and actions. This form of debriefing is a proven educational method that very effectively imbeds the training and the lessons.</p> <ul style="list-style-type: none"> • Finally, sergeants will be given more tools and training to help them critically assess members’ performance and conduct using all available methods and resources including operational reports, particularly the Use of Force Report in order to make appropriate supervisory decisions and recommendations regarding training, procedures, and equipment. <p>Combined, the lessons learned from these processes help develop policy, procedures, practices, supervision and training. On the other hand, to enhance its ability to learn from these events, the Service will continue to develop and refine its information systems. For example, the Service has worked closely with the Ministry of Community Safety and Correctional Services to develop a more comprehensive Provincial Use of Force Report that captures more information about the circumstances and the person against who force was used.</p> <p>The protocol that the Service utilizes to achieve the goal of learning from the event results in ensuring best practices and compliance are followed.</p>
<p>#10 – TO THE TORONTO POLICE SERVICE</p> <p><i>Require Coach officers and Supervisory officers take the 5-day Mobile Crisis Intervention Team training. Make mental health and/or addictions and policing of</i></p>	<p>T.P.S. Does Not Concur</p> <p>Given the training demands that the Service is under, this recommendation is not feasible. The Mobile Crisis Intervention Team training is a five day highly resource intensive course and</p>

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<p><i>racialized communities, in particular Toronto’s Black community, a key component of Coach Officer training.</i></p>	<p>only offered one time a year. While the Service does not have the capacity to offer this course more than once a year, the Service has expanded the number of allotted spaces for non M.C.I.T. officers with preference given to supervisors and coach officers.</p> <p>In addition the following three courses offered at the T.P.C.: Coach Officer, Supervisory In Service Leadership and I.S.T.P include an enhanced 90 minute training module on mental health awareness and lived experience.</p> <p>Furthermore, in 2016, the Service implemented the Road to Mental Readiness (R2MR) training which was a program developed by the Department of National Defense and adapted by the Mental Health Commission of Canada. R2MR was created to spark transformational culture change and better mental health for Service members as well as to help decrease the stigma surrounding mental health to improve customer service and promote better engagement with our communities.</p> <p>The eight hour leadership training for all senior management, supervisors and managers covers the mental health continuum model, providing information about barriers to care, resources available through the Service, practical skills for helping fellow members as well as resiliency strategies for promoting mental health and finding positive resolutions when dealing with persons in crisis.</p> <p>Lastly, as stated in recommendation #1 and #5, the additional day of I.S.T.P. training reiterates the Service’s commitment to delivering bias-free police services.</p>

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<p>#11 – TO THE TORONTO POLICE SERVICE</p> <p><i>Ensure that all patrol cars are equipped with less lethal weapons, e.g., CEW, sock or beanbag guns and that all officers are trained in the use of such weapons along with defensive equipment such as shields and helmets.</i></p>	<p>T.P.S. Concurs In Part – Implemented in alternative form</p> <p>The Service continues to identify, research and review available and emerging less lethal use of force technologies and best practices. The Service is also a member of the Provincial Use of Force Committee, making recommendations to the government on such equipment.</p> <p>Currently each division has five Less Lethal Shotguns assigned and are deployed by qualified officers.</p> <p>The Service is studying the feasibility of equipping P.R.U. officers with shields as part of their personal protective equipment when responding to an assaultive person or a person armed with a weapon.</p> <p>By providing some measure of protection, shields may give officers the confidence to contain the situation and when safe to do so move closer to a threat to secure it without increasing the likelihood of using lethal force. However, while shields might initially protect officers from injury they do not by themselves disarm the person. At some point officers have to take physical control and disarm the person and this would be extremely difficult and risky while holding onto the shield because the officer would only have one hand available. This would make it challenging to access their handcuffs or other force options or even defend themselves if the shield is grabbed and the officer’s arm gets trapped. Dropping the shield, of course, defeats its purpose.</p>

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	<p>When dealing with emotionally disturbed persons, officers are encouraged to de-escalate situations by attempting to build rapport. Presenting a shield from the outset could be perceived as a barrier and prevent officers from accomplishing this goal.</p> <p>On the other hand, the Service is examining situations where the shield would be helpful. For example, introducing shields to an event that does not require immediate intervention may give officers the means to contain the person while other officers without shields wait to disarm and apprehend the person when it is safe to do so.</p> <p>To evaluate the effectiveness of this, the Service has acquired a number of shields and T.P.C. is developing the appropriate tactics and training. The Service has also canvassed other agencies for their experience with shields, however, at this time, the Service is not aware of any police service in Canada that has issued shields to its P.R.U. other than Halton Regional Police Service, which recently issued ballistic shields to its officers. These shields are designed for officer protection if there is a requirement to respond to an active attacker situation where a person may be armed with a weapon and actively causing harm to the public.</p> <p>The Service is aware that the New York City Police Department was exploring the use of shields for their P.R.U. but is not aware of any decision having been made to date. Reportedly, Scotland police have shields that are kept in most patrol vehicles for use against unarmed assaultive persons. So far the Service has not identified any published evaluations on the effectiveness of shields for PRU officers, including from Scotland.</p>

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	<p>With respect to deployment of C.E.W. to all patrol cars, at its meeting in October 2016, in a report to the Board entitled “Toronto Police Service 2017-2026 Capital Program Request”, the Service asked to acquire and deploy an additional 250 C.E.W.s to selected uniform front-line police constables and constables from designated specialized units (Min. No. P244/16 refers). This was in response to the continued need for less-lethal force options to help safely resolve dangerous encounters with community members.</p> <p>This expanded deployment would complement the 545 C.E.W.s that are already issued to uniform front-line supervisors, and selected members of specialized units.</p> <p>At this time, the Service’s request for additional C.E.W.s was not approved; however, the Board did approve the following motion: <i>“that the Board conduct community consultations, which will include the Board Mental-Health Sub-Committee, and report back prior to the procurement of any additional Conducted Energy Weapons proposed to be deployed to selected front-line officers”</i>.</p> <p>On October 18, 2017, the Board hosted a public consultation and the Service made a presentation and put forth a discussion paper titled, <u>Achieving Zero Harm/Zero Death – An Examination of Less-Lethal Force Options, including the Possible Expansion of Conducted Energy Weapons</u>. This paper outlined the Service’s current disposition regarding less lethal force options including the use of de-escalation techniques. Also included in the paper was comprehensive background information which outlined the Service’s experience with the C.E.W., a synopsis of the medical</p>

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	<p>research regarding</p> <p>C.E.W. use, the Ministry of Community Safety’s current position and guidelines to police services in the province of Ontario. The discussion paper supports expansion of the C.E.W. as another less lethal option for front line officers.</p> <p>Based upon operational needs and community safety, the Service proposes to issue 250 additional C.E.W.s to on-duty P.R.U. constables and to on-duty constables from designated specialized units. This issuance will be done in a gradual manner starting with P.R.U. constables who have the status of coach officer. Coach Officers are specifically trained officers selected by the unit commander. They oversee the development of new recruits, enabling them to perform their duties at the high standards expected by the Service and the community. Coach Officers must successfully complete required training delivered by the Toronto Police College before being assigned to this important role.</p> <p>The Service is also proposing that if approved, the additional C.E.W.s will be assigned to police divisions for use by qualified, on-duty constables. The Service is not proposing personal issue, rather that the C.E.W. form part of the inventory at each division for use by multiple, qualified officers.</p> <p>This recommended, controlled issuance provides the Service with the opportunity to foster a culture of coaching and mentoring in the use of the weapon. It also provides for the opportunity to measure the use and success of gradual expansion, and include these results in annual reports to the Board.</p>

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	<p>The Service will pursue the expanded deployment of C.E.W.s to front-line officers this year, pending the approval of the Board.</p> <p>It should be noted that the Service also reported to the Board regarding the expanded deployment of C.E.W.s to front-line officers in the Iacobucci Report (Recommendation #59) in September 2015 (Min. No. P232/15 refers).</p>
<p>#12 – TO THE TORONTO POLICE SERVICE</p> <p><i>Undertake a structural/cultural review and analysis to ensure that the Service has a clear policy with respect to serving and protecting persons with mental health or addiction issues and/or racialized persons, in particular, Black persons. The Chief’s review and analysis should include input from experts in this field together with persons in the communities falling within the above-mentioned descriptors. Following this, the Chief shall clearly state the TPS policy and communicate it in detail to all officers and employees. The Chief shall ensure that all members through continuous training have a clear understanding of the Chief’s mandate in this regard. Failure to follow the Chief’s mandate should have consequences and sanctions.</i></p>	<p>T.P.S. Concurs in Part – Implemented in alterative form</p> <p>The Service remains committed to continually improving, in consultation with experts and community members, the structure and culture of the organization with respect to serving and protecting all communities, including persons with mental health or addiction issues and racialized persons, in particular Black persons.</p> <p>This is consistent with the Toronto Police Service Mission Statement:</p> <p><i>We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.</i></p> <p>To properly inform an appropriate implementation of this recommendation, the Service is leveraging its collaboration with Expert Working Groups, assembled by the City of Toronto.</p> <p>In September of 2017, Service members participated in and contributed to the below expert working groups, comprised of City/TPS staff, along with Black community leaders, with a focus</p>

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	<p>on the respective action item with regard to policing.</p> <ol style="list-style-type: none"> 1. Staff Training Working Group focused on staff training across City divisions using an Anti-Black Racism lens 2. Race-Based Data Working Group focused on the collecting and reporting on race-based data 3. Public Education Working Group focused on providing civic and public education using an Anti-Black Racism lens <p>Each Expert Working Group was tasked with delivering “a multi-year work plan” which was appended to the Toronto Action Plan to Confront Anti-Black Racism and was presented to the Executive Committee and City Council in November 2017. City Council accepted the plan.</p> <p>Since the Expert Working Groups are comprised of leaders and experts from the Black community, the Service will continue to participate in, and contribute to, the implementation of the finalized Action Plan in order to properly inform the review and analysis necessary to effectively implement this jury recommendation.</p> <p>The Toronto Action Plan to Confront Anti-Black Racism is a five year plan to leverage the talents, knowledge, and experiences of Black residents and Black organizations as partners in making municipal services, spaces and policies fully inclusive and accessible to Black Torontonians in both intent and practices. The Action Plan includes 22 recommendations and 80 actions to address five issue areas: Children and youth development; health</p>

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	<p>and community services; job and income supports; policing and the justice system; and community engagement and Black leadership.</p> <p>The City has proposed to hire a Senior Human Resources Consultant tasked with the corporate learning program for the confronting anti-black racism portfolio.</p> <p>The Service will continue to collaborate and work with the City with respect to the Action Plan and assess along the way the incorporation of anti-black racism training into T.P.C. curriculum to ensure it is in line the City’s overall plan and expectations.</p> <p>In addition, at its meeting on December 14, 2017, the Board approved the motion for the establishment of a new consultative committee composed of the black community to consider possible or identified disparities in services and outcomes for racialized persons and consider interventions to address any such disparities.</p> <p>Lastly, as mentioned in recommendation #1, the Service has partnered with Ryerson University who will be offering a number of courses to Service members about diversity and bias avoidance. This curriculum will augment the Services existing training and also facilitate research opportunities for both the university and the Service.</p> <p>The service will leverage the partnerships and work of the City, the Board’s consultative committee of the black community and Ryerson University in inform Service training with respect to anti-black racism.</p>

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	<p>With respect to persons with mental health or addiction issues, the Service has a formal Mental Health Statement of Commitment relating to people experiencing mental health issues:</p> <ol style="list-style-type: none"> 1. Members of the Toronto Police Service are committed to preserving the lives of people in crisis if reasonably possible. Our goal is the safety of every citizen and we aspire to preserve every life; 2. In every encounter with a person in crisis, we are committed to taking all reasonable steps to attempt to de-escalate a potentially violent encounter, and to safely resolve such situations; 3. Recognizing the increasing complexity of responding to persons in crisis and the role that we have been given in the Mental Health System, we remain committed to continuous self-improvement and innovation, in both policing and in mental health; 4. We are committed to the elimination of stereotypes and the stigmatization that victimizes persons experiencing mental health issues through education of both our members and the public; 5. We remain committed to involving people with mental health issues directly, where appropriate, in initiatives which affect them, including training and in the development of relevant police procedures; 6. We will continue to work collaboratively with our partners

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	<p>in the Mental Health System, including individuals, community organizations, mental health organizations and hospitals;</p> <p>7. We are committed to institutional leadership in matters of policing and mental health, and will strive to become a pre-eminent police service in this field;</p> <p>8. We are committed to fostering and maintaining a positive mental health culture within the Toronto Police Service.</p> <p>The Service is also currently engaged in the development of a Mental Health Strategy with regards to Service members’ interactions with community members who are apparently experiencing a mental health or addiction issue. A total of 4 facilitated sessions have been conducted with the Board’s Mental Health Sub-Committee for input and guidance. It is expected to be complete in early 2019.</p> <p>The Service’s Strategy Management unit continues to conduct external/internal surveys.</p> <p>In 2017, a survey was sent to agencies and organizations within the city that provide services to people who may be experiencing or have experienced mental health issues. The purpose of the survey was to get feedback on the working relationship with the police and co-ordination of services, as well as agency worker perceptions of how well the police do at dealing with people in crisis or people who appear to be experiencing mental health issues. The information from this survey will be provided to</p>

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	<p>Service stakeholders for this issue.</p> <p>Additionally, to get officer feedback on the current I.S.T.P., a survey was distributed to officers. The first section of the survey listed the various components of the I.S.T.P. and asked officers to note how valuable each component was in providing them with the information and tools they needed to assist them in the performance of their duties. Officers were also asked for suggestions to improve the delivery of the I.S.T.P. The second section of the survey noted that a focus of the I.S.T.P. was use of de-escalation to resolve encounters, and asked officers about the specific de-escalation techniques they regularly used and found effective. The information from this survey will be provided to the T.P.C. to assist in refining the content and delivery of the I.S.T.P.</p> <p>Further to recommendation #1 and “Every Contact Matters” there is a major effort by the Service to instill a client oriented culture, “Customer Service”, in all aspects of police training and practice for members who engage both internal and external clients.</p>
<p>#13 – TO THE TORONTO POLICE SERVICE</p> <p><i>When making decisions about promotions, supervisors should consider</i></p> <p><i>an officer’s skill and experience in dealing with Emotionally Disturbed Persons (EDPs), members of the Black community and racialized communities, including their ability to de-escalate and negotiate during crisis situations.</i></p>	<p>T.P.S. Does Not Concur</p> <p>As stated previously, the Service remains committed to delivering police services to all our communities and our members in a sensitive, professional, fair, impartial, ethical and bias-free manner as outlined in the Service’s core values. The Service does not currently have metrics in place to measure an officer’s skill and experience in dealing with members of the Black community and racialized communities. While there is the potential to develop criteria, the evaluation would be subjective to the</p>

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	<p>evaluator. In addition it would not be possible for a supervisor to monitor every interaction that an officer has with people.</p> <p>The Service has mapped out a new comprehensive People Plan that provides a framework for modernizing Human Resources in how they are managed, trained, assessed and supported. Within this framework, four strategic themes organize the modernization of Human Resources, these are:</p> <ul style="list-style-type: none"> • Our People • Our Leadership • Our Culture and Inclusivity • Our HR Services <p>An integral part of the Our leadership theme will be A Talent Management Strategy that includes,” changes to the promotional process to base it on the year, the goals of the organization and new behavioural competencies in the TPS Competency Framework”. The Strategy includes competencies, which will emphasize skills that will support de-escalation. For all of these initiatives, Psychological Services will be consulted to ensure that these processes take into consideration the recommendation of Police Encounters With People in Crisis. Elements of this recommendation will be considered when the Service reviews and develops the new promotional process.</p> <p>Notwithstanding the promotional process review, the Service does currently consider an officer’s skills and experience when making decisions about promotions. For example, knowledge and</p>

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	<p>training on human rights in both the workplace and the delivery of police services is assessed on the annual evaluation. Supervisors determine if a member demonstrates knowledge and understanding of the Ontario Human Rights Code and human rights issues as they apply to policing including but not limited to knowledge of racial profiling, race-biased policing, racism, sexual harassment, sexism, and ageism. In addition, members are reviewed on their delivery of policing services to ensure it is delivered in a fair, respectful, and unbiased manner consistent with the service’s core values.</p> <p>In addition, the Service utilizes the Professional Standards Information system to collect data to proactively identify and analyze trends surrounding the practices, conduct, ethics and integrity of Service members. This information is used for a variety of purposes including the development of targeted training programs, to ensure compliance with Service procedures and to provide information of the performance of members and the Service a whole.</p> <p>When making decisions about promotions a member’s entire file is thoroughly reviewed and this includes any Early Intervention (E.I.) Program reports. The E.I. program is a risk management strategy to proactively identify Service members with potential performance or conduct issues and provide them with a personalized strategy designed to support the member and improve their performance. Some performance indicators that are used include complaints, use of force incidents, firearm pointed at a person incidents, firearm discharge incidents, vehicle pursuits, vehicle collisions and S.I.U. investigations. These performance indicators are used to generate an alert when a member shows</p>

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	<p>atypical performance characteristics that exceeds a pre-determined threshold.</p>
<p>#14 – TO THE TORONTO POLICE SERVICE</p> <p><i>Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre police telephone line when interacting with a person in crisis.</i></p>	<p>T.P.S. Concurs – Implemented</p> <p>For the past 20 years, the Service has offered the Provincial Statutes Course six times a year and continues to do so. One of the topics covered on this course is the Mental Health Act, which includes a 90 minute presentation made by a social worker from the Gerstein Crisis Centre, who emphasises the need to be sensitive to the needs of vulnerable people who are in crisis.</p> <p>In addition, the service will be creating a Routine Order to remind and encourage members to utilize crisis centers (such as the Gerstein Centre) as a resource when interacting with a person in crisis. Members will also be reminded of the Service’s newly developed Community Access Portal (C.A.P.). This mapping tool created by the Service, is an effective tool available to Service members to connect the public to community resources, including mental-health services.</p> <p>Launched in May 2017, the “Community Asset Portal” (C.A.P.) developed by the Service’s Business Intelligence unit in collaboration with Ryerson University is a web application that shows users an up-to-date map of social services such as shelters, community resource navigators, and mental health and youth support services.</p> <p>The C.A.P. is a valuable reference tool that detects the location of users and allows them to see the resources in their vicinity, using</p>

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	<p>a colour-coded map or by moving through a list of categories, such as Health or Food & Housing services. It also shows users how to get to the location by car, foot and public transit, as well as provides contact information.</p>
<p>#15 – TO THE TORONTO POLICE SERVICE</p> <p><i>Consider additional funding and training for 911 operators in order to improve their skills in extracting more pertinent information during an emergency call. Consider beginning the de-escalation process during a 911 call.</i></p>	<p>T.P.S. Does Not Concur</p> <p>Training for all call takers and dispatchers is provided in-house at Communications Services. The duration of formal call taker training for new communications operators is 16 weeks in length, and includes 6 weeks of classroom time, followed by “on-desk training”, consisting of one-on-one training with an experienced on-desk trainer. Written and practical exams are regularly administered in the classroom, and trainees must successfully pass all testing and a final exam before proceeding to the on-desk portion of their training.</p> <p>After successfully completing call taker training, trainees are then scheduled into a dispatcher training class. Dispatcher training follows a similar training model and includes five weeks of formal classroom instruction followed by 10 weeks of on-desk training and monitoring by a supervisor. Trainees must successfully pass all classroom exams and tests before progressing to the on-desk portion of their training.</p> <p>One of the competencies that trainees are evaluated on by their on-desk trainers, in both the call taking and dispatching training programs, is demonstrating concern for the safety of others and taking action to ensure safety in emergency situations. Following the successful completion of the call taker and dispatcher training programs, all communications operators also participate in a</p>

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	<p>yearly I.S.T.P.</p> <p>The fundamental steps of effectively extracting pertinent information and de-escalation techniques are routinely covered throughout all Communication Services training courses and are reinforced with unit-specific policies.</p> <p>Communication Services continually examines and assesses its training curriculum to ensure members are provided with sound knowledge of the best practices and techniques required in the performance of their duties.</p>
<p>#23 – TO THE MINISTRY OF HEALTH AND LONG TERM CARE/LHN’S (though directed to the Ministry contemplates participation by the Service)</p> <p><i>Together with the Toronto Police Service, explore all possible avenues to assess whether MCIT’s could be available as first responders in crisis situations, specifically including situations where weapons are involved”.</i></p>	<p>T.P.S. Does Not Concur</p> <p>Mobile Crisis Intervention Teams are collaborative partnerships between participating hospitals and the T.P.S. Each M.C.I.T. is comprised of one police officer and a mental health nurse.</p> <p>Memorandums of Understandings (M.O.U.) have been signed between the Service and six partner hospitals. The M.O.U.’s clearly set out that the safety of the nurses is the responsibility of the Service. Allowing an M.C.I.T. to become available as a “first responder in crisis situations, specifically including situations where weapons are involved” would contravene the Service’s existing M.O.U.’s</p> <p>P.R.U. officers respond first to these events to ensure the nurse is not exposed to any harm. Once deemed safe the M.C.I.T. attends.</p> <p>Additionally, the Service is often called to crisis situations</p>

Loku Coroner’s Inquest Recommendation	T.P.S. Response
	<p>involving weapons along with the Toronto Paramedic Services and Toronto Fire Services. Once again in these circumstances P.R.U. officers attend first to ensure the scene is safe for non-police responders.</p> <p>M.C.I.T.’s have traditionally been considered secondary responders. However, as the program has evolved since its inception in 2000, the M.C.I.T.’s now operate as co-responders to a call that do not include weapons or any other identified safety concerns. This means, when appropriate, M.C.I.T. will respond simultaneously with P.R.U. It should be noted that even in these situations police officers will still make the initial contact and assess the situation with the M.C.I.T. following behind.</p> <p>Additionally, MCITs are able to attend situations involving weapons once the situation is deemed safe by responding officers. MCIT’s stage at a nearby location and will respond to the call once the P.R.U. advises the scene is safe.</p> <p>The Service is not aware of any model in other jurisdictions in which an M.C.I.T. comprised of a police officer and a nurse would be available as first responders to a crisis situation involving a weapon or any type of violence.</p>



Anna Kinastowski, B.A., LL.B.*

City Solicitor

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Toronto, ON M5V 3C6

Tel. 416-392-8047

Fax 416-397-5624

** Certified by the Law Society as a Specialist in
Municipal Law: Local Government / Land Use
Planning & Development*

Reply To: Robert J. Baldwin
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Fax: 416 397-5624
E-Mail: rbaldwin@toronto.ca

File No. TBD

October 15, 2015

DELIVERED VIA EMAIL

Chair Andrew Pringle
Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3

Dear Chair Pringle:

Re: Inquest into the Death of Zoltan Hyacinth

Attached please find a copy of the jury's verdict. You will note that the jury answered the "By what means" question with "Accident", which was the answer unanimously supported by the lawyers for all parties with standing.

The jury made two recommendations:

To Toronto Police Service ("TPS")

1. The Toronto Police Service should consider incorporating the circumstances of this case, including the security video of the interaction between the subject individuals and the plain clothes officers, into In Service Plain Clothes training in conjunction with an ongoing review of best practices, to ensure that officers choose strategies to maximize public safety and officer safety in the course of vehicle takedowns.

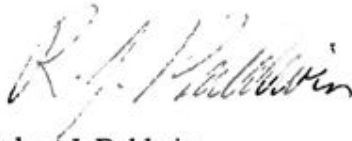
To Ontario Police College ("OPC")

2. The Ontario Police College should consider using the security video of the interaction between the subject individuals and the plain clothes officers during initial officer training/orientation as a tool to alert officers to safety issues for both themselves and the

public when encountering vehicle takedowns/interactions.

Although the wording is different, in essence, the recommendations are the same as endorsed by the lawyers for all the parties with standing.

Yours very truly,

A handwritten signature in cursive script, appearing to read "R. J. Baldwin".

Robert J. Baldwin
Lawyer

RJB:am

Encl.

cc: Joanne Campbell



Office of the Chief Coroner
Bureau du coronier en chef

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

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

We the undersigned / Nous soussignés,

_____ of / de Toronto, Ontario
 _____ of / de Toronto, Ontario
 _____ of / de Toronto, Ontario
 _____ of / de Toronto, Ontario
 _____ of / de Toronto, Ontario

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

Surname / Nom de famille Hyacinth	Given Names / Prénoms Zoltan Yusef Terence
--------------------------------------	---

aged / âgé de 23 held at / tenue à Toronto, Ontario

from the / du October 5 to the / au October 14 20 15

By / Par Dr. Dr. John Carlisle Coroner for Ontario / coroner pour l'Ontario

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

Name of Deceased / Nom du défunt
Zoltan Yusef Terence Hyacinth

Date and Time of Death / Date et heure du décès
March 17, 2013 at 10:14 P.M.

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

Cause of Death / Cause du décès
Contact perforating gunshot wound of the head and brain

By what means / Circonstances du décès
Accident

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

 Original signed by jurors/Original signé par les jurés

The verdict was received on the 14th day of October 20 15
Ce verdict a été reçu le 14th (Day/ Jour) day of October (Month/ Mois) 20 15

Coroner's Name (Please print)/ Nom du coronier (en lettres moulées) <u>Dr. John Carlisle</u>	Date Signed (yyyy/mm/dd)/Date de la signature (aaaa/mm/dd) <u>2015/10/14</u>
---	---

Coroner's Signature/Signature du coronier



Office of the Chief Coroner
Bureau du coronier en chef

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

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

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

Zoltan HYACINTH

**JURY RECOMMENDATIONS
RECOMMANDATIONS DU JURY**

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

To Toronto Police Service ("TPS"):

1. The Toronto Police Service should consider incorporating the circumstances of this case, including the security video of the interaction between the subject individuals and the plain clothes officers, into In Service Plain Clothes training in conjunction with an ongoing review of best practices, to ensure that officers choose strategies to maximize public safety and officer safety in the course of vehicle takedowns.

To Ontario Police College ("OPC"):

2. The Ontario Police College should consider using the security video of the interaction between the subject individuals and the plain clothes officers during initial officer training/orientation as a tool to alert officers to safety issues for both themselves and the public when encountering vehicle takedowns/interactions.

Personal information contained on this form is collected under the authority of the Coroners Act, R.S.O. 1990, C.C.37, as amended. Questions about this collection should be directed to the Chief Coroner, 26 Grenville St., Toronto ON M7A 2G9, Tel.: 416 314-4000 or Toll Free: 1877 991-9959.

Les renseignements personnels contenus dans cette formule sont recueillis en vertu de la Loi sur les coroniers, L.R.O. 1990, chap. C.37, telle qu'elle est modifiée. Si vous avez des questions sur la collecte de ces renseignements, veuillez les adresser au coronier en chef, 26, rue Grenville, Toronto ON M7A 2G9, tél. : 416 314-4000 ou, sans frais : 1877 991-9959.



Toronto Police Services Board Report

February 8, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Response to the Jury Recommendations from the
Coroner's Inquest into the Death of Zoltan Yusuf Terence
Hyacinth**

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. Zoltan Yusuf Terence Hyacinth was conducted in the City of Toronto during the period of October 5 to October 14, 2015. As a result of the inquest, the jury made 2 recommendations, with 1 of the recommendations being directed to the Toronto Police Service (Service).

The purpose of this report is to inform the Board of the Service's review and implementation of the jury recommendation.

The following is a summary of the circumstances of the death of Mr. Zoltan Yusuf Terence Hyacinth and issues addressed at the inquest, as delivered by Dr. John R. Carlisle, presiding coroner.

Summary of the Circumstances of the Death:

On Sunday March 17, 2013 members of the Toronto Police Guns and Gangs Task Force were conducting surveillance on Mr. Zoltan Hyacinth who was wanted for a robbery which had allegedly occurred several days before at a pizza store at which time the operator of the store had allegedly been seriously injured by Mr. Hyacinth. They also had information that Mr. Hyacinth was in possession of a gun and had been involved in drug sales.

The suspect's vehicle entered the drive through of a Burger King and police attempted to arrest the decedent.

There was a struggle between police and Mr. Hyacinth during which Mr. Hyacinth produced a pistol. During the struggle the pistol in the hand of the decedent discharged and a bullet struck him in the head.

He was transported to Sunnybrook Health Science Centre Trauma Unit where, after treatment, he was pronounced dead.

A coroner was summoned and a post mortem examination was conducted.

The jury heard from 16 witnesses over 7 days, considered 18 exhibits and deliberated approximately two hours before reaching a verdict.

Discussion:

Professional Standards Support – Governance was tasked with preparing a response for the jury recommendation directed to the Service from the Coroner's inquest into the death of Mr. Zoltan Yusuf Terence Hyacinth.

Service subject matter experts from the Toronto Police College (T.P.C.) contributed to the responses contained in this report.

Response to the Jury Recommendations:

To the Toronto Police Services Board and to the Chief of Police:

Recommendation #1:

The Toronto Police Service should consider incorporating the circumstances of this case, including the security video of the interaction between the subject individuals and the plain clothes officers, into In-Service Plain Clothes training in conjunction with an ongoing review of best practices, to ensure that officers choose strategies to maximize public safety and officer safety in the course of vehicle takedowns.

The Service concurs and is in compliance with this recommendation.

Plainclothes policing initiatives are an integral component of any proactive law enforcement strategy that seeks to effectively prevent and reduce crime. These investigations are complex and dynamic which require officers to employ multiple skill sets. To effectively address the many plainclothes risk-management issues, the T.P.C. has redeveloped three existing training courses (Plainclothes Investigator Course, Plainclothes Tactical Course, and the Level 2 Confidential Informant Foundations Course) that were previously taught in isolation and created a single training curriculum to effectively equip officers with best practices to adequately respond to the many complexities of a modern plainclothes investigation, and thereby mitigate risk.

In June 2017, the new Plainclothes Investigator and Confidential Informant Handler Course (TC0124) commenced. This training course includes modules on operational plans, tactical search warrant entries, search warrant notes, systematic briefings and debriefings, and vehicle containment. In the development phase of this training, the circumstances of this case (Mr. Hyacinth) were considered. Additionally, the video of the interaction between Mr. Hyacinth and the plainclothes officers is being utilized in the training. Because investigative and tactical concerns are often inter-related; integrating the courses into a practical problem-based learning approach will be more relevant to officers taking the training.

Plainclothes investigations are fluid and dynamic, and in many cases during the course of an investigation it becomes necessary to contain a motor vehicle using intentional contact. The T.P.C. has conducted research to examine how other police services in the Greater Toronto area (G.T.A.) are delivering training in their respective agencies as it relates to high-risk motor vehicle containment. As part of this newly developed training, members of the Incident Response Training Team (I.R.T.T.), in conjunction with the Investigative Training Section of the T.P.C., will be adapting the high-risk vehicle containment training to incorporate an intentional contact system. This method of training is designed to provide containment and will ideally prevent the suspect vehicle from becoming mobile, thus mitigating incidents of vehicle pursuits. The primary concept of this training focuses on keeping the suspect vehicle immobile after containment, preventing it from ramming its way out (mitigating the extent of overall damage). This allows for the safe arrest of all occupants from behind cover. This method of vehicle containment was developed by the Federal Bureau of Investigation (F.B.I.) and has been utilized by the York Regional Police Service for approximately three years with great success. The T.P.C. implemented awareness of this new containment method utilizing intentional contact through 2017, however, the recent

procurement of modified training vehicles will now allow the addition of physical exercises to the curriculum moving forward.

This course will utilize a problem-based learning strategy that encourages officers to think using a proactive mindset. This training will provide officers with the opportunity to test best practices and utilize various problem solving techniques, as well as the consideration of tactical enforcement strategies that officers will need to be prepared for, in the course of a plainclothes investigation.

The Service continually reviews its training curriculum to ensure that it reflects the latest knowledge and best practices to assist its members in safely resolving violent and dangerous situations.

Conclusion:

As a result of the Coroner's inquest into the death of Mr. Zoltan Yusuf Terence Hyacinth, and the subsequent jury recommendations, the Service has conducted a review of Service governance, training and current practices.

In summary, the Service concurs with the recommendation contained in this report and is in compliance with this recommendation.

The Service continues to strive for excellence in providing its members with the latest equipment, best practices, and training, in order to safely resolve dangerous encounters and mitigate the potential for harm, whenever feasible.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS/bs

Hyacinth Inquest.docx

Attachments:

Appendix A – Jury Verdict & Recommendations (Hyacinth Inquest)



Office of the Chief Coroner
Bureau du coronier en chef

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

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

We the undersigned / Nous soussignés,

_____ of / de _____
 _____ of / de _____
 _____ of / de _____
 _____ of / de _____
 _____ of / de _____

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

Surname / Nom de famille Hyacinth	Given Names / Prénoms Zoltan Yusuf Terence
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aged / âgé 23 held at / tenu à Toronto, Ontario

from the / du October 5 to the / au October 14 20 15

By / Par Dr. / John Carlisle, Coroner for Ontario / coroner pour l'Ontario

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

Name of Deceased / Nom du défunt
Zoltan Yusuf Terence Hyacinth

Date and Time of Death / Date et heure du décès
March 17, 2013 at 10:14 P.M.

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

Cause of Death / Cause du décès
Contact perforating gunshot wound of the head and brain

By what means / Circonstances du décès
Accident

Original signed by: For person / Original signé par: Président du jury

Original signed by: Jurors / Original signé par les jurés

The verdict was received on the / Ce verdict a été reçu le 14th / 14th day of October 20 15
(jour / jour) (Month / Mois)

Coroner's Name (Please print) / Nom du coronier (en lettres majuscules) Dr. John Carlisle	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/aa) 2015/10/14
--	--

Coroner's Signature / Signature du coronier



Office of the Chief Coroner
Bureau du coronar en chef

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

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

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

Zoltan HYACINTH

**JURY RECOMMENDATIONS
RECOMMANDATIONS DU JURY**

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

To Toronto Police Service ("TPS"):

1. The Toronto Police Service should consider incorporating the circumstances of this case, including the security video of the interaction between the subject individuals and the plain clothes officers, into In Service Plain Clothes training in conjunction with an ongoing review of best practices, to ensure that officers choose strategies to maximize public safety and officer safety in the course of vehicle takedowns.

To Ontario Police College ("OPC"):

2. The Ontario Police College should consider using the security video of the interaction between the subject individuals and the plain clothes officers during initial officer training/orientation as a tool to alert officers to safety issues for both themselves and the public when encountering vehicle takedowns/interactions.

Personal information contained on this form is collected under the authority of the Coroners Act, R.S.O. 1990, c. C.37, as amended. Questions about this collection should be directed to the Chief Coroner, 200 Grenville St., Toronto ON M5A 2G3, Tel: 416 314-6000 or Toll Free: 1-877-991-9999.
Les renseignements personnels contenus dans ce formulaire sont recueillis en vertu de la Loi sur les coronars, L.R.O. 1990, chap. C.37, tel qu'amendé. Si vous avez des questions sur la collecte de ces renseignements, veuillez adresser au coronar en chef, 20, rue Grenville, Toronto ON M5A 2G3, tél : 416 314-6000 ou sans frais : 1-877 991-9999.

Verdict Explanation

**Inquest into the Death of Zoltan Hyacinth
October 5, 2015 to October 14, 2015
Coroners Courts
25 Morton Shulman Ave.
Toronto, Ontario**

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

Participants:

Coroner's Counsel

Michael Blain
Chief Counsel
Office of the Chief Coroner
25 Morton Shulman Ave.
Toronto, ON M3M 0B1
647-329-1850

Coroner's Investigator

Neil Hamilton
Provincial Constable #P530
Karen A. Bechard
Detective Constable #11185
Coroner's Inquest Investigation Unit
Criminal Investigation Branch
Ontario Provincial Police
647-329-1735

Coroner's Constable

S.A. (Scott) Lambert
Detective Constable #9125
Coroner's Constable
Ontario Provincial Police
647-329-1732

Reporter
Devon Lockett
Network Reporting Services
100 King St. W., Suite 900
Toronto, ON M5X 1E3
416-359-0305
Fax: 416-359-1611

Parties with Standing:

Represented By:

Chief of the Toronto Police Service
Gail Glickman and Sharon Wilmot
40 College St., Suite 805E
Toronto, ON M5G 2J3
416-808-7807

Toronto Police Services Board
Robert Baldwin
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416-397-5612

Det. Michael Balint
Jimmy Lee
170 Bloor St. W., Suite 702
Toronto, ON M5S 1T9
647-999-8912

Det. Constables Douglas, Blake and Dean
Gary Clewley
357 Bay St., Suite 400
Toronto, ON M5H 2T7
647-999-8910

Summary of the Circumstances of the Death:

On Sunday March 17, 2013 members of the Toronto Police Guns and Gangs Task Force were conducting surveillance on Mr. Zoltan Hyacinth who was wanted for a robbery which had allegedly occurred several days before at a Pizza store at which time the operator of the store had allegedly been seriously injured by Mr. Hyacinth. They also had information that Mr. Hyacinth was in possession of a gun and had been involved in drug sales. The suspect's vehicle entered the drive through of a Burger King and police attempted to arrest the decedent. There was a struggle between police and Mr. Hyacinth during which Mr. Hyacinth

produced a pistol. During the struggle the pistol in the hand of the decedent discharged and a bullet struck him in the head.

He was transported to Sunnybrook Health Science Centre Trauma Unit where, after treatment, he was pronounced dead.

A coroner was summoned and a post mortem examination was conducted. The jury heard from 16 witnesses over 7 days, considered 18 exhibits and deliberated approximately two hours before reaching a verdict.

Verdict:

Name of the Deceased: Zoltan Yusuf Terence Hyacinth

Date and Time of Death: March 17, 2013 at 10:14PM

Place of Death: Sunnybrook Health Science Centre

Cause of Death: Contact Perforating Gunshot Wound of the Head and Brain

By What Means : Accident

Recommendations:

To Toronto Police Service ("TPS"):

1. The Toronto Police Service should consider incorporating the circumstances of this case, including the security video of the interaction between the subject individuals and the plain clothes officers, into In Service Plain Clothes training in conjunction with an ongoing review of best practices, to ensure that officers choose strategies to maximize public safety and officer safety in the course of vehicle takedowns.

To Ontario Police College ("OPC"):

2. The Ontario Police College should consider using the security video of the interaction between the subject individuals and the plain clothes officers during initial officer training/orientation as a tool to alert officers to safety issues for both themselves and the public when encountering vehicle takedowns/interactions.

Coroner's Comments:

The jury felt that a review of the unique circumstances of this case would be helpful both for In Service Training for plain clothes and tactical police officers and also for new recruits in their basic training courses.

Closing Comments

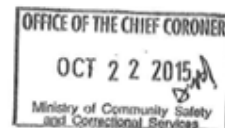
In closing, I would like to stress once again that this document was prepared solely for the purpose of assisting interested parties in understanding the jury's verdict. It is worth repeating that this is not the verdict. Likewise, many of the comments regarding the evidence are my personal recollection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



John R. Carlisle M.D., LL.B., FCLM

Coroner

October 21, 2015





Toronto Police Services Board Report

February 8, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Response to the Jury Recommendations from the
Coroner's Inquest into the Death of Mr. Eric Aiyevbekpen
Osawe**

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:

At its confidential meeting on March 23, 2017, the Board received a report entitled "Final Report - Inquest into the Death of Eric Aiyevbekpen Osawe – Verdict and Recommendations of the Jury" (Min. No. C53/2017 refers). This report summarized the outcome of the Coroner's inquest into the death of Mr. Eric Aiyevbekpen Osawe.

The inquest was conducted in the city of Toronto during the period of September 12, 2016 to September 20, 2016. As a result of the inquest, the jury directed 3 recommendations to the Toronto Police Service (Service).

The purpose of this report is to inform the Board of the Service's review and implementation of the jury's recommendations.

The following is a summary of the circumstances of the death of Mr. Eric Aiyevbekpen Osawe and issues addressed at the inquest, as delivered by Dr. John Carlisle, presiding coroner.

Summary of the Circumstances of the Death:

On Tuesday, September 28, 2010 the Toronto Police Service Guns and Gangs unit applied for judicial authorization of a warrant to search the home of Mr. Eric Osawe at 11 Dunbloor Road, Apartment 304, Toronto. The search was seeking illegal drugs and a weapon.

The Guns and Gangs unit enlisted the assistance of the Toronto Police Service - Emergency Task Force to execute the search warrant, which is standard practice where there may be a firearm at a targeted residence.

Approximately three hours later, on Wednesday, September 29, 2010 at approximately 1:05 a.m., eight members of the Emergency Task Force – Team Two breached the door and made entry into the apartment.

During the execution of the search warrant, Mr. Osawe struggled on the floor with an officer attempting to handcuff him. The officer was carrying an MP5 submachine gun which was slung on a web sling and hanging in front of him as he knelt over the deceased who was in the prone position. As the officer used both hands to restrain Mr. Osawe, the slung weapon may have interacted with some equipment on the front of the officer's uniform but, in any event, it discharged and Mr. Osawe sustained a gunshot wound in the centre of his back.

Mr. Osawe was transported to Saint Michael's Hospital, where he was pronounced dead at 1:55 a.m.

A coroner was summoned and a post mortem examination was conducted by Dr. Charis Kepron which disclosed that the cause of death was a penetrating gunshot wound to the back. An expert firearms examiner from The Centre of Forensic Sciences examined the weapon and the circumstances and described tests she performed which disclosed that the shot came from the officer's weapon discharged at intermediate range. She found that the weapon could have discharged unintentionally in these circumstances.

Discussion:

Professional Standards Support – Governance was tasked with preparing responses for the jury recommendations directed to the Service from the Coroner's inquest into the death of Mr. Eric Aiyevbekpen Osawe.

Service subject matter experts from the Emergency Task Force (E.T.F.) and the Toronto Police College (T.P.C.) contributed to the responses contained in this report.

Response to the Jury Recommendations:

Recommendation #1:

The Toronto Police Service should continue their current research into available weapon systems and equipment, and their use, to ensure that they are aware of the latest developments regarding safety measures and training to minimize the risk of unintentional discharge of weapons issued to officers.

The Service concurs and is in compliance with this recommendation.

The Armament Section of the T.P.C. is responsible for conducting research into firearms training, equipment and technology, including the latest developments specific to safety equipment of both lethal and less-lethal weapons. This is done on a continual basis with collaboration and input from other police services, agencies and related industry experts. A primary component of all firearms training is directly related to the safe operation of the firearm. All firearms and weapons training have dedicated training periods involving the safe handling and operation of the weapon to minimize the risk of unintentional discharges.

Additionally, the E.T.F. has had some form of research and development committee for many years. While the committee has taken on various forms throughout the years, it has had a similar mandate; specifically to research, source and test tactical equipment and clothing in order to enhance both officer and public safety.

Commencing in January 2015, the E.T.F. Equipment Research and Development Committee was established. This committee is led by an E.T.F. supervisor and comprised of a representative from every E.T.F. – Special Weapons Team (Special Weapons Team) which routinely researches new and improved equipment and weapons systems, as well as related training methods for their use. The mandate of this committee is to specifically research, source, and test tactical equipment and clothing that would be suitable for tactical operations, looking for opportunities to enhance officer safety, public safety as well as operational efficiency. The committee meets on a bi-monthly basis and reports its findings and recommendations to both the Unit Commander and the Management Team of the E.T.F. for consideration and further action where appropriate.

As a result of the expansive law enforcement tactical community that the E.T.F. is an integral part of, the opportunity exists to both second E.T.F. members to other similar police services, and to send them on various training courses to research new developments in their field of work, including available weapon systems and safety measures. Annually, officers assigned to the E.T.F. are sent on tactical training courses

with the Federal Bureau of Investigation, Royal Canadian Mounted Police, Ontario Provincial Police, as well as independent organizations that provide specialized and sanctioned tactical training courses.

All of the training courses that E.T.F. officers attend are designed to develop and enhance their specific area of specialization within the unit, and to develop tactical best practices that enhance both operations safety and public safety. Moreover, the tactical training network available to the E.T.F. is far-reaching, whereby opportunities exist to continually seek out information on best practices in tactical policing practices around the globe. This goal is further accomplished through information sharing networks, including, but not limited to: National Tactical Officers Association, Ontario Tactical Advisory Board, G.T.A. Tactical Commanders Group, and the Canadian Critical Incident Institute. Both successes and failures are shared within this network with the goal of enhancing both officer and public safety.

The Service continually researches and assesses available weapon systems and equipment, and their use, to ensure they are aware of the latest developments specifically as it relates to safety measures and training to minimize the risk of unintentional discharges.

Recommendation #2:

Incorporate a training module into the Basic Tactical Operators Course to teach incoming officers about the risk of unintentional discharge. The module should highlight the possibility of interaction between the equipment worn or carried by an officer and the safety selector and trigger of the various weapons systems used by the E.T.F. The module should also refer to specific real-world instances of unintentional discharges experienced at the E.T.F. and the significant consequences of those events.

The Service concurs and will continue to develop training that incorporates the issues highlighted in this recommendation.

The Basic Tactical Orientation Course (B.T.O.C.) delivered by the E.T.F. is a mandatory training course that all incoming police officers to the E.T.F. must complete to prepare them for service in the unit. The B.T.O.C. is a six week course which introduces police officers to basic tactical skills which will allow those who are successful to participate as an active member of a police tactical team. Police officers will receive basic training in firearms handling and proficiency, tactics required in clearing operations, and the equipment or tools of the trade for a tactical team. Police officers will attain a level of proficiency in these skills throughout their training, which will then allow them to become eligible for assignment to a Special Weapons Team.

The B.T.O.C. includes, but is not limited to, training modules in the areas of use of force, operational planning, basic marksmanship, ballistic equipment, handgun, submachine gun, tactical carbine, tactical shotgun, less than lethal tactics, defensive tactics, vehicle stops, interior combat, close protection, active attacker and mechanical

breaching. Historically, there was no dedicated training module to highlight the possibility of an interaction between the equipment worn or carried by an officer and the safety selector and trigger of the various weapons systems used. However, in response to the jury recommendations from this inquest, B.T.O.C.s now have a dedicated training module which includes this topic as well as real-world instances.

The Training Section of the E.T.F. is also in the process of developing a training module for all current members of the E.T.F. which will be delivered on dedicated team training days. This training module will include material from this inquest in relation to equipment and firearms; in addition it will incorporate specific real-world instances of unintentional discharges experienced by the E.T.F. to date. This new training module will educate members in relation to recommended best practices for teams involving handcuffing, weapon retention and detention techniques when a member is utilizing a long weapon.

Furthermore, the E.T.F. recognizes that this training issue will be an ongoing education of members; as such, this topic will also be addressed on the Hostage Rescue Course where the tactics and techniques in relation to the MP5 submachine gun, and the C-8 carbine rifle are most prevalent.

Recommendation #3:

To the extent resources and operational needs permit, the Toronto Police Service should continue to emphasize the value of having dedicated “hands-free officers” (i.e., officers not carrying long guns) included in E.T.F. teams conducting dynamic entries to minimize the risk of accidental discharge associated with long guns.

The Service concurs and complies with this recommendation to the extent resources permit.

The operational composition of a Special Weapons Team includes one supervisor and ten police constables. However, due to scheduled absences, which include annual leave, training courses, temporary reassignments, and unscheduled absences, such as sickness and injury, often the full complement of assigned police constables are not available to the team. Rather, it is more commonplace that a team will operate with six to eight police constables and a supervisor, which is a mandatory component of the Special Weapons Team.

The composition of a Special Weapons Team conducting a dynamic entry will depend on the intelligence provided to the team prior to the entry. In the case of a pre-planned entry, such as the execution of a search warrant, efforts will be made to ensure the entry team size is scaled according to the threat level that is anticipated upon entry, when possible to do so.

Essentially, the higher the anticipated threat level; as determined by factors such as the number of occupants, access to weapons and history of violence, the more police officers would be required to make the entry. Nonetheless, due to resource limitations

and exigent circumstances that arise, quite often a Special Weapons Team will be required to operate, and execute an entry with the police officers that are available.

To the extent that resources and operational needs permit, dedicated 'hands-free police officer(s)' are designated. However, in those instances when an entry is being made with less than the optimum number of police officers assigned to the Special Weapons Team, having a dedicated 'hands-free officer' is not feasible, as every police officer making entry will need to be armed. In these situations, a 'handcuffing officer' is designated, wherein they will position their firearm away from the suspect when moving to handcuff them. If the suspect(s) struggle or resist arrest, then the police officer will be required to attempt to both control the suspect while keeping their firearm away from the struggle and access to the suspect. Under these conditions, several police officers will attempt to subdue the struggling/resisting suspect in order to get the suspect handcuffed and affect the arrest while minimizing the risk of accidental discharge.

Conclusion:

As a result of the Coroner's inquest into the death of Mr. Eric Aiyevbekpen Osawe, and the subsequent jury recommendations, the Service has conducted a review of Service governance, training and current practices.

As a part of its business process, the Service will continue to research and review options that will improve service and minimize risk in similar situations.

In summary, the Service concurs with the recommendations contained in this report and is either currently in compliance, or taking steps to ensure compliance with these recommendations.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS/bs

Osawe Inquest.docx

Attachments: Appendix A – Jury Verdict & Recommendations (Osawe Inquest)



Office of the
Chief Coroner
Bureau du
coroner en chef

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

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

We the undersigned / Nous soussignés,

_____ of / de _____
 _____ of / de _____
 _____ of / de _____
 _____ of / de _____
 _____ of / de _____

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

Surname / Nom de famille Osawc	Given Names / Prénoms Eric Aiyevbekpen
-----------------------------------	---

aged / à l'âge de 26 held at / tenue à Office of the Chief Coroner, Ontario

from the / du 12th of September to the / au 20th of September 20 16

By / Par Dr. / Dr John Carlisle Coroner for Ontario / coroner pour l'Ontario

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

Name of Deceased / Nom du défunt
Eric Aiyevbekpen Osawc
 Date and Time of Death / Date et heure du décès
September 29th 2010 at 1:55 AM
 Place of Death / Lieu du décès
St. Michael's Hospital, Toronto
 Cause of Death / Cause du décès
Penetrating Gunshot Wound to Back

By what means / Circonstances du décès
Accident

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

 Original signed by Jurors / Original signé par les jurés _____

The verdict was received on the / Ce verdict a été reçu le 20th day of September 20 16
(Day / Jour) (Month / Mois)

Coroner's Name (Please print) / Nom du coroner (en lettres moulées) <u>Dr. John Carlisle</u>	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/jj) <u>2016/09/20</u>
---	---

Coroner's Signature / Signature du coroner _____

We, the jury, wish to make the following recommendations: (see page 2)
Nous, membres du jury, formulons les recommandations suivantes : (voir page 2)



Office of the
Chief Coroner
Bureau du
coroner en chef

Verdict of Coroner's Jury
Verdict du jury du coroner

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

Inquest into the death of:
Enquête sur le décès de :
Eric Aiyebekpen Osawe

JURY RECOMMENDATIONS
RECOMMANDATIONS DU JURY

To the Toronto Police Service:

1- The Toronto Police Service should continue their current research into available weapon systems and equipment, and their use, to ensure that they are aware of the latest developments regarding safety measures and training to minimize the risk of unintentional discharge of weapons issued to officers.

2 - Incorporate a training module into the Basic Tactical Operators Course to teach incoming officers about the risk of unintentional discharge. The module should highlight the possibility of interaction between the equipment worn or carried by an officer and the safety selector and trigger of the various weapons systems used by the ETF. The module should also refer to specific real-world instances of unintentional discharges experienced at the ETF and the significant consequences of those events.

3 - To the extent resources and operational needs permit, the Toronto Police Service should continue to emphasize the value of having dedicated "hands-free officers" (i.e., officers not carrying long guns) included in ETF teams conducting dynamic entries to minimize the risk of accidental discharge associated with long guns.

Personal information contained on this form is collected under the authority of the Coroners Act, R.S.O. 1990, c. C.37, as amended. Questions about this collection should be directed to the Chief Coroner, 25 Morton Shulman Avenue, Toronto ON M5M 0B1, Tel.: 416 314-6000 or Toll Free: 1 877 961-9959.
Les renseignements personnels contenus dans cette formule sont recueillis en vertu de la Loi sur les coroners, L.R.O. 1990, chap. C.37, telle que modifiée. Si vous avez des questions sur la collecte de ces renseignements, veuillez les adresser au coroner en chef, 25, avenue Morton Shulman, Toronto ON M5M 0B1, tél. : 416 314-6000 ou sans frais : 1 877 961-9959.

Verdict Explanation

Inquest into the Death of Eric Aiyevbekpen Osawe
September 12 - September 20, 2016
Coroner's Courts
25 Morton Shulman Ave
Toronto, Ontario

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

Participants:

Coroner's Counsel	Michael Blain Chief Counsel Office of the Chief Coroner 25 Morton Shulman Ave. Toronto, ON M3M 0B1 647-329-1850
Coroner's Constable	Heather McCallum Detective Constable #13227 OPP Coroner's Inquest Unit 25 Morton Shulman Ave. Toronto, ON M3M 0B1 647-329-1736
Coroner's Investigator	Det. Dave Horowitz #3069 (Peel) Coroner's Inquest Unit 25 Morton Shulman Ave. Toronto, ON M3M 0B1 416-329-1862

Appendix - A

Reporter	Jovana Velimirovic Network Reporting & Mediation 3600-100 King St. West Toronto, ON M5X 1E3 416-359-0305 Fax: 416 359 1611
Parties with Standing:	Represented By:
Chief of the Toronto Police Service	Ms. Marianne Wright, Ms. Gail Glickman 40 College St. Suite 805 Toronto, ON M5G 2J3 416-808-8057
Toronto Police Services Board	Ms. Brennagh Smith 26th Floor, Metro Hall 55 John Street Toronto, O M5V 3C6 416-808-7807
Officers of the Toronto Police Emergency Task Force	Mr. Gary Clewley 357 Bay St. Suite 703 Toronto, ON M5H 2T7 647-999-8910
Constable David Cavanagh	Mr. Lawrence Gridin, Mr. Michael W. Lacy 1800-151 Yonge St. Toronto, ON M5C 2W7 416-306-5765
Ontario Ministry of Community Safety and Correctional Services	Ms. Lynn Donnelly Suite 501, 655 Bay St, Toronto, ON M7A 0A8 416-212-8358

Summary of the Circumstances of the Death:

On Tuesday, September 28, 2010 the Toronto Police Service Guns and Gangs unit applied for judicial authorization of a warrant to search the home of Mr. Eric Osawe at 11 Dunbloor Road, Apartment 304, Toronto. The search was seeking illegal drugs and a weapon.

The Guns and Gangs unit enlisted the assistance of the Toronto Police Service - Emergency Task Force to execute the search warrant, which is standard practice where there may be a firearm at a targeted residence.

Approximately three hours later, on Wednesday, September 29, 2010 at approximately 1:05 a.m., eight members of the Emergency Task Force – Team Two breached the door and made entry into the apartment.

During the execution of the search warrant, Mr. Osawe struggled on the floor with an officer attempting to handcuff him. The officer was carrying an MP5 submachine gun which was slung on a web sling and hanging in front of him as he kneeled over the deceased who was in the prone position. As the officer used both hands to restrain Mr. Osawe the slung weapon may have interacted with some equipment on the front of the officer's uniform but, in any event, it discharged and Mr Osawe sustained a gunshot wound in the centre of his back.

Mr. Osawe was transported to Saint Michael's Hospital, where he was pronounced dead at 1:55 a.m.

A coroner was summoned and a post mortem examination was conducted by Dr. Charis Kepron which disclosed that the cause of death was a penetrating gunshot wound to the back. An expert firearms examiner from The Centre of Forensic Sciences examined the weapon and the circumstances and described tests she performed which disclosed that the shot came from the officer's weapon discharged at intermediate range. She found that the weapon could have discharged unintentionally in these circumstances.

Verdict:

Name of the Deceased:	Eric Aiyevbekpen Osawe
Date and Time of Death:	September 29th, 2010 at 1:55AM
Place of Death:	St. Michael's Hospital, Toronto
Cause of Death:	Penetrating Gunshot Wound to Back
By What Means :	Accident

Recommendations:

To the Toronto Police Service:

1. The Toronto Police Service should continue their current research into available weapon systems and equipment, and their use, to ensure that they are aware of the latest developments regarding safety measures and training to minimize the risk of unintentional discharge of weapons issued to officers.

Coroner's Comments:

The jury heard evidence that the Toronto Police Service Emergency Task Force currently has a Research and Development committee which regularly researches new and improved equipment and weapons systems as well as training methods for their use. They also second officers to other similar services and send them to courses with other forces to find out about new developments in their field of work. The jury felt that they should continue this activity in the hopes that new and improved weapons, equipment and training might be safer in relation to the possibility of unintentional discharges.

2. Incorporate a training module into the Basic Tactical Operators Course to teach incoming officers about the risk of unintentional discharge. The module should highlight the possibility of interaction between the equipment worn or carried by an officer and the safety selector and trigger of the various weapons systems used by the ETF. The module should also refer to specific real-world instances of unintentional discharges experienced at the ETF and the significant consequences of those events.

Coroner's Comments:

*The jury heard evidence that new officers joining the Emergency Task Force take the **Basic Tactical Operators Course** to prepare them for service at the unit. The jury felt that a specific module of that training course should be devoted to the dangers of unintentional discharge of firearms and to the way in which this might happen as demonstrated in this death. They felt that the course should point out real life examples of how this had happened in the past and the serious consequences which could flow from it.*

3. To the extent resources and operational needs permit, the Toronto Police Service should continue to emphasize the value of having dedicated "hands-free officers" (i.e., officers not carrying long guns) included in ETF teams conducting dynamic entries to minimize the risk of accidental discharge associated with long guns.

Coroner's Comments:

The jury heard evidence that emergency task force officers have available to them both long guns, the MP5 machine pistol and the C-8 carbine, as well as their sidearm, the Glock pistol. They heard that both types of weapon are needed for a safe dynamic entry such as was used in the case of Mr. Osawe. The normal method of operations would be to have the team rapidly enter a premise and secure the occupants by handcuffing them to make the subsequent search safe for all involved.

The jury noted that in this case, the attempt to handcuff the deceased by an officer carrying an MP5 had resulted in an accidental discharge when the gun caught on the officer's other equipment and discharged. The jury heard that, if possible, an officer not carrying a long gun, but rather carrying only his pistol should handcuff the subject because he/she could holster their weapon prior to doing that and that there would, in such circumstances, be much less risk of accidental discharge.

Closing Comments

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

John R. Carlisle M.D., LL.B., FCLM
Coroner

September 30, 2016



Toronto Police Services Board Report

November 23, 2017

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Access to Historical Contact Data – Third Quarter 2017
(July – September)**

Recommendation(s):

It is recommended that the Board receive the following report.

Financial Implications:

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

Background:

Board Policy Reporting Requirements

At its meeting on November 17, 2016, the Board approved a policy, entitled “Regulated Interaction with the Community and the Collection of Identifying Information” (Min. No. P250/16 refers), which includes, in paragraph 16, a requirement for the Chief to provide the Board, on a quarterly basis, with a public report on requests, approvals, and purpose(s) for access to Historical Contact Data as well as whether or not access fulfilled the purpose(s) for which it was accessed.

Historical Contact Data

The Board policy definition of Historical Contact Data refers to all;

- Person Investigated Card (Form 172),
- Field Information Report (Form 208),
- Community Inquiry Report (Form 306), and
- Community Safety Note (Street Check) records

submitted into the Service’s records management systems prior to January 1, 2017; and may include any such submitted record whether or not it would have been categorized as a Regulated Interaction Report had it been submitted on or after January 1, 2017.

Legislated Purposes for Accessing Historical Contact Data

The Board policy, developed in accordance with subsection 12(1) of Ontario Regulation 58/16 (the Regulation) under the Police Services Act, establishes that Historical Contact Data may be accessed by Service members only with the authorization of the Chief:

when (consistent with the Regulation) access to the record is required;

- a) for the purpose of an ongoing police investigation,
- b) in connection with legal proceedings or anticipated legal proceedings,
- c) for the purpose of dealing with a complaint under Part V of the Act or for the purpose of an investigation or inquiry under clause 25 (1) (a) of the Act,
- d) in order to prepare the annual report described in subsection 14 (1) or the report required under section 15,
- e) for the purpose of complying with a legal requirement, or
- f) for the purpose of evaluating a police officer's performance;

and only when (in addition to the restrictions imposed by the Regulation) access is required for a substantial public interest or to comply with a legal requirement.

Purpose:

The purpose of this report is to provide the Board with the requisite information for the third quarter of 2017, in accordance with the Board policy.

Discussion:

The Service has adopted the Board policy definition of Historical Contact Data which encompasses all records within the database regardless of whether or not they would be considered Regulated Interaction Reports under the current legislation.

The Service has restricted access to all Historical Contact Data by eliminating Service-wide direct access to the database and instituting procedures and business processes which ensure access to the database is authorized by the Chief and actioned by only a small group of members specifically assigned by the Chief for this purpose.

Paragraph 13 through 15 of the policy require, in part:

13. The Chief shall develop procedures that ensure all Historical Contact Data is Restricted in a manner that prevents Service members from accessing it without authorization.
14. Historical Contact Data must be stored in a way that leaves an auditable technological trail.
15. Access to Historical Contact Data under paragraph 13 of this policy shall be authorized by the Chief, in accordance with the constraints imposed on records classified as Restricted, and only when access is required for a substantial public interest or to comply with a legal requirement.

In accordance with these paragraphs, as explained below, the Service has developed procedures and/or business processes to ensure access to all Historical Contact Data is restricted and the only way for a member of the Service to access the Historical Contact Data is with the express authorization or approval of the Chief. The procedures and business processes have been developed with consideration to best practices in relation to information privacy, including;

- data isolation,
- access audit trails, and
- role based security access.

Data Isolation

The Service has introduced procedures and/or business processes to ensure Historical Contact Data, unless authorized by the Chief, is not accessible to members of the Service.

The Service has procedures and/or business processes to ensure Historical Contact Data has not, is not, and will not be used as part of the Police Reference Check or Vulnerable Sector Screening programs.

The Service has introduced procedures and/or business processes to ensure Historical Contact Data is not used to identify a person as “known to police”.

Access Audit Trails

Consistent with the Board policy, Historical Contact Data has been restricted in a manner which leaves an auditable technological trail of access. The Service has ensured access to the Historical Contact Data continues to be auditable, with the ability to verify the authorization of each access, by establishing procedures and business processes, supported by the Service’s records management systems, to:

- limit access capability to access the database to only members who are specifically authorized by the Chief for this purpose;
- incorporate mandatory recording of file numbers corresponding to authorizations or approvals for access to the database; and
- facilitate periodic and random audits to cross-check access with the respective authorizations or approvals.

Role Based Security Access

The Service has eliminated access to Historical Contact Data for all Service members, with the exception of a select group of members who have been authorized by the Chief to access the database only for the purposes of facilitating the established procedures and business processes outlined below.

In operationalizing the Board policy, the Service has distinguished between operational access and administrative access to the Historical Contact Data.

Operational Access

Operational access refers to any request submitted by a member in accordance with the process outlined below, which the Chief may deny or approve.

Even if the request for access to the Historical Contact Data is approved by the Chief, access to the database is not provided directly to the requesting member. Instead, there are only eight members, specifically assigned and authorized by the Chief for this purpose, who receive and process the request thereby further ensuring the database is only accessed by those members authorized and approved by the Chief. These members then forward the results, if any, to the requesting member.

To reflect the Board policy principle of “substantial public interest”, the broader category of “ongoing police investigation” has been narrowed by limiting the types of investigations which may be eligible for access. This constraint means members may only request access for investigations involving:

- preservation of life and/or preventing bodily harm or death;
- homicides and attempts;
- sexual assaults, and all attempts (for the purpose of this standard, is deemed to include sexual interference, sexual exploitation and invitation to sexual touching);
- occurrences involving abductions and attempts;
- missing person occurrences, where circumstances indicate a strong possibility of foul play;
- occurrences suspected to be homicide involving found human remains;
- criminal harassment cases in which the offender is not known to the victim;
- occurrences involving a firearm or discharge of a firearm; and/or
- gang related investigations.

In addition to limiting the eligibility of investigations, the procedures and business process require officers to:

- explain why the specified purpose for which access is requested cannot reasonably be fulfilled without access to the Historical Contact Data; and
- have conducted all other relevant investigative queries prior to submitting their request.

For January 1, 2017, the Service implemented an interim business process (utilizing hardcopy forms) which allowed members to submit requests to the Chief, through their respective chain of command. In May of 2017, the hardcopy forms were replaced with an electronic process. The current business process for submitting a request is as follows.

A member requesting the Chief’s approval for access to Historical Contact Data must submit an electronic Request to Access Restricted Records (TPS 294).

Members may not submit their request directly to the Chief. Instead, they must submit their request through their Officer in Charge where it is subjected to a series of increasing supervisory and management reviews, including:

- Unit Commander,
- Staff Superintendent, and/or
- Staff Superintendent of Detective Operations.

Each level of review is required to consider the merits of the submission, on a case by case basis, and only forwards the request for next level review when satisfied that:

- the specified purpose for which access was requested cannot reasonably be fulfilled without providing access to the Historical Contact Data; and
- all other relevant investigative queries have been conducted.

The request is then considered by the Chief and may still be denied if the Chief is not satisfied that:

- access is required for a substantial public interest, or
- to comply with a legal requirement.

Only if approved by the Chief is the request forwarded to Intelligence Services. Importantly, the approved access is facilitated by the assigned members of Intelligence services and the requesting member cannot directly access the database themselves, which ensures officers only receive relevant information, if any, from the database.

Administrative Access

Administrative access refers to access, authorized by the Chief, which is required by members in order for the Service to be in compliance with legislation.

For the administrative access, twenty-two members have been specifically authorized to access the Historical Contact Data exclusively for the purpose of, and only in response to, legal obligations (to ensure compliance with Freedom of Information requests, subpoenas, orders, motions, etc.) and one member has been specifically authorized as the technical support person assigned to records system maintenance (to facilitate the Service's compliance with Board policy).

Service Members Assigned to Facilitate Access

The Chief has assigned an initial complement of 31 members to facilitate access to Historical Contact Data only as approved or authorized by the Chief.

The Service gave consideration to the distinction between access required in order for the Service to respond to external obligations (administrative access) and access requested for purposes initiated by Service members (operational access).

Consistent with the Board policy objective that access to Historical Contact Data is authorized by the Chief only when access is required for a substantial public interest or to comply with a legal requirement, the Chief has aligned the assigned resources with the anticipated Service requirements for operational access and administrative access.

Consequently, resources to access the database have been apportioned according to the anticipated volume of required access by units responsible for facilitating access.

The Service has distinguished the units responsible for facilitating administrative access from operational access to ensure all access adheres to the appropriate business process. In addition to limiting the units, the Service also limited the number of members within each of the respective units who have access to the database; while still ensuring that the Service is able to meet operational and legislative requirements.

The initial complement has been established, in accordance with privacy best practices, to ensure:

- as few members as possible access the database;
- the results of any access are handled by as few members as possible; and,
- for administrative access, members and units are able to comply with legal obligations without disclosing access, or results of access, to other members or units.

This initial allocation of 31 members was implemented with extensive consideration to the Service's obligations (as itemised in the list below) and will be reviewed, and adjusted as appropriate, once the regular volume of access requirements has been established over the course of the first year (2017).

The 31 members presently assigned to facilitate access were selected based upon their current assignment to their respective roles within specific units of the Service. Importantly, the authorization to facilitate access remains with the assigned position and not the specific member because an individual may be re-assigned to a different role within the organization at which time the individual's access would be revoked.

The current resources for administrative access are comprised of:

- Access & Privacy – 12 members to ensure Service compliance with law (legal requirement – Freedom of Information requests)
- Legal Services – 5 members to ensure Service compliance with law (all other legal requirements)
- Business Intelligence – 5 members to ensure compliance with Board policy (verification & reporting)
- Information Technology Services – 1 member to ensure compliance with Board Policy (technical support)

For the administrative access, the 23 roles assigned facilitate access only for circumstances where the Service is compelled to access the Historical Contact Data in order for the Service to be in compliance with law and/or Board policy.

The current resources for operational access are comprised of:

- Intelligence Services – 8 members to ensure compliance with Board policy (facilitating approved requests only)

For the operational access, the eight (8) civilian members of Intelligence Services have been specifically authorized to access the Historical Contact Data exclusively for the purpose of facilitating access only for those requests which have been approved by the Chief.

Post-Access Summary Report

The Service has developed procedures and business processes to ensure, upon receipt of the results of an approved operational access to Historical Contact Data, the requesting member is required to complete a post-access summary report indicating whether or not accessing the Historical Contact Data fulfilled the purpose(s) for which it was accessed.

Detailed Data Breakdown in Accordance with Policy – Third Quarter of 2017

This quarterly report has been prepared in accordance with the Board policy to explain the operationalization of the policy and report on the items in paragraph 16 of the policy. For the third quarter of 2017, the specific items from paragraph 16, and the respective responses, are detailed below, and encompass both:

- Operational accesses 4
- Administrative accesses 1,438

16 a. The number of requests, submitted to the Chief by Service members, for access to Historical Contact Data:

There were 4 operational requests, submitted to the Chief by Service members, for access to Historical Contact Data. This does not account for any requests that may have been denied by reviewers at other levels of the Service, prior to the Chief.

16 b. The number of approvals, by the Chief, for access to Historical Contact Data:

Importantly, all operational requests, including those pertaining to investigations and legal proceedings, require the approval of the Chief.

The Chief approved 3 operational requests for access to Historical Contact Data.

One (1) operational request that was submitted to the Chief was withdrawn, prior to review by the Chief, since access to the Historical Contact Data was no longer required in order to fulfil the underlying purpose—because the legal proceedings before the court, to which the request related, were resolved.

The Chief considers the merits of each request he receives, on a case by case basis, to determine if access is required for (in accordance with Board policy):

- a substantial public interest, or
- to comply with a legal requirement.

Additionally, the Chief considers whether:

- the specified purpose can reasonably be fulfilled without providing access to the Historical Contact Data

The distinction between authorized access (administrative) and approved access (operational) is based on the requirement for compliance with law and whether or not the law affords the Chief authority to deny access.

- administrative access is authorized for a small group of select members to respond to and fulfil legal obligations for the Service's compliance with law
- operational access is approved (or denied) based upon requests for access from members (investigators) related to core Service delivery

The Chief authorized 1,438 potential administrative accesses to the database because access was required for the purpose of complying with legal requirements. The administrative accesses were authorized because the Service must comply with the law. The vast majority of the administrative accesses are comprised of Freedom of Information requests which are an example of required compliance with Provincial law (*Municipal Freedom of information and Protection of Privacy Act*). The balance of the administrative accesses are comprised of Federal and Provincial legislative requirements with which the Service is required to comply, such as; court orders, subpoenas, motions and/or Board policy.

16 c. The purpose(s) of the requests and approvals identified in subparagraphs 16a and 16b:

The 3 operational accesses approved by the Chief were for:

Ongoing Investigation:	2
Legal Proceedings:	1
Operational Access Total:	<hr/> 3

The 1,486 administrative accesses authorized by the Chief were for:

Legal Requirement: (Freedom of Information requests – from public for access to their own records)	1,392
Legal Requirement & Legal Proceedings: (subpoenas, orders, motions, etc.)	46
Administrative Access Total:	<hr/> 1,438

Not all legal proceedings are criminal matters initiated by Service members. Some legal proceedings are initiated by institutions or individuals external to the Service. (e.g. trials, hearings, inquests, motions, civil actions, discoveries, etc.)

Access may be required for multiple purposes and, therefore, either administrative or operational access may involve legal proceedings or a legal requirement and the difference may be based upon:

- the origin of the requirement for access
- if a legal requirement, whether obligation is on the Service and/or an individual Service member
- the unit responsible for facilitating access

- 16 d. Whether or not accessing the Historical Contact Data fulfilled the purpose(s) for which it was accessed:

The operational access to Historical Contact Data fulfilled the purpose(s) for which it was accessed in all instances.

The administrative access to Historical Contact Data fulfilled the purpose(s) for which it was accessed in all instances.

For operational access, after receiving the results of an approved access, the requesting member completes a post-access summary report explaining how access did or did not fulfil the purpose(s) for which access was approved. For administrative access the access itself fulfils the purpose of compliance with law.

- 16 e. When hard copy report forms generated before January 1, 2017 are digitized, the number of records digitized and the records management system to which the records were added:

All known hard copy Historical Contact Data had been digitized prior to the Board policy and no additional hard copy Historical Contact Data records were discovered and/or added to the records management systems during this quarter.

Regulated Interactions Review Panel

In accordance with paragraph 18 of the Board policy, at least two weeks in advance of submitting the quarterly report to the Board, the quarterly report is made available to the Board's Regulated Interactions Review Panel (the Review Panel). The Review Panel submits, accompanying the quarterly report, a report to the Board which may include, if necessary, suggestions or recommendations for consideration by the Board. Portions of this quarterly report have been informed, and enhanced where necessary, by the Review Panel's review of the preceding quarterly report(s).

Of note, the Service is currently reviewing two aspects of its business process, related to access to Historical Contact Data, which correspond with recommendations the Review Panel has made to the Board.

- First, members of the Service's Access & Privacy unit, responsible for ensuring the Board and Service are in legislative compliance by responding to Freedom of Information requests, are presently testing implementation of a revised tracking mechanism for the unit.

The members are adapting the testing and implementation to incorporate a process for identifying and reporting on the number of Freedom of Information requests that actually require access to Historical Contact Data for compliance with law, while continuing to adhere to privacy best practices in relation to information privacy.

Contingent upon the successful implementation of this new process, the Service anticipates the ability to adjust the quarterly reports for 2018 to have the administrative access reflect only those Freedom of Information requests which result in access to Historical Contact Data.

- Second, as described earlier in this report, the initial complement of 31 members assigned to facilitate Chief approved or authorized access to Historical Contact Data was established with extensive consideration to the Service's obligations and will be reviewed, and adjusted as appropriate, once the regular volume of access requirements has been established over the course of the first year (2017).

The Service has established distinct business processes to reflect the difference between administrative access (access required in order for the Service to respond to external obligations) and operational access (access requested for purposes initiated by Service members). Importantly, the Service has ensured the units responsible for facilitating administrative access do not facilitate operational access and vice versa.

A simple tally of the operational and administrative accesses, on a year-to-date basis, demonstrates the Service correctly anticipated the majority of access requirements would be for administrative access purposes.

While conducting only a cursory review demonstrates that less than one percent (1%) of total access is for operational purposes; it is important to recognize that administrative access only involves requests which are facilitated during normal business hours. Conversely, operational requests entail the facilitation of access at any time of day or night on any day of the year, because the Service's core service delivery must include contingencies for exigent circumstances such as incidents that involve preservation of life (e.g. kidnappings, amber alerts, or missing persons with Alzheimer's disease).

Therefore, while the operational access volumes are considerably lower than administrative access, for the effective delivery of police services, the Service is obligated to ensure sufficient resources are available to process an operational request at any time because operational requests are not facilitated through the process for administrative access.

It is important to note, especially in light of the low volume of operational requests in general, that members authorized to facilitate operational requests do not access the Historical Contact Data unless approved by the Chief on a case-by-case basis.

The Service remains committed to ensuring access to the Historical Contact Data is authorized only as outlined above and operationally necessary to facilitate access for a substantial public interest or compliance with a legal requirement, consistent with the Board policy. Upon completion of the first year of this new process, the Service will be reviewing the complement of members required for facilitation and, while ensuring operational business continuity, will adjust these resources as appropriate.

Conclusion:

This report provides information to the Board on access to Historical Contact Data during the third quarter of 2017. I will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police



Toronto Police Services Board Report

February 22, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Access to Historical Contact Data – Fourth Quarter 2017
(October – December)**

Recommendation(s):

It is recommended that the Board receive the following report.

Financial Implications:

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

Background:

Board Policy Reporting Requirements

At its meeting on November 17, 2016, the Board approved a policy, entitled “Regulated Interaction with the Community and the Collection of Identifying Information” (Min. No. P250/16 refers), which includes, in paragraph 16, a requirement for the Chief to provide the Board, on a quarterly basis, with a public report on requests, approvals, and purpose(s) for access to Historical Contact Data as well as whether or not access fulfilled the purpose(s) for which it was accessed.

Historical Contact Data

The Board policy definition of Historical Contact Data refers to all;

- Person Investigated Card (Form 172),
- Field Information Report (Form 208),
- Community Inquiry Report (Form 306), and
- Community Safety Note (Street Check) records

submitted into the Service’s records management systems prior to January 1, 2017; and may include any such submitted record whether or not it would have been categorized as a Regulated Interaction Report had it been submitted on or after January 1, 2017.

Legislated Purposes for Accessing Historical Contact Data

The Board policy, developed in accordance with subsection 12(1) of Ontario Regulation 58/16 (the Regulation) under the Police Services Act, establishes that Historical Contact Data may be accessed by Service members only with the authorization of the Chief:

when (consistent with the Regulation) access to the record is required;

- a) for the purpose of an ongoing police investigation,
- b) in connection with legal proceedings or anticipated legal proceedings,
- c) for the purpose of dealing with a complaint under Part V of the Act or for the purpose of an investigation or inquiry under clause 25 (1) (a) of the Act,
- d) in order to prepare the annual report described in subsection 14 (1) or the report required under section 15,
- e) for the purpose of complying with a legal requirement, or
- f) for the purpose of evaluating a police officer's performance;

and only when (in addition to the restrictions imposed by the Regulation) access is required for a substantial public interest or to comply with a legal requirement.

Purpose:

The purpose of this report is to provide the Board with the requisite information for the relevant reporting quarter, in accordance with the Board policy.

Discussion:

The Service has adopted the Board policy definition of Historical Contact Data which encompasses all records within the database regardless of whether or not they would be considered Regulated Interaction Reports under the current legislation.

The Service has restricted access to all Historical Contact Data by eliminating Service-wide direct access to the database and instituting procedures and business processes which ensure access to the database is authorized by the Chief and actioned by only a small group of members specifically assigned by the Chief for this purpose.

Paragraph 13 through 15 of the policy require, in part:

13. The Chief shall develop procedures that ensure all Historical Contact Data is Restricted in a manner that prevents Service members from accessing it without authorization.
14. Historical Contact Data must be stored in a way that leaves an auditable technological trail.
15. Access to Historical Contact Data under paragraph 13 of this policy shall be authorized by the Chief, in accordance with the constraints imposed on records classified as Restricted, and only when access is required for a substantial public interest or to comply with a legal requirement.

In accordance with these paragraphs, as explained below, the Service has developed procedures and/or business processes to ensure access to all Historical Contact Data is restricted and the only way for a member of the Service to access the Historical Contact Data is with the express authorization or approval of the Chief. The procedures and business processes have been developed with consideration to best practices in relation to information privacy, including;

- data isolation,
- access audit trails, and
- role based security access.

Business Processes – Detailed in Appendices

The first three quarterly reports for 2017 included details regarding the business processes implemented by the Service in accordance with, and exceeding the requirements of, the Regulation and related Board Policy. For ease of reference, the below listed sections from the previous reports have been transferred to Appendix A.

- Data Isolation
- Access Audit Trails
- Role Based Security Access
- Operational Access
- Administrative Access
- Service Members Assigned to Facilitate Access
- Post-Access Summary Report

Detailed Data Breakdown in Accordance with Policy – Fourth Quarter of 2017

This quarterly report has been prepared in accordance with the Board policy to explain the operationalization of the policy and report on the items in paragraph 16 of the policy. For the fourth quarter of 2017, the specific items from paragraph 16, and the respective responses, are detailed below, and encompass both:

- Operational accesses 5
- Administrative accesses 1,348

16 a. The number of requests, submitted to the Chief by Service members, for access to Historical Contact Data:

There were 6 operational requests, submitted to the Chief by Service members, for access to Historical Contact Data. This does not account for any requests that may have been denied by reviewers at other levels of the Service, prior to the Chief.

16 b. The number of approvals, by the Chief, for access to Historical Contact Data:

Importantly, all operational requests, including those pertaining to investigations and legal proceedings, require the approval of the Chief.

The Chief approved 5 operational requests for access to Historical Contact Data.

One (1) operational request that was submitted to the Chief was withdrawn, prior to review by the Chief, since access to the Historical Contact Data was no longer required in order to fulfil the underlying purpose—because the legal proceedings before the court, to which the request related, were resolved.

The Chief considers the merits of each request the Chief receives, on a case by case basis, to determine if access is required for (in accordance with Board policy):

- a substantial public interest, or
- to comply with a legal requirement.

Additionally, the Chief considers whether:

- the specified purpose can reasonably be fulfilled without providing access to the Historical Contact Data

The distinction between authorized access (administrative) and approved access (operational) is based on the requirement for compliance with law and whether or not the law affords the Chief authority to deny access.

- administrative access is authorized for a small group of select members to respond to and fulfil legal obligations for the Service's compliance with law
- operational access is approved (or denied) based upon requests for access from members (investigators) related to core Service delivery

The Chief authorized 1,348 potential administrative accesses to the database because access was required for the purpose of complying with legal requirements. The administrative accesses were authorized because the Service must comply with the law. The vast majority of the administrative accesses are comprised of Freedom of Information requests which are an example of required compliance with Provincial law (*Municipal Freedom of Information and Protection of Privacy Act*). The balance of the administrative accesses are comprised of Federal and Provincial legislative requirements with which the Service is required to comply, such as; court orders, subpoenas, motions and/or Board policy.

16 c. The purpose(s) of the requests and approvals identified in subparagraphs 16a and 16b:

The 5 operational accesses approved by the Chief were for:

Ongoing Investigation:	1
Ongoing Investigation & Legal Proceedings:	2
Legal Proceedings:	1
Legal Proceedings & Legal Requirements:	1

Operational Access Total: 5

The 1,348 administrative accesses authorized by the Chief were for:

Legal Requirement: (Freedom of Information requests – from public for access to their own records)	1,291
Legal Requirement & Legal Proceedings: (subpoenas, orders, motions, etc.)	57

Administrative Access Total: 1,348

Not all legal proceedings are criminal matters initiated by Service members. Some legal proceedings are initiated by institutions or individuals external to the Service. (e.g. trials, hearings, inquests, motions, civil actions, discoveries, etc.)

Access may be required for multiple purposes and, therefore, either administrative or operational access may involve legal proceedings or a legal requirement and the difference may be based upon:

- the origin of the requirement for access
- if a legal requirement, whether obligation is on the Service and/or an individual Service member
- the unit responsible for facilitating access

16 d. Whether or not accessing the Historical Contact Data fulfilled the purpose(s) for which it was accessed:

The operational access to Historical Contact Data fulfilled the purpose(s) for which it was accessed in all instances.

The administrative access to Historical Contact Data fulfilled the purpose(s) for which it was accessed in all instances.

For operational access, after receiving the results of an approved access, the requesting member completes a post-access summary report explaining how access did or did not fulfil the purpose(s) for which access was approved. For administrative access the access itself fulfils the purpose of compliance with law.

16 e. When hard copy report forms generated before January 1, 2017 are digitized, the number of records digitized and the records management system to which the records were added:

All known hard copy Historical Contact Data had been digitized prior to the Board policy and no additional hard copy Historical Contact Data records were discovered and/or added to the records management systems during this quarter.

Regulated Interactions Review Panel

In accordance with paragraph 18 of the Board policy, at least two weeks in advance of submitting the quarterly report to the Board, the quarterly report is made available to the Board's Regulated Interactions Review Panel (the Review Panel). The Review Panel submits, accompanying the quarterly report, a report to the Board which may include, if necessary, suggestions or recommendations for consideration by the Board. Portions of this quarterly report have been informed, and enhanced where necessary, by the Review Panel's review of the preceding quarterly report(s).

Progress Report – Updates to Business Process

As reported in the previous quarterly report, the Service is currently reviewing two aspects of its business process, related to access to Historical Contact Data, which correspond with recommendations the Review Panel has made to the Board.

- First, members of the Service's Access & Privacy unit, responsible for ensuring the Board and Service are in legislative compliance by responding to Freedom of Information requests, have implemented, for 2018, a revised tracking mechanism for the unit.

The members have adapted their implementation to incorporate a process for identifying and reporting on the number of Freedom of Information requests that actually require access to Historical Contact Data for compliance with law, while continuing to adhere to privacy best practices in relation to information privacy.

With the implementation of this new process, the Service's will adjust the 2018 quarterly reports to have the administrative access reflect only those Freedom of Information requests which result in access to Historical Contact Data.

While this adjustment will result in administrative access being reported as a lower number, the Service recognizes that any individual Freedom of Information request may require access to Historical Contact Data for which the requestor may not have known to ask. Members of the Service's Access & Privacy unit are responsible for ensuring the Board and Service are in legislative compliance and cannot omit disclosure of relevant Historical Contact Data whether specifically requested at the outset or discovered as necessary in the process of fulfilling the request.

To protect the privacy of individual requestors, for compliance with law and adherence with privacy best practices, each personal Freedom of Information request is processed, whenever possible, by an individual member of the Service's Access & Privacy unit and not shared with other members of the unit whereas general Freedom of Information queries may require the involvement of multiple members from APS.

- Second, as described in Appendix A of this report, the initial complement of 31 members assigned to facilitate Chief approved or authorized access to Historical

Contact Data was established with extensive consideration to the Service's obligations and is currently under review and may now be adjusted as appropriate because a baseline volume of access requirements has been established over the course of the first year (2017).

The Service has established distinct business processes to reflect the difference between administrative access (access required in order for the Service to respond to external obligations) and operational access (access requested for purposes initiated by Service members). Importantly, the Service has ensured the units responsible for facilitating administrative access do not facilitate operational access and vice versa.

Totalling the 2017 approved operational requests (28) and authorized administrative accesses (5717) demonstrates the Service correctly anticipated the majority of access requirements would be for administrative access purposes.

Notwithstanding that less than one percent (1%) of total access is for operational purposes; it is important to recognize that administrative access only involves requests which are facilitated during normal business hours. Conversely, operational requests entail the facilitation of access at any time of day or night on any day of the year, because the Service's core service delivery must include contingencies for exigent circumstances such as incidents that involve preservation of life (e.g. kidnappings, amber alerts, or missing persons with Alzheimer's disease).

Therefore, while the operational access volumes are considerably lower than administrative access, for the effective delivery of police services, the Service is obligated to ensure sufficient resources are available to process an operational request at any time because operational requests are not facilitated through the process for administrative access.

It is important to note, especially in light of the low volume of operational requests in general, that members authorized to facilitate operational requests do not access the Historical Contact Data unless approved by the Chief on a case-by-case basis.

The Service remains committed to ensuring access to the Historical Contact Data is authorized only as outlined above and operationally necessary to facilitate access for a substantial public interest or compliance with a legal requirement, consistent with the Board policy. With the completion of the first year of this new process, the Service is reviewing the current complement of members required for facilitation and will, while ensuring operational business continuity, adjust these resources as appropriate.

Conclusion:

This report provides information to the Board on access to Historical Contact Data during the third quarter of 2017. I will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

Appendices – Access to Historical Contact Data – Quarterly Report

Appendix A

Data Isolation

The Service has introduced procedures and/or business processes to ensure Historical Contact Data, unless authorized by the Chief, is not accessible to members of the Service.

The Service has procedures and/or business processes to ensure Historical Contact Data has not, is not, and will not be used as part of the Police Reference Check or Vulnerable Sector Screening programs.

The Service has introduced procedures and/or business processes to ensure Historical Contact Data is not used to identify a person as “known to police”.

Access Audit Trails

Consistent with the Board policy, Historical Contact Data has been restricted in a manner which leaves an auditable technological trail of access. The Service has ensured access to the Historical Contact Data continues to be auditable, with the ability to verify the authorization of each access, by establishing procedures and business processes, supported by the Service’s records management systems, to:

- limit access capability to access the database to only members who are specifically authorized by the Chief for this purpose;
- incorporate mandatory recording of file numbers corresponding to authorizations or approvals for access to the database; and
- facilitate periodic and random audits to cross-check access with the respective authorizations or approvals.

Role Based Security Access

The Service has eliminated access to Historical Contact Data for all Service members, with the exception of a select group of members who have been authorized by the Chief to access the database only for the purposes of facilitating the established procedures and business processes outlined below.

In operationalizing the Board policy, the Service has distinguished between operational access and administrative access to the Historical Contact Data.

Operational Access

Operational access refers to any request submitted by a member in accordance with the process outlined below, which the Chief may deny or approve.

Even if the request for access to the Historical Contact Data is approved by the Chief, access to the database is not provided directly to the requesting member. Instead, there are only eight members, specifically assigned and authorized by the Chief for this purpose, who receive and process the request thereby further ensuring the database is only accessed by those members authorized and approved by the Chief. These members then forward the results, if any, to the requesting member.

To reflect the Board policy principle of “substantial public interest”, the broader category of “ongoing police investigation” has been narrowed by limiting the types of investigations which may be eligible for access. This constraint means members may only request access for investigations involving:

- preservation of life and/or preventing bodily harm or death;
- homicides and attempts;
- sexual assaults, and all attempts (for the purpose of this standard, is deemed to include sexual interference, sexual exploitation and invitation to sexual touching);
- occurrences involving abductions and attempts;
- missing person occurrences, where circumstances indicate a strong possibility of foul play;
- occurrences suspected to be homicide involving found human remains;
- criminal harassment cases in which the offender is not known to the victim;
- occurrences involving a firearm or discharge of a firearm; and/or
- gang related investigations.

In addition to limiting the eligibility of investigations, the procedures and business process require officers to:

- explain why the specified purpose for which access is requested cannot reasonably be fulfilled without access to the Historical Contact Data; and
- have conducted all other relevant investigative queries prior to submitting their request.

For January 1, 2017, the Service implemented an interim business process (utilizing hardcopy forms) which allowed members to submit requests to the Chief, through their respective chain of command. In May of 2017, the hardcopy forms were replaced with an electronic process. The current business process for submitting a request is as follows.

A member requesting the Chief’s approval for access to Historical Contact Data must submit an electronic Request to Access Restricted Records (TPS 294).

Members may not submit their request directly to the Chief. Instead, they must submit their request through their Officer in Charge where it is subjected to a series of increasing supervisory and management reviews, including:

- Unit Commander,
- Staff Superintendent, and/or
- Staff Superintendent of Detective Operations.

Each level of review is required to consider the merits of the submission, on a case by case basis, and only forwards the request for next level review when satisfied that:

- the specified purpose for which access was requested cannot reasonably be fulfilled without providing access to the Historical Contact Data; and
- all other relevant investigative queries have been conducted.

The request is then considered by the Chief and may still be denied if the Chief is not satisfied that:

- access is required for a substantial public interest, or
- to comply with a legal requirement.

Only if approved by the Chief is the request forwarded to Intelligence Services. Importantly, the approved access is facilitated by the assigned members of Intelligence services and the requesting member cannot directly access the database themselves, which ensures officers only receive relevant information, if any, from the database.

Administrative Access

Administrative access refers to access, authorized by the Chief, which is required by members in order for the Service to be in compliance with legislation.

For the administrative access, twenty-two members have been specifically authorized to access the Historical Contact Data exclusively for the purpose of, and only in response to, legal obligations (to ensure compliance with Freedom of Information requests, subpoenas, orders, motions, etc.) and one member has been specifically authorized as the technical support person assigned to records system maintenance (to facilitate the Service's compliance with Board policy).

Service Members Assigned to Facilitate Access

The Chief has assigned an initial complement of 31 members to facilitate access to Historical Contact Data only as approved or authorized by the Chief.

The Service gave consideration to the distinction between access required in order for the Service to respond to external obligations (administrative access) and access requested for purposes initiated by Service members (operational access).

Consistent with the Board policy objective that access to Historical Contact Data is authorized by the Chief only when access is required for a substantial public interest or to comply with a legal requirement, the Chief has aligned the assigned resources with the anticipated Service requirements for operational access and administrative access. Consequently, resources to access the database have been apportioned according to the anticipated volume of required access by units responsible for facilitating access.

The Service has distinguished the units responsible for facilitating administrative access from operational access to ensure all access adheres to the appropriate business process. In addition to limiting the units, the Service also limited the number of members within each of the respective units who have access to the database; while still ensuring that the Service is able to meet operational and legislative requirements.

The initial complement has been established, in accordance with privacy best practices, to ensure:

- as few members as possible access the database;
- the results of any access are handled by as few members as possible; and,

- for administrative access, members and units are able to comply with legal obligations without disclosing access, or results of access, to other members or units.

This initial allocation of 31 members was implemented with extensive consideration to the Service's obligations (as itemised in the list below) and will be reviewed, and adjusted as appropriate, once the regular volume of access requirements has been established over the course of the first year (2017).

The 31 members presently assigned to facilitate access were selected based upon their current assignment to their respective roles within specific units of the Service. Importantly, the authorization to facilitate access remains with the assigned position and not the specific member because an individual may be re-assigned to a different role within the organization at which time the individual's access would be revoked.

The current resources for administrative access are comprised of:

- Access & Privacy – 12 members to ensure Service compliance with law (legal requirement – Freedom of Information requests)
- Legal Services – 5 members to ensure Service compliance with law (all other legal requirements)
- Business Intelligence – 5 members to ensure compliance with Board policy (verification & reporting)
- Information Technology Services – 1 member to ensure compliance with Board Policy (technical support)

For the administrative access, the 23 roles assigned facilitate access only for circumstances where the Service is compelled to access the Historical Contact Data in order for the Service to be in compliance with law and/or Board policy.

The current resources for operational access are comprised of:

- Intelligence Services – 8 members to ensure compliance with Board policy (facilitating approved requests only)

For the operational access, the eight (8) civilian members of Intelligence Services have been specifically authorized to access the Historical Contact Data exclusively for the purpose of facilitating access only for those requests which have been approved by the Chief.

Post-Access Summary Report

The Service has developed procedures and business processes to ensure, upon receipt of the results of an approved operational access to Historical Contact Data, the requesting member is required to complete a post-access summary report indicating whether or not accessing the Historical Contact Data fulfilled the purpose(s) for which it was accessed.



Toronto Police Services Board Report

March 7, 2018

To: Members
Toronto Police Services Board

From: Ms. Audrey Campbell
Ms. Thea Herman (retired judge)
Andy Pringle, Chair

Subject: Regulated Interactions Review Panel: Review of Chief's Reports - Access to Historical Contact Data, Third Quarter 2017 (July – September) & Fourth Quarter (October – December)

Recommendation(s):

It is recommended:

1. That the Board review the portion of its Regulated Interaction Policy requiring the retention of Historical Contact Data; and
2. That at the conclusion of its review, if the Board deems it essential to retain Historical Contact Data, request that the Chief eliminate operational access to the data.

Financial Implications:

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

Background/Purpose:

Sections 13 to 16 of the Regulated Interactions Policy (the Policy) requires the Chief to develop procedures to ensure that, in accordance with the Policy, appropriate restrictions are placed on the access by members of the Service to Historical Contact Data; that historical contact data is stored in a way that leaves an auditable technological trail; and that access to historical data is authorized by the Chief in accordance with constraints imposed on restricted records, only when access is required for a substantial public interest or complies with a legal requirement.

As established by the Board and in accordance with sections 13 to 16 of the Policy, the Regulated Interactions Review Panel (the Review Panel) comprised of Ms. Thea Herman (retired Judge), Ms. Audrey Campbell and Chair Andy Pringle is tasked with:

- a. reviewing quarterly reports submitted by the Chief for compliance with paragraphs 13 to 16 of the policy;
- b. identifying and tracking any significant trends;
- c. summarizing its review of the Chief's quarterly report, in a report to the Board including, if necessary, suggestions or recommendations for consideration by the Board; and
- d. make its summary review of the Chief's quarterly report available to the public by submitting it to the Board at the same time that the Chief's quarterly report is submitted to the Board.

The Review Panel reviewed the Chief's third quarterly report, "Access to Historical Contact Data – Third Quarter 2017 (July – September)," dated November 23, 2017 and the "Access to Historical Contact Data – Fourth Quarter 2017 (October – December)," dated February 22, 2018. The purpose of this report is to transmit the Chief's third and fourth quarterly report to the Board and to provide the Board with the Review Panel's summarized analysis of the Chief's report.

Discussion:

The intention of the Policy is to limit access as much as possible to Historical Contact Data. As part of the business process of managing and reporting out requests for access to Historical Contact Data, the Service distinguishes between operational access and administrative access. Operational access includes those requests, submitted by a member, that meet the criteria for substantial public interest, which the Chief may deny or approve. Whereas administrative access relates to requests to which the Service must respond in order to meet legislative obligations.

Service Members Assigned to Facilitate Administrative Access

It is understandable that the 23 individuals with access to the data for administrative requests may be necessary for operational purposes, given the large number of administrative requests (mostly FOI). The Review Panel understands the Chief's rationale for ensuring operational business continuity, as outlined on page 10 of the third quarterly report and pages 6 to 7 of the fourth quarterly report and recognizes the Chief's willingness to review the current complement of members required to facilitate access.

Service Members Assigned to Facilitate Operational Access

Given that the number of operational access to the data has decreased over the last 12 months the 8 individuals with operational access seems high. Despite the Chief's rationale that "operational requests entail the facilitation of access at any time of day or

night on any day of the year,” found on page 7 of the fourth quarterly report, and his further rational addressing role based security and “substantial public interest,” found on pages 9 to 11, it is difficult to understand why eight people need to have access to the data for operational requests.

Number of Administrative Access to Historical Contact Data

The Review Panel remains concerned that the number of times that access is granted for purposes reported in the Chief’s third and fourth quarter report remains high. In response to the Review Panel’s recommendation which was approved by the Board, *“that the Service develop a process to better segregate and report how many FOI requests actually result in accessing of the Historical Contact Data,”* the Chief reports in his third quarterly report that the Access & Privacy Unit is presently testing implementation of a revised tracking mechanism. The Chief provides the Review Panel with additional information found on page six of his fourth quarterly report, about the new revised tracking mechanism which has now been implemented and will be utilized in 2018 to track administrative access to Historical Contact Data. Contingent upon the successful implementation of this new process, the Service anticipates the ability to better segregate the data and thus, adjust the 2018 quarterly reports to better reflect how many times Historical Contact Data is actually accessed.

In the meantime, the number of administrative access requests reported in the third quarterly report is 1,438 of which 1,392 were FOI requests. The number of administrative access requests reported the fourth quarterly report is 1,348 of which 1,291 were FOI requests. The number of administrative access reported over the last four quarters which were 1,409, 1,418, 1,438 and 1,348 has not changed significantly. Given the way access requests are currently recorded in the system, and until reporting of the data is based on the recently implemented tracking system, it is difficult to provide accurate information as to the number of times Historical Contact Data was accessed for administrative purposes.

Number of Operational Access to Historical Contact Data

The Chief reports three operational accesses in the third quarter and five in the fourth quarter. These figures show a decline in the number of operational access reported in the first and second quarterly reports which were 13 and seven respectively. Given the steady decline of operational access and in the absence of any information that supports outcomes that show access to the data was essential, for example, what the outcome of the operational accesses was over the last four quarters and were they essential, the Review Panel proposes a review of whether or not it is necessary to retain the data.

Quarterly Report Compliance with Board Policy

The information provided in the Chief’s third and fourth quarterly reports sufficiently complies with the requirements outlined in sections 13 to 16 of the Policy.

Trends

The Review Panel observes that over the last 12 months there has been a downward trend in the number of operational requests for access to Historical Contact Data. The quarter to quarter changes are:

Q1 13 access reported
Q1 to Q2 is a decrease of 53% - from 13 to 7
Q2 to Q3 is a decrease of 57% - from 7 to 3
Q3 to Q4 is an increase of 66% - from 3 to 5

Compared to the first quarter, the number of administrative access requests for the third and fourth quarters are almost the same. However, given the difficulty with segregating Historical Contact Data, we cannot determine with specificity the number of times Historical Contact Data was accessed.

Conclusion:

Based on the information provided in the Chief's quarterly reporting to the Review Panel over the last 12 months and as outlined in the foregoing report, the Review Panel recommends:

1. That the Board review the portion of its Regulated Interaction Policy requiring the retention of Historical Contact Data; and
2. That at the conclusion of its review, if the Board deems it essential to retain Historical Contact Data, request that the Chief eliminate operational access to the data.

Respectfully submitted,

Andy Pringle, Chair
&RIRP Member

Thea Herman
RIRP Member

Audrey Campbell
RIRP Member

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Toronto Police Services Board Report

February 14, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Special Constable Appointments – March 2018

Recommendation:

It is recommended that the Board approve the appointment of the individuals listed in this report as special constables for the Toronto Transit Commission (T.T.C) and the Toronto Community Housing Corporation (T.C.H.C.), subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background / Purpose:

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services. Pursuant to this authority, the Board now has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P154/14 refer).

The Service has received a request from the T.T.C and the T.C.H.C. to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

Agency	Name
Toronto Transit Commission	Kulvinder DHILLON
Toronto Transit Commission	Onorio VITTI
Toronto Transit Commission	Nariman DARWISH
Toronto Transit Commission	Odhinn KOHOUT
Toronto Transit Commission	Patrick ROURKE
Toronto Transit Commission	Martin STEWART
Toronto Transit Commission	Michael MAGNAYE
Toronto Transit Commission	Sung Min (Simon) KANG
Toronto Transit Commission	Leslie KAMPF
Toronto Transit Commission	Jonathan WORRELL
Toronto Transit Commission	Angela JOHNSTON
Toronto Transit Commission	Bernardo SILVA ARAUJO
Toronto Community Housing Corporation	Byron HESSING

Discussion:

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

The agreements between the Board and each agency require that background investigations be conducted on all of the individuals who are being recommended for appointment or re-appointment as special constables. The Service’s Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The T.T.C and T.C.H.C. has advised the Service that the above individuals satisfies all of the appointment criteria as set out in their agreement with the Board. The agency approved strength and current complement is indicated below:

Table 2 Name of Agency, Approved Strength and Current Number of Special Constables

Agency	Approved Strength	Current Complement
Toronto Transit Commission	N/A	52
Toronto Community Housing Corporation	160	101

Conclusion:

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

Deputy Chief of Police James Ramer, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS:ao

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Toronto Police Services Board Report

March 1, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Contract Extension – Vendor of Record for Desktop Equipment, Software, Related Hardware and Professional Services

Recommendation(s):

It is recommended that the Board:

- (1) approve the option to extend the agreement with Softchoice LP as the vendor of record for the supply and delivery of standard and mobile workstations, laptops, monitors, printers and other desktop related peripherals, and the software, maintenance and related professional services for such equipment, for a two year period, May 25, 2018 to May 24, 2020; and
- (2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The Toronto Police Service (Service) utilizes desktop and mobile workstations as well as monitors, laptops and printers across the organization. Due to the nature of the Service's public safety operations, a large part of this equipment is utilized 24/7.

Based on the Service's long term lifecycle strategy and the agreement period for this Vendor of Record (V.O.R.), it is expected that an estimated \$20M will be spent over the two year option term of the agreement on equipment lifecycle purchases. This includes the replacement of hardware and software, as well as maintenance and professional services. The funding source for these requirements is the Vehicle and Equipment Reserve (Min. No. P277/17) in the Service's approved 2018-2027 Capital budget.

Any ad-hoc requirements that are outside of the Service's lifecycle replacement program would be charged to Unit or specific capital project budgets, and would be subject to the availability of funds.

The chart below provides a summary of devices, and the estimated costs, that will be replaced as part of lifecycle activities during the two year option period of the contract.

For workstations and laptops, the lifecycle program replaces approximately 25% of the inventory per year. The printer fleet is replaced every five years. Mobile Workstations (M.W.S) are replaced every five years, with research and development occurring the preceding year. The estimated cost of \$20M for lifecycle purchases over the two year option term includes hardware, maintenance, professional services and are broken down as follows:

Item	Replacement Period	May 25 2018 to May 24 2019 (Year 1)	May 25 2019 to May 24 2020 (Year 2)	Estimated cost over two year period
Workstations	25%/year	1113	715	\$6.1M
Laptops (standalone and secure laptops)	25%/year	200	40	\$2.6M
Printers	5 years	0	221 (Multi-Function Printers) 562 (M.W.S. Printers)	\$2M
Mobile Workstations (M.W.S.)	5 years	8	562	\$9.5M (Lifecycle replacement is for both Vehicle and Motorcycle solutions. 2018 is research and development of the in car solution)

Cost assumptions:

- Costs are based on the average cost of hardware during the middle of the manufacturing lifecycle. Therefore, costs can change based on the timing of the execution of each lifecycle, including changes due to currency fluctuations.
- Costs include full replacement costs including services and maintenance.

Background / Purpose:

At its meeting on March 19, 2015, the Board approved Softchoice LP as the vendor of record for the supply and delivery of standard and mobile workstations, laptops, monitors, printers and other desktop related peripherals, as well as the software, maintenance and related professional services for such equipment for the period May 25, 2015 to May 24, 2018, with one additional two year option at the discretion of the Board (Min. No. P70/15 refers).

The purpose of this report is to obtain Board approval to exercise the two year option.

Discussion:

The Service utilizes a vendor of record arrangement to acquire endpoint related hardware, software, and services on an ongoing basis in support of maintaining the Service's endpoint computing equipment and software in a state of good repair.

On May 24, 2018, the current vendor of record contract with Softchoice LP will expire, and a vendor is required to meet the Service's endpoint computer equipment and related services.

Conclusion:

The Service has been satisfied with the performance of Softchoice LP during the current vendor of record contract period. In addition, the endpoint computing products and services available from Softchoice LP meet the anticipated needs of the Service for the next two years.

It is therefore recommended that the two year option available in the agreement with Softchoice LP be exercised, for the period May 25, 2018 to May 24, 2020.

It should also be noted that the Service is participating in a joint procurement process with the City of Toronto (City) and other City Agencies, as part of the Shared Services Executive Steering Committee direction for a new print services contract. It is anticipated that this procurement process will be completed during the term of the recommended option period with Softchoice LP. Should the Service adopt a different print hardware vendor as a result of the City shared services initiative, the dollar value for the estimated printer hardware presented in this report would not be spent with Softchoice LP, but with the vendor identified by the City procurement process.

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

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

JD/vfb

Filename: 2018 Board Report Softchoice VOR Option Extension.docx



Toronto Police Services Board Report

February 1, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Request for Funds – Annual Community Events - 2018

Recommendation(s):

It is recommended that the Toronto Police Services Board (the Board) approve this report.

Financial Implications:

The Board's Special Fund will be reduced by \$99,000, which is the total cost of expenditures related to the annual events listed in this report.

Background / Purpose:

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

This report provides the internal and external community events that are scheduled to take place in 2018.

Discussion:

One of the factors that make Toronto such a vibrant and dynamic city is the rich diversity of its people. This city is heralded as the most multicultural city in the world.

The Board and the T.P.S. participate in and/or organize many community events and initiatives, both internally and externally, throughout the year. These events serve to optimize community-police engagement and maintain and enhance collaborative and strategic community partnerships that are positive and constructive. This networking also serves to support the community, increases community engagement and public awareness, and also provides a unique opportunity for T.P.S. members and the public to join together and celebrate the diversity that makes Toronto a vibrant city.

The Board and the T.P.S. recognize the importance of positive interactions between members of the community and the police by engaging the communities in various programs, initiatives, and events. To demonstrate its commitment to community engagement, the Divisional Policing Support Unit (D.P.S.U.) has been given the responsibility of coordinating all T.P.S. events hosted at T.P.S. Headquarters and other locations throughout the city during the year. These events are intended to promote positive relationships with our diverse communities and continued partnerships in these areas.

The annual community events for which funding have been provided from the Board's Special Fund are, but are not limited to:

- Black History Month
- Asian Heritage Month
- Board and Chief's Pride Reception
- National Aboriginal Day
- Toronto Caribbean Carnival Kick-Off Celebration and Float
- Community-Police Consultative Conference
- Lesbian, Gay, Bisexual, Transgender, Queer and Two-Spirit (L.G.B.T.Q.2S.) Youth Justice Bursary Award
- International Francophone Day
- National Victims of Crime Awareness Week

2018 Events

When establishing a budget for a particular/cultural event, the areas taken into consideration are as follows:

- Venue
- Refreshments
- Printing Requirements
- Exhibits and Displays
- Speakers
- Entertainment
- Honorariums
- Transportation

- Incidentals

The following chart provides a list of annual events hosted/co-hosted by the T.P.S. that are scheduled to take place in 2018. The chart also provides a breakdown of the historical requests for funding for the years 2014 to 2017.

DIVISIONAL POLICING SUPPORT UNIT ANNUAL EVENTS					
	2014	2015	2016	2017	2018
Day of Pink	**	**	**	**	\$5,000
Asian Heritage Month	\$5,000	\$5,000	\$5,000	\$6,000	\$6,000
Auxiliary Appreciation and Graduation Ceremony	\$3,000	\$3,000	\$3,000	\$4,000	\$4,000
Black History Month Celebrations	\$6,000	\$6,000	\$6,000	\$7,000	\$7,000
Board & Chief's Pride Reception	\$3,000	\$3,000	\$3,000	\$4,500	\$4,500
Chief of Police Fundraising Gala/ Victim Services Toronto	\$4,000	\$4,000	\$4,000	\$5,000*	\$4,000
Community-Police Consultative Conference	\$8,500	\$8,500	\$8,500	\$9,000	\$9,000
International Francophone Day	\$5,000	\$5,000	\$5,000	\$6,000	\$6,000
L.G.B.T.Q.2S Youth Justice Bursary Award	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
National Aboriginal Celebrations	\$5,000	\$5,000	\$5,000	\$6,500	\$6,500
National Victims of Crime Awareness Week	\$500	\$500	\$500	\$1,000	\$1,000
Torch Run/Special Olympics	\$5,000	\$5,000	\$10,000	\$5,000	\$5,000
Toronto Caribbean Carnival Kick-Off Event & Float	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Toronto Police Cricket Club	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000
United Way Campaign	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Volunteer Appreciation Night	\$2,000	\$2,000	\$2,000	\$3,000	\$3,000
Youth in Policing Initiative Luncheon	\$2,800	\$2,800	\$5,000	\$5,000	\$6,000
Total	\$81,800	\$85,800	\$93,000	\$98,500	\$99,000

* In recognition of Victim Services Chief's Gala 10 year anniversary, the Board provided a onetime funding of \$5,000.00.

** The request for funding for the annual Day of Pink was submitted in a separate board report in previous years and has now been combined into this 2018 report.

Increases for 2018 and Justification:*Day of Pink*

At its February 2017 meeting, the Board approved the report that requested annual funding for the annual Day of Pink (Min. No. P37/2017 refers.) This request had been submitted in a separate Board report since 2012 and will now be combined annually within this report.

Toronto has the third largest L.G.B.T.Q.2S. community in North America. Results from a national survey of Canadian high school students emphasize the importance of an anti-bullying initiative. L.G.B.T.Q.2S. youth continue to be among the most marginalized youth in the City of Toronto. Some lack support from their families, face a high risk of conflict with the law and develop substance abuse issues at a very early stage in life and are more likely to attempt suicide than straight youth.

International Day of Pink was started in Nova Scotia when 2 straight high school students witnessed a gay student wearing a pink shirt being bullied. The two students intervened, but wanted to do more to prevent homophobic and transphobic bullying. They decided to purchase pink t-shirts and a few days later got everyone at school to arrive wearing pink, standing in solidarity.

For the past 5 years, on behalf of the Service, D.P.S.U. has been working in partnership with the Toronto District School Board in recognizing the International Day of Pink. To date, five different high schools from across the city have participated in this event. All five events have included various guest speakers to tell their story of being bullied as well as various performances by students from the school. This year, D.P.S.U. will be partnering with the Toronto Catholic District School Board on this initiative.

The T.P.S., D. P.S.U. will continue to partner with various schools for the annual Day of Pink which will bring together L.G.B.T.Q.2S. Toronto Police Officers along with their allies, and L.G.B.T.Q.2S. students and their allies to bring attention to homophobic and transphobic bullying. It will also show that as a police service and a community we stand in solidarity and take a stand against bullying.

Community-Police Consultative Conference

The Annual Community-Police Consultative (C.P.C.) Conference brings together all of the T.P.S. Consultative Committees, providing an opportunity to share valuable information and insight. Board members are invited to attend and participate. This conference helps to create meaningful partnerships through trust, understanding, shared knowledge and effective community mobilization to maintain safety and security in our communities.

The annual funding in the amount of \$1,000.00 for each individual Consultative Committee provides support for community initiatives but this budget does not include funding to support the annual C.P.C. conference. The conference's consultation process is not meant to provide another level of police oversight, but rather to establish a process that affords opportunities for enhanced community safety involving community based activities, programs and leadership, the mutual exchange of

information and the development of joint problem solving initiatives. It ensures that strategic and effective outcomes are achieved through a formal police/community committee structure, empowering the community and providing the opportunity for a mutually beneficial relationship.

L.G.B.T.Q.2S Youth Justice Bursary Award

The Chief and the Board collaborate in their support of the L.G.B.T.Q.2S community and host an annual Pride Reception at Headquarters to kick off Toronto Pride Week. The L.G.B.T.Q.2S Youth Justice Bursary Award has been approved with funding provided from the Special Fund since 2009. This bursary is an important part of the celebrations as a way to recognize the achievements made by L.G.B.T.W.2S youth in the City of Toronto and to support these youth in overcoming the very real challenges they often face. There are 3 \$1000 bursaries to be awarded. The following is a list of criteria for the T.P.S. L.G.B.T.Q.2S Youth Justice Bursary Award:

- The award is to be granted to a L.G.B.T.Q.2S youth between the ages of 17 and 26 years
- The award is to be used exclusively for post-secondary educational tuition costs. Payment will be made directly to the educational institution
- The award is to be granted for contributions to the L.G.B.T.Q.2S community in the area serviced by the T.P.S.
- To be eligible for the award, nominees must be a Canadian citizen, landed immigrant or have refugee status
- Past bursary recipients are amazing, but no longer eligible

National Aboriginal Celebrations

The Aboriginal Peacekeeping Unit has been hosting the “National Aboriginal Day” event for several years and has reported challenges in meeting their budget and obtaining quality guest speakers. In 2017, the Board increased the funding to assist the Aboriginal Peacekeeping Unit in obtaining quality speakers and maintaining the growth of community participation in recent years. In order to ensure the event can sustain the success it has achieved in recent years, the increase provided for in 2017 is requested to be received annually. This will assist the Aboriginal Peacekeeping Unit in meeting the costs increases due to the rate of inflation, as well as the growth of the event.

Conclusion:

The T.P.S. is one of the largest municipal police law enforcement agencies in North America and is responsible for policing a vibrant multicultural city. Statistics Canada has estimated that Toronto’s population has an annual growth rate of 0.2%. Furthermore, Toronto is home to 52.4% of all Greater Toronto Area (G.T.A.) immigrants and 36% of all immigrants living in Ontario. In addition to the aforementioned factors, the hosting of these events adds to the importance the role the T.P.S. plays in forming positive relationships with the public. These events provide a diverse group of residents with the opportunity to interact with members of the T.P.S, who may not have otherwise had that chance.

D.P.S.U. continues to deliver strong community-police partnerships, based on mutual trust, respect, and understanding. These are essential for the safety and well-being of all members of our communities. The participation of the Board and the T.P.S in these events reinforces a continued commitment to working with our diverse communities and also aims to foster mutual respect and collaborative relationships.

Deputy Chief Peter Yuen, Communities and Neighbourhoods Command, will be in attendance to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

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Filename: Board Report – Request for Funds – Annual Community Events – 2018.docx



Toronto Police Services Board Report

January 20, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report - 2017 Proof of Claim Documents Filed on Behalf of the Toronto Police Services Board

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

In 2016, the Service was one of 90 unsecured creditors claiming \$114,120 from Parktoria related to a loss on prepaid software service and maintenance support.

A dividend cheque of \$49,111 was received in 2016. An additional \$11,134 was received in 2017.

As a result of this final settlement, the Service has received a total of \$60,245 to date in relation to the original claim.

Background / Purpose:

At its meeting of December 15, 2011, the Board delegated authority to the Chief of Police, or his designate, to act on its behalf in all situations where a Proof of Claim must be signed and returned to the Trustee in Bankruptcy within a specified period of time, in order to allow the Toronto Police Service's (Service) claim against customers to be considered as part of any consumer proposal or bankruptcy proceedings (Min. No. P334/11 refers).

At that meeting, the Board requested the Chief to report annually in the years in which this delegated authority was exercised.

Discussion:*Annual report - Proof of Claim:*

During 2017, there was no Proof of Claim document submitted by the Service on behalf of the Board in relation to a bankruptcy notice.

Update on Parktoria:

At its meeting of March 17, 2016, the Board received a report regarding a 2015 Proof of Claim submitted by the Service on behalf of the Board relating to Parktoria Technologies, Ltd. (Parktoria) (Min. No. P50/16 refers). The Service was one of 90 unsecured creditors claiming for the Parktoria's net deficit of \$449,324 as at April 2015.

In 2016 the Service received a dividend cheque of \$49,111, representing 45% of our claim of \$114,120.

At its meeting of March 23, 2017, the Board received a further report on the 2016 Proof of Claim (Min. No. P51/17 refers), that referenced a further entitlement of 10% of proven Parktoria claim. A final dividend cheque of \$11,133.92 was received in August 2017, regarding the 10% entitlement.

Conclusion:

As a result of the final settlement, the Service has received a total of \$60,245, representing 53% of the claim. There is no further outstanding claim from Parktoria or its Trustee, and this matter is therefore closed.

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

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

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2017 proof of claims.docx



Toronto Police Services Board Report

February 21, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Semi-Annual Report: Write-off of Uncollectible Accounts Receivable Balances July to December 2017

Recommendation:

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

Financial Implications:

The write-off amount of \$154 was incurred in the second half of 2017 and represents the total amount for all of 2017. This reduced the allowance for uncollectible accounts to \$176,861. The adequacy of this amount is analyzed annually as part of the year-end accounting process. Any adjustment required to this balance will be included in operating expenses in the year the adjustment is made.

The 2017 write-off represents less than 0.01% of the year end Accounts Receivable balance of \$1.7M, and considerably less than 0.01% of revenues for the year of \$92M, excluding grants.

The Service performed much better than the industry standard for write-offs, where 0.065% is considered low.

Background / Purpose:

At its meeting of May 29, 2003, the Board approved Financial Control By-law 147. Part IX, Section 29 – Authority for Write-offs, delegates the authority to write-off uncollectible accounts of \$50,000 or less to the Chief of Police and requires that a semi-annual report be provided to the Board on amounts written off in the previous six months (Min. No. P132/03 refers).

The purpose of this report is to provide the Board with information on the amounts written off during the period of July 1 to December 31, 2017.

Discussion:

External customers receiving goods and/or services from Service units are invoiced for the value of such goods or services. The Service's Accounting Services (Accounting)

Unit works closely with divisions, units and customers to ensure that some form of written authority is in place with the receiving party prior to work commencing and an invoice being sent. Accounting also ensures that accurate and complete invoices are sent to the proper location, on a timely basis.

The Service has instituted a very rigorous process to mitigate the risk of accounts becoming uncollectible and therefore written off.

Conclusion:

In accordance with Section 29 – Authorization for Write-offs, of By-law 147, it is recommended that the Board receive this report.

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

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

/LR

SemiAnnual Report Writeoff of Uncollectible Accounts Receivable Balances July to December 2017.docx



Toronto Police Services Board Report

February 13, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Labour Relations Counsel and Legal Indemnification:
Cumulative Legal Costs from January 1 - December 31, 2017**

Recommendation(s):

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

Financial Implications:

There are no financial implications relating to the recommendation contained within this report. Labour relations counsel, legal indemnification, arbitration and inquest costs are funded from the Service's Legal Reserve.

Background / Purpose:

At its meeting on January 25, 2001, the Board approved a policy governing payment of legal accounts which provides for a semi-annual report relating to payment of all accounts for labour relations counsel, arbitration fees, legal indemnification claims and accounts relating to inquests which were approved by the Director, Human Resources Management, and the Manager of Labour Relations (Min. No. P5/01 refers).

At its meeting on April 16, 2015, the Board approved a motion to amend the Legal Indemnification policy to indicate that future reports will be submitted annually, to coincide with the reporting of labour relations matters, as opposed to semi-annually (Min. No. P102/15 refers).

Discussion:

During the period of January 1 to December 31, 2017, 340 invoices for external labour relations counsel services totalling \$352,540 were received and approved for payment by the Manager of Labour Relations. Six invoices totalling \$16,651 were received and approved for payment to arbitrators presiding over grievances.

During the same period, 67 accounts from external counsel relating to legal indemnification were paid totalling \$1,354,839. Six accounts from external counsel in relation to inquests were paid totalling \$389,852, and no accounts were submitted for civil actions.

Cumulative Summary for 2017

For the period January 1 to December 31, 2017, legal costs incurred by Labour Relations and Legal Indemnification totalled \$2,113,882 as follows:

Number	Type of Account Paid	2017 Costs Incurred
340	Payments for labour relations counsel: 66 payments for labour relations counsel \$124,723 0 payments for bargaining (TPA & SOO) \$0 274 payments for W.S.I.B. case management \$227,817	\$352,540
6	Arbitration Costs related to Grievances: 6 payments for grievance activity \$16,651	\$16,651
67	Legal Indemnification	\$1,354,839
6	Inquests	\$389,852
0	Civil Actions	\$0
	Total Costs for 2017	\$2,113,882

Conclusion:

In summary, this report provides the Board with an annual update for the period January 1 to December 31, 2017 of the total cumulative legal costs for labour relations counsel, legal indemnification claims, and claims relating to inquests.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

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Filename: Annual Report – 2017 Labour Relations Counsel and Legal Indemnification Costs.docx



Toronto Police Services Board Report

February 13, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2017 Secondary Activities

Recommendation:

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

Financial Implications:

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

Background / Purpose:

At its meeting on February 11, 1993, the Board requested that the Chief of Police submit a semi-annual report on Secondary Activities (Min. No. C45/93 refers). At the March 21, 1996 meeting, the Board further requested that all subsequent semi-annual reports on secondary activities include the number of new applications for secondary activities, how many were approved or denied on a year-to-date basis, as well as the total number of members engaged in secondary activities at the time of the report (Min. No. P106/96 refers). At its meeting on October 26, 2000, the Board passed a motion that future reports regarding secondary activities be provided to the Board on an annual basis rather than semi-annual (Min. No. P450/00 refers). At its meeting on February 22, 2001, the Board requested that future annual reports regarding secondary activities include a preamble that describes the Service's policy governing secondary activities (Min. No. P55/01 refers).

Service Procedure 14-25 – Secondary Activities:

Service Procedure 14-25 was reviewed, revised, and published on February 8, 2016 (attached as Appendix “A”). Members are required to submit an Application for Secondary Activity on Form TPS 778 for approval by the Chief of Police if the member believes the activity may place him or her in a conflict with Section 49(1) of the *Police Services Act (P.S.A.)*. Service Procedure 14-25 does not outline an exhaustive list of activities that may contravene Section 49(1) of the *P.S.A.* Approval to engage in a secondary activity may be granted provided that the secondary activity does not contravene the restrictions set out in Section 49(1) of the *P.S.A.*

Police Services Act Provisions – Secondary Activity:

Section 49(1) states:

49(1) A member of a police force shall not engage in any activity:

- (a) that interferes with or influences adversely the performance of his or her duties as a member of the police service, or is likely to do so; or
- (b) that places him or her in a position of conflict of interest, or is likely to do so; or
- (c) that would otherwise constitute full-time employment for another person; or
- (d) in which he or she has an advantage derived from employment as a member of a police force.

The Chief may also deny applications for secondary activity for the following reasons:

- (1) Where the applicant has demonstrated a history of poor attendance or poor performance; or
- (2) Where the secondary activity might bring discredit upon the member’s reputation as an employee or upon the reputation of the Toronto Police Service; or
- (3) Where it involves the use of programs, lesson plans, technology, materials, equipment, services or procedures which are the property of the Service.

The Chief of Police exercises his discretion, on a case-by-case basis, to determine whether an application is likely to contravene the restrictions set out in Section 49(1) of the *P.S.A.* Members whose applications are approved are required to sign an agreement which outlines the terms and conditions of the approval.

A “member”, as defined in the *P.S.A.*, means a police officer, and in the case of a municipal police force includes an employee who is not a police officer. Therefore, both uniform and civilian employees are considered members covered under Section 49(1) of the *P.S.A.*

Auxiliary police officers are not covered under Section 49(1) of the *P.S.A.* or Service Procedure 14-25. Auxiliary police officers are volunteers, not employees of the Service.

The purpose of this report is to provide a summary of the applications for secondary activities received in 2017.

Discussion:

The chart below outlines the number of secondary activity applications received for uniform and civilian members for the past ten years. These members may or may not be continuing to engage in these activities.

Received Secondary Activity Applications 2008 to 2017			
Year	Uniform	Civilian	Total
2008	31	7	38
2009	30	8	38
2010	10	19	29
2011	13	20	33
2012	11	18	29
2013	14	7	21
2014	11	16	27
2015	16	19	35
2016	16	14	30
2017	13	12	25

During 2017, there were 25 new applications received from members requesting approval to engage in secondary activities. Of these 25 applications, 23 were approved and considered to not be in conflict with Section 49(1) of the *P.S.A.* Of the remaining 2 applications that were received in 2017, 1 was denied and 1 is outstanding as the member is required to provide additional information.

The chart below outlines the number of applications received in 2017 and details the type of secondary activities requested, broken down by the number of applications received from uniform and civilian members.

Secondary Activity Applications by Type and Membership 2017		
Type of Activity	Number of Uniform Applications	Number of Civilian Applications
Arts/Media		
Business Services	2	3
Emergency Services		
Food and Beverage		
Health & Wellness		
Political		
Real Estate	4	1
Residential Services		
Retail	3	3
Security		3
Social Services		
Sports Instructor	4	2
Teacher/Lecturer		
TOTAL:	13	12

Given that members are only required to seek approval to engage in secondary activities when they believe the activity may place them in a conflict with Section 49(1) of the *P.S.A*, it is not possible to report the total number of members currently engaged in secondary activities.

Conclusion:

Members are required to request the approval of the Chief of Police to engage in secondary activities, if the member believes the activity may place him or her in a conflict with Section 49(1) of the *P.S.A*. This report outlines the Service’s procedure regarding secondary activities, and provides a summary of applications received in 2017.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS:PM:jqa

Filename: Annual Report - 2017 Secondary Activities.doc

APPENDIX A

PERSONNEL

14 – 25 Secondary Activities

New Amended Reviewed – No Amendments

Issued: R.O. 2016.02.08–0158

Replaces: R.O. 2015.02.12–0156

Rationale

Members may participate in secondary activities, provided such activities do not contravene Service Governance or S. 49 of the *Police Services Act* (PSA) entitled "Restrictions on secondary activities". This Procedure governs the process for requesting permission to participate in a secondary activity where participation in the secondary activity may contravene the PSA.

Governing Authorities

Provincial Police Services Act

Associated Service Governance

Number	Name
TPSB Policy	Secondary Activities
Chapter 13	Conduct
18–19	Paid Duties

Forms

Number	Name	Authorization Level
TPS 649	Internal Correspondence	Member
TPS 778	Application for Secondary Activity	Chief of Police

Definitions

- [Member](#)
- [Secondary Activity](#)

Procedure

The Chief of Police shall have sole discretion to determine whether a member is permitted to engage in a secondary activity for which the member has applied for approval, with or without restrictions. Members

shall comply with the decision of the Chief of Police. The Chief of Police may rescind the decision permitting a secondary activity at any time if a member refuses to comply with a restriction imposed on the activity.

Members shall not engage in any secondary activity that adversely affects the performance of their duties as a member of the Toronto Police Service (Service).

Member

1. Members shall submit a [TPS 778](#) to their Unit Commander prior to engaging in a secondary activity which may contravene S. 49 of the PSA.

NOTE: *While members are not required to apply for approval to engage in a secondary activity unless the member believes that participation in the activity may contravene S. 49 of the PSA, members are expected to disclose the activity where any doubt exists. Non-disclosure in a case where disclosure was appropriate may lead to a conduct investigation.*

2. Members shall re-submit a [TPS 778](#) when engaged in a previously approved secondary activity

- when the nature or scope of a secondary activity has changed and it may now contravene S. 49 of the PSA

- when the secondary activity changes in nature/scope of commitment (e.g., hours per week)

- when the member is reclassified from a civilian to a uniform position, or vice versa

- when the member is promoted or transferred to a position with different duties, including a permanent acting position

3. Members shall not engage in any secondary activity while reported off duty due to sickness or injury.

4. Members may engage in a secondary activity when suspended from duty with or without pay.

5. When engaged in a paid secondary activity while suspended from duty with pay shall report all monetary benefits earned from the paid secondary activity during the period of suspension on a TPS 649 to the Unit Commander – Labour Relations.

NOTE: *Members shall contact Labour Relations for specific details on how this information is to be reported. Pursuant to ss. 89(7) of the PSA, while suspended from duty with pay, the member shall have their pay reduced by the amount of the monetary benefit earned from a paid secondary activity earned during the period of suspension.*

Unit Commander

6. Upon receipt of a [TPS 778](#) shall

- review and complete the applicable section

- ensure the TPS 778 is forwarded to the Unit Commander – Labour Relations

Unit Commander – Labour Relations

- | | |
|----|---|
| 7. | Upon receipt of a TPS 778 shall |
| | <ul style="list-style-type: none">• review the request in consultation with Professional Standards Support, as required |
| | <ul style="list-style-type: none">• ensure the original TPS 778 is forwarded to the Office of the Chief, with recommendations |
| 8. | Upon receipt of a signed TPS 778 from the Office of the Chief shall ensure it is forwarded to the member. |
| 9. | Upon receipt of a TPS 649 pertaining to the monetary benefits earned from a paid secondary activity while suspended from duty with pay shall ensure it is forwarded to the Unit Commander – Accounting Services for processing. |



Toronto Police Services Board Report

February 14, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2018 Filing of Toronto Police Service Procedures

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:

At its meeting of January 16, 2014, the Board approved the policy entitled "Filing of Toronto Police Service Procedures" (Min. No. P05/14 refers). This Board policy directs, in part, that:

5. *On an annual basis, the Chief of Police will file with the Board for its information, the complete index of Service procedures, noting those procedures which arise from Board policies; and*
6. *Such filing will take place as part of a report submitted to the Board and included on a regular public meeting agenda.*

Discussion:

Professional Standards Support – Governance has reviewed all Service procedures for the purpose of updating the index of Service procedures. The attached Appendix A contains the complete index and notes those procedures which arise from Board

policies. Additionally, the attached Appendix B contains an index of procedures that make reference to Board by-laws. These indices are current as of January 9, 2018.

Conclusion:

The attached Appendix A contains the complete index of Service procedures, noting those which arise from Board policies, and the attached Appendix B contains an index of procedures that make reference to Board by-laws.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

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Attachments:

Appendix A – Complete Index of Service Procedures

Appendix B – Index of Service Procedures Referencing Board By-Laws

Appendix A – Complete Index of Service Procedures

Procedure Number	Procedure Name	Arising from Board Policy
01-01	Arrest	Yes
01-02	Search of Persons	Yes
01-02 Appendix B	Risk Assessment – Level of Search	Yes
01-02 Appendix C	Trans Persons	No
01-02 Appendix D	Handling Items of Religious Significance	No
01-03	Persons in Custody	Yes
01-03 Appendix A	Medical Advisory Notes	Yes
01-03 Appendix B	Cell and Prisoner Condition Checks	Yes
01-03 Appendix C	Designated Lock-ups	Yes
01-03 Appendix D	Booking Hall/Detention Area Monitoring	Yes
01-03 Appendix E	Lodging of Trans Persons	Yes
01-03 Appendix F	Privacy Shields	Yes
01-05	Escape from Police Custody	Yes
01-07	Identification of Criminals	Yes
01-08	Criminal Code Release	No
01-08 Appendix A	Appearance Notice (Form 9)	No
01-08 Appendix B	Promise To Appear (Form 10)	No
01-08 Appendix C	Recognizance Entered Into Before an Officer in Charge (Form 11)	No
01-08 Appendix D	Undertaking Given to an Officer in Charge (Form 11.1)	No
01-09	Criminal Summons	No
01-10	Provincial Offences Act Releases	No
01-15	Bail Hearings and Detention Orders	Yes
01-15 Appendix A	Show Cause Brief	No
01-15 Appendix B	Guidelines for Bail Conditions	No
01-15 Appendix C	Guidelines for the Commencement of Revocation of Bail Process	No
01-17	Detention Order (Provincial Offences Act)	No
02-01	Arrest Warrants	Yes
02-01 Appendix A	List of Arrest Warrant Forms	No
02-01 Appendix B	Arrest Warrant Forms	No
02-01 Appendix C	Forms to Obtain Bodily Substances, Prints or Impressions	No
02-02	Warrants of Committal	No
02-10	National Parole Warrants	Yes
02-11	Provincial Parole Warrants	Yes
02-12	Ontario Review Board Warrants and Dispositions	Yes
02-13	Child Apprehension Warrants	Yes
02-14	Civil Warrants	No

Procedure Number	Procedure Name	Arising from Board Policy
02-14 Appendix A	Civil Warrant – Response	No
02-15	Returning Prisoners on Warrants Held by Toronto Police Service	No
02-15 Appendix A	Approval to Return Person in Canada on Criminal Code Warrants Held by Toronto Police Service	No
02-15 Appendix B	Approval to Return Person on Warrants Held by Toronto Police Service	No
02-17	Obtaining a Search Warrant	Yes
02-18	Executing a Search Warrant	Yes
02-19	Report to a Justice/Orders for Continued Detention	No
02-19 Appendix A	Report to a Justice (Form 5.2) – Distribution Chart	No
03-03	Correctional Facilities	Yes
03-03 Appendix A	Correctional Facilities Admitting & Visiting Hours	No
03-04	Outstanding Charges/Warrants of Committal for Incarcerated Persons	No
03-05	Withdrawal Management Centres	No
03-06	Guarding Persons in Hospital	Yes
03-07	Meal Provision for Persons in Custody	Yes
03-08	Community Correctional Centres & Community Residential Facilities	No
03-09	Bail Reporting	No
04-01	Investigations at Hospitals	No
04-02	Death Investigations	Yes
04-03	Use of Photo Line-Ups for Eyewitness Identification	No
04-05	Missing Persons	Yes
04-06	Building Checks and Searches	Yes
04-07	Alarm Response	No
04-09	American Sign Language and Language Interpreters	Yes
04-10	Passports	No
04-11	Persons Seeking Asylum	No
04-12	Diplomatic and Consular Immunity	No
04-12 Appendix A	Identity Cards	No
04-12 Appendix B	Summary of Law Enforcement Measures	No
04-13	Foreign Nationals	No
04-14	Regulated Interactions	Yes
04-15	Obtaining Video/Electronic Recordings from the Toronto Transit Commission	Yes
04-16	Death in Police Custody	Yes
04-17	Rewards	No
04-18	Crime and Disorder Management	Yes
04-18 Appendix A	Guidelines for Divisional Crime Management	Yes

Procedure Number	Procedure Name	Arising from Board Policy
04-18 Appendix B	Guidelines: Problem Solving	Yes
04-18 Appendix C	Community Partnerships	Yes
04-18 Appendix D	Divisional Deployment	Yes
04-18 Appendix E	Crime Analysis	Yes
04-18 Appendix F	Strategy Management - Business Intelligence & Analytics	Yes
04-18 Appendix G	Duties of a Police Officer – Subsection 42(1) <i>Police Services Act</i>	No
04-19	Surveillance	Yes
04-20	Electronic Surveillance	Yes
04-21	Gathering/Preserving Evidence	Yes
04-22	Polygraph Examinations	No
04-23	Marine Response	Yes
04-24	Victim Impact Statements	Yes
04-25	Foreign Inquiries/Investigations/Extradition Requests	Yes
04-26	Security Offences Act	Yes
04-27	Use of Police Dog Services	Yes
04-28	Crime Stoppers	No
04-29	Parolees	Yes
04-30	Scenes of Crime Officer (S.O.C.O.)	Yes
04-31	Victim Services Toronto	Yes
04-32	Electronically Recorded Statements	Yes
04-32 Appendix A	Guidelines for the Sworn Statement Caution (K.G.B. Caution)	No
04-33	Lawful Justification	No
04-34	Attendance at Social Agencies	No
04-35	Source Management – Confidential Source	Yes
04-35 Appendix A	Source Management – Payment Requests	No
04-35 Appendix B	Source Management – Crown Letters	Yes
04-36	Agents	Yes
04-36 Appendix A	Agents – Crown Letters	Yes
04-37	Witness Assistance & Relocation Program (W.A.R.P.)	Yes
04-38	Intelligence Services	Yes
04-39	Joint Forces Operations	Yes
04-40	Major Incident Rapid Response Team	No
04-41	Youth Crime Investigations	Yes
04-41 Appendix A	Class of Offences and Recommended Dispositions	No
04-41 Appendix B	Under 12 – Centralized Services Protocol	No
04-42	Non-Emergency Primary Report Intake	No
04-43	Burial Permits	No

Procedure Number	Procedure Name	Arising from Board Policy
04-44	Undercover Operations	Yes
04-45	Internet Facilitated Investigations	No
04-46	Closed Circuit Television (C.C.T.V.)	Yes
04-46 Appendix A	Site Selection Process – C.C.T.V./R.D.C.C.T.V.	No
Ch. 5 Appendix A	Excerpt from Guideline LE-029 – Preventing or Responding to Occurrences Involving Firearms	No
05-01	Preliminary Homicide Investigation	Yes
05-01 Appendix A	Investigation Questionnaire: Pediatric Injury	No
05-01 Appendix B	Investigation Questionnaire for Sudden Unexpected Deaths in Infants	No
05-02	Robberies/Hold-ups	Yes
05-03	Break and Enter	Yes
05-04	Domestic Violence	Yes
05-05	Sexual Assault	Yes
05-05 Appendix A	Third Party Records	Yes
05-06	Child Abuse	Yes
05-06 Appendix A	Subsections 72(1)(1.1)(2)(3) of the <i>Child and Family Services Act</i>	No
05-06 Appendix B	Centre for Forensic Sciences - Police Submission Guidelines	No
05-07	Fire Investigations	No
05-08	Criminal Writings	Yes
05-09	Tampering or Sabotage of Food, Drugs, Cosmetics or Medical Devices	No
05-10	Threatening/Harassing Telephone Calls	Yes
05-11	Fail to Comply/Fail to Appear	No
05-12	Counterfeit Money	No
05-13	Breach of Conditional Sentence	No
05-14	Immigration Violations	No
05-15	Asset Forfeiture Investigations	Yes
05-16	Hate/Bias Crime	Yes
05-17	Gambling Investigations	Yes
05-18	Fraudulent Payment Cards	Yes
05-19	Violent Crime Linkage Analysis System	Yes
05-21	Firearms	Yes
05-22	Elder and Vulnerable Adult Abuse	Yes
05-22 Appendix A	Elder and Vulnerable Adult Abuse Investigations – Contact Information	Yes
05-23	Financial Crime Investigations	Yes
05-24	Child Exploitation	Yes
05-25	Pawnbrokers and Second Hand Dealers	Yes
05-26	Child Abductions	Yes
05-27	Criminal Harassment	Yes

Procedure Number	Procedure Name	Arising from Board Policy
05-27 Appendix A	Specialized Criminal Investigations - Sex Crimes - Behavioural Assessment Section	No
05-27 Appendix B	Excerpt from L.E.-028 - Criminal Harassment	No
05-28	Gang Related Investigations	No
05-29	Sex Offender Registries	Yes
05-30	Major Drug Investigations	Yes
05-31	Human Trafficking	Yes
05-32	Kidnapping	Yes
06-01	Commencing P.O.A. Proceedings	Yes
06-02	Withdrawal of a Provincial Offences Act Charge	No
06-03	Prosecuting Business Establishments	No
06-04	Emotionally Disturbed Persons	Yes
06-04 Appendix A	Quick Reference Guide for Police Officers – Emotionally Disturbed Persons	No
06-04 Appendix B	Designated Psychiatric Facilities	No
06-05	Elopees and Community Treatment Orders	Yes
06-06	Apprehension Orders	Yes
06-07	Restraining Orders	Yes
06-08	Orders for Exclusive Possession of a Matrimonial Home	No
06-09	Animal Control	No
06-10	Landlord and Tenant Disputes	No
06-11	Licensed Premises	Yes
06-12	Municipal Licensing & Standards/Toronto Licensing Tribunal	No
07-01	Transportation Collisions	Yes
07-02	Fail to Remain Collisions	Yes
07-03	Life Threatening Injury/Fatal Collisions	Yes
07-04	Railway Collisions	Yes
07-04 Appendix A	Rail Accident Protocol	No
07-04 Appendix B	Canadian Rail Incident Investigation Guideline	No
07-05	Service Vehicle Collisions	Yes
07-06	Ability Impaired/Over 80 – Investigation	Yes
07-06 Appendix A	Ability Impaired/Over 80 Summary Chart	No
07-06 Appendix B	Quick Chart – Administrative Suspensions & Impoundments under the H.T.A.	No
07-07	Ability Impaired/Over 80 – Hospital Investigation	Yes
07-08	Approved Screening Device	Yes
07-08 Appendix A	Approved Screening Device Summary Chart – First Breath Analysis	No
07-08 Appendix B	Second Breath Analysis Instructions	No
07-09	Breath Interview	No
07-10	Speed Enforcement	Yes

Procedure Number	Procedure Name	Arising from Board Policy
07-11	Impounding/Relocating Vehicles	Yes
07-11 Appendix A	Divisional Chart for Forensic Exam Vehicle Impound	No
07-12	Theft of Vehicles	Yes
07-12 Appendix A	Letter of Direction	No
07-13	Unsafe Vehicles	Yes
07-14	Parking Infraction Notice	No
07-15	Drug Recognition Expert Evaluations and Standardized Field Sobriety Testing	Yes
07-18	R.I.D.E. Program	Yes
07-19	Suspended/Disqualified Driving	No
07-19 Appendix A	Administrative Suspensions & Impoundments Under the H.T.A.	No
07-20	Licence Plates/Accessible Parking Permits	No
08-01	Employee and Family Assistance Program (E.F.A.P.)	Yes
08-02	Sickness Reporting	No
08-03	Injured on Duty Reporting	No
08-04	Members Involved in a Traumatic Critical Incident	No
08-04 Appendix A	Critical Incident Stress Handout	No
08-04 Appendix B	Guidelines for the Support and Assistance of Affected Members	No
08-04 Appendix C	Critical Incident Response Team / Peer Support Volunteers Flow Chart	No
08-05	Substance Abuse	No
08-06	Hazardous Materials, Decontamination and De-infestation	Yes
08-07	Communicable Diseases	Yes
08-08	Central Sick Leave Bank	No
08-09	Workplace Safety	Yes
08-10	External Threats Against Service Members	No
08-11	Workplace Violence	Yes
08-12	Workplace Harassment	Yes
08-13	Workplace Accommodation - Medical	Yes
09-01	Property – General	Yes
09-02	Property – Vehicles	Yes
09-03	Property – Firearms	Yes
09-04	Controlled Drugs & Substances	Yes
09-05	Property – Liquor	Yes
09-06	Property of Persons in Custody	Yes
Ch. 10 Appendix A	Incident Management System Organizational Chart	Yes
Ch. 10 Appendix B	Containment & Perimeter Control	Yes

Procedure Number	Procedure Name	Arising from Board Policy
10-01	Emergency Incident Response	Yes
10-02	Incidents Involving Hazardous Materials	No
10-03	Bomb Threats and Explosions	Yes
10-03 Appendix A	Explosive Device Safe Standoff Distance Chart	No
10-04	Nuclear Facility Emergencies	No
10-04 Appendix A	Notification Protocols	No
10-04 Appendix B	Nuclear Safety Status Zones	No
10-05	Incidents Requiring the Emergency Task Force	Yes
10-06	Medical Emergencies	No
10-07	Industrial Accidents	No
10-08	Chemical / Biological / Radiological / Nuclear Agents Events	Yes
10-09	Evacuations	No
10-10	Emergencies and Pursuits on T.T.C. Property	Yes
10-11	Clandestine Laboratories and Marihuana Grow Operations	No
10-12	Counter-Terrorism	Yes
10-13	Threats to School Safety	No
10-14	Public Health Emergencies/Pandemic Response	Yes
11-01	Emergency Management & Public Order Response	Yes
11-03	Police Response at Labour Disputes	Yes
11-04	Protests and Demonstrations	Yes
11-05	Major Disturbances at Detention Centres	No
11-06	Labour Disputes at Detention Centres	Yes
11-07	Special Events	Yes
11-08	Use of Mounted Section	No
12-01	Confidential Crown Envelope	No
12-02	Court Attendance	No
12-03	Use of Affidavits	No
12-04	Unserved Criminal Summons	No
12-05	Request to Withdraw Criminal Charge	No
12-06	Coroner's Inquest	No
12-08	Disclosure, Duplication and Transcription	No
12-08 Appendix A	Memorandum Books	No
12-09	Request for Adjournment	No
12-10	Re-laying Charges and Appeal Notices	No
12-11	High Risk Security Court Appearances	Yes
Ch. 13 Appendix A	Unit Level Criteria / Conduct Penalties	Yes
Ch. 13 Appendix B	Chief's Advisory Committee	No
Ch. 13 Appendix C	Progressive Discipline	No
Ch. 13 Appendix F	Notification for Legal Indemnification Time Limit	Yes
Ch. 13 Appendix G	Expunge Police Services Act Conviction	Yes

Procedure Number	Procedure Name	Arising from Board Policy
13-01	Awards	Yes
13-02	Uniform External Complaint Intake/Management	Yes
13-03	Uniform Internal Complaint Intake/Management	No
13-04	Uniform Unit Level Discipline	Yes
13-05	Police Services Act Hearings	Yes
13-06	Uniform Complaint Withdrawal	No
13-07	Policy/Services Provided Complaints	Yes
13-08	Uniform Suspension from Duty	No
13-09	Civilian Complaint and Discipline Process	Yes
13-10	Civilian Suspension from Duty	No
13-11	Unsatisfactory Work Performance	No
13-12	Legal Indemnification	Yes
13-13	Civil Documents	Yes
13-14	Human Rights	Yes
13-16	Special Investigations Unit	No
13-17	Notes and Reports	Yes
13-18	Anonymous Reporting of Discreditable Conduct	Yes
13-19	Breath Test for Service Members	No
13-20	Accessibility for Persons with Disabilities	Yes
14-01	Skills Development and Learning Plan - Uniform	Yes
14-02	Evaluations, Reclassifications and Appraisals	Yes
14-02 Appendix A	Appraisal Process – Uniform	Yes
14-02 Appendix B	Evaluation Process - Civilian	Yes
14-03	Probationary Constable / Field Training	Yes
14-04	Acting Assignments	No
14-06	School Crossing Guards	No
14-07	Changes to Uniform and Civilian Establishment	Yes
14-08	Request to Fill Established Positions and Hire Part-Time or Temporary Staff	No
14-09	Civilian Transfer, Reclassification and Promotion	Yes
14-10	Uniform Promotion Process – up to & Including the Rank of Inspector	Yes
14-11	Uniform Promotion Process to Staff Inspector, Superintendent & Staff Superintendent	Yes
14-12	Voluntary Lieu Time Donations	No
14-13	Contract Persons & Consultants	Yes
14-14	Termination of Employment	No
14-15	Secondments	Yes
14-17	Detective Classification and Plainclothes Assignment	No
14-18	Internal Support Networks (I.S.N.)	Yes
14-19	Workplace Accommodation - Non Medical	Yes
14-20	Auxiliary Members	Yes

Procedure Number	Procedure Name	Arising from Board Policy
14-21	W.P.P.D. – Senior Officers	No
14-22	Conflict of Interest Involving Related Members	No
14-23	Attendance at Special Activities	No
14-24	Police Officers Reclassified to Civilian Senior Officer Positions	No
14-25	Secondary Activities	Yes
14-26	Leaves of Absence	Yes
14-27	Bereavement Leave & Funeral Entitlements	No
14-28	Attendance at Competitions or Events	Yes
14-29	Change in Personal Information	No
14-30	Re-Employment of Former Members and Lateral Entries	Yes
14-30 Appendix A	Criteria: Hiring Levels and Training Requirements	Yes
14-31	Members Serving on Boards/Committees	Yes
14-32	Crime Prevention	Yes
14-33	Social Functions & Community Events	Yes
14-34	Transfer – Police Officer	No
14-35	Special Constables	No
14-36	Participation in a Learning Opportunity	No
15-01	Use of Force	Yes
15-01 Appendix A	Provincial Use of Force Model	No
15-01 Appendix B	Provincial Use of Force Model Background Information	No
15-02	Injury/Illness Reporting	Yes
15-03	Service Firearms	Yes
15-04	C-8 Rifle	Yes
15-05	Shotgun	Yes
15-06	Less Lethal Shotguns	Yes
15-07	Use of Authorized Range	No
15-08	M.P.5 Submachine Gun	Yes
15-09	Conducted Energy Weapon	Yes
15-10	Suspect Apprehension Pursuits	Yes
15-11	Use of Service Vehicles	Yes
15-12	Inspection of Service Vehicles and Equipment	Yes
15-13	Requests for Loan Vehicles	No
15-14	Fuel and Oil	Yes
15-15	Shared Equipment	Yes
15-16	Uniform, Equipment and Appearance Standards	Yes
15-16 Appendix A	Uniformed Command Officers and Uniformed Senior Officers	No
15-16 Appendix B	Police Constable to Staff Sergeant	No
15-16 Appendix C	Uniformed Civilian Members	No
15-16 Appendix D	Auxiliary Members and Volunteers	Yes

Procedure Number	Procedure Name	Arising from Board Policy
15-16 Appendix E	Officers – Specialized Functions	No
15-16 Appendix F	Appearance Standards – Officers and Civilian Uniformed Members	No
15-16 Appendix G	Wearing of Decorations and Medals	No
15-16 Appendix H	Wearing of Name Badges	Yes
15-17	In-Car Camera System	No
15-18	Secure Laptop	No
15-19	Soft Body Armour	No
16-01	Service and Legislative Governance and Legal Agreements	Yes
16-01 Appendix A	Routine Order Approval and Publication Process	No
16-03	Forms Management	No
16-06	Audit and Quality Assurance Process	Yes
16-06 Appendix A	Process for Ministry of Community Safety and Correctional Services Inspections of the Toronto Police Service	Yes
16-06 Appendix B	City of Toronto Auditor General Report and Follow-up Recommendation Process	Yes
16-06 Appendix C	City of Toronto Internal Audit Division Report and Follow-up Recommendation Process	Yes
16-07	Collection and/or Use and/or Reporting of Statistics Related to Prohibited Grounds	Yes
17-01	News Media	Yes
17-01 Appendix A	Sample News Release	No
17-03	Municipal Freedom of Information and Protection of Privacy Act	No
17-04	Community/Public Safety Notifications	Yes
17-04 Appendix A	Disclosure of Personal Information	Yes
17-04 Appendix B	Occurrences where Public Warning/Notification and Consultation with BAS be Considered	Yes
17-04 Appendix C	Protocol for Public Notification	Yes
17-05	Correspondence and File Management	Yes
17-05 Appendix A	Unit Commander File Index	Yes
17-06	C.P.I.C. Purge List	Yes
17-07	B.O.L.O.'s and F.Y.I.'s	Yes
17-08	Use of Special Address System	Yes
17-09	Use of the Service Image	Yes
17-10	Internet	No
17-11	Toronto Police Service Intranet (T.P.S.net)	No
17-12	Service Communication Systems	Yes
17-13	Social Media	No
18-01	Covert Credit Cards	No
18-02	Transfer of Funds	No

Procedure Number	Procedure Name	Arising from Board Policy
18-03	Requests for Goods and/or Services	No
18-04	Third Party Claims for Damage to or Loss of Private Property	No
18-05	Reimbursement for Damaged or Soiled Personal Items and Clothing	No
18-06	Flashroll	No
18-07	329 Fund	Yes
18-08	Donations	Yes
18-09	Service Seminars	No
18-10	Collection of Overpayments	No
18-11	Lieu Time – Negative Balance	No
18-12	Membership in Professional and Occupational Associations	No
18-13	Authorization and Expense Reimbursement for Service Business Travel	No
18-13 Appendix A	Authorization Limits and Required Signatures	No
18-13 Appendix B	Expense Allowances	No
18-14	Authorization and Expense Reimbursement for Service Training	No
18-14 Appendix A	Authorization Limits and Required Signatures	No
18-14 Appendix B	Expense Allowances	No
18-15	Shared Resources	No
18-16	Use of Revenue	No
18-17	Corporate Credit Cards	No
18-17 Appendix A	Expenditures Authorized for Payment with a Corporate Credit Card	No
18-18	Business Expenses	No
18-18 Appendix A	Examples of Appropriate Business Expenses	No
18-19	Paid Duties	No
18-20	Paid Duties at Commercial Filming Locations	No
19-01	Fire Safety Plans	No
19-02	Service Facilities	Yes
19-02 Appendix A	Notice	No
19-02 Appendix B	Parking Access - Personal Vehicles	No
19-03	Police Headquarters	No
19-03 Appendix A	Parking Access - Private Vehicles of Members	No
19-09	Off Site Police Facilities	No
19-10	Unit Operational Continuity Plan	Yes

Appendix B – Index of Service Procedures Referencing Board By-Laws

Procedure Number	Procedure Name
18-04	Third Party Claims for Damage to or Loss of Private Property
18-12	Membership in Professional and Occupational Associations
18-16	Use of Revenue
18-17	Corporate Credit Cards
18-18	Business Expenses



Toronto Police Services Board Report

February 20, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report 2017: Use of Conducted Energy Weapons

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

At its meeting of March 8, 2005, the Board directed the Chief of Police to provide an annual report to the Board on the use of Conducted Energy Weapons (C.E.W.) within the Toronto Police Service (T.P.S.) (Min. No. P74/05 refers).

On March 27, 2008, the Board directed the Chief of Police to provide a report that outlined a revised format for future annual reports on the use of C.E.W.s (Min. No. P60/08 refers). This response was provided at the September 18, 2008 Board meeting and outlined the format for future reports (Min. No. P253/08 refers):

- Incidents of C.E.W. Use
- Division of C.E.W. Use
- C.E.W. Users
- C.E.W. Incident Description
- Subject's Condition at Time of C.E.W. Use
- Subject's Behaviour/Threat Level
- Subject Description
- Subject's Age

- Cycles
- Number of C.E.W.s Used
- C.E.W. Effectiveness
- Other Force Option Used Prior to C.E.W. Use
- Injuries/Deaths
- Civil Action
- Officer Training

To provide more information to the Board and the public, a number of T.P.S. procedures and (reporting) forms were updated in the 2009 reporting period. These additional categories continue to be reported upon and include:

- Subject Apprehended Under the *Mental Health Act (M.H.A.)*
- Subject Believed Armed
- Subject Confirmed Armed

There have been no changes to T.P.S. Procedure 15–09, “Conducted Energy Weapon” since the 2015 reporting period.

At its meeting on March 3, 2011, the Board recommended that future annual reports include an appropriate explanation of unintentional discharges of the C.E.W. This information has been included in this report. It also recommended that the Board receive statistical data from previous years for the purpose of trend identification (Min. No. P56/11 refers). This additional information is found in Appendix “B”.

In 2015, Corporate Risk Management began tracking and reporting on the effectiveness of C.E.W. use on emotionally disturbed persons. For this reporting period, a three year comparison chart containing this data has been added to Appendix “B”. Also new for 2017, is a chart specifying the types of C.E.W. use on persons who were perceived to be suffering from the combined effects of emotional disturbance and alcohol and/or drugs. This additional information is located on page six and a three year comparison chart has been added to Appendix “B”.

This report provides a review of C.E.W. use by T.P.S. officers for the period of January 1, 2017 to December 31, 2017, formatted into the applicable categories. It consists of two components: an explanation of terminology and information regarding the classification of data, and charts containing the aggregate data. A comprehensive breakdown of C.E.W. use for 2017 is appended to this report as Appendix “A”.

Discussion:

As of December 31, 2017, a total of 538 Taser X-26s and X-2s were issued to members of the Emergency Task Force (E.T.F.), uniform front line supervisors and supervisors of high-risk units such as Emergency Management and Public Order, Intelligence

Services, Organized Crime Enforcement (including Hold-Up and Drug Squad) and the Provincial Repeat Offender and Parole Enforcement (R.O.P.E.) and Fugitive Squad. In accordance with Ministry of Community Safety and Correctional Services (Ministry) standards and T.P.S. procedure, the C.E.W. is only used in full deployment or drive stun mode (direct application) when the subject is assaultive as defined by the *Criminal Code*. This includes threatening behaviour if the officer believes the subject intends and has the ability to carry out the threat, or where the subject presents an imminent threat of serious bodily harm or death which includes suicide threats or attempts. Therefore, direct application of the device is only utilized to gain control of a subject who is at risk of causing harm, not to secure compliance of a subject who is merely resistant. In 2017, T.P.S. officers used demonstrated force presence in 59.7% of the incidents.

Incident

The incident refers to a specific event where one or more C.E.W.s were used. In 2017, the weapon was used 357 times during 308 incidents involving as many as 324 subjects. The data include two incidents where demonstrated force presence was used against groups of five and 20 subjects (see page 10).

Division

This chart refers to the division within Toronto or to the location outside Toronto where T.P.S. members used a C.E.W.

Division / Municipality of C.E.W. Incident

Division	#	%
11	15	4.9
12	13	4.2
13	10	3.2
14	21	6.8
22	13	4.2
23	20	6.5
31	10	3.2
32	14	4.5
33	16	5.2
41	21	6.8
42	13	4.2
43	31	10.1
51	28	9.1
52	28	9.1
53	11	3.6
54	25	8.1
55	16	5.2
Durham	1	0.3
York	2	0.7
Total	308	100

C.E.W. Users

Of the total number of T.P.S. officers issued C.E.W.s in 2017, front line supervisors accounted for approximately 61.9% of C.E.W. use. The chart below specifies the type of assignment for each C.E.W. user.

C.E.W. User		
Unit	#	%
Frontline Supervisor	221	61.9
Emergency Task Force	124	34.7
High-Risk Units	11	3.1
Emergency Management and Public Order	1	0.3
Total # of C.E.W.s Used	357	100

C.E.W. Incident Description

The chart below indicates the type of incident that officers were responding to where the C.E.W. was used. A description of the incident is based on the initial call for service received by the attending officers. This information is collected from the Use of Force Report (U.F.R. Form 1) that must be completed subsequent to each C.E.W. use, as mandated by T.P.S. Procedures 15-01, "Use of Force" and 15-09, "Conducted Energy Weapon".

Incident Types		
Incident	#	%
Assault Related	10	3.3
Break and Enter	7	2.3
Disturbance - Other	24	7.8
Domestic Disturbance	21	6.8
Drug Related	12	3.9
Emotionally Disturbed Person	84	27.3
Homicide	2	0.6
Prisoner Related	22	7.1
Robbery	8	2.6
Theft	4	1.3
Traffic	6	1.9
Unintentional Discharge	6	1.9
Unknown Trouble	7	2.3
Wanted Person	14	4.6
Warrant Related	24	7.8
Weapons Call	57	18.5
Total Incident #	308	100

Subject Condition at Time of C.E.W. Use

Officers often interact with subjects who are under the influence of drugs and/or alcohol, or experiencing a variety of mental health issues as well as any combination thereof. Officers are requested to categorize their perception of the condition of the subject at the time of C.E.W. use. An officer's perception is based on experience, knowledge and training. This information was summarized from applicable sections of the Conducted Energy Weapon Use Report (T.P.S. Form 584) as follows:

- Emotionally Disturbed Person

Subjects identified as being emotionally disturbed include those perceived to be suffering from a mental disorder or emotional distress and includes persons in crisis. A person in crisis is defined as a person who suffers a temporary breakdown of coping skills, but remains in touch with reality.

- Alcohol

A subject believed to be under the influence of alcohol.

- Drugs

A subject believed to be under the influence of drugs.

The chart below indicates a subject's condition as identified by the reporting officer on a T.P.S. Form 584. The "No Apparent Influences" category refers to situations where an officer did not believe that there were any external factors affecting the subject's behaviour and includes six unintentional discharges, two group incidents and one dog incident.

Subject Condition

Condition	#	%
Alcohol Only	29	9.4
Drugs Only	20	6.5
Drugs + Alcohol	7	2.3
Emotionally Disturbed Persons (E.D.P.)	98	31.8
E.D.P. + Alcohol	15	4.9
E.D.P. + Drugs	23	7.5
E.D.P. + Drugs + Alcohol	9	2.9
No Apparent Influences	107	34.7
Total	308	100

The "No Apparent Influences" category includes one of the two group incidents. In one group, officers believed that subject behaviour was consistent with drug use. Of the 308 incidents of C.E.W. use, 31.8% involved subjects whom officers believed were emotionally disturbed. The figure increases to 47.1%, when incidents involving persons

who were perceived to be suffering from the combined effects of emotional disturbance/mental disorder and alcohol and/or drugs are included. Out of 308 incidents, 145 involved subjects described as emotionally disturbed or emotionally disturbed and under the influence of drugs and/or alcohol.

T.P.S. training emphasizes that before a C.E.W. is used against any subject, officers should consider de-escalation as a first priority whenever it is safe and practical to do so. Other operational considerations include disengagement, distance, time, cover, concealment and the use of other force options when appropriate. Note: De-escalation begins with the T.P.S. communications call taker who is trained to reduce the anxiety of the person on the phone while eliciting information about the situation for responding officers.

Types of Use on E.D.P.s

The chart below indicates the type of C.E.W. use on persons who were perceived to be suffering from the combined effects of emotional disturbance/mental disorder and alcohol and/or drugs.

Types of Use on E.D.P.s

Use	2017	
	#	%
Demonstrated Force Presence	83	57.2
Drive Stun Mode	6	4.1
Full Deployment	56	38.6
Total # of E.D.P. Incidents	145	100

Mental Health Act Apprehension

This indicates that the subject was apprehended under the *M.H.A.* and transported to a psychiatric facility for assessment. Out of 308 incidents, 83 or 27.0% resulted in apprehensions under the *M.H.A.*

The data does not capture the results of the assessment and so further caution is warranted against concluding that those apprehended were, in fact, suffering from a mental disorder at the time.

Finally, it must be remembered that the C.E.W. was only used in response to the subject's behaviour and not because of the subject's condition.

The chart below specifies C.E.W. uses where subjects were apprehended under the *M.H.A.* The "Not Applicable" category refers to six unintentional discharges, two group incidents and one use on a dog.

Subject Apprehended Under the M.H.A.

Apprehension	#	%
Yes	83	27.0
No	216	70.1
Not Applicable	9	2.9
Total	308	100

Subject's Behaviour/Threat Level

Subject behaviour during a C.E.W. incident is described in the context of the Ontario Use of Force Model (2004) under the following categories:

- **Passive Resistant**

The subject refuses, with little or no physical action, to cooperate with an officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity.

- **Active Resistant**

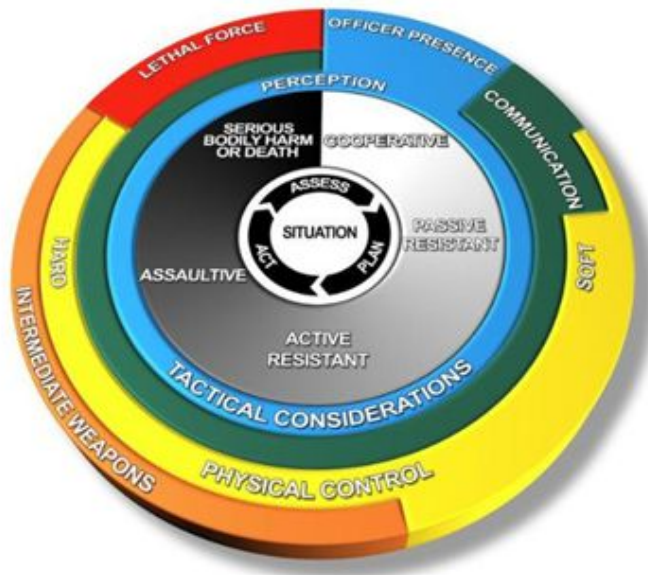
The subject uses non-assaultive physical action to resist an officer's lawful direction. Examples would include pulling away to prevent or escape control, or overt movements such as walking or running away from an officer.

- **Assaultive**

The subject attempts to apply, or applies force to any person, or attempts or threatens by an act or gesture to apply force to another person, if he / she has, or causes that other person to believe upon reasonable grounds that he / she has, the present ability to effect his / her purpose. Examples include kicking and punching, but may also include aggressive body language that signals the intent to assault.

- **Serious Bodily Harm or Death**

The subject exhibits actions that the officer reasonably believes are intended to, or likely to, cause serious bodily harm or death to any person, including the subject. Examples include assaults with a weapon or actions that would result in serious injury to an officer or member of the public, and include suicide threats or attempts by the subject.



The 2004 Ontario Use of Force Model is used to assist officers in determining appropriate levels of force and articulation. It represents the process by which an officer assesses, plans, and responds to situations that threaten public and officer safety. The assessment process begins in the centre of the model with the situation confronting the officer. From there, the assessment process moves outward and addresses the subject's behaviour and the officer's perception and tactical considerations. Based on the officer's assessment of the conditions represented by these inner circles, the officer selects from the use of force options contained within the model's outer circle. After the officer chooses a response option the officer must continually reassess the situation to determine if his or her actions are appropriate and/or effective or if a new strategy should be selected. The whole process should be seen as dynamic and constantly evolving until the situation is brought under control.

The below chart refers to subject behaviour in situations where a C.E.W. was used. The "Not Applicable" category refers to unintentional discharges.

Subject Behaviour

Behaviour	#	%
Passive Resistant	25	8.1
Active Resistant	33	10.7
Assaultive	146	47.4
Serious Bodily Harm/Death	98	31.8
Not Applicable	6	2.0
Total Incident #	308	100

In situations where a subject is displaying passive or active resistance, T.P.S. procedure prohibits officers from using a C.E.W. in any manner other than a demonstrated force presence.

In 47.4% of incidents, officers perceived the subject's behaviour as assaultive and in 31.8% of the incidents officers believed the behaviour was likely to cause serious bodily harm or death. Upon further review, some of the incidents were life-saving events such as suicide attempts and others that invariably prevented subject and officer injury.

In one case, for example, officers attended a threaten suicide call. A male was armed with a butcher knife and wanted to plunge the knife into his own chest. A supervisor arrived on scene with four other officers. Upon entering the apartment the supervisor observed the male holding a large butcher knife to his chest with both hands. The supervisor had the C.E.W. out as a demonstrated force presence and made a demand for the male to drop the knife. The male was screaming that he wanted to die. The supervisor then observed the male force the knife into his chest. At this time the C.E.W. was fully deployed and the male was apprehended under the M.H.A. He was transported to hospital with serious injuries.

In another case, a violent E.D.P. male was armed with a knife. The subject was destroying his apartment and his balcony and refusing to relinquish the knife. The apartment door was breached by the E.T.F. who commenced negotiations with the male. He continued to be aggressive and refused any cooperation with officers while continuing to hold the knife in his hand. The male then pointed his knife in the team's direction and stated "this will end today". Two C.E.W.s were fully deployed and the male was disarmed and taken into custody safely.

Subject Believed Armed

In almost 65% of the incidents, officers believed that the subject was armed. An officer may believe that a subject is armed based on a number of factors, including visual confirmation; subjects' verbal cues/behaviour; information from witnesses or dispatchers; or other indirect sources. The chart below indicates whether an officer believed the subject was armed. The "Not Applicable" category refers to unintentional discharges.

Subject Believed Armed		
Believed Armed	#	%
Yes	200	64.9
No	102	33.1
Not Applicable	6	2.0
Total Incident #	308	100

Subject Confirmed Armed

In 31.8% of the incidents, officers confirmed the presence of a weapon.

Officers are trained to continually assess, plan and act based on a number of factors including the potential that subjects may be armed. The belief that a subject is armed or a weapon is present, however, does not by itself, justify the direct application of a

C.E.W. However, when this is combined with the belief that the subject is assaultive or likely to cause serious bodily harm or death, the officer is justified in directly applying the C.E.W. The chart below indicates the number of times that subjects were confirmed to be armed. The “Not Applicable” category refers to unintentional discharges.

Subject Confirmed Armed

Armed	#	%
Yes	98	31.8
No	204	66.2
Not Applicable	6	2.0
Total Incident #	308	100

Subject Description

This chart categorizes subjects by their gender – 89% of subjects were male. Also recorded is C.E.W. use on animals and use on multiple subjects. In 2017, there were two group incidents and one incident involving a dog. The data include two incidents where demonstrated force presence was used against groups of 20 and five subjects. These incidents involved front line personnel attempting to break up a large fight outside of a bar and affecting the arrest of several youths who had broken into a school. In each situation, a supervisor used the C.E.W. as a demonstrated force presence and the C.E.W. was successful in controlling the group safely. The “Not Applicable” category refers to unintentional discharges.

Subject Description

Description	#	%
Male	274	89.0
Female	25	8.1
Animal	1	0.3
Multiple Subjects	2	0.6
Not Applicable	6	2.0
Total Incident #	308	100

Age of Subject

The C.E.W. has been used on a variety of age groups. The below chart categorizes C.E.W. use on various age groups. The highest percentage of subjects was between 21 and 35 years of age and equates to 50.7% of C.E.W. use. The “Not Applicable” category refers to six unintentional discharges, two group incidents and one use on a dog.

Age of Subject

Age	#	%
<10	0	0.0
10 to 15	1	0.3
16 to 20	27	8.8
21 to 25	55	17.9
26 to 30	56	18.2
31 to 35	45	14.6
36 to 40	34	11.0
41 to 45	24	7.8
46 to 50	22	7.1
51 to 55	17	5.5
56 to 60	6	2.0
>60	12	3.9
Not Applicable	9	2.9
Total Incident #	308	100

There were four incidents in 2017 where C.E.W.s were used to control potentially harmful situations involving young people who were 15 and 16 years of age. Of the four situations, two involved the use of the C.E.W. as a demonstrated force presence. The third situation was a robbery radio call where a youth had been armed with a knife. A full deployment and drive stun were used when he became assaultive towards officers. The fourth incident involved a full deployment on a youth who assaulted officers and kicked out a scout car window. A full deployment was required to gain compliance. The next chart gives a brief description of each of these incidents.

16 Years and Under Summary

Age	C.E.W. Use	Description
15	Full Deployment + Drive Stun	Robbery at knife-point. Charged at arresting officers with a knife in-hand.
16	Demonstrated Force Presence	Stabbing call. Demonstrated force presence during the arrest.
16	Full Deployment	Arrested party kicked out a scout car window and became assaultive while trying to escape.
15	Demonstrated Force Presence	Student at a school armed with glass. C.E.W. demonstrated by the E.T.F. during negotiation.

Types of Use

There are three ways to use the C.E.W.:

- (1) Demonstrated Force Presence

The C.E.W. is un-holstered and/or pointed in the presence of the subject, and/or a spark is demonstrated, and/or the laser sighting system is

activated. This mode is justified for gaining compliance of a subject who is displaying passive or active resistance and under certain conditions, may be effective in situations where a subject is assaultive or presents the threat of serious bodily harm or death.

(2) Drive Stun Mode

This term, coined by the manufacturer, describes when the device is placed in direct contact with the subject and the current applied; the probes are not fired. Due to the minimal distance between the contact points on the C.E.W., drive stun is primarily a pain compliance mode. This mode is only justified to gain control of a subject who is assaultive or where the subject presents an imminent threat of serious bodily harm or death.

(3) Full Deployment

Probes are fired at a subject and the electrical pulse applied. In this mode, the device is designed to override the subject's nervous system and affect both the sensory and motor functions causing incapacitation. As with drive stun, this mode is only justified to gain control of a subject who is assaultive or where the subject presents an imminent threat of serious bodily harm or death.

Subjects under the influence of drugs and emotionally disturbed persons often have a higher pain tolerance. Most intermediate force options such as the baton, O.C. spray and empty hand strikes, rely on the infliction of pain to gain control of the subject; however, C.E.W.s are designed to incapacitate for a brief period of time until the subject is secured. Under these circumstances, C.E.W.s are often more effective than other intermediate force options. The chart below indicates the number of times a C.E.W. was used as a demonstrated force presence, in drive stun mode, and as a full deployment. The full deployment category includes six unintentional discharges.

Types of Use

Use	#	%
Demonstrated Force Presence	184	59.7
Drive Stun Mode	13	4.2
Full Deployment	111	36.0
Total # of C.E.W. Incidents	308	100

Demonstrated force presence was used 59.7% of the time. Full deployment was the next highest method used at 36.0%. C.E.W.s are most effective when used in full deployment because this promotes neuromuscular incapacitation and gives officers the opportunity to secure the subject with handcuffs. However, since the conducting wires are fragile, contact during full deployment can be broken allowing the subject to break free so officers might have to resort to drive stun mode to maintain control of the

subject. In cases where full deployment and drive stun were used in combination, the number was recorded as a full deployment.

Unintentional Discharge

Unintentional discharges occur when the probes are fired from the C.E.W. cartridge due to officer error or device malfunction. In 2017, there were six unintentional discharges. In five instances, frontline supervisors inadvertently discharged the probes while spark testing the C.E.W. In one incident, the supervisor was utilizing the C.E.W. as a demonstrated force presence while arresting an armed robbery suspect when it unintentionally discharged, striking the ground. Discipline is determined by the individual officer's Unit Commander. In one of the six incidents, a Police Service or Conduct Report was initiated by the officer's Unit Commander resulting in a unit-level resolution. In the other five incidents, a verbal reprimand was deemed appropriate. Spark testing is required at the start of each tour of duty for the following reasons:

- To verify that the C.E.W. is working.
- To verify that the batteries are performing and are adequately charged.
- To condition the C.E.W. because the devices are more reliable when energized on a regular basis.

No injuries resulted from the unintentional discharges and the incidents were properly reported.

Number of Cycles

During training and recertification, officers are instructed to apply the current only as long as it takes to gain control of the subject. Control is achieved when the subject is placed in restraints, such as handcuffs, and is no longer considered a threat. After the initial application of a single cycle, an officer is asked to re-assess the subject's behaviour before continued or renewed application of the current is used. The following chart reports whether single or multiple cycles were used. A complete cycle is five seconds in duration. A partial cycle of less than five seconds can occur when the C.E.W. is manually disengaged or the power is shut off. For the purpose of this report, partial cycles are recorded as a single cycle.

Cycles		
Type	#	%
Single Cycle	55	15.4
Multiple Cycle	102	28.6
Demonstrated Force Presence Only	200	56.0
Total C.E.W. Usage	357	100

Number of C.E.W.s Used per Incident

If it has been determined to be reasonably necessary, officers may use more than one C.E.W. at an event if the first one is ineffective. Of the 35 events where more than one C.E.W. was used, 28 involved team responses by the E.T.F. Three involved frontline supervisors and four involved a frontline supervisor and the E.T.F. 25 of the 35 incidents of multiple C.E.W. use involved situations where subjects were threatening serious bodily harm or death to themselves or others and eight incidents involved assaultive behaviour. Two multiple uses involved demonstrated force presence due to active resistance. The chart below summarizes the number of C.E.W.s used during each incident. In the 12 situations where three and four C.E.W.s were used, 10 involved an E.T.F. response and two involved a frontline supervisor and the E.T.F.

Number of C.E.W.s Used Per Incident

Number	#	%
One C.E.W.	273	88.6
Two C.E.W.s	23	7.5
Three C.E.W.s	10	3.3
Four C.E.W.s	2	0.6
Five C.E.W.s	0	0.0
Total Incident #	308	100

C.E.W. Effectiveness

Effectiveness is measured by the ability of officers to gain control of a subject while utilizing a C.E.W. in compliance with Ministry and T.P.S. standards and training. For T.P.S. officers issued with a C.E.W., its use has been shown to be 85.7% effective for 2017. Ineffectiveness has been associated with shot placement, poor conduction (e.g. the subject was wearing heavy clothing), or situations where the subject failed to respond to the demonstrated force presence of the C.E.W. C.E.W. effectiveness is outlined in the chart below. The "Not Applicable" category refers to unintentional discharges.

C.E.W. Effectiveness

Effectiveness	#	%
Effective	264	85.7
Not Effective	38	12.3
Not Applicable	6	2.0
Total	308	100

C.E.W. Effectiveness on Emotionally Disturbed Persons

In 2015, Corporate Risk Management began tracking and reporting on the effectiveness of C.E.W. use on E.D.P.s. The below chart includes the 145 incidents where the involved subjects were described as emotionally disturbed or emotionally disturbed and

under the influence of drugs and/or alcohol. It should be noted that over 57% (83) of the 145 incidents involved the use of C.E.W.s as a demonstrated force presence only.

C.E.W. Effectiveness on E.D.P.s

Effectiveness on E.D.P.s	#	%
Effective	120	82.8
Not Effective	25	17.2
Total	145	100

Other Use of Force Option Used (Prior to C.E.W. Use)

C.E.W.s are one of several force options that a police officer can employ. Officer presence and tactical communications, while not strictly considered force options, are typically used at C.E.W. incidents. Other force options used prior to C.E.W. deployment are listed in the following table and include an impact weapon, physical control and firearms used as a display of lethal force.

It is important to note that force options are not necessarily used or intended to be used incrementally or sequentially. Events that officers are trained to deal with can unfold rapidly and are often very dynamic. Officers are trained to use a variety of strategies to successfully de-escalate volatile situations; however, there is no single communication method, tool, device, or weapon that will resolve every scenario. The C.E.W. is issued to T.P.S. supervisors who are often called to the scene by primary response officers who have already made attempts to resolve a situation without success. For this reason, responding supervisors often use the C.E.W. instead of resorting to other force options, but this is the result of careful deliberation by the officers involved. The data show that C.E.W. users chose other force options first in 9.1% of encounters. This supports the fact that officers are using a cautious approach in choosing the appropriate force option to gain control of situations. The below chart indicates, what, if any, other force option was utilized by the C.E.W. equipped officer prior to their using a C.E.W.

Other Force Option Used Prior to C.E.W. Use

Other Force Option	#	%
Firearm Display	6	2.0
Firearm Display and Physical Control	1	0.3
Impact Weapon	1	0.3
Physical Control	20	6.5
None	280	90.9
Total	308	100

Injury

When deployed in drive stun mode, the C.E.W. may leave minor burn marks on the skin where the device makes contact. When the C.E.W. is fully deployed, the subject may receive minor skin punctures from the darts. As each of these injuries is anticipated

when the C.E.W. is used, they are not included under the classification of “injury” for the purposes of this report. The more notable risk is a secondary injury from a fall. Subjects will often immediately collapse to the ground upon direct deployment and since the major muscles are locked, they will not be able to break the fall. Officers are trained to consider the best location and environment when using the C.E.W. and to use caution as part of their decision-making process.

In 2017, there were two minor injuries directly related to C.E.W. use. One of these injuries consisted of a suture that was required to close a probe puncture. In the other instance, a male received a small laceration over his right eye and a sore wrist and nose from a fall after a full deployment. Both subjects received medical attention for their injuries. The chart below indicates that less than 1% of C.E.W. use results in subject injury.

	#	%
Injuries	2	0.6
No Injuries	306	99.4
Total	308	100

In the last five years, the T.P.S. has averaged 3.6 injuries per year that were directly attributed to C.E.W. use. The negligible number of injuries each year indicates that officers are taking environmental factors and probe placement into consideration prior to use.

Deaths

There were no deaths directly associated with C.E.W. use by officers of the T.P.S. in 2017.

Civil Action

There were three civil actions initiated in 2017 against the T.P.S. as a result of C.E.W. use. In the last five years, the T.P.S. has had an average of 2.6 C.E.W. related law suits initiated per year.

Training

All C.E.W. training is conducted by a Ministry-certified use of force instructor on the specific weapon used and approved by the T.P.S. For initial training, authorized T.P.S. officers received 16 hours of training which is four hours more than the provincial standard. This training includes theory, practical scenarios, and a practical and written examination. The additional four hours emphasizes judgement training, decision making and de-escalation which is conducted in accordance with the guidelines established by the Ministry. Recertification training takes place at least once every 12 months, in accordance with Ministry guidelines and *Ontario Regulation 926* of the *Police*

Services Act (P.S.A.). While there were no significant training issues in 2017, three officers were directed to attend the T.P.C. for refresher training by Armament Section staff. One instance was in relation to numerous cycles being applied to an assaultive subject while the second incident involved an unintentional discharge. The third incident involved a sergeant who is charged under the *P.S.A.* in relation to the use of the C.E.W. The results of this matter are still pending.

Conclusion:

This report summarizes the frequency and nature of C.E.W. use by the T.P.S. The five-year historical comparison of data indicates relatively stable use of C.E.W.s. This demonstrates that officers are using good judgement under difficult circumstances and they are making appropriate decisions to use only the force necessary to resolve tense and dangerous situations. The T.P.S. is confident that the C.E.W. is an effective tool that has helped avoid injuries to the public and police officers. Consequently, the T.P.S. believes that through proper policy, procedures, training, and accountability, the C.E.W. is an appropriate use of force option that can help maintain public and officer safety.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS:jt

Attach. (2)
Filename: 2017 C.E.W. annual report

Appendix A 2017 Conducted Energy Weapon Incidents

CEW USER	SUBJECT BEHAVIOUR	CEW USAGE	
F - Frontline Supervisor E - Emergency Task Force H - High Risk Unit P - E.M. & Public Order	PR - Passive Resistant AR - Active Resistant AS - Assaultive SBHD - Serious Bodily Harm / Death	DFP - Demonstrated Force Presence DSM - Drive Stun Mode FD - Full Deployment	
OTHER FORCE OPTIONS USED PRIOR TO CEW USE	SUBJECT CONDITION	SUBJECT DESCRIPTON	MISCELLANEOUS
F - Firearm B - Baton / Impact weapon PC - Physical Control CS - CS Gas OC - OC Spray AR - ARWEN	AL - Alcohol D - Drugs EDP - Emotionally Disturbed Person NA - Not Applicable	M - Male F - Female ANI - Animal G - Group	S - Single Cycle M - Multiple Cycle Y - Yes N - No NA - Not Applicable UK - Unknown

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
1	51	F	Traffic	D	N	AS	N	N	M	38	FD	M	1	Y	N	N	None	UK
2	51	F	Wanted Person	NA	N	AS	Y	Y	M	31	FD	M	1	Y	Y	N	PC	UK
3	41	E	Wanted Person	AL + D + EDP	N	AS	Y	N	M	28	FD + DSM	M	3	Y	N	N	None	UK
4	54	F	Domestic	NA	N	PR	Y	N	M	65	DFP	NA	1	Y	N	N	None	Y
5	54	F	Domestic	AL	N	AS	N	N	M	22	DFP	NA	1	Y	N	N	None	Y
6	12	F	Wanted Person	D	N	AR	Y	N	M	45	DFP	NA	1	Y	N	N	None	Y
7	41	F	Robbery	NA	N	AS	Y	Y	M	15	FD + DSM	M	1	Y	N	N	None	UK
8	23	E	Warrant	NA	N	SBH/D	Y	N	M	20	DFP	NA	1	Y	N	N	None	Y
9	23	E	Warrant	NA	N	SBH/D	Y	N	M	20	DFP	NA	2	Y	N	N	None	Y
10	55	F	Prisoner Related	AL	N	AS	N	N	M	23	FD	S	1	Y	N	N	None	UK
11	54	F	Weapons Call	EDP	N	SBH/D	Y	Y	M	28	FD	M	2	N	N	N	None	Y
12	13	F	Domestic	NA	N	SBH/D	Y	N	F	20	DFP	NA	1	Y	N	N	None	Y
13	53	F	EDP	EDP	N	SBH/D	N	N	M	18	FD + DSM	M	1	Y	N	N	None	UK
14	55	F	Weapons Call	AL	N	SBH/D	Y	Y	M	41	DFP	NA	1	Y	N	N	None	Y
15	51	F	Unknown Trouble	D + EDP	Y	SBH/D	N	N	M	46	FD	M	1	Y	Y	N	None	Y
16	54	F	Other Disturbance	EDP	N	AS	Y	Y	M	30	DFP	NA	1	Y	N	N	None	UK
17	14	F	EDP	EDP	N	AS	Y	N	F	38	DFP	NA	1	Y	N	N	None	Y
18	54	F	Unintentional	NA	NA	NA	NA	NA	NA	NA	FD	S	1	NA	NA	N	NA	NA
19	43	F	Domestic	D	N	PR	Y	Y	M	33	DFP	NA	1	Y	N	N	None	Y
20	43	F	EDP	NA	N	AS	N	N	M	51	DFP	NA	1	Y	N	N	None	Y
21	53	E	EDP	EDP	Y	AS	Y	N	M	48	FD + DSM	M	2	Y	N	N	None	Y
22	54	F	Weapons Call	NA	N	SBH/D	Y	Y	F	26	DFP	NA	1	Y	N	N	None	Y
23	11	E	Robbery	NA	N	AS	Y	N	M	32	DFP	NA	1	Y	N	N	None	Y

Appendix A 2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
24	23	E	Warrant	NA	N	SBH/D	Y	N	M	20	DFP	NA	2	Y	N	N	None	Y
25	55	F	Weapons Call	NA	Y	AS	Y	Y	M	31	FD	M	1	Y	N	N	None	Y
26	51	F	Assault	NA	N	AS	N	N	M	42	FD	M	1	Y	Y	Y	PC	UK
27	12	E	EDP	D	Y	AS	Y	Y	M	25	DFP	NA	1	Y	N	N	None	Y
28	13	E	EDP	EDP	N	AS	Y	N	M	64	DFP	NA	1	Y	N	N	None	Y
29	52	F	Domestic	AL	N	AS	N	N	M	29	FD + DSM	M	1	Y	N	N	None	UK
30	23	E	EDP	EDP	N	AS	Y	N	M	47	DFP	NA	1	Y	N	N	None	Y
31	52	E	Other Disturbance	D	NA	AS	N	N	NA	NA	DFP	NA	2	Y	N	N	None	Y
32	51	E	Warrant	NA	N	PR	Y	N	M	28	DFP	NA	1	Y	N	N	None	Y
33	53	F	Prisoner Related	NA	N	SBH/D	Y	Y	M	19	DFP	NA	1	Y	N	N	None	Y
34	51	F	Drug Related	NA	N	PR	N	N	M	51	DFP	NA	1	Y	N	N	None	Y
35	43	F	Other Disturbance	NA	N	SBH/D	Y	N	M	32	DFP	NA	1	Y	N	N	None	Y
36	54	F	Weapons Call	EDP	Y	SBH/D	Y	Y	M	31	DFP	NA	1	Y	N	N	None	Y
37	33	E	Weapons Call	EDP	N	SBH/D	Y	Y	M	25	FD + DSM	M	3	Y	N	N	FA	Y
38	54	E	EDP	EDP	Y	AR	Y	Y	M	27	DFP	NA	2	Y	N	N	None	Y
39	12	F	B & E	D + EDP	N	AS	Y	Y	M	30	DFP	NA	1	Y	N	N	None	Y
40	43	F	Weapons Call	AL	N	SBH/D	Y	Y	M	41	DFP	NA	1	Y	N	N	None	Y
41	41	E	Wanted Person	EDP	N	AS	Y	N	M	42	DFP	NA	1	Y	N	N	None	Y
42	York Region	H	Wanted Person	NA	N	PR	Y	N	M	27	DFP	NA	1	Y	N	N	None	Y
43	York Region	H	Wanted Person	NA	N	PR	N	N	M	29	DFP	NA	1	Y	N	N	None	Y
44	11	F	Prisoner Related	AL	N	AS	N	N	M	29	DSM	M	1	Y	N	N	None	UK
45	33	F	EDP	EDP	Y	AS	N	N	M	33	DFP	NA	1	Y	N	N	None	Y
46	51	F	Prisoner Related	D + EDP	N	AS	N	N	M	36	DSM	M	1	Y	N	N	None	UK
47	43	F	Domestic	NA	N	SBH/D	Y	Y	M	49	DFP	NA	1	N	N	N	None	UK
48	43	F	Other Disturbance	NA	N	SBH/D	Y	N	M	32	DFP	NA	1	Y	N	N	None	Y
49	41	E	Warrant	NA	N	SBH/D	Y	N	M	30	DFP	NA	1	Y	N	N	None	Y
50	32	F	EDP	D + EDP	Y	AS	Y	N	M	23	FD + DSM	M	1	N	N	N	None	UK
51	33	F	EDP	D + EDP	Y	AS	N	N	M	22	DSM	M	1	Y	N	N	None	Y
52	23	E	Robbery	NA	N	AS	Y	Y	M	29	DFP	NA	1	Y	N	N	None	Y
53	12	F	Unknown Trouble	AL	N	AS	N	N	M	28	DFP	NA	1	Y	N	N	None	Y
54	53	F	EDP	D + EDP	Y	AR	Y	N	M	40	DFP	NA	1	Y	N	N	None	Y
55	11	F	Unknown Trouble	D	N	SBH/D	Y	Y	M	32	DFP	NA	1	Y	N	N	None	Y
56	14	F	EDP	EDP	N	SBH/D	Y	Y	M	42	DFP	NA	1	N	N	N	None	UK
57	43	F	Other Disturbance	AL	N	SBH/D	N	N	M	36	DFP	NA	1	Y	N	N	None	Y
58	41	F	EDP	AL + D + EDP	Y	AS	N	N	M	25	FD	S	1	N	Y	N	None	UK
59	55	F	Wanted Person	NA	N	PR	Y	Y	M	16	DFP	NA	1	Y	N	N	None	Y

Appendix A 2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
60	42	F	Traffic	NA	N	AR	N	N	M	26	DFP	NA	1	Y	N	N	None	Y
61	14	E	EDP	EDP	Y	SBH/D	Y	Y	M	51	DFP	NA	2	Y	N	N	None	Y
62	12	E	Wanted Person	NA	N	PR	Y	N	M	50	DFP	NA	1	Y	N	N	None	Y
63	41	F	EDP	EDP	Y	AS	Y	N	M	29	FD	M	1	Y	N	N	None	Y
64	31	H	Drug Related	NA	N	PR	Y	N	M	53	DFP	NA	1	Y	N	N	None	Y
65	55	F	Weapons Call	D	N	AS	Y	Y	M	46	DFP	NA	1	Y	N	N	None	Y
66	32	H	Drug Related	D	N	AS	N	N	M	50	FD	S	1	Y	N	N	None	UK
67	42	F	Weapons Call	NA	N	PR	Y	Y	M	30	DFP	NA	1	Y	N	N	None	Y
68	12	F	EDP	EDP	N	SBH/D	Y	N	M	20	FD	S	1	N	N	N	None	Y
69	22	F	EDP	EDP	Y	AS	N	N	M	25	DFP	NA	1	Y	N	N	None	Y
70	51	F	Other Disturbance	AL	N	SBH/D	N	N	M	20	DSM	S	1	Y	Y	N	None	UK
71	31	F	Weapons Call	NA	N	AR	Y	Y	M	35	DFP	NA	1	Y	N	N	None	UK
72	13	F	Assault	AL	N	AS	N	N	M	37	DFP	NA	1	Y	N	N	None	Y
73	54	F	EDP	EDP	Y	AS	Y	Y	M	18	DFP	NA	1	Y	N	N	None	Y
74	Durham	E	Warrant	NA	N	AS	Y	N	M	54	DSM	M	1	Y	N	N	None	Y
75	14	F	Theft	NA	N	AS	N	N	F	46	DFP	NA	1	Y	N	N	None	Y
76	12	F	Assault	AL	N	AS	N	N	M	34	DFP	NA	1	Y	N	N	None	Y
77	41	F	Weapons Call	EDP	N	AR	Y	N	M	62	DFP	NA	1	Y	N	N	None	Y
78	13	E	Prisoner Related	NA	N	SBH/D	N	N	M	50	DFP	NA	2	Y	N	N	None	Y
79	52	F	Other Disturbance	D	N	AS	N	N	M	21	FD + DSM	M	1	Y	N	N	None	UK
80	22	F	Weapons Call	NA	N	AR	Y	N	M	39	DFP	NA	1	Y	N	N	None	Y
81	53	F	EDP	EDP	Y	SBH/D	Y	Y	M	65	FD	S	1	Y	N	N	None	UK
82	43	F	Wanted Person	D	N	AS	Y	N	M	33	DSM	M	1	Y	N	N	None	UK
83	13	F	B & E	D + EDP	N	AS	Y	N	M	35	DFP	NA	1	Y	N	N	None	Y
84	43	F	Domestic	NA	N	AR	Y	N	M	19	DFP	NA	1	N	N	N	None	Y
85	43	F	Weapons Call	AL + EDP	N	AS	Y	Y	M	64	FD	S	1	Y	Y	N	None	UK
86	43	F	Robbery	NA	N	AS	Y	N	M	54	DFP	NA	1	Y	N	N	None	Y
87	53	F	Unintentional	NA	NA	NA	NA	NA	NA	NA	FD	S	1	NA	NA	N	NA	NA
88	23	F	Weapons Call	NA	N	AS	Y	Y	M	21	DFP	NA	1	Y	N	N	None	Y
89	12	F	Drug Related	NA	N	AR	Y	N	M	18	DFP	NA	1	Y	N	N	None	Y
90	43	F	Weapons Call	AL + D	N	AS	Y	N	M	35	FD + DSM	M	1	Y	N	N	None	UK
91	31	E	EDP	EDP	N	AR	Y	N	M	24	DFP	NA	1	Y	N	N	None	Y
92	11	F	Other Disturbance	D + EDP	Y	PR	Y	N	M	35	DFP	NA	1	Y	N	N	None	Y
93	32	F	EDP	EDP	Y	SBH/D	Y	Y	F	61	FD	S	1	N	N	N	None	UK
94	32	E	EDP	EDP	Y	SBH/D	Y	Y	F	61	FD	S	4	Y	Y	N	None	UK
95	41	E	Warrant	NA	N	SBH/D	Y	Y	M	45	FD + DSM	M	1	Y	N	N	None	UK

Appendix A
2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
96	41	H	Wanted Person	NA	N	AS	N	N	M	35	FD	S	1	N	N	N	PC	UK
97	14	F	EDP	EDP	Y	AR	Y	Y	M	70	DFP	NA	1	Y	N	N	None	Y
98	12	F	Prisoner Related	D	N	AS	N	N	M	33	DFP	NA	1	Y	N	N	None	Y
99	14	F	EDP	EDP	Y	SBH/D	Y	Y	F	28	DFP	NA	1	Y	N	N	None	Y
100	51	F	Other Disturbance	EDP	N	AS	Y	N	M	27	DFP	NA	1	Y	N	N	None	Y
101	54	F	Weapons Call	NA	N	SBH/D	Y	N	M	23	DFP	NA	1	N	N	N	None	Y
102	23	E	EDP	AL + EDP	Y	SBH/D	Y	N	M	49	DFP	NA	1	Y	N	N	None	Y
103	41	F	Weapons Call	NA	N	SBH/D	Y	N	F	49	DFP	NA	1	Y	N	N	None	Y
104	42	E	EDP	EDP	Y	SBH/D	Y	Y	F	38	FD	M	2	N	N	N	None	Y
105	51	F	Prisoner Related	EDP	N	AS	N	N	M	20	DFP	NA	1	Y	N	N	None	Y
106	14	F	Theft	D	N	AS	N	Y	M	24	DFP	NA	1	Y	N	N	PC	Y
107	54	E	Warrant	NA	N	SBH/D	Y	Y	M	39	FD + DSM	M	1	Y	N	N	None	UK
108	14	F	EDP	EDP	Y	AR	N	N	M	54	DFP	NA	1	N	N	N	None	Y
109	22	E	Warrant	EDP	Y	AS	Y	Y	M	30	FD + DSM	M	1	N	N	N	None	UK
110	42	E	Domestic	EDP	N	SBH/D	Y	N	M	35	DFP	NA	1	N	N	N	None	Y
111	14	F	Weapons Call	AL + EDP	N	SBH/D	Y	Y	M	67	DSM	S	1	Y	N	N	FA	UK
112	54	F	EDP	NA	N	AS	N	N	M	22	DFP	NA	1	Y	N	N	None	Y
113	42	F	Other Disturbance	D + EDP	Y	AS	N	N	M	25	FD + DSM	M	1	N	N	N	None	UK
114	53	E	EDP	AL + EDP	Y	SBH/D	Y	Y	M	46	FD	S	2	Y	N	N	None	UK
115	41	F	EDP	EDP	N	AS	Y	Y	M	28	DFP	NA	2	Y	N	N	None	Y
116	55	E	EDP	EDP	N	SBH/D	Y	Y	M	17	FD + DSM	M	1	N	N	N	None	UK
117	11	E	EDP	EDP	Y	SBH/D	Y	N	F	39	FD	S	2	Y	N	N	None	UK
118	11	F	Domestic	NA	N	AR	N	N	M	39	DFP	NA	1	Y	N	N	None	UK
119	33	F	EDP	EDP	Y	PR	N	N	M	30	DFP	NA	1	Y	N	N	None	Y
120	33	F	Weapons Call	EDP	N	SBH/D	Y	Y	F	33	DFP	NA	1	N	N	N	None	Y
121	52	F	Prisoner Related	EDP	N	AS	Y	Y	F	29	FD	M	1	Y	Y	N	None	UK
122	13	F	Domestic	EDP	N	AS	N	N	M	30	DFP	NA	1	Y	N	N	None	Y
123	13	F	Robbery	NA	N	AR	Y	Y	M	17	DFP	NA	1	Y	N	N	None	Y
124	52	E	Prisoner Related	EDP	N	AS	N	N	F	40	DFP	NA	1	N	N	N	None	Y
125	14	E	Weapons Call	NA	N	AS	Y	N	M	32	DFP	NA	1	Y	N	N	None	Y
126	32	E	Theft	D	N	AS	N	N	M	24	FD + DSM	M	1	Y	N	N	FA	UK
127	13	F	EDP	EDP	Y	AS	Y	N	M	43	DFP	NA	1	N	N	N	None	Y
128	43	F	EDP	EDP	Y	AS	Y	N	M	22	FD	S	1	Y	N	N	None	UK
129	32	H	Drug Related	NA	N	SBH/D	Y	Y	M	27	FD + DSM	M	1	Y	N	N	PC	UK
130	42	F	EDP	AL + EDP	Y	AS	Y	Y	M	42	DFP	NA	1	Y	N	N	None	Y
131	11	F	Weapons Call	EDP	N	SBH/D	Y	Y	M	53	FD	S	1	Y	N	N	None	UK

Appendix A 2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWS USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
132	51	F	Weapons Call	EDP	N	SBH/D	Y	Y	M	50	DFP	NA	1	Y	N	N	None	Y
133	11	F	Weapons Call	NA	N	AS	Y	Y	M	64	DFP	NA	1	Y	N	N	None	Y
134	43	F	Prisoner Related	AL + D + EDP	N	AS	N	N	M	44	DFP	NA	1	Y	N	N	None	Y
135	43	F	Prisoner Related	AL + D + EDP	N	PR	N	N	M	46	DFP	NA	1	Y	N	N	None	Y
136	55	F	EDP	EDP	Y	SBH/D	Y	Y	M	56	FD + DSM	M	1	Y	Y	N	None	UK
137	33	F	Unknown Trouble	D	N	AS	Y	Y	M	58	DFP	NA	1	N	N	N	None	Y
138	41	F	Unintentional	NA	NA	NA	NA	NA	NA	NA	FD	S	1	NA	NA	N	NA	NA
139	22	F	Unknown Trouble	D	N	AS	N	N	M	27	FD	S	1	Y	Y	N	None	UK
140	31	F	EDP	EDP	Y	AS	Y	Y	M	74	FD	S	1	Y	N	N	None	UK
141	52	F	Weapons Call	NA	N	AR	Y	N	M	34	DFP	NA	1	Y	N	N	None	Y
142	54	F	EDP	EDP	N	AS	Y	N	M	44	DFP	NA	1	Y	N	N	None	Y
143	53	F	EDP	EDP	N	SBH/D	Y	Y	M	43	DFP	NA	1	Y	N	N	None	Y
144	43	F	EDP	EDP	Y	AR	N	N	M	37	DFP	NA	1	Y	N	N	None	Y
145	12	E	EDP	AL + EDP	Y	SBH/D	Y	Y	M	52	FD	M	2	Y	N	N	None	UK
146	14	F	Assault	AL + D	N	AS	N	N	M	33	DFP	NA	1	N	N	N	None	UK
147	43	F	Weapons Call	AL	N	AS	Y	N	M	20	FD	M	1	Y	N	N	None	Y
148	51	E	Prisoner Related	NA	N	AS	N	N	M	27	DFP	NA	1	Y	N	N	None	Y
149	55	F	Assault	AL	N	AS	N	N	M	48	FD	M	1	Y	Y	N	None	UK
150	52	E	Prisoner Related	NA	N	AR	Y	N	M	27	DFP	NA	1	N	N	N	None	UK
151	52	F	Weapons Call	NA	N	SBH/D	Y	N	M	32	DFP	NA	1	Y	N	N	None	UK
152	52	F	Other Disturbance	EDP	N	AS	Y	N	M	31	DFP	NA	1	Y	N	N	None	Y
153	32	F	EDP	EDP	N	AS	N	N	M	36	FD	M	1	Y	Y	N	None	UK
154	32	E	Weapons Call	AL	N	SBH/D	Y	Y	M	30	DFP	NA	2	Y	N	N	None	Y
155	22	F	Domestic	AL + D + EDP	N	AS	Y	N	M	50	DFP	NA	1	Y	N	N	None	Y
156	11	F	EDP	EDP	Y	AS	N	N	M	30	FD + DSM	M	1	Y	N	N	None	UK
157	54	F	Domestic	NA	N	AS	Y	N	M	29	DFP	NA	1	Y	N	N	None	UK
158	54	F	Weapons Call	AL	N	SBH/D	Y	N	M	40	DFP	NA	1	Y	N	N	None	Y
159	54	F	EDP	EDP	Y	AS	N	N	M	42	DFP	NA	1	Y	N	N	None	Y
160	52	F	Other Disturbance	AL + EDP	N	AS	N	N	M	22	FD	M	1	Y	Y	N	None	UK
161	51	F	Other Disturbance	AL	N	AR	Y	N	M	25	DFP	NA	1	Y	N	N	None	Y
162	31	E	Robbery	NA	N	AS	Y	N	M	38	FD	M	2	Y	N	N	PC	UK
163	33	F	Domestic	NA	N	AR	Y	N	M	30	DFP	NA	1	Y	N	N	None	Y
164	52	E	EDP	D + EDP	Y	SBH/D	Y	N	M	30	FD + DSM	M	3	Y	N	N	None	Y
165	52	P	Prisoner Related	EDP	N	SBH/D	Y	Y	M	33	DFP	NA	1	Y	N	N	None	UK

APPENDIX A
2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
166	52	F	Unintentional	NA	NA	NA	NA	NA	NA	NA	FD	S	1	NA	NA	N	NA	NA
167	52	F	Robbery	NA	N	SBH/D	Y	N	M	27	FD	M	1	Y	N	N	None	UK
168	51	E	Warrant	D	N	SBH/D	Y	Y	M	53	FD	M	3	Y	N	N	None	UK
169	51	H	Drug Related	NA	N	AS	Y	N	M	59	DSM	M	1	Y	N	N	None	UK
170	23	F	Warrant	NA	N	AR	Y	N	M	30	DFP	NA	1	Y	N	N	PC	UK
171	41	F	Weapons Call	D + EDP	Y	AS	Y	Y	M	56	FD	M	1	Y	Y	N	None	Y
172	32	F	Weapons Call	AL	N	SBH/D	Y	N	M	42	DFP	NA	1	Y	N	N	None	Y
173	14	F	B & E	NA	NA	PR	Y	N	NA	NA	DFP	NA	1	Y	N	N	None	Y
174	42	E	Weapons Call	NA	N	SBH/D	Y	N	M	19	FD	M	1	Y	N	N	None	UK
175	42	F	Other Disturbance	NA	N	AS	N	N	M	18	FD + DSM	M	1	Y	Y	N	None	UK
176	14	F	EDP	EDP	N	AS	N	N	M	21	DFP	NA	1	Y	N	N	None	Y
177	52	E	EDP	EDP	Y	SBH/D	Y	Y	F	20	FD	M	2	N	N	N	None	Y
178	31	F	Weapons Call	AL	N	PR	Y	N	M	36	DFP	NA	1	Y	N	N	None	Y
179	43	F	Weapons Call	NA	N	AS	Y	N	M	27	DFP	NA	1	Y	N	N	None	Y
180	43	F	Weapons Call	AL + EDP	Y	AS	Y	N	M	58	DFP	NA	1	Y	N	N	None	Y
181	52	F	EDP	D + EDP	Y	AS	Y	Y	M	26	FD	M	1	Y	N	N	None	UK
182	53	F	Weapons Call	AL	N	AR	Y	N	M	41	DFP	NA	1	Y	N	N	None	Y
183	52	F	Weapons Call	NA	N	SBH/D	Y	Y	M	25	FD	S	1	Y	N	N	None	UK
184	14	F	EDP	AL + EDP	Y	SBH/D	Y	N	M	67	DFP	NA	1	Y	N	N	None	Y
185	52	E	Prisoner Related	EDP	N	PR	N	N	M	45	DFP	NA	1	Y	N	N	None	Y
186	51	E	EDP	EDP	Y	AS	Y	N	M	51	DFP	NA	1	Y	N	N	None	Y
187	52	F	EDP	AL + EDP	N	AS	N	N	M	25	DFP	NA	1	Y	N	N	None	Y
188	51	E	Prisoner Related	D + EDP	N	PR	N	N	M	40	DFP	NA	1	Y	N	N	None	Y
189	51	F	Prisoner Related	D + EDP	N	AS	N	N	M	32	DFP	NA	1	N	N	N	PC	Y
190	12	F	EDP	EDP	Y	AR	N	N	M	37	DFP	NA	1	Y	N	N	None	Y
191	42	E	Weapons Call	NA	N	SBH/D	Y	Y	M	39	DFP	NA	1	Y	N	N	None	Y
192	52	F	Weapons Call	NA	N	AS	Y	Y	M	25	DFP	NA	1	Y	N	N	None	Y
193	14	F	Other Disturbance	AL	N	SBH/D	Y	N	M	28	FD + DSM	M	1	Y	N	N	None	UK
194	42	E	Warrant	NA	N	SBH/D	Y	N	M	27	DFP	NA	1	Y	N	N	None	Y
195	14	F	Assault	AL	N	AS	N	N	M	25	DFP	NA	1	Y	N	N	None	Y
196	14	F	EDP	AL + EDP	Y	AS	Y	N	M	32	DFP	NA	1	Y	N	N	None	Y
197	55	E	Prisoner Related	AL	N	AS	N	N	M	36	DFP	NA	1	Y	N	N	None	Y
198	13	F	Wanted Person	EDP	N	SBH/D	Y	N	M	45	FD	S	1	Y	N	N	None	UK
199	54	F	EDP	EDP	Y	SBH/D	Y	N	M	32	DFP	NA	1	Y	N	N	None	Y
200	11	F	Assault	AL	N	AS	Y	N	M	39	DFP	NA	1	Y	N	N	None	Y
201	43	F	Weapons Call	NA	N	SBH/D	Y	N	M	25	DFP	NA	1	Y	N	N	None	Y

Appendix A
2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
202	43	E	Warrant	NA	N	SBH/D	Y	N	M	23	FD	S	1	Y	N	N	None	Y
203	12	F	Other Disturbance	D + EDP	Y	AS	N	N	M	34	DSM	M	1	Y	N	N	None	UK
204	31	F	EDP	EDP	Y	SBH/D	Y	Y	M	40	FD	M	2	Y	N	N	FA	UK
205	32	F	Weapons Call	D + EDP	N	AS	Y	Y	M	24	FD + DSM	M	1	Y	N	N	PC	UK
206	51	E	EDP	EDP	Y	AS	Y	N	M	51	FD	M	1	Y	N	N	None	Y
207	41	F	Unintentional	NA	NA	NA	NA	NA	NA	NA	FD	S	1	NA	NA	N	NA	NA
208	54	F	EDP	AL	N	AS	N	N	M	40	DFP	NA	1	N	N	N	None	y
209	23	F	Other Disturbance	NA	N	PR	Y	N	M	28	DFP	NA	1	Y	N	N	None	Y
210	32	E	Weapons Call	D	N	SBH/D	Y	Y	M	24	FD	M	3	N	N	N	None	UK
211	41	F	B & E	D	N	AR	N	N	M	31	DFP	NA	1	N	N	N	None	Y
212	11	F	EDP	EDP	Y	AS	N	N	M	37	DFP	NA	1	N	N	N	PC	Y
213	23	E	Warrant	NA	N	SBH/D	Y	N	M	47	FD	S	1	Y	N	N	None	UK
214	32	F	Other Disturbance	AL	N	AS	N	N	M	22	FD + DSM	M	1	Y	N	N	PC	Y
215	23	F	B & E	NA	NA	SBH/D	Y	Y	NA	NA	DFP	NA	1	Y	N	N	None	Y
216	52	F	B & E	NA	N	AR	Y	N	M	27	DFP	NA	1	Y	N	N	None	Y
217	53	F	Weapons Call	EDP	Y	AR	Y	Y	M	34	DFP	NA	1	Y	N	N	None	Y
218	33	F	Assault	AL + D	N	SBH/D	Y	Y	M	34	FD	M	1	Y	Y	N	None	UK
219	31	F	Wanted Person	NA	N	AR	Y	N	M	23	DFP	NA	1	Y	N	N	None	UK
220	55	F	Unknown Trouble	EDP	Y	SBH/D	Y	Y	M	47	DFP	NA	1	N	N	N	None	Y
221	41	F	Prisoner Related	EDP	N	AS	N	N	M	24	FD	M	1	N	N	N	None	UK
222	41	F	Domestic	D + EDP	N	AR	N	N	M	25	DFP	NA	1	Y	N	N	None	Y
223	54	E	Weapons Call	NA	N	SBH/D	Y	N	M	21	FD	S	2	Y	N	N	None	UK
224	53	F	Weapons Call	NA	N	AS	Y	Y	M	57	DFP	NA	1	Y	N	N	None	Y
225	22	H	Drug Related	NA	N	AS	Y	N	M	21	DSM	S	1	Y	N	N	None	UK
226	33	F	EDP	D + EDP	Y	AS	Y	Y	M	23	DFP	NA	1	N	N	N	None	Y
227	43	F	Theft	NA	N	AS	N	N	M	16	FD	S	1	Y	N	N	None	UK
228	42	F	EDP	EDP	Y	AS	Y	N	M	34	FD	M	1	Y	Y	N	None	Y
229	55	F	Domestic	NA	N	AR	N	N	M	25	DFP	NA	1	Y	N	N	None	y
230	52	H	Drug Related	NA	N	AS	N	N	M	43	FD	S	1	Y	N	N	None	UK
231	23	F	Weapons Call	D + EDP	Y	AS	Y	Y	M	34	DFP	NA	1	Y	N	N	None	Y
232	23	E	Warrant	NA	N	AS	Y	N	M	21	DFP	NA	1	Y	N	N	None	Y
233	55	F	Weapons Call	EDP	Y	SBH/D	Y	Y	F	25	FD + DSM	M	1	Y	Y	N	None	UK
234	43	F	Prisoner Related	EDP	N	AS	Y	N	M	30	DFP	NA	1	Y	N	N	None	Y
235	23	F	Weapons Call	AL + EDP	N	AR	Y	N	M	24	DFP	NA	1	Y	N	N	None	Y
236	11	F	Robbery	EDP	N	AS	N	N	M	42	DFP	NA	1	N	N	N	None	Y

Appendix A
2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
237	33	H	Homicide	NA	N	PR	Y	N	M	23	DFP	NA	1	Y	N	N	FA	Y
238	52	F	Drug Related	AL + D	N	AS	N	N	M	47	FD + DSM	M	1	Y	N	N	None	Y
239	23	F	EDP	AL + D + EDP	Y	AS	N	N	M	22	DFP	NA	1	Y	N	N	PC	Y
240	55	E	EDP	AL + D	Y	AS	Y	Y	M	55	FD	M	2	Y	N	N	None	Y
241	42	F	Drug Related	AL + D	N	AS	Y	N	M	42	FD	M	1	Y	Y	N	None	UK
242	22	F	Unintentional	NA	NA	NA	NA	NA	NA	NA	FD	S	1	NA	NA	Y	NA	NA
243	13	F	Wanted Person	EDP	N	SBH/D	Y	Y	F	36	FD	S	1	Y	N	N	None	Y
244	22	F	Traffic	AL + D	N	SBH/D	N	N	M	35	FD	M	1	N	N	N	None	UK
245	43	F	Weapons Call	NA	N	SBH/D	Y	N	M	22	FD	S	1	Y	N	N	None	UK
246	43	F	Traffic	NA	N	AS	N	N	M	34	FD	M	1	Y	N	N	None	UK
247	41	E	Warrant	NA	N	SBH/D	N	Y	M	29	FD + DSM	M	1	Y	N	N	None	UK
248	51	F	Other Disturbance	NA	N	AS	N	N	F	27	DFP	NA	1	Y	N	N	PC	Y
249	41	E	Warrant	NA	Y	AS	Y	N	M	22	DFP	NA	1	Y	N	N	None	Y
250	54	F	Domestic	NA	N	AS	Y	Y	M	31	DFP	NA	1	Y	N	N	None	Y
251	54	F	Weapons Call	AL + EDP	Y	SBH/D	Y	Y	M	54	DFP	NA	1	Y	N	N	None	Y
252	41	E	EDP	AL + EDP	Y	AS	Y	Y	M	52	FD	M	1	N	N	N	None	Y
253	23	E	EDP	EDP	Y	SBH/D	Y	Y	M	16	DFP	NA	1	Y	N	N	None	Y
254	52	F	Other Disturbance	D + EDP	N	AS	N	N	M	30	DSM	S	1	Y	N	N	None	UK
255	32	E	EDP	EDP	N	AS	N	N	M	51	FD	M	1	Y	N	N	None	UK
256	51	F	EDP	EDP	Y	PR	Y	Y	M	36	DFP	NA	1	N	N	N	None	Y
257	55	E	Warrant	NA	N	AS	Y	N	M	20	FD	M	1	Y	N	N	None	UK
258	31	H	Drug Related	NA	N	AS	N	N	M	18	FD	M	1	Y	Y	N	IW	UK
259	14	F	Other Disturbance	AL	N	AS	N	N	M	37	DSM	M	1	N	N	N	PC	UK
260	51	F	Domestic	EDP	Y	PR	Y	Y	F	40	DFP	NA	1	Y	N	N	None	Y
261	11	E	EDP	EDP	Y	SBH/D	Y	Y	M	39	FD + DSM	M	4	Y	N	N	None	Y
262	11	F	Assault	NA	N	AS	N	N	M	27	FD	M	1	Y	Y	N	PC	UK
263	43	F	Domestic	EDP	N	AS	N	N	M	29	DFP	NA	1	Y	N	N	None	Y
264	55	F	Weapons Call	D + EDP	Y	SBH/D	Y	Y	M	36	FD	S	1	Y	N	N	None	Y
265	51	E	EDP	EDP	N	SBH/D	N	Y	M	21	FD + DSM	M	2	Y	N	N	None	UK
266	12	F	EDP	EDP	Y	AS	N	N	M	28	FD + DSM	M	1	Y	Y	N	PC	Y
267	52	F	Assault	D	N	AS	N	N	M	22	FD	M	1	Y	Y	N	None	UK
268	14	F	EDP	EDP	Y	SBH/D	Y	Y	F	47	DFP	NA	1	Y	N	N	None	Y
269	51	F	Other Disturbance	EDP	N	AS	N	N	M	27	DFP	NA	1	Y	N	N	None	Y
270	42	F	Weapons Call	EDP	Y	AS	Y	Y	M	33	DFP	NA	1	Y	N	N	None	Y
271	55	F	EDP	D + EDP	Y	AS	N	N	F	20	FD + DSM	S	1	Y	Y	N	None	Y
272	32	E	Warrant	NA	N	PR	Y	N	M	22	DFP	NA	1	Y	N	N	None	Y

Appendix A 2017 Conducted Energy Weapon Incidents

CEW INCIDENT	DIVISION OF INCIDENT	CEW USERS	INCIDENT DESCRIPTION	SUBJECT CONDITION	MHA APPREHENSION	SUBJECT BEHAVIOUR	SUBJECT BELIEVED ARMED	SUBJECT CONFIRMED ARMED	SUBJECT DESCRIPTION	AGE	USAGE	CYCLES (single/multiple)	NUMBER OF CEWs USED	CEW EFFECTIVE	INJURIES PER 105	TRAINING ISSUE	OTHER FORCE OPTIONS USED PRIOR TO CEW	DE-ESCALATION TECHNIQUES
273	14	F	EDP	EDP	Y	SBH/D	N	N	M	28	DFP	NA	1	Y	N	N	None	Y
274	51	E	Domestic	D	N	SBH/D	Y	Y	M	28	FD	M	2	Y	N	N	None	UK
275	14	F	Weapons Call	NA	N	PR	Y	N	M	37	DFP	NA	1	Y	N	N	None	Y
276	43	E	Warrant	AL	N	AS	Y	N	M	31	FD + DSM	S	3	Y	Y	N	None	UK
277	54	E	Warrant	NA	N	AS	N	N	F	21	FD	S	1	Y	N	N	None	UK
278	54	E	Warrant	NA	N	AR	N	N	M	20	DFP	NA	2	Y	N	N	None	Y
279	22	F	Other Disturbance	D + EDP	N	SBH/D	Y	Y	M	32	DFP	NA	1	Y	N	N	None	Y
280	52	E	Weapons Call	NA	N	AR	Y	N	M	33	DFP	NA	1	Y	N	N	FA + PC	Y
281	54	F	B & E	AL	N	SBH/D	Y	N	M	22	DFP	NA	1	Y	N	N	None	Y
282	22	E	Wanted Person	EDP	N	PR	Y	N	F	21	DFP	NA	1	Y	N	N	None	Y
283	23	E	EDP	EDP	Y	SBH/D	Y	Y	M	43	FD	M	3	Y	N	N	None	Y
284	43	E	Homicide	NA	Y	SBH/D	N	N	M	21	DFP	NA	1	Y	N	N	None	Y
285	23	E	Warrant	NA	N	PR	Y	N	M	24	DFP	NA	1	Y	N	N	None	Y
286	43	F	EDP	EDP	Y	AS	N	N	M	50	DSM	M	1	Y	N	N	None	UK
287	33	F	Traffic	AL	N	AR	N	N	M	51	DFP	NA	1	Y	N	N	PC	Y
288	43	E	Warrant	NA	N	SBH/D	Y	N	M	19	DFP	NA	1	Y	N	N	FA	Y
289	33	F	EDP	EDP	Y	AS	Y	N	M	28	DFP	NA	1	Y	N	N	None	Y
290	54	E	EDP	EDP	Y	SBH/D	N	Y	M	41	FD	M	3	Y	N	N	None	Y
291	51	E	EDP	AL + EDP	Y	AS	Y	N	M	47	FD	M	3	Y	N	N	None	UK
292	33	F	EDP	AL + D + EDP	N	AS	Y	N	M	43	DFP	NA	1	Y	N	N	None	Y
293	51	F	Weapons Call	EDP	N	SBH/D	Y	Y	M	20	DFP	NA	1	Y	N	N	None	Y
294	22	F	Weapons Call	EDP	N	SBH/D	Y	Y	F	34	FD	M	1	Y	Y	N	None	UK
295	43	E	Weapons Call	EDP	N	SBH/D	Y	Y	M	31	DFP	NA	3	Y	N	N	None	Y
296	41	E	Weapons Call	NA	N	SBH/D	Y	Y	M	27	FD + DSM	M	1	N	N	N	None	UK
297	33	E	Domestic	EDP	N	SBH/D	Y	Y	F	35	FD	M	2	N	N	N	None	UK
298	33	F	EDP	AL + D + EDP	Y	AS	N	N	M	27	DFP	NA	1	Y	N	N	None	Y
299	23	F	Drug Related	NA	N	AS	N	N	M	27	FD	S	1	Y	N	N	PC	UK
300	52	F	EDP	EDP	Y	AS	Y	N	M	28	DFP	NA	1	Y	N	N	None	Y
301	33	F	EDP	EDP	N	SBH/D	Y	Y	M	37	DFP	NA	1	Y	N	N	None	Y
302	23	F	Domestic	NA	N	AS	N	N	M	44	DFP	NA	1	Y	N	N	None	Y
303	11	F	Unknown Trouble	NA	N	AS	N	N	M	34	DFP	NA	1	Y	N	N	None	Y
304	22	F	Traffic	EDP	N	AR	N	N	M	23	DFP	NA	1	Y	N	N	PC	Y
305	31	E	EDP	EDP	Y	SBH/D	Y	N	M	39	DFP	NA	1	Y	N	N	None	Y
306	22	E	Prisoner Related	EDP	N	AS	N	N	M	23	FD + DSM	M	1	Y	Y	N	PC	UK
307	52	F	Other Disturbance	AL + D + EDP	Y	AS	N	N	F	22	FD + DSM	M	1	Y	Y	N	None	UK
308	51	F	Prisoner Related	EDP	N	AS	N	N	M	25	FD + DSM	M	1	Y	Y	Y	None	Y

**Appendix “B”
2013 to 2017 C.E.W. Trends**

The following is a comparison between similar categories of C.E.W. incidents from 2013 to 2017.

C.E.W. Incidents by Division

Division	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
11	11	5.7	9	4.4	16	6.0	16	5.5	15	4.9
12	7	3.6	19	9.3	14	5.3	25	8.6	13	4.2
13	15	7.8	10	4.9	10	3.8	9	3.1	10	3.2
14	8	4.2	21	10.2	21	7.9	30	10.3	21	6.8
22	10	5.2	6	2.9	9	3.4	10	3.4	13	4.2
23	11	5.7	17	8.3	12	4.5	12	4.1	20	6.5
31	12	6.3	12	5.9	17	6.4	13	4.5	10	3.2
32	10	5.2	10	4.9	7	2.6	5	1.7	14	4.5
33	12	6.3	12	5.9	12	4.5	10	3.4	16	5.2
41	12	6.3	13	6.3	17	6.4	18	6.2	21	6.8
42	12	6.3	11	5.4	17	6.4	14	4.8	13	4.2
43	7	3.6	13	6.3	16	6.0	15	5.1	31	10.1
51	19	9.9	14	6.8	27	10.2	40	13.7	28	9.1
52	15	7.8	11	5.4	31	11.7	28	9.6	28	9.1
53	5	2.6	0	0	5	1.9	13	4.5	11	3.6
54	14	7.3	11	5.4	18	6.8	24	8.2	25	8.1
55	8	4.2	16	7.8	15	5.7	9	3.1	16	5.2
Barrie	N/A	N/A	N/A	N/A	N/A	N/A	1	0.3	N/A	N/A
Durham	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	0.3
Hamilton	N/A	N/A	N/A	N/A	1	0.4	N/A	N/A	N/A	N/A
Kitchener	2	1.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Peel	1	0.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Waterloo	1	0.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
York	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	0.7
Total	192	100	205	100	265	100	292	100	308	100

The divisions and municipalities where C.E.W. incidents have occurred over the past five years do not yield any notable patterns.

C.E.W. Users

User	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
Front Line Supervisor	163	80.7	162	71.4	207	68.3	237	73.2	221	61.9
Emergency Task Force	37	18.3	62	27.3	88	29.0	85	26.2	124	34.7
High-Risk Units	2	1.0	3	1.3	8	2.7	2	0.6	11	3.1
Emergency Management and Public Order	0	0.0	0	0.0	0	0.0	0	0.0	1	0.3
Total # of C.E.W. Users	202	100	227	100	303	100	324	100	357	100

During each of the past five years, frontline supervisors (F.L.S.) have accounted for approximately 61 to 81% of C.E.W. use followed by E.T.F. officers at approximately 18 to 35%. This is anticipated since F.L.S.s attend most scenes prior to the E.T.F. After consultation with constables and after assessing a situation, F.L.S.s would only request the E.T.F. if required. High-risk units include supervisors from units as such as Intelligence, Organized Crime Enforcement, Hold-Up, Drug Squad, and Provincial R.O.P.E. and Fugitive Squad.

Subject Condition

Condition	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
Alcohol Only	31	16.1	18	8.8	44	16.6	46	15.8	29	9.4
Drugs Only	14	7.3	8	3.9	11	4.2	18	6.2	20	6.5
Drugs + Alcohol	8	4.2	8	3.9	9	3.4	14	4.8	7	2.3
Emotionally Disturbed Persons (E.D.P.)	51	26.6	79	38.5	81	30.6	90	30.8	98	31.8
E.D.P. + Alcohol	13	6.8	14	6.8	11	4.2	12	4.1	15	4.9
E.D.P. + Drugs	6	3.1	11	5.4	20	7.5	28	9.6	23	7.5
E.D.P. + Drugs + Alcohol	9	4.7	4	2.0	9	3.4	12	4.1	9	2.9
Not Applicable	60	31.3	63	30.7	80	30.2	72	24.7	107	34.7
Total	192	100	205	100	265	100	292	100	308	100

Incidents where the officer believed the subject was suffering from an emotional disturbance or mental health disorder or in combination with drugs or alcohol increased marginally from 142 in 2016 to 145 in 2017.

Types of Use on E.D.P.s

Use	2015		2016		2017	
	#	%	#	%	#	%
Demonstrated Force Presence	58	47.9	73	51.4	83	57.2
Drive Stun Mode	9	7.4	11	7.7	6	4.1
Full Deployment	54	44.6	58	40.8	56	38.6
Total # of E.D.P. Incidents	121	100	142	100	145	100

This comparison chart indicates that use of C.E.W.s on emotionally disturbed persons as a demonstrated force presence has been increasing for the last three years.

Subject Behaviour

Behaviour Type	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
Passive Resistant	26	13.5	16	7.8	23	8.7	28	9.6	25	8.1
Active Resistant	29	15.1	23	11.2	25	9.4	27	9.2	33	10.7
Assaultive	85	44.3	86	42.0	125	47.2	157	53.8	146	47.4
Serious Bodily Harm/Death	49	22.5	70	34.1	87	32.8	74	25.3	98	31.8
Not Applicable	3	1.6	10	4.9	5	1.9	6	2.1	6	2.0
Total	192	100	205	100	265	100	292	100	308	100

Assaultive behaviour continues to be the predominant subject threat facing officers followed by serious bodily harm or death. Assaultive behaviour decreased from 53.8% in 2016 to 47.4% in 2017 however, serious bodily harm or death increased from 25.3% in 2016 to 31.8% in 2017. The percentage of incidents involving subjects who displayed passive or active resistance remained fairly stable in the last five years ranging between 18.1% and 19.0%.

Subject Description

Subject	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
Male	171	89.1	170	82.9	231	87.2	262	89.7	274	89.0
Female	15	7.8	16	7.8	23	8.7	15	5.1	25	8.1
Animal	2	1.0	4	2.0	0	0.0	3	1.0	1	0.3
Multiple	1	0.5	5	2.4	6	2.3	6	2.1	2	0.6
Not Applicable	3	1.6	10	4.9	5	1.9	6	2.1	6	2.0
Total	192	100	205	100	265	100	292	100	308	100

For the past five years, between 82 and 90% of C.E.W. incidents involved male subjects. On average, only 1.58% of use is on multiple subjects.

Age of Subject

Age	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
<10	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
10 - 15	2	1.0	3	1.5	1	0.4	1	0.3	1	0.3
16-20	31	16.1	24	11.7	27	10.2	28	9.6	27	8.8
21-25	38	19.8	43	21.0	53	20.0	46	15.8	55	17.9
26-30	22	11.5	35	17.1	49	18.5	46	15.8	56	18.2
31-35	27	14.1	27	13.2	31	11.7	43	14.7	45	14.6
36-40	18	9.4	12	5.9	28	10.6	33	11.3	34	11.0
41-45	16	8.3	17	8.3	21	7.9	32	11.0	24	7.8
46-50	16	8.3	13	6.3	18	6.8	18	6.2	22	7.1
51-55	10	5.2	5	2.4	17	6.4	16	5.5	17	5.5
56-60	4	2.1	5	2.4	5	1.9	7	2.4	6	2.0
>60	2	1.0	2	1.0	5	1.9	7	2.4	12	3.9
N/A	6	3.1	19	9.3	10	3.8	15	5.1	9	2.9
Total	192	100	205	100	265	100	292	100	308	100

Persons between 21 and 35 years of age represent the highest category in C.E.W. incidents. During the last five years, there have been a total of 8 incidents of C.E.W. use reported on subjects between 10 and 15 years of age. Many of these cases involved youths who were believed to be armed with offensive weapons and/or threatening suicide.

16 Years and Under 5 Year Summary

Subject Age	2013	2014	2015	2016	2017
10	0	0	0	0	0
11	0	0	0	0	0
12	0	0	0	0	0
13	0	0	0	0	0
14	0	1	0	0	0
15	2	2	1	1	1
16	3	0	2	3	3

The five year summary chart above includes incidents where C.E.W.s were used on young people who were 16 years of age or younger. Of the 19 incidents that are included, 13 or 68.4% involved situations where the C.E.W. was used as a demonstrated force presence only.

Types of C.E.W. Use

Type of Use	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
Demonstrated Force Presence	107	55.7	118	57.6	142	53.6	166	56.8	184	59.7
Drive Stun Mode	20	10.4	19	9.3	26	9.8	19	6.5	13	4.2
Full Deployment	65	33.9	68	33.2	97	36.6	107	36.6	111	36.0
Total	192	100	205	100	265	100	292	100	308	100

The percentage of C.E.W. use as a demonstrated force presence has remained above 50% for the last five years and in 2017 it rose to 59.7%. This indicates that officers are using only as much force as necessary to gain control of subjects.

Number of C.E.W.s Used per Incident

# of C.E.W.s	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
One C.E.W.	183	95.3	191	93.2	240	90.5	265	90.8	273	88.6
Two C.E.W.s	8	4.2	8	3.9	15	5.7	22	7.5	23	7.5
Three C.E.W.s	1	0.5	5	2.4	8	3.0	5	1.7	10	3.3
> Three C.E.W.s	0	0	1	0.5	2	0.8	0	0.0	2	0.6
Total	192	100	205	100	265	100	292	100	308	100

In the last five years, the overwhelming majority of C.E.W. incidents continue to involve the use of one C.E.W. Of the incidents where more than one C.E.W. was used, there has been a marginal increase over the five year reporting period. In 2017, three of the 23 incidents involving the use of two C.E.W.s can be attributed to frontline supervisors, while two incidents were uses by a frontline supervisor in conjunction with the E.T.F. The remaining uses of two C.E.W.s were by E.T.F. officers. Only two of the incidents involving the use of three or more C.E.W.s were by frontline supervisors in conjunction with the E.T.F. The remaining incidents were uses by the E.T.F.

C.E.W. Effectiveness

	2013		2014		2015		2016		2017	
	#	%	#	%	#	%	#	%	#	%
Effective	173	90.1	177	86.3	232	87.5	258	88.4	264	85.7
Not Effective	16	8.3	18	8.8	28	10.6	28	9.6	38	12.3
Unintentional Discharges	3	1.6	10	4.9	5	1.9	6	2.0	6	2.0
Total	192	100	205	100	265	100	292	100	308	100

The average effectiveness of the C.E.W. over the last five years has been 87.6%.

C.E.W. Effectiveness on EDP's

Year	Total C.E.W. Use	Total C.E.W. Use on EDP's	# Effective	% Effective
2017	308	145	120	82.8%
2016	292	142	125	88.0%
2015	265	121	105	86.8%

The average effectiveness of the C.E.W. on emotionally disturbed persons over the last three years has been 85.9%.



Toronto Police Services Board Report

February 28, 2018

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Toronto Police Service Audit & Quality Assurance Annual Report

Recommendation(s):

It is recommended that the Board receive this report.

Financial Implications:

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

Background / Purpose:

At its meeting of December 15, 2014, the Board approved its Audit Policy (Min. No. P272/14 refers). The Board's Audit Policy outlines a number of responsibilities for the Chief, including the following:

- The Chief of Police will prepare, using appropriate risk-based methodology, an annual quality assurance work plan which will identify inherent risks, resource requirements and the overall objectives for each audit and the work plan will be reported to the Board at a public or a confidential meeting as deemed appropriate;
- The Chief of Police will provide an annual report to the Board with the results of all audits and will highlight any issues that in accordance with this policy will assist the Board in determining whether the Service is in compliance with related statutory requirements, and issues that have potential risk of liability to the Board and/or to the Service.

The purpose of this report is to provide the Board with the Toronto Police Service's (Service) 2018 Audit Workplan and 2017 Project Results.

Discussion:

Who is responsible for Internal Controls and Managing risk in an Organization:

The Chief of Police, Command Officers, the Senior Management Team and Unit Commanders are responsible for managing and mitigating risk and ensuring proper internal controls exist and are working well in their respective areas of responsibility.

Internal controls are:

- part of an ongoing management framework that ensures operational efficiency and effectiveness are achieved, waste and fraud mitigated, and compliance with policies, procedures and legislation attained, through the management and control of risks; and
- made up of procedures, policies, processes and measures, including proper supervision, that are designed to help ensure an organization (the Service) meets its objectives, and to mitigate risks that can prevent an organization from meeting its objectives.

What is Audit & Quality Assurance's Role in the Internal Controls Framework:

Audit and Quality Assurance (A.&Q.A.) is an internal audit function. It reports administratively to the Chief Administrative Officer and functionally to the Service's Executive Assurance Committee (E.A.C.) that is comprised of the Chief of Police, Chief Administrative Officer and the Deputy Chiefs.

A.&Q.A. provides assurance, insight and advice to the Chief of Police in fulfilling his duties and responsibilities as prescribed by Section 41 (1) of the Ontario Police Services Act and supports the governance and oversight functions of the Executive Assurance Committee (E.A.C.) by:

- conducting independent, objective assessments and consulting activities within the Service to identify any control weaknesses and make recommendations for corrective action, as well as help promote risk management, value for money in service delivery, compliance with legislation and regulation and the proper stewardship of assets.
- assessing, as appropriate, that program and unit mandates are consistent with and properly address Service priorities, goals and strategies and are implemented effectively, efficiently, economically, environmentally and ethically in response to community needs;

- responding to ad hoc requests from the Chief or Command Officers and providing advisory services to Command and senior management related to governance, risk management and control; and
- providing the findings and recommendations from audits performed by the City Auditor General on City divisions and agencies, to the appropriate senior manager of the Service for review of the control issues identified so that any corrective action required can be taken by the Service.

International Standards for the Professional Practice of Internal Auditing (Standards):

A.&Q.A. follows the International Standards for the Professional Practice of Internal Auditing of the Institute of Internal Auditors (I.I.A.). The Standards require every internal audit activity to undergo an external quality assessment to confirm its conformance to the Standards at least once every five years.

In the summer of 2016, A.&Q.A. conducted its second assessment of the Service's internal audit activity. This assessment concluded that the internal audit activity generally conforms to the International Standards for the Professional Practice of Internal Auditing, which is the highest level of conformance. This conformance was subsequently validated by an I.I.A.'s independent external assessor in October 2016.

Development of Annual Audit Work Plan:

A.&Q.A. begins its annual work plan development process by researching and examining regulatory, environmental, technological and community issues and concerns that have the potential to affect the operations of the Service. A.&Q.A. also examines other agencies' audit reports for trends, emerging issues and topics. A.&Q.A. then consults with the command, senior management and selected unit commanders to identify risks, opportunities, strengths and weaknesses which may impact the ability of the Service to achieve its priorities, goals and strategies. At the direction of the Chief, A.&Q.A. has also consulted with the Chair of the Board regarding proposed workplan topics.

Based on the results of this research and consultation, A.&Q.A. creates a listing of potential projects and conducts a risk assessment using established risk and opportunity factors to determine the relevant ranking of these projects.

In formulating the work plan, A.&Q.A. also considers legislative and Service requirements. The main legislative requirement is Ontario Regulation 03/99, Adequacy and Effectiveness of Police Services. A.&Q.A. is mandated by the Chief to conduct three audits related to Adequacy Standards each year. Service requirements also include audits mandated by Service Procedures, coverage of high risk areas in various Command areas, identification of opportunities for improvement and fiscal accountability.

A.&Q.A. cannot possibly audit every unit, process, policy, procedure or program in the Service. It is therefore important that in developing the annual work plan, careful consideration is given to prioritizing projects so that the Unit's limited resources can be utilized efficiently and effectively, and add the greatest overall value to the Service.

2018 Audit Work Plan:

A.&Q.A.'s 2018 Audit Work plan (see Appendix A) was approved by the E.A.C. at its November 29, 2017 meeting. The work plan is a working document and is designed to accommodate changes due to challenges that arise from project findings or the need to divert resources to deal with emerging issues.

Once projects are completed and the reports and recommendations approved by the E.A.C., the recommendations are tracked by A.&Q.A. The Unit has a tracking database to monitor the implementation status of recommendations assigned to management to ensure that appropriate corrective action is taken on a timely basis. Reports on the status of recommendations are presented to the E.A.C. on a quarterly basis.

2017 Project Results:

Appendix B outlines the reports issued in 2017 and Appendix C lists projects in progress at year end. A summary of project objectives and related findings are included as part of these documents.

Conclusion:

This report provides the Board with the Service's 2018 Audit Workplan and 2017 Project Results.

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

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

MS/cc

File name: 2017 A.&Q.A. Report to Board.docx

Attachments:

Appendix A – 2018 Audit Workplan
Appendix B – 2017 Project Status
Appendix C – In Progress Projects

Appendix A –

2018 Audit Workplan

Project	Synopsis	Projected Total Hours
Vulnerability and Patch Management	With Information Technology (I.T.) resourcing constraints due to the hiring moratorium and the increased amount of technology initiatives, it is vital to review maintenance impacts on existing critical systems. This audit will focus on the management of vulnerabilities and patches on critical systems and their supporting infrastructure.	1200
Property & Video Evidence Management Unit – General Warehouse	The Property and Video Evidence Management Unit audit is broken into three areas: general warehouse, drugs and firearms to ensure adequate coverage of all areas.	800
Source Management	An audit of source management as per Justice Ferguson’s report recommendations.	550
M.T.O.-I.S.S. Compliance	To identify and report on compliance issues, in accordance with Inquiry Services System (I.S.S.) Oversight Framework for Policing Services of the Ministry of Transportation (M.T.O.).	500
Special Projects	Assistance provided to other units and task forces at the request of the Chief of Police/Executive Assurance Committee.	1450
D.N.A. Databank Hits/PowerCase Matches	An audit of the notification and follow-up process for D.N.A. databank hits and PowerCase matches, to identify any gaps that exist.	900
I.T. Risk Management	With the Service moving towards a new operating model that relies heavily on technology, it is critical to appraise the management of I.T. risks related to its operations and delivery of services. This audit will have the added benefit of providing insight for future audits.	1200
Audit of Social Media	An audit of compliance with Service Procedure 17-13, Social Media, with a focus on reviewing the monitoring of social media at the divisional level and whether the material being posted at the divisional level is appropriate.	1200

Project	Synopsis	Projected Total Hours
Measuring Project Success	A project to identify the processes in the Corporate Projects Unit with a focus on ensuring that all Service projects/programs are being managed appropriately from the start so that the success/failure of the project can be measured at a later date (budgets, goals/objectives, outcomes, etc.).	1200
Use of Force (A.I.-012)	Audit of compliance with the Provincial adequacy standard.	900
Traffic Management, Enforcement and Road Safety (L.E.-017)	Audit of compliance with the Provincial adequacy standard.	900
Various Inspections	A two member team will conduct divisional/unit inspections, as part of an on-going program.	2500
Service Procedures Compliance to Adequacy Standards Requirements	An ongoing review to ensure Service Procedures are in compliance with Adequacy Standards requirements.	100
Risk Assessment and Workplan Development	Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing (Standards) require A.&Q.A. to conduct a yearly risk assessment in the preparation of its workplan to ensure adequate resources are deployed to audit high risk areas.	100
Quality Assurance and Improvement Program	As part of A.&Q.A.'s continuous improvement process, the Unit will review its conformance with I.I.A. Standards on an ongoing basis. This will help to alleviate the time pressure on the next internal assessment/external validation to be performed in 2021.	300

Appendix B - Projects Completed in 2017

Project Name: Property and Video Evidence Management Unit (P.V.E.M.U.) – Drug Processing Section

Project Objectives: The objectives of this project were to:

- determine if frontline and plainclothes Service members are compliant with Service Procedures when processing seized, surrendered and found drugs and drug paraphernalia,
- determine if supervisors are compliant with Service Procedures when authorizing paperwork processed by frontline and plainclothes Service members for seized, surrendered or found drugs and drug paraphernalia,
- determine if the Drug Repository and the Divisional Locker Management System (D.L.M.S.) are properly safeguarding seized, surrendered and found drugs, and
- determine if the Drug Repository has complete and accurate records for seized, surrendered and found drugs.

Project Results: Once evidence and property have been submitted to the D.L.M.S., there is very low risk to the Service due to the strong internal controls and security that have been put in place by P.V.E.M.U. regarding the preservation and control of evidence and property in their possession. A.&Q.A. found an increase in the proper completion of documentation submitted by officers; however, there is still room for improvement. There were no recommendations from this audit.

Management Response: Management has implemented changes to the submission system to further improve proper completion of documentation.

Project Name: Elder and Vulnerable Adult Abuse

Project Objectives: The objectives of this project were to:

- determine if Service Governance and existing policies have incorporated all the requirements of Adequacy Standard L.E.-021, Elder and Vulnerable Adult Abuse,
- examine elder abuse occurrences to assess if initial responses to complaints of elder abuse investigations are effectively attended and monitored by frontline supervisors,
- assess any training syllabuses regarding elder abuse investigations at the Toronto Police College or online, to assess suitability,
- assess if programs and external agencies are being used for referrals for victims of elder abuse including Victim Services Toronto and the Office of the Public Guardian and Trustee, and
- assess Elder Abuse Coordinator's role and ensure appropriate information is disseminated to the public related to crimes against seniors.

Project Results: Existing Service Procedure 05-22, Abuse of Older or Vulnerable Persons did not incorporate all of the guidelines found in Provincial Adequacy Standard

Appendix B - Projects Completed in 2017

L.E.-021, Elder and Vulnerable Adult Abuse. While there is no requirement for supervisory attendance, occurrences reviewed indicates that a low number of supervisors were attending elder and vulnerable adult abuse calls. Improper coding of occurrences was identified which could impact Toronto Police Service's (T.P.S.'s) ability to provide accurate statistics related to elder and vulnerable adult abuse. There were four recommendations that resulted from this audit representing a low risk to the Service.

Management Response: The existing procedure and process will be updated as recommended by the audit report.

Project Name: Criminal Harassment

Project Objectives: The objectives of this project were to:

- determine whether Service Procedures adequately address the best practice guidelines specified in Adequacy Standard L.E.-028,
- determine whether officers are in compliance with Service Procedure 05-27, Criminal Harassment, and relevant sections of the Criminal Investigation Management Plan and the Major Case Management Manual as they relate to notification and training,
- verify investigators are accredited criminal investigators and when necessary Major Case Management-trained investigators, and
- ensure existing internal controls are effective and identify areas of risk and opportunities for improvement.

Project Results: There are provisions of the Adequacy Standard L.E.-028, Criminal Harassment, which are not found in existing Service procedures. Non-compliance with the requirements of the procedure was identified in investigations of criminal harassment occurrences. The findings and issues identified in the report present a moderate risk to the Service. There were four recommendations as a result of this audit.

Management Response: Parts of the procedure will be updated as recommended to strengthen supervisory controls in these types of investigations. A process update will occur in the Records Management/GO review area to provide prompt attention to Officer-in-charge of divisions.

Project Name: Disclosure of Disciplinary Records

Project Objectives: The objectives of this project were to:

- determine if officers are providing disclosure of disciplinary records, as required by T.P.S. Disciplinary Record Procedure, to the Crown in relation to matters before the court,
- determine if any complaints have been received by the Service from the Ministry of the Attorney General, the Federal Department of Justice or any other party in relation to non-disclosure of officer's disciplinary records in relation to matters before the court,

Appendix B - Projects Completed in 2017

- determine if the current process of disclosing disciplinary records is in full compliance with legislation, and
- identify risks and opportunities for improvement, if any.

Project Results: A Service-wide audit of the disclosure of disciplinary records found areas inconsistent with Service Procedure, and outdated processes and terminology. Reinforcement of first party disclosure obligations related to disciplinary records (McNeil Issues) and supervisory oversight are required to improve the completion and accuracy of McNeil Reports. The findings and issues identified with the audit represent a moderate risk to the Service. There were seven recommendations as a result of this audit.

Management Response: Some suggested updates will be made to procedures; however, in certain areas T.P.S. will continue with current practice where appropriate. The entire report and findings were presented and shared with the divisional unit commanders and Professional Standards.

Project Name: Risk Assessment and Workplan Development

Project Objectives: Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing (Standards) require A.&Q.A. to conduct a yearly risk assessment in the preparation of its workplan to ensure adequate resources are deployed to audit high risk areas.

Project Results: The 2018 Workplan was developed and is attached to this report.

Project Name: Server & I.T. Business Resumption Lifecycle Replacement Programs

Project Objectives: The objectives of this review were to:

- determine the reasonableness of the rationale and assumptions used by I.T.S. to prepare for the Server and I.T. Business Resumption Lifecycle Replacement Programs and
- assess the reasons and explanations for the underspending of the programs for the last 3 years.

Project Results: Changes in the past few years have enabled the Service to take advantage of new technology in the management of the Server and I.T. Business Resumption Lifecycle Replacement Programs. However, it has also made it difficult to accurately budget for lifecycle replacement costs. There is a need to strengthen compliance with Service Governance as it relates to record retention. In addition, I.T.S. should provide more detailed and understandable explanations about budget variances. The findings relate to fiscal accountability and represent a moderate risk to the Service. There were two recommendations as a result of this audit.

Management Response: I.T.S. will work to finalize the five year Technology Roadmap with estimated costs and processes to better reflect the spending requirements of Server & I.T. Business Resumption lifecycle replacement programs.

Appendix B - Projects Completed in 2017

Project Name: T.T.C. Special Constables

Project Objectives: The objectives of the audit were to verify that:

- Transit Enforcement Officer (T.E.O.) training processes, including Use of Force, are in compliance with the Memorandum Of Understanding (M.O.U.) and Service Procedures,
- Processes for arrest, search and transport of individuals in custody of T.E.O. are in compliance with the M.O.U. and Service Procedures,
- Occurrences and arrest records submitted by T.E.O. are in compliance with the M.O.U. and Service Procedures, and
- The complaint process for T.E.O. is in compliance with the M.O.U. and Service Procedures.

Project Results: Overall the Toronto Transit Commission (T.T.C.), Transit Enforcement Unit (T.E.U.) is in compliance with the 2014 Memorandum of Understanding they entered into with the Toronto Police Services Board (T.P.S.B.). There were a few minor issues brought forward to T.T.C. management. The noteworthy findings in this report relate to a concern that T.P.S. not receiving information relating to criminal and provincial offences which occur on T.T.C. properties on a timely basis. Any delays in receiving information may pose a risk to the public and Service.

Management Response: All recommendations were agreed to and will be implemented by Q4 2018.

Project Name: 329 Fund

Project Objectives: The objectives of this project are to:

- establish the accuracy of the 329 Fund via an unannounced cash count;
- confirm that the 329 Fund is administered accurately and effectively; and
- verify that the 329 Fund has proper oversight and management control.

Project Results: The 329 Fund of \$150,000 was accounted for in full. Service Procedure 18-07, 329 Fund and corresponding documents require some updating due to recent organizational changes. There is a low risk associated with the current oversight and administration of the 329 Fund.

Management Response: All recommendations were agreed to and will be addressed by Q4 2018.

Project Name: Flashroll

Project Objectives: The objectives of this project are to:

- establish the accuracy of the Flashroll Fund via an unannounced cash count;
- confirm that the Flashroll Fund is administered accurately and effectively; and
- verify that the Flashroll Fund has proper oversight and management control.

Project Results: The Flashroll Fund was fully accounted for; however, Service Procedure 18-06, Flashroll requires some updating to include the roles and

Appendix B - Projects Completed in 2017

responsibilities of Accounting Services. Overall the issues identified represent a low risk to the Service.

Management Response: All recommendations were agreed to and will be addressed by Q4 2018.

Project Name: Unit Inspections

Project Objectives: The objectives of the Inspections Team were to:

- inspect and validate whether Service procedures, policies and Standards of Conduct are being complied with by divisional/unit personnel, and
- provide a monitoring function to proactively detect and report on identified risk factors so that they can be addressed in an effective and timely manner, thereby reducing the associated risk to the Service.

Project Results: 12, 22, 31 and 32 Divisions were inspected during the year and compliance issues were identified that could result in a risk to the Service.

Management Response: Inspection reports are useful in identifying areas requiring additional attention, inspection, compliance and training. Command is improving compliance through directives to divisional and other units.

Project Name: Special Project

Project Objectives: A scheduled audit project has turned into a confidential project as required by legislation.

Project Results: The project is completed.

Appendix C – Ongoing Projects

Project Name: Service Procedures Compliance to Adequacy Standards Requirements

Project Objectives: An ongoing review to ensure that Service Procedures are in compliance with Adequacy Standards requirements. Focus will be on changes made by the Ministry of Community Safety and Correctional Services during the year.

Project Results: Any Ministry updates are followed up to ensure that Service Procedure is amended accordingly.

Project Name: Quality Assurance and Improvement Program

Project Objectives: As part of A.&Q.A.'s continuous improvement process, the Unit will review its conformance with I.I.A. Standards on an ongoing basis. This will help to alleviate the time pressure on the next internal assessment/external validation to be performed in 2021.

Project Results: Each year specific procedures related to compliance are carried out throughout the year. A Summary of 2016 Activities report was presented to the Executive Assurance Committee on March 2, 2017. The Summary of 2017 Activities report is currently being prepared and will be presented to the Executive Assurance Committee in early 2018.

Project Name: Audit of the S.A.P. 3-Way Match

Project Objectives: The objectives of this project are to determine:

- if members adhered to the vendor selection process, in accordance with the Purchasing and Service Expenditure Procedures;
- if the proper level of approval/authorization was obtained based on the monetary value of the goods received or services rendered and in compliance with the Purchasing and Service Expenditure Procedures;
- if members used due diligence when processing goods receipts;
- the accuracy of financial reporting of goods and services acquisition; and
- if there was proper segregation of duties in the ordering, approval and payment for goods and services.

Project Results: This project is currently in progress.

Project Name: Third Party Risk Management

Project Objectives: The objectives of this review are to:

- assess whether the Service has a Third Party Risk Management framework to minimize the Service's exposure to regulatory, reputational, financial, operational and privacy risks;
- determine whether vendors who have access to T.P.S. system have the appropriate policy and procedures to safeguard and limit access to T.P.S. systems;
- assess whether contingency plans exist for the continued operation of critical products and services especially on those that are proprietary in nature; and

Appendix C – Ongoing Projects

- determine whether processes exist to verify consultants' skills and experience to ensure that consultants perform works to T.P.S. standards and expectations.

Project Results: This project is currently in progress.

Project Name: T.P.S. Assurance Mapping

Project Objectives: The objectives of this project are to:

- report on the different levels of T.P.S. assurance functions and the risk areas they manage,
- assess the degree of reliance that can be placed in these groups, and
- identify areas of overlap and/or gaps in the Service's risk management framework.

Project Results: This project is currently in progress.

Project Name: Audit of access to the Ministry of Transportation Inquiry Services System

Project Objectives: The objective of this project is to:

- Identify and report on compliance issues, in accordance with Inquiry Services System Oversight Framework for Policing Services of the Ministry of Transportation (M.T.O.).

Project Results: This project is currently in progress.

Project Name: Property and Video Evidence Management Unit – Firearms Processing Section

Project Objectives: The objectives of this project are to:

- ensure the effectiveness of key internal controls for the safe and secure collection, handling, packaging, and preservation of seized, found, and surrendered firearms, prohibited devices, weapons and/or ammunition,
- verify key documents and records kept for the seizing, finding, retaining, storing, returning, and disposing of all firearms evidence for compliance with Service Governance, and
- verify that the physical security for firearms, prohibited devices, weapons and/or ammunition and related files/documents, are in place and functioning properly.

Project Results: This project is currently in progress.

Project Name: Source Management

Project Objectives: Under development.

Project Results: This project is currently in progress.

Appendix C – Ongoing Projects

Project Name: D.N.A. and Fingerprint Notifications

Project Objectives: Under development.

Project Results: This project is currently in progress.



Toronto Police Services Board Report

March 1, 2018

To: Members, Toronto Police Services Board

From: Andy Pringle
Chair

Subject: City Council: Site Selection for a New Consolidated Police Station – 54/55 Division Report

Recommendation(s):

It is recommended that the Board receive the above-noted report for information.

Financial Implications:

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

Background / Purpose:

At its meeting held on January 31 and February 1, 2018, City Council considered report from its Deputy City Manager, Internal Corporate Services and the Acting Chief Planner and Executive Director, City Planning, with respect to Site Selection for a New Consolidated Police Station – 54/55 Division report.

The minutes detailing the City's consideration of this item are available at this link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX30.11>

Discussion:

The purpose of this report was to inform City Council of the work done by Real Estate Services, City Planning and the Toronto Police Service, in consultation with other City stakeholders, including local Councillors (Wards 29, 30, 31, 32), the Toronto Transit Commission (TTC) and the Toronto Realty Agency (TRA), on the site selection process and to recommend a preferred site for a consolidated police station for 54 and 55 Divisions. Council was asked to approve a set of draft principles to guide the development of the recommended site. These principles were developed by City

Planning staff in consultation with the four (4) local councillors, were based on feedback received from the public consultations, and will be further refined in consultation with the local community.

Conclusion:

It is my recommendation that the Board receive the above-noted report for information.

Respectfully submitted,

Andy Pringle
Chair



Toronto Police Services Board Report

March 06, 2018

To: Members
Toronto Police Services Board

From: Andy Pringle
Chair

Subject: City of Toronto Council – 2018 Capital and Operating Budgets

Recommendation(s):

It is recommended that the Board receive this report.

Financial Implications:

At its meeting held on February 6 and 12, 2018, City Council approved the Toronto Police Service capital budget with a total project cost of \$34.084 million and a 2018 cash flow of \$56,991 million; an operating budget of \$996,326 million net ; and an operating budget for the Toronto Police Services Board of \$2.309 million net.

Background/Purpose:

The entire report detailing the City's consideration of the budgets is available at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX31.2>

Discussion:

In considering this item, Council approved the following recommendations:

253. City Council approve the 2018 Budget Committee Recommended Operating Budget for Toronto Police Service of \$1,137.724 million gross, \$996.326 million net for the following services:

Service	Gross (\$000s)	Net (\$000s)
Toronto Police Service	<u>1,136,249.4</u>	<u>996,325.5</u>
Total Program Budget	<u>1,137,724.4</u>	<u>996,325.5</u>

254. City Council approve staff complement for the Toronto Police Services of 7,881 operating service delivery positions, composed of 5,440 uniform officers,

2,230 civilian positions, and 211 part time positions to maintain the 2017 service levels.

255. City Council approve the 2018 Budget Committee Recommended Operating Budget for Toronto Police Services Board of \$2.809 million gross, \$2.309 million net for the following services:

Service:	Gross (\$000s)	Net (\$000s)
Toronto Police Service Governance and Oversight	2,809.1	2,309.1
Total Program Budget	<u>2,809.1</u>	<u>2,309.1</u>

256. City Council approve the 2018 Toronto Police Services Board staff complement of 7.0 positions, composed of 6 staff members and 1 Chair.

257. City Council approve the 2018 Budget Committee Recommended Operating Budget for Parking Tags Enforcement and operations of \$72.204 million gross and \$37.014 million net revenue for the following services:

Service:	Gross (\$000s)	Net (\$000s)
Toronto Police Parking Enforcement	48,247.8	46,722.6
Revenue Services Parking Violation Operations	5,686.2	5,686.2
Court Services Judicial Processing	5,639.7	5,639.7
Legal Services	4,294.9	4,294.9
Parking Tags Revenue	8,335.0	(99,357.8)
Total Program Budget	<u>72,203.6</u>	<u>(37,014.4)</u>

258. City Council approve the 2018 service levels for Parking Tags Enforcement and Operations as outlined on pages 14, 16 and 19 of the Parking Tags Enforcement and Operations 2018 Operating Budget Notes, and associated staff complement of 394.0 positions, entirely composed of operating service delivery positions.

Conclusion:

It is my recommendation that the Board receive this report.

Respectfully submitted,

Andy Pringle
Chair