



The Regional Municipality of York Police Services Board

To Make a Difference in Our Community

17250 Yonge Street, Newmarket,
Ontario, Canada L3Y 6Z1

Tel: 905.830.4444 or 1.877.464.9675 ext. 77906

Fax: 905.895.5249

E-mail: psb@yrp.ca • Web: yrpsb.ca

REVISED AGENDA PUBLIC SESSION

Wednesday, November 23, 2016, 9:00 a.m.

COMMITTEE ROOM "A"

YORK REGION ADMINISTRATIVE CENTRE

17250 YONGE STREET

NEWMARKET, ONTARIO

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RECOMMENDATION

1. That the Board receive the interim financial reports for the nine month period ending September 30, 2016, pursuant to Financial Accountability Board Policy No. 01/05.

5.2 Award for Retail Fuel Services

33

RECOMMENDATION

1. That the Board authorize the award of the contract for Region of York's Request for Proposal (P-16-06) for the provision of retail fuel services to Imperial Oil Limited, for an annual cost of \$650,000 in years one to three and \$175,000 in years four and five, for a total contract cost of \$2,300,000, excluding HST; and
2. The term of the contract be for 5 years, commencing on November 23, 2016 and expiring on November 22, 2021; and
3. That the Chief of Police be authorized to execute the contract, subject to the approval of The Regional Municipality of York's Regional Solicitor, or his or her designate, as to form and content.

5.3 Contract Extension Beyond Five Years

37

RECOMMENDATION

1. That the Board authorize an extension to the contract for caretaking supplies to Swish Maintenance Limited, for an additional six month term to March 31, 2017 at a total additional cost of \$76,502 excluding HST; and
2. That the Board authorize extensions to the contracts for towing services to Metro North Towing Incorporated operating as Elliott's Towing, York Region Traffic Services Incorporated, 730162 Ontario Limited operating as York Auto Towing and Recovery and Cardinal Towing Incorporated, for an additional five month term to March 31, 2017 with no additional cost.

5.4 Donations of \$10,000 or More

41

RECOMMENDATION

1. That the Board approve the donation of \$20,000 from The Corporation of the City of Vaughan to support the York Regional Police Peer Support House, pursuant to the Police Services Board Public Donations Policy No. 01/15.

5.5 Execution of Document Bylaw and Purchasing Bylaw

43

RECOMMENDATION

1. That the Board receive this report pursuant to the Execution of Documents By-Law No. 08-15 and Purchasing By-Law 06-14 quarterly reporting requirements.

5.6 2014-2016 Business Plan: Year 3 Status Update

51

RECOMMENDATION

1. That the Board receive this report.

6. REPORTS OF THE EXECUTIVE DIRECTOR

6.1 Independent Police Oversight Review

57

RECOMMENDATION

1. That the Board consider the proposed responses to Justice Tulloch for his review of the police oversight bodies in Ontario;
2. That the Executive Director submit the Board's approved responses to Justice Tulloch by the November 30, 2016 deadline.

6.2 Major Case Management Policy

73

RECOMMENDATION

1. That the Board approve the attached policy as it relates to Ontario Regulation 354/04 (Major Case Management) under the Police Services Act.

6.3 Execution of Documents Report

77

RECOMMENDATION

1. That the Board receive this report pursuant to the Execution of Documents Bylaw No. 08-15.

7. ADDENDUM ITEMS

8. OTHER BUSINESS

9. CONSIDERATION OF MOTION TO MOVE INTO PRIVATE SESSION

Motion to resolve into Private Session.

That the York Regional Police Services Board adjourn the public portion of its meeting to move to private to discuss confidential items pertaining to legal and personnel matters in accordance with Section 35(4)(b) of the *Police Services Act*.

10. CONSIDERATION OF MOTION TO MOVE INTO PUBLIC SESSION

Motion to reconvene into Public Session.

11. CONSIDERATION OF PRIVATE ITEMS

12. CONFIRMATORY BYLAW

79

13. ADJOURNMENT

MINUTES OF THE PUBLIC MEETING

of

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

October 26, 2016

The Board continued its meeting of October 26, 2016 in Committee Room A, York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario on the above-noted date at 2:03 p.m. in public session.

Board Members Present: F. Scarpitti, Chair, Mayor of the City of Markham
V. Hackson, Vice Chair, Mayor of the Town of East Gwillimbury
J. Molyneaux, Member
B. Jiang, Member
B. Rogers, Member
K. Usman, Member

Absent: W. Emmerson, Chairman & C.E.O., York Region

Board Staff: M. Avellino, Executive Director
J. Kogan, Administrative Assistant

YRP Present: E. Jolliffe, Chief of Police
T. Carrique, Deputy Chief of Police
A. Crawford, Deputy Chief of Police
D. Conley, Executive Officer to the Chief of Police
J. Channell, Manager, Financial Services
K. MacDonald, Associate Counsel, Legal Services
K. Griffin, Manager, Corporate Communications

YR Legal & Court Services: J. Hulton, Regional Solicitor

397 **INTRODUCTION OF ADDENDUM ITEMS AND OTHER BUSINESS**

It was moved by Mr. Molyneaux, seconded by Ms Jiang that the following items be added to the agenda of the public session of this meeting:

Addendum Items

- (a) 2017 Operating Budget (Addendum Item No. 7.1)
- (b) 2017 Capital Budget (Addendum Item No. 7.2)
- (c) Training Facility Construction Update (Addendum Item No. 7.3)
- (d) Inquest into the Death of John Caleb Ross (Addendum Item No. 7.4)

398 **DISCLOSURE OF INTEREST**

Nil.

399 **CONFIRMATION OF PUBLIC MINUTES OF SEPTEMBER 21, 2016 BOARD MEETING**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the Board confirm the minutes for the public session of the meeting held on September 21, 2016 in the form supplied to the members.

CARRIED

PRESENTATIONS

400 (a) **Presentation to Retiring Superintendent Tony Cusimano**

(b) **2017 Police Budget and Priorities**

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the presentations be received.

CARRIED

COMMUNICATIONS

401 Chair Frank Scarpitti, York Regional Police Services Board, October 6, 2016, correspondence to the Ministry of Community Safety and Correctional Services regarding training timelines with respect to O. Reg. 58/16: Collection of Identifying Information in Certain Circumstances - Prohibition and Duties.

It was moved by Mr. Molyneaux, seconded by Ms Jiang that the communication from Chair Frank Scarpitti, York Regional Police Services Board, October 6, 2016, be received.

CARRIED

402 Mr. Ken Seiling, Chair, Mayors and Regional Chairs of Ontario of Single Tier Cities and Regions, June 24, 2016, correspondence to Minister David Oraziotti, Ministry of Community Safety and Correctional Services, regarding changes to the role of municipalities on Police Services Boards.

It was moved by Vice Chair Hackson, seconded by Mr. Molyneaux that the communication from Mr. Ken Seiling, Chair, Mayors and Regional Chairs of Ontario of Single Tier Cities and Regions, June 24, 2016, be received.

CARRIED

403 Minister David Oraziotti, Ministry of Community Safety and Correctional Services, October 4, 2016, response to Mr. Ken Seiling, Chair, Mayors and Regional Chairs of Ontario of Single Tier Cities and Regions, regarding the composition of Police Services Boards and the process related to provincial appointments.

It was moved by Mr. Rogers, seconded by Ms Jiang that the communication from Minister David Oraziotti, Ministry of Community Safety and Correctional Services, October 4, 2016, be received.

CARRIED

- 404 Justice Michael H. Tulloch, Independent Reviewer, Independent Police Oversight Review, September 29, 2016, regarding the Review of the police oversight bodies in Ontario.

It was moved by Ms Jiang, seconded by Mr. Usman that the communication from Justice Michael H. Tulloch, Independent Reviewer, Independent Police Oversight Review, September 29, 2016, be received.

CARRIED

REPORTS OF THE CHIEF OF POLICE

- 405 **Interim Financial Reporting for the Period Ending August 31, 2016**

It was moved by Ms Jiang, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive the interim financial reports for the eight month period ending August 31, 2016, pursuant to Financial Accountability Board Policy No. 01/05.

CARRIED

- 406 **Award for Security Services**

It was moved by Mr. Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board authorize entering into a contract for Request for Proposal (P-16-07) for the provision of security services to Primary Response Inc., who submitted the highest scoring Proposal, which represents the best value to the Board, for an annual cost of \$215,777, excluding H.S.T.; and
2. That the Board approve the award of an initial three year term with an option to renew for two additional one year terms, subject to the satisfactory performance and the Chief's approval, for a total contract cost of \$1,100,704, if all options were exercised, excluding H.S.T.; and
3. That the Chief of Police be authorized to exercise the option to renew on behalf of the Board, subject to fulfilment of the conditions set out in this report; and
4. That the Chief of Police be authorized to execute the contract, and any renewal, subject to the approval of The Regional Municipality of York's Regional Solicitor, or his or her designate, as to form and content

CARRIED

- 407 **Electronic Procurement System**

It was moved by Mr. Molyneaux, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report for information purposes.

CARRIED

Action: Executive Director

ADDENDUM ITEMS

408 2017 Operating Budget (Addendum Item No. 7.1)

It was moved by Mr. Usman, seconded by Mr. Molyneaux that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board approve the 2017 Operating Budget with a tax-levy impact of \$310,947,500, including the addition of 31 police officers and 12 civilian members; and
2. That the Board approve for financial planning purposes an Operating Outlook to 2018 with a tax-levy impact of \$324,081,100 in 2018; and
3. That the Board forward the 2017 Operating Budget and Operating Outlook to 2018 for the Treasurer's tabling of The Regional Municipality of York's Budget at Regional Council on November 17, 2016.

CARRIED

Action: Executive Director

409 2017 Capital Budget (Addendum Item No. 7.2)

It was moved by Mr. Rogers, seconded by Ms Jiang that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board approve the proposed 2017 Capital Budget totaling \$22,450,000 with a Capital Spend Authority (CSA) of \$29,149,000; and
2. That the Board approve for financial planning purposes the 10-Year 2017-2026 Capital Forecast totaling \$170,672,000; and
3. That the Board forward the 2017 Capital Budget, Capital Outlook to 2018 and 10-Year 2017-2026 Capital Forecast for the Treasurer's tabling of The Regional Municipality of York's Budget at Regional Council on November 17, 2016.

CARRIED

Action: Executive Director

410 Training Facility Construction Update (Addendum Item No. 7.3)

It was moved by Mr. Usman, seconded by Vice Chair Hackson that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That That the Board accept this report as an update on the construction of the York Regional Police Training Facility.

CARRIED

411 **Inquest into the Death of John Caleb Ross (Addendum Item No. 7.4)**

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police and further that the Chief of Police report back to the Board with a response to the recommendations:

1. That the Board receive this report for information.

CARRIED

Action: Chief of Police

412 **OTHER BUSINESS**

Nil

CARRIED

CONSIDERATION OF PRIVATE ITEMS

413 **Human Resources**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board reclassify 34 officers pursuant to the 2013 – 2015 Uniform Working Agreement.

CARRIED

414 **Appointment of New Police Officers**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the Board approve the recommendation in the following Reports of the Chief of Police:

1. That the Board appoint up to 30 new individuals as Cadets-in-Training, effective December 5, 2016 pursuant to Section 51(1) of the *Police Services Act*.

CARRIED

415 **Appointment of Experienced Police Officers**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board appoint three experienced officers, effective December 5, 2016, pursuant to Section 31(1)(a) of the *Police Services Act*.

CARRIED

416 **Appointment of Auxiliary Members**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board appoint 28 new individuals as Auxiliary Members, effective October 15, 2016, pursuant to Section 52(1) of the *Police Services Act*.

CARRIED

417 **Re- Appointment of Special Constables as Court Security Officer**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board authorize the re-appointment of four York Regional Police Special Constables for a further five year period, effective October 12, 2016, pursuant to Section 53(1) of the *Police Services Act*.

CARRIED

418 **CONFIRMATORY BYLAW**

The Board had before it Bylaw No. 11-16. The Bylaw is necessary to confirm the proceedings of the Board at this meeting.

It was moved by Ms Jiang, seconded by Mr. Molyneaux that Bylaw No. 11-16, being "a Bylaw confirming the proceedings of the Board at this meeting," be read and enacted.

Bylaw No. 11-16 was read and enacted as follows:

"To confirm the proceedings of the Board at this meeting".

CARRIED

419 **ADJOURNMENT**

It was moved by Vice Chair Hackson, seconded by Mr. Usman that the meeting be adjourned.

CARRIED

The meeting adjourned at 4:57 p.m.

Mafalda Avellino
Executive Director

Mayor Frank Scarpitti
Chair

Minutes to be confirmed and adopted at the meeting of the Board held on November 23, 2016.

Accessible formats or communication supports are available upon request.

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels

Office of the Minister

Bureau du ministre

25 Grosvenor Street
18th Floor
Toronto ON M7A 1Y6
Tel: 416-325-0408
Fax: 416-325-6067

25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Tél. : 416-325-0408
Télééc. : 416-325-6067



NOV 21 2016

Mr. John Molyneaux
PH10 180 John West Way
Aurora ON L4G 0R3

Dear Mr. Molyneaux:

As you are aware, you were reappointed to the Regional Municipality of York Police Services Board until November 02, 2016, at which time your appointment has now expired.

Pursuant to subsection 27(10) of the *Police Services Act*, I hereby reappoint you to the Regional Municipality of York Police, effective from the date of this letter, for a period of two months or until such time as an appointment has been made by Order in Council, whichever occurs first.

I would like to take this opportunity to thank you for your continued and valuable service to the Regional Municipality of York Police Services Board.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Oraziotti'.

David Oraziotti
Minister



DURHAM REGIONAL POLICE SERVICES BOARD

**R. Anderson, Chair * R. Wilson, Vice-Chair
B. Drew, Member * A. Furlong, Member
S. Lal, Member * B. McLean, Member * R. Rockbrune, Member**

November 17, 2016

Hon David Orazietti,
Ministry of Community Safety and Correctional Services
18th Floor, George Drew Building
25 Grosvenor Street
Toronto, ON M7A 1Y6
dorazietti.mpp@liberal.ola.org

Dear Minister Orazietti,

I am writing regarding your Ministry's decision to reduce funding to the Durham Regional Police Service under the Court Security and Prisoner Transportation Grant.

As you know, in 2012, the Province committed to remove court security and prisoner transportation costs from municipal budgets by 2018, phasing in the upload of these costs over seven years. This agreement signaled for the first time in 22 years that the Province would reimburse municipalities for the cost of court security and prisoner transportation. At the time, our Board, and many others across the Province, had advocated that municipal tax dollars should not be required to provide these services. The commitment by the Province to upload the costs provided significant relief, but fell short of the desired outcome of the Province assuming responsibility for this service, as occurs in all other jurisdictions in Canada.

The formula for reimbursement was based on a municipality's relative share of court security and prisoner transportation costs in 2010. As Durham's share of the total costs across the Province have apparently decreased since the model was established, the decision of your Ministry means that we now find ourselves penalized for exercising restraint. While we appreciate that the costs to provide this service may have increased at a greater rate in other jurisdictions, over the past number of years our Board has placed significant emphasis on controlling its expenditures, not only in the area of court security, but across the spectrum of police services. We find this decision, communicated to us only two months prior to the commencement of the next budget cycle, ill-conceived and profoundly disappointing.

I would also point out that we wrote to your predecessor in July 2015 regarding possible changes to the Ministry's grants. Upon being made aware that modifications

605 Rossland Road East, Box 911, Whitby, ON L1N 0B8
Phone: 905-579-1520, Ext. 4307 * Fax: 905-721-4249
Email: alongo@drps.ca

were being contemplated, the Board requested as much notice as possible to potential adjustments, given the impact these grants have on the delivery of local police services. We did not receive a reply until fourteen months later, when you advised us on September 14, 2016 that the Ministry was still in the process of reviewing grant programs and that we should expect new agreements and funding notices regarding the Court Security and Prisoner Transportation Grant in the near future. One month later, we were advised that our share of this grant would be \$1.1 million less than anticipated for 2018. I am certain that you can appreciate our extreme dismay upon being made aware of this decision. While your Government has promoted the importance of partnership and collaboration, its actions in this matter display a momentous lack of respect and concern for our municipal police service and the citizens it serves.

We wish to register our firmest disagreement with this decision and would request your reconsideration at the earliest opportunity. We would also request your confirmation that we can count on your Ministry's funding for other grants in the coming year or if we should expect a similar decision as that described above.

Yours truly,



Roger Anderson
Chair

c.c.: Chief Martin
Chair Anderson, Durham Regional Council
Mr. Patrick Brown, MPP, Leader of the Official Opposition
Ms. Andrea Horwath, MPP
President Charles Bordeleau, Ontario Association of Chiefs of Police
President El-Chantiry, Ontario Association of Police Services Boards
President Lynn Dollin, Association of Municipalities of Ontario
Big 12 Chairs
Local MPPs



DURHAM REGIONAL POLICE SERVICES BOARD

**R. Anderson, Chair * R. Wilson, Vice-Chair
B. Drew, Member * A. Furlong, Member
S. Lal, Member * B. McLean, Member * R. Rockbrune, Member**

November 17, 2016

The Honourable Michael H. Tulloch
Independent Civilian Police Review
MacDonald Block, Box 160
77 Wellesley St W
Toronto, Ontario
M7A 1N3

Dear Justice Tulloch,

I am writing in response to the questions you provided to Police Services Boards across the Province through the Ontario Association of Police Services Boards on September 29, 2016, and as a follow-up to our teleconference on October 28, 2016. It was also a pleasure to meet you and members of your team at the public consultation held in Ajax on November 2, 2016.

The attached responses provide the Board's formal position on the issues you are examining. As you are aware, our Board believes it is essential for the police to build and retain the trust of its citizens in order to be effective. The modernization of the Police Services Act provides a significant opportunity to introduce transformative changes to the delivery of police services in Ontario, and to ensure that they are effective, sustainable, and continue to earn the confidence of citizens. Your recommendations, informed by the extensive consultations that you are leading, will assist the Province in developing a legislative framework for policing that enhances accountability and transparency. We are pleased at your commitment to a reasonable and balanced approach and your willingness to engage in meaningful dialogue as you undertake this important task. Our Board's recommendations for legislative reform were outlined in a letter sent to the Minister of Community Safety and Correctional Services in February 2016, a copy of which has been forwarded to your office.

Although your questions do not address the issue of police officer discipline specifically, we wish to reinforce our position that the statutory framework currently in place, and the case law upon which it relies, restricts the Board and the Chief's ability to ensure accountability when misconduct occurs. In essence, the current disciplinary process does not enable the imposition of meaningful consequences upon police officers where their actions do not conform to community expectations. In cases where officers receive a temporary demotion or a trivial monetary penalty, there is a perception that the

605 Rossland Road East, Box 911, Whitby, ON L1N 0B8
Phone: 905-579-1520, Ext. 4307 * Fax: 905-721-4249
Email: alongo@drps.ca

police abide by a different set of rules than other citizens, and a corresponding violation of the trust that is the foundation of effective police-community relations. The process to terminate an officer is far too onerous, even in cases where the misconduct is egregious and criminal, taking years to cycle through the various proceedings with accumulated legal costs. We appreciate the need for fairness, consideration of mitigating factors, and the essence of due process, but we believe improvements can be made to the disciplinary framework that will strengthen public trust while respecting officers' rights.

During our discussion, you asked that we provide our views on whether the Ombudsman should have the authority to provide oversight of Police Services Boards, the Ontario Civilian Police Commission (OCPC), and the Office of the Independent Police Review Director (OIPRD). The Board does not believe that additional oversight of Police Services Boards is necessary. As you are aware, the Ombudsman's powers were significantly expanded in 2014 following the passage of Bill 8, the Public Sector and MPP Accountability and Transparency Act, to allow the Ombudsman to investigate and resolve complaints within the broader public sector. At the time, the Legislature specifically excluded Police Services Boards from the Ombudsman's jurisdiction, a decision which our Board supported. Nothing has occurred since that time to convince us that additional oversight of municipal Police Boards is necessary or desirable. Boards are already scrutinized by various other Provincial bodies, and we expect the revisions to the Police Services Act to place greater emphasis on effective governance. The Board does not have a specific position with respect to whether the Ombudsman should have oversight powers related to the OCPC and the OIPRD.

We sincerely appreciate the opportunity to express our perspectives and look forward to your final report and the contribution it will make to improving policing in Ontario. Should you wish to discuss any of these matters, please do not hesitate to contact me.

Yours truly,



Roger Anderson
Chair

c.c.: Chief Martin
President El-Chantiry, Ontario Association of Police Services Boards
Big 12 Chairs
Local MPPs

Attachment: Responses to Justice Tulloch's questions to Police Services Boards

1. What role does your organization play in relation to police oversight?

The Board plays a broad oversight role by ensuring that the legislated functions assigned to the DRPS, as set out in the *Police Services Act* and its associated Regulations, are carried out by the organization. This responsibility is fulfilled through regular monitoring and reporting to the Board by the Chief of Police.

At a more specific level, there are several provisions of the *Police Services Act* that require the Board's direct intervention as part of the system of civilian oversight. For the purposes of the Independent Review being conducted, the following examples are relevant:

- Under section 31(1) of the *Police Services Act*, the Board is required to establish guidelines for dealing with complaints under Part V and review and receive regular reports on the Chief's administration of the complaints system. The Durham Regional Police Services Board has enacted a by-law on this matter and reviews statistical information related to complaints provided by the DRPS twice a year.
- Under section 69 of the Act, the Board is required to review complaints against a chief or a deputy chief when they are referred by the OIPRD, and make a determination, based on the allegation, whether the complaint should be investigated. If there is a finding of misconduct, a hearing must be held or an informal resolution reached.
- The Board must review the Chief's response to a complaint about the policies or services of the Police Service when requested to do so by a complainant, pursuant to section 63(6).
- Under section 83(17) of the *Police Services Act*, the Board must consider the reasonableness of a delay in serving a notice of hearing, when requested to do so.
- The Board is required to receive a report from the Chief of Police under section 85(8) of *Police Services Act* regarding the penalty imposed upon a member following a hearing and a finding of misconduct.

2. Ideally, what role should your organization have in relation to police oversight?

As the body responsible for the provision of police services, the Board should seek to preserve and enhance public trust in the performance of all its functions. The Board should direct and monitor the Chief's administration of the complaints system to help preserve public confidence, as currently required by the *Police*

Services Act. The Board should be kept informed of disciplinary and conduct issues, and address matters at a strategic, organizational level when the need arises. However, it is questionable whether the Board should play any direct role in the public complaints process, as it pertains to the Chief and Deputy Chief, as set out below.

As noted in the response to question 1, the Board is required to review complaints against a Chief or a Deputy Chief and make a determination, based on the allegation, whether the complaint should be investigated. It is respectfully submitted that this is an artificial step in the complaints process. Under no foreseeable circumstance would a Board be in a position to not request an investigation by the OIPRD upon being presented an allegation of wrongdoing, when it has no means of determining the nature or context of the allegation. According to the OIPRD, the allegation must be considered on its own merits, which requires the Board to accept that it may be potentially valid. By eliminating this step, the processes that apply to all other police officers would apply equally to a Chief or Deputy, enhancing consistency and helping avoid any suggestion that a Board is protecting its Chief or Deputy Chief by not referring an allegation to the OIPRD for investigation. Upon determination of whether or not misconduct occurred, the matter should then be turned over to the Board deal with at a disciplinary level, as is currently the case.

The requirement for the Board to make a determination under section 83(17) of the *Police Services Act* as to whether the delay in serving a notice of hearing is reasonable is worthy of further examination. It is noted that the Commissioner of the OPP makes such a determination regarding members of the OPP, and there does not appear to be any reason why this decision could not also be made by Chiefs of Police in municipal Police Services, rather than their respective Boards.

3. What interaction does your Board have with the three police oversight bodies: the Special Investigations Unit, the Office of the Independent Police Review Director, and the Office of the Civilian Police Commission?

The Board's direct interaction with the SIU is non-existent. Following the completion of an SIU investigation, the Board receives a report from the Chief of Police outlining any issues found by the Chief in his own review, pursuant to section 11 of Regulation 267/10.

The Board's interaction with the OIPRD is limited to circumstances when there is a complaint against a Chief or Deputy Chief. With regard to a policy or service complaint, where a request for a review is received by the complainant, the Board notifies the OIPRD of its disposition in writing. Both situations described above occur infrequently.

The Board's direct interaction with the OCPC is also limited. Twice in the past eight years the Board has been a party to status hearings under section 116 of the *Police Services Act*, held by the OCPC. The purpose of the hearings on both occasions was to determine whether the individual in question should be a member of the Senior Officers' Association. Having an arbitrator determine matters in dispute between a Board and an association, rather than the Commission, may be a more efficient and less costly process.

Appeals of disciplinary decisions are also been brought forward to the OCPC by members of the DRPS on rare occasion, and these matters are handled directly by the Police Service and legal counsel.

4. What is the role of these oversight bodies in relation to the oversight provided by the Boards? What should it be?

The oversight provided by Boards relates to the overall performance of the Police Service and the fulfillment of legislated responsibilities, and is far broader than the mandates of three oversight agencies currently being studied. There is currently a clear delineation between the role of Boards and the other civilian oversight bodies, and this separation should be maintained. The involvement of the other oversight bodies should be limited to circumstances when there are complaints or where issues arise of a nature that warrant a wide review of comparative policing practices and processes across jurisdictions.

5. Are the police oversight bodies transparent and accountable? Do they preserve fundamental rights?

The OIRPD's interpretation of the *Police Services Act* has been called into question on occasion and the Board has shared inconsistent understandings with the Director. We would bring to your attention that with the recent adoption of new Rules of Procedure, concerns have been raised that the OIPRD has overstepped the boundaries of the *Police Services Act*, in particular regarding how a Board must handle applications to delay serving a notice of hearing under section 83(17) of the *Act* and how a Board must conduct a review of a complaint against a Chief of Police or Deputy Chief of Police under section 69 of the *Act*.

Under section 69(2) of the *Act*, the Board must make a determination about the conduct of the Chief or Deputy Chief following its review of a complaint referred to it by the Director. In the OIPRD's Rules of Procedure, Rule 15 states that the Board must review the "alleged" conduct. The word "alleged" does not appear in this section of the *Act*, and there is therefore a clear inconsistency between the wording in the legislation and the interpretation contained within the OIPRD's Rules of Procedure. This Rule also restricts the Board's review by disallowing the Board to receive or consider any submission other than the complainant's. Our Board's position is that this Rule inappropriately circumscribes the Board's

review. Furthermore, Rule 12 directs how the Chief and the Board should conduct a hearing under section 83(17) of the *Act*. Our view is that Director has no authority under the *Act* to direct how a section 83(17) proceeding should be conducted.

It is also worthwhile to point out that the OIPRD's web site currently states the following:

"Every municipality that maintains a Police Service has a Police Services Board to provide general management".

We would clarify that the Police Services Board is not responsible to provide general management. The responsibilities of Police Services Boards are outlined in section 31 of the *Police Services Act*, and under section 41 of the *Act*, it is the responsibility of the Chief of Police to administer the police service and oversee its operation.

With respect to the SIU, there have been concerns raised over the timeliness of investigations. Recognizing the impact that outstanding investigations have upon involved officers and their families, and the potential impact on community trust, the Board would emphasize the importance of completing investigations as expeditiously as possible.

6. Following a section 11 review by a Chief of Police where SIU mandate has been triggered, should the identity of subject officers or any part of the Chief's report be released?

The Board's position is that current legislative model preserves accountability for the conduct of police officers subject to SIU investigations. Identifying an officer investigated by the SIU, when no criminal charge is laid, is unnecessary and arguably counterproductive to enhancing trust and accountability.

Under the *Police Services Act*, the Chief of Police is accountable and answerable to the Board for administering and overseeing the operation of the Police Service. The Board is required to direct the Chief and monitor his performance. If the members of the Police Service are not conforming to the community's expectations, the Chief and the Board must weigh this in fulfilling their responsibilities. It is the responsibility of the Board and the Chief of Police to address the community's concerns, and to exercise leadership and take action to rebuild and instill trust when the circumstances so demand.

It is worth noting that if a criminal charge is laid, the identity of the subject officer is on the public record. The Board does not believe that it is justified to publish an officer's name in circumstances where there is no basis for a criminal charge. It is worth questioning specifically what is to be gained by identifying publicly a police officer who is not accused of criminal conduct. The Board has not heard

compelling arguments that the identification of the officer is necessary, and the calls for this identification appear to be motivated by a desire to shame an officer. If there is no criminal charge, the matter should be dealt with internally.

The Chief's report, without identifying specific individuals, following the conclusion of an SIU investigation, should be in the public domain. If it is necessary that certain matters be kept confidential, the Board could consider aspects of the report in-camera. However, as much information as possible should be released publicly. This approach would help inspire confidence that the policy, service and conduct issues related to the incident leading to the SIU investigation are dealt with appropriately.

7. Are the mandates of the police oversight bodies effective and clear?

The mandates of the oversight bodies are generally clear.

However, the mandate of the OCPC in relation to complaints against a Board, or members of the Board, is complex and to an extent, contradictory. On the one hand, the OCPC prosecutes the alleged offences of a Board member. On the other hand, the OCPC also serves as the adjudicating body, determining whether misconduct occurred. It may be challenging to fulfill these dual roles adequately.

The Board would also question some aspects of the mandate of the OCPC. We would suggest that consideration be given to whether the Commission, by way of appeal, should make the final determination of whether a police officer should be terminated. This decision may appropriately rest with the hearing officer. There are an excessive number of steps that enable disciplinary matters to remain unresolved for years, at the expense of community trust in the police, and resulting in exorbitant legal bills.

The Board would further suggest that it should not be necessary for an independent local jurisdiction to obtain the approval of the OCPC to lay off a member, as currently required under section 40(1) of the *Act*. It is respectfully submitted that this decision should rest with the accountable body for the delivery of adequate and effective police services -- the local Police Services Board.

8. Are there areas of overlap and inefficiency between the police oversight bodies?

The mandates of the agencies are distinct. In spite of this, there is a lack of understanding of the various agencies' responsibilities, which can have a negative effect on public confidence in policing and the oversight of policing.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

**Interim Financial Reporting for the Period
Ending September 30, 2016**

RECOMMENDATION

1. That the Board receive the interim financial reports for the nine month period ending September 30, 2016, pursuant to Financial Accountability Board Policy No. 01/05.

SYNOPSIS

The Regional Municipality of York Police Services Board (the “Board”) is 79.4 percent spent at the end of September 30, 2016. York Regional Police is 74.2 percent spent for the same time period. Due to projected revenue shortfalls, the 2016 operating budget spending for York Regional Police is at risk to exceed the funding approved by the Board. Schedules of reserves and capital project spending have also been supplied for information purposes.

FINANCIAL IMPLICATIONS

The implementation of revised service fees and charges for Motor Vehicle Collision Investigations and Reports and Alarm fees has resulted in collectability concerns and significantly lower volume than previously estimated, resulting in a potential revenue shortfall of \$4.0 million. Spending reductions have partially mitigated the deficit by \$1.7 million, resulting in a forecasted shortfall of \$2.3 million. In addition to a 2016 deficit risk, the lowered revenue outlook will affect the ability to meet the 2017 and 2018 Budget Outlook. Financial analysis and reporting on all major accounts, including salaries, benefits, court time, overtime, fuel and investigative expenses are ongoing. Financial notes have been attached for all major variances.

BACKGROUND

The Board's Financial Accountability Policy states that "the Chief of Police shall report monthly on actual financial performance to the Police Services Board". The Regional Municipality of York Finance Department month-end accounting period is now complete and the interim financial reporting for the Board and York Regional Police for the period ending September 30, 2016 are attached to this report.

Net expenditures for the Board are \$326,425 or 79.4 percent of budget. For comparison purposes, the Operating Budget for the Board was 59.5 percent spent at September 30, 2015. Unfavourable variances exist in the salaries, benefits, conferences & seminars, meetings, memberships, office supplies, and telecommunications accounts.

Net expenditures for York Regional Police are \$219,710,455 or 74.2 percent of budget. For comparison purposes, the Operating Budget for York Regional Police was 74.8 percent spent at September 30, 2015.

At its June 22, 2016 meeting, the Board approved the Motor Vehicle Collision Reports and Investigations By-law No. 06-16, to amend the previous fees with mandatory charges. A result of this amended By-law, 2016 revenue estimates were lowered a total of \$3.3 million as a result of the deferred start date and significantly reduced volume estimates, down approximately 40 percent from the 2015 baseline. The revised motor vehicle collision forecast is for revenue totalling \$2.3 million in 2016, excluding provisions for collectability.

At its May 20, 2015 meeting, the Board established a September 1, 2015 implementation date for changes to the Alarms service fees By-law to replace the alarm registration model with a pay-as-you-go model. An expected benefit from the amendments included a reduction in false alarm calls for service, from publicly-paid police response to industry-paid private guard response. Given Alarm fees had previously achieved full cost recovery, the reduction to revenues was originally estimated at 30 percent by 2017. The 2016 alarm call volume is trending at a 45 percent reduction from baseline 2014 volumes, resulting in an estimated revenue shortfall of \$700,000 less than 2016 budgeted Alarm fee revenue.

Although there are favourable revenues from Clearance Letters and Volunteer Applicant Screening to partially offset revenue shortfalls, the revenue concerns put York Regional Police at risk to exceed the funding approved by the Board. To mitigate the forecasted budget shortfalls, expense spending was slowed totalling \$1.7 million including: replacement fleet and information technology equipment; deferral of the disaster recovery and YRPNet re-write projects; and reductions to spending for minor renovations, consultants, office/toner supplies and training.

Expenditures for salaries are slightly under budget offset by expenses for benefits and overtime, which are over budget. Favourable variances due to under spending in many administration, program related, occupancy, repairs and maintenance, financial items, and minor equipment

accounts are mostly offset by lower than planned revenue. Financial notes have been attached for all major variances. It is therefore recommended that the Board receive this report in accordance with the monthly reporting requirements outlined in the Financial Accountability Board Policy No. 01/05.

EJ/cc

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

Accessible formats or communication supports are available upon request

Schedule of Operating Budget Spending as of September 30, 2016

	Year-to-Date Actuals			Annual Budget			Balance			% Spent
	Board	YRP	Total	Board	YRP	Total	Board	YRP	Total	
Salaries	\$193,345	\$163,496,869	\$163,690,215	\$229,600	\$220,688,521	\$220,918,121	\$36,255	\$57,191,652	\$57,227,906	74.1%
Overtime	\$0	\$2,969,740	\$2,969,740	\$0	\$3,843,000	\$3,843,000	\$0	\$873,260	\$873,260	77.3%
Benefits	\$43,941	\$45,421,239	\$45,465,180	\$55,600	\$58,648,118	\$58,703,718	\$11,659	\$13,226,879	\$13,238,538	77.4%
Administration expense	\$106,165	\$5,811,772	\$5,917,938	\$150,550	\$8,776,250	\$8,926,800	\$44,385	\$2,964,478	\$3,008,862	66.3%
Program related expense	\$0	\$5,261,394	\$5,261,394	\$0	\$8,073,200	\$8,073,200	\$0	\$2,811,806	\$2,811,806	65.2%
Professional services expense	\$36,219	\$338,767	\$374,987	\$67,000	\$447,100	\$514,100	\$30,781	\$108,333	\$139,113	72.9%
Occupancy expense	\$0	\$4,576,766	\$4,576,766	\$0	\$6,328,883	\$6,328,883	\$0	\$1,752,117	\$1,752,117	72.3%
Repairs and maintenance expense	\$0	\$3,112,158	\$3,112,158	\$0	\$4,971,100	\$4,971,100	\$0	\$1,858,942	\$1,858,942	62.6%
Financial items	\$0	\$4,209,437	\$4,209,437	\$0	\$7,062,268	\$7,062,268	\$0	\$2,852,831	\$2,852,831	59.6%
Contributions to reserves	\$82,467	\$6,487,504	\$6,569,970	\$60,000	\$8,329,375	\$8,389,375	-\$22,467	\$1,841,871	\$1,819,405	78.3%
Internal charges	\$0	\$903,450	\$903,450	\$0	\$1,204,600	\$1,204,600	\$0	\$301,150	\$301,150	75.0%
Minor equipment	\$3,254	\$253,803	\$257,056	\$8,412	\$961,288	\$969,700	\$5,158	\$707,485	\$712,644	26.5%
Total expenditures	\$465,391	\$242,842,900	\$243,308,292	\$571,162	\$329,333,703	\$329,904,865	\$105,771	\$86,490,803	\$86,596,573	73.8%
Provincial funding	\$0	-\$7,751,067	-\$7,751,067	\$0	-\$10,648,300	-\$10,648,300	\$0	-\$2,897,233	-\$2,897,233	72.8%
Fees and charges	-\$82,467	-\$12,389,174	-\$12,471,641	-\$60,000	-\$18,576,200	-\$18,636,200	\$22,467	-\$6,187,026	-\$6,164,559	66.9%
Contributions from reserves	-\$56,500	-\$2,992,204	-\$3,048,704	-\$100,000	-\$3,989,605	-\$4,089,605	-\$43,500	-\$997,401	-\$1,040,901	74.5%
Total revenues	-\$138,967	-\$23,132,445	-\$23,271,412	-\$160,000	-\$33,214,105	-\$33,374,105	-\$21,033	-\$10,081,660	-\$10,102,693	69.7%
Net operating budget spending	\$326,425	\$219,710,455	\$220,036,880	\$411,162	\$296,119,598	\$296,530,760	\$84,737	\$76,409,143	\$76,493,880	74.2%
Percentage spent	79.4%	74.2%	74.2%							

Notes:

1. Nine months represents 75.0% of the year.
2. Excludes Regional allocations for telephone, occupancy, information technology, human resources, legal, finance and non-budgeted tangible capital asset costs.

Schedule of Capital Budget Spending as of September 30, 2016

Project	Project #	Commenced	Capital Authority	Project Spending			Inception to Date	Balance	% Spent	Anticipated Completion
				Prior Years	Current Year					
Training facility	29040	2013	\$27,125,741	\$6,717,741	\$11,667,903	\$18,385,643	\$8,740,097	67.8%	Apr 2018	
Radio system	29042	2013	\$26,096,242	\$25,671,242	\$85,967	\$25,757,209	\$339,033	98.7%	Dec 2016	
#3 District marine headquarters	29031	2011	\$8,071,811	\$271,811	\$15,615	\$287,426	\$7,784,385	3.6%	Tbd	
Vehicles (replacement and additional staff)	29010	2016	\$4,040,000	\$0	\$2,038,946	\$2,038,946	\$2,001,054	50.5%	Dec 2016	
#4 District renovations	29043	2014	\$1,763,556	\$263,556	\$9,814	\$273,370	\$1,490,186	15.5%	Tbd	
Business intelligence	29011	2015	\$1,588,857	\$238,857	\$51,435	\$290,292	\$1,298,565	18.3%	Dec 2017	
Information technology hardware and software	29022	2016	\$1,475,000	\$0	\$759,556	\$759,556	\$715,444	51.5%	Dec 2016	
Technical investigations	29023	2015	\$1,400,642	\$139,642	\$0	\$139,642	\$1,261,000	10.0%	Dec 2018	
King sub-station	29046	2016	\$1,300,000	\$0	\$30	\$30	\$1,299,970	0.0%	Dec 2018	
Data governance and retention management	29032	2015	\$1,030,187	\$420,187	\$271,009	\$691,196	\$338,991	67.1%	Dec 2016	
Information technology infrastructure	29030	2016	\$918,000	\$0	\$542,758	\$542,758	\$375,242	59.1%	Dec 2016	
Police helicopter retrofit	29050	2016	\$689,000	\$0	\$486,643	\$486,643	\$202,357	70.6%	Dec 2016	
Specialized equipment	29017	2016	\$665,000	\$0	\$142,225	\$142,225	\$522,775	21.4%	Dec 2016	
Existing facilities renovations	29033	2016	\$327,000	\$0	\$27,690	\$27,690	\$299,310	8.5%	Dec 2016	
Disaster recovery plan	29049	2016	\$308,000	\$0	\$0	\$0	\$308,000	0.0%	Dec 2018	
YRPNet re-write	29048	2016	\$150,000	\$0	\$0	\$0	\$150,000	0.0%	Dec 2017	
In-car video	29026	2016	\$131,000	\$0	\$93,206	\$93,206	\$37,794	71.1%	Dec 2016	
Total capital budget spending			\$77,080,036	\$33,723,036	\$16,192,795	\$49,915,831	\$27,164,205	64.8%		

Notes:

1. Capital Authority represents prior year project spending and amounts approved in the Capital Budget for single-year and multi-year projects.

Schedule of Reserve Balances as of September 30, 2016

Reserve fund	Reserve #	Balance at Dec. 31/15	Funding to Reserve	Funding to Budget	Interest Earned	Balance at Sept. 30/16
Board public relations fund	89595	\$248,610	\$82,467	-\$56,500	\$9,413	\$283,989
Development charge reserve	89335	\$12,940,295	\$3,316,206	-\$2,992,204	\$116,569	\$13,380,867
Sick bank reserve	89615	-\$4,798,991	\$1,125,000	\$0	-\$164,809	-\$3,838,799
Total reserves		\$8,389,914	\$4,523,673	-\$3,048,704	-\$38,827	\$9,826,057

<i>Police Services Operations</i>		<i>Year to Date Actuals</i>	<i>Annual Budget</i>	<i>Unexpended Amount</i>	<i>% Expended</i>
<i>Expenditures</i>					
Salary	1000	161,332,397.51	218,118,121.00	56,785,723.49	73.97
SalaryOverTime	1020	2,402,752.65	3,251,600.00	848,847.35	73.89
CourtOvertime	1021	1,096,225.41	1,667,700.00	571,474.59	65.73
ReturnedOvertime	1022	-529,237.58	-1,076,300.00	-547,062.42	49.17
Salary Adjustments	1050	2,357,817.40	2,800,000.00	442,182.60	84.21
Subtotal Salaries		166,659,955.39	224,761,121.00	58,101,165.61	74.15
Benefits	2500	45,465,179.63	58,703,718.00	13,238,538.37	77.45
Total Salaries & Benefits		212,125,135.02	283,464,839.00	71,339,703.98	74.83
OtherAllowances	5000	686,665.58	1,260,500.00	573,834.42	54.48
Travel Allowance	7000	1,579.84	2,000.00	420.16	78.99
Professional Development	9000	150,396.13	266,400.00	116,003.87	56.46
Meetings	9002	78,977.62	104,000.00	25,022.38	75.94
Staff Training & Development	10000	710,517.23	1,044,300.00	333,782.77	68.04
Tuition-Taxable	10020	184,414.47	250,000.00	65,585.53	73.77
Training Ontario Police College	10100	117,196.10	225,000.00	107,803.90	52.09
Training Canadian Police College	10110	98,120.82	121,000.00	22,879.18	81.09
Membership Fees	11000	87,631.19	126,900.00	39,268.81	69.06
Advertising Publicity	11050	13,859.25	22,600.00	8,740.75	61.32
SpecialEvents	11250	82,853.05	189,900.00	107,046.95	43.63
PublicRelations	11300	166,323.19	252,600.00	86,276.81	65.84
Telephone	120x0	628,039.92	856,900.00	228,860.08	73.29
Publications_Subscriptions	12100	61,033.15	70,200.00	9,166.85	86.94
Courier	12200	9,691.76	19,700.00	10,008.24	49.20
Postage	12250	33,641.96	75,700.00	42,058.04	44.44
Office Supplies	12350	143,069.03	314,000.00	170,930.97	45.56
Repair_MaintComputerSoftware	12400	1,855,864.40	2,348,500.00	492,635.60	79.02
ComputerSupplies	12410	74,063.06	250,500.00	176,436.94	29.57
PrintshopPrintingAllocation	12658	36,561.37	120,000.00	83,438.63	30.47
Printing-External	12750	69,190.80	161,000.00	91,809.20	42.98
OfficeEquipmentRental	12910	70,373.82	67,700.00	-2,673.82	103.95
TelecommunicationLines	13050	216,144.55	442,400.00	226,255.45	48.86
TelecomContracts	13060	341,729.44	335,000.00	-6,729.44	102.01
Total Administration Expense		5,917,937.73	8,926,800.00	3,008,862.27	66.29
ClothingSupplies	20000	1,403,522.71	1,617,200.00	213,677.29	86.79
Equipment-FirearmsSpecialUnit	20170	406,305.88	458,700.00	52,394.12	88.58
Radio License	21000	165,960.86	167,000.00	1,039.14	99.38
MealsCatering	23135	32,912.42	63,500.00	30,587.58	51.83
AudioVisual	24010	45,721.93	102,500.00	56,778.07	44.61
PhotographicEquipment	24040	60,198.93	90,100.00	29,901.07	66.81
PhotographicSupplies	24060	20,921.00	55,300.00	34,379.00	37.83
FingerPrintMiscellaneous	24070	4,446.40	25,000.00	20,553.60	17.79
FingerPrintChemicals	24080	2,569.18	6,000.00	3,430.82	42.82
InvestigationExpense	24090	212,022.30	439,200.00	227,177.70	48.27
Recruiting	25210	40,515.37	56,900.00	16,384.63	71.20
Personnel Agency Fees	25230	591,832.62	947,300.00	355,467.38	62.48
Material Supplies-External	26030	141,332.79	171,100.00	29,767.21	82.60
Gas Oil	26060	1,811,392.70	3,146,800.00	1,335,407.30	57.56
Diesel	26070	16,071.10	34,500.00	18,428.90	46.58
Purchase Of Service	28520	301,812.52	684,600.00	382,787.48	44.09
RentEquipment	29600	3,855.28	7,500.00	3,644.72	51.40
Total Program Related Expense		5,261,393.99	8,073,200.00	2,811,806.01	65.17
LegalFees	25020	109,102.85	121,500.00	12,397.15	89.80
Translation	25070	15,272.45	45,100.00	29,827.55	33.86
Consultant	25100	250,611.24	347,500.00	96,888.76	72.12
Total Professional Services Expense		374,986.54	514,100.00	139,113.46	72.94
Hydro_Water	30000	1,154,078.31	1,366,400.00	212,321.69	84.46
Heat	30020	194,054.58	346,800.00	152,745.42	55.96

<i>Police Services Operations</i>		<i>Year to Date Actuals</i>	<i>Annual Budget</i>	<i>Unexpended Amount</i>	<i>% Expended</i>
OfficeCleaning	30031	507,035.46	946,000.00	438,964.54	53.60
Caretaking	30050	116,672.67	154,000.00	37,327.33	75.76
PropertyBuildingRental	30090	790,779.78	1,069,683.00	278,903.22	73.93
InsuranceAllocation	30118	1,797,000.03	2,396,000.00	598,999.97	75.00
BuildingRenovations	30120	17,145.51	50,000.00	32,854.49	34.29
Total Occupancy Expense		4,576,766.34	6,328,883.00	1,752,116.66	72.32
Repair_MaintBuildingExternal	31000	60,847.32	113,400.00	52,552.68	53.66
Repair_Maint Contracts	31xx0	868,530.13	1,453,300.00	584,769.87	59.76
RepairMaintPlantEquipment	35700	955,631.58	1,508,900.00	553,268.42	63.33
Repair Maint Vehicles	37510	987,207.36	1,602,500.00	615,292.64	61.60
Repair Vehicle Accidents	37515	239,941.69	293,000.00	53,058.31	81.89
Total Repairs & Maintenance Expense		3,112,158.08	4,971,100.00	1,858,941.92	62.61
BankCharges-General	50030	138,726.90	184,000.00	45,273.10	75.40
Debt Issuance Fees	50050	22,601.59	0.00	-22,601.59	NIL
Allocated-Debt Principle	54508	2,364,820.50	3,153,094.00	788,273.50	75.00
Allocated-DebtInterest	54518	1,683,288.25	3,725,174.00	2,041,885.75	45.19
Total Financial Items		4,209,437.24	7,062,268.00	2,852,830.76	59.60
Contribution to Capital - Facilities	57210	245,250.00	327,000.00	81,750.00	75.00
ContribToDebtReductionReserve	57635	235,781.22	314,375.00	78,593.78	75.00
ContribToFuelCostStabilization	57644	240,472.02	0.00	-240,472.02	NIL
ContribToSickLeaveReserve	57650	1,125,000.00	1,500,000.00	375,000.00	75.00
Contribution to Capital - Equipment	57670	1,611,000.09	2,148,000.00	536,999.91	75.00
Contribution to Capital - Vehicles	57690	3,030,000.03	4,040,000.00	1,009,999.97	75.00
ContribToSeizedMoney	57970	82,467.01	60,000.00	-22,467.01	137.45
Total Contributions to Reserves		6,569,970.37	8,389,375.00	1,819,404.63	78.31
Recovery - Emergency Services	61009	-40,650.03	-54,200.00	-13,549.97	75.00
Allocated - Planning	62038	127,500.03	170,000.00	42,499.97	75.00
Allocated Transportation & Works	62048	306,600.03	408,800.00	102,199.97	75.00
Negotiated Legal	62098	510,000.03	680,000.00	169,999.97	75.00
Total Internal Charges		903,450.06	1,204,600.00	301,149.94	75.00
Purchase Of Equipment	40000	61,808.26	380,700.00	318,891.74	16.24
OperatingEquipment	40010	76,798.57	196,700.00	119,901.43	39.04
VehicleEquipment	40040	13,499.62	120,000.00	106,500.38	11.25
ComputerSoftware	41010	104,949.75	272,300.00	167,350.25	38.54
Total Minor Equipment		257,056.20	969,700.00	712,643.80	26.51
Total Expenditures		243,308,291.57	329,904,865.00	86,596,573.43	73.75
Revenues					
ProvincialGrant	71010	-7,751,066.91	-10,648,300.00	-2,897,233.09	72.79
Total Provincial Funding		-7,751,066.91	-10,648,300.00	-2,897,233.09	72.79
Recovery - Other	70400	-244,675.66	-615,000.00	-370,324.34	39.78
Fees & Charges	75000	-2,711,424.78	-3,168,100.00	-456,675.22	85.59
AdministrativeFees	75040	-602,164.41	-851,300.00	-249,135.59	70.73
SundryRevenue	75060	-496,723.51	-132,000.00	364,723.51	376.31
PoliceEscorts	75090	-673,261.67	-915,000.00	-241,738.33	73.58
AccidentReports	75130	-1,861,554.44	-5,575,000.00	-3,713,445.56	33.39
PrisonerEscorts	75150	9,532.05	-40,000.00	-49,532.05	-23.83
LeaseRentalRevenue	75160	-175,612.36	-150,000.00	25,612.36	117.07
AlarmMonitoringFees	75180	-1,138,515.65	-2,209,100.00	-1,070,584.35	51.54
ThirdPartyRecovery	75310	-1,213,887.79	-1,771,600.00	-557,712.21	68.52
ClearanceLetterRevenues	75330	-1,488,630.67	-1,609,000.00	-120,369.33	92.52
VolunteerApplicantScreeningRev	75335	-1,346,650.00	-1,076,000.00	270,650.00	125.15
Freedom of Information Revenue	75340	-121,275.26	-150,000.00	-28,724.74	80.85
VehicleAuctionProceeds	75520	-406,797.00	-374,100.00	32,697.00	108.74
Total Fees & Charges		-12,471,641.15	-18,636,200.00	-6,164,558.85	66.92
ContribFromPoliceBuildingReserve	77060	-2,992,203.72	-3,989,605.00	-997,401.28	75.00

<i>Police Services Operations</i>		<i>Year to Date Actuals</i>	<i>Annual Budget</i>	<i>Unexpended Amount</i>	<i>% Expended</i>
Contri From Seized Money	77830	-56,500.00	-100,000.00	-43,500.00	56.50
<i>Total Contributions from Reserves</i>		-3,048,703.72	-4,089,605.00	-1,040,901.28	74.55
<i>Total Revenues</i>		-23,271,411.78	-33,374,105.00	-10,102,693.22	69.73
<i>Net Position</i>		220,036,879.79	296,530,760.00	76,493,880.21	74.20

FINANCIAL NOTES

SALARIES

The Salaries account is 74.1 percent spent at September 30, 2016.

Net Overtime is 77.3 percent spent which includes the estimated banked liability. To date, Salary Overtime, Court Overtime and Returned Overtime are under budget causing a net unfavorable variance. The actual payout to date, before overtime bank accrual, is \$883,820. For comparison purposes, net overtime as of September 30, 2015 was 120.7 percent spent including unbudgeted time related to the Pan Am games.

BENEFITS

Employee benefits accounts are unfavorable at 77.4 percent spent. Contributions for Canada Pension Plan and Employment Insurance are expensed relative to earnings until maximums are reached whereas budgeted funding is measured evenly over the year. Last year at this time accounts were 79.9 percent spent.

OPERATING EXPENSES

Administration Expense

Favorable variances in several accounts including Staff Training and Allowances, Special Events, Public Relations, Postage, Office and Computer Supplies, Printing and Telecom Lines are partially offset by unfavorable variances in Computer Software Maintenance, Office Equipment Rental and Telecom Contracts. The Computer Software Maintenance account includes four quarters of eJust expense. The Telecom Contracts account includes the annual radio maintenance contract payment.

Program Related Expense

Overall spending is less than planned due to under spending in Audio Visual, Photographic Supplies, Investigation Expense, Personnel Agency Fees, Gasoline and Purchase of Service accounts. Expenditures for Clothing Supplies and ammunition are ahead of plan. Annual Industry Canada Radio License fees have been processed.

Professional Services Expense

Translation and consulting fees are both under budget partially offset by ahead of plan legal fees.

Occupancy Expense

Combined heat and hydro accounts are over budget. Expenses for cleaning, rentals and renovations are temporarily favorable.

Repairs & Maintenance Expense

Total repairs and maintenance costs are currently under budget due to favorable variances in all accounts with the exception of Vehicle Accident Repairs.

Financial Items

Debt interest charges are well below plan. Debt issuance charges are unbudgeted.

Contribution to Reserves

A Contribution to the Fuel Stabilization Reserve, in return for lower than planned fuel pricing, is unbudgeted and currently understated. Revenues from forfeited monies and auction proceeds are ahead of plan.

Internal Charges

All Regional charges have been allocated at approved budget amounts. Later in the year, if not year-end, expenses will be trued up to reflect actual cost.

Asset Acquisition

Minor equipment accounts are temporarily underspent due to the timing of the procurement process.

REVENUES

Provincial funding is slightly under budget due to lower than planned PAVIS Grant funding. Total Fees and Charges are below plan with only Fees & Charges, Sundry Revenue, Lease Rental, Clearance Letter, Volunteer Applicant Screening, Freedom of Information and Vehicle Auction Proceeds accounts being favorable. The Sundry Revenue account includes cost recovery for clandestine drug operations and joint service investigations. Other fees and charges are under budget, most notably Accident Reports and Alarm Monitoring Fees. Revenues are also under budget for Paid Duties, Third Party Recovery and Prisoner Escorts. Under the Recovery account, chargebacks to Fire Services for IT support is lower than planned and the chargeback for Voice Radio service has not yet been recorded. Contributions from seized monies to pay for Police Services Board public relations expenses are under budget.

POLICE SERVICES BOARD PUBLIC RELATIONS FUND

Year-to-date contributions to the reserve as of September 30, 2016 total \$82,467, \$66,210 from forfeited monies and \$16,257 from auction proceeds. Interest earned on the account totals \$9,413. A draw from the reserve of \$56,500 has been made to pay for approved expenditures.

DEVELOPMENT CHARGE RESERVE

Development charge collections to date total \$3,316,206. Interest earned on this account totals \$116,569. Combined payments made on the development charge portion of debentures and Capital projects total \$2,992,204.

SICK BANK RESERVE

The year-to-date contribution of \$1,125,000 is on plan. Interest charges of \$164,809 have been recorded on this account to reflect the debit balance of the reserve.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Award for Retail Fuel Services

RECOMMENDATIONS

1. That the Board authorize the award of the contract for Region of York's Request for Proposal (P-16-06) for the provision of retail fuel services to Imperial Oil Limited, for an annual cost of \$650,000 in years one to three and \$175,000 in years four and five, for a total contract cost of \$2,300,000, excluding HST; and
2. The term of the contract be for 5 years, commencing on November 23, 2016 and expiring on November 22, 2021; and
3. That the Chief of Police be authorized to execute the contract, subject to the approval of The Regional Municipality of York's Regional Solicitor, or his or her designate, as to form and content.

SYNOPSIS

This report requests the Board's approval to award the contract for retail fuel services through a no fee, no cost credit card program, to Imperial Oil Limited totalling \$2,300,000 over a five year term. The award is based on the only Proponent that met the minimum technical score. Retail fuel services are anticipated to cost \$650,000 annually for years one to three and decrease to \$175,000 annually after the construction of #1 District and the implementation of new fuel pumps. Purchasing Bylaw No. 06-14, section 6.16, requires the Board's approval to award a contract if the total cost of the contract exceeds one million dollars.

FINANCIAL IMPLICATIONS

Funds in the amount of \$3,590,100 are included in the 2016 Operating Budget for the purchase of fuel, including \$650,000 for retail fuel services. The funding for 2017 and to renew outlook years at similar amounts is included in the proposed 2017 Operating Budget and Outlook, subject to the annual approval of the budget by the Board and Regional Council.

BACKGROUND

The Region of York and York Regional Police invited Proposals from qualified vendors to provide a retail fuel solution through a no fee, no cost credit card program. Also included in the Request for Proposal was the issuance of credit cards and Radio Frequency Identification (RFID) tags upon request, implementation of purchasing controls, on-line reporting capabilities, card maintenance and fuel discounts. The Region and York Regional Police partnered together in the competitive process to assess the market for a pricing discount. Imperial Oil, by its Managing Partner, Imperial Oil Limited, provided the only submission that met all minimum requirements of this Request for Proposal.

York Regional Police currently has four bulk fuel storage tanks that are located at District locations in Richmond Hill, Georgina, Markham and at Headquarters in Aurora. Although these tanks are the primary source of fuel for approximately 400 Police vehicles or 60 percent of the fleet, the remaining vehicles utilize retail fuel services. Currently, fuel and purchase cards are used at various retail locations across the Region with a minor discount rate from retail pricing. The Region and York Regional Police partnered together in a competitive procurement in order to obtain a more favourable fuel discount rate based upon combined fuel volumes.

On February 19, 2016, Region of York's Supplies and Services released a Request for Proposal (RFP) for the provision of retail fuel services by advertising the document on Biddingo.com, and through the Region of York's "Bids and Tenders" notification system. The RFP was purchased by three Vendors and at the time of closing on March 10, 2016, two Proponents elected to submit a Proposal.

List of Proponents that picked up the RFP and submitted a proposal are indicated in the table below.

	Proponents	Bid Submitted
1.	Imperial Oil Limited, PO Box 1870, Uxbridge, ON	Yes
2.	Suncor Energy Products Partnership, 2489 North Sheridan Way, Mississauga, ON	Yes
3.	Kenstruct Ltd., 24533 Park Road, Pefferlaw, ON	No

The Evaluation Committee included representation from Region of York's Controllershship Office and Fleet Services and the York Regional Police Fleet Unit. The goal of the Evaluation Committee was to reach a consensus and recommend a Proponent who will meet the service requirements of the Region of York and York Regional Police, and provide best value.

The evaluation process for this RFP was a three stage process:

First Stage - Technical Proposals – (70 points)

The Region of York established the weighting breakdown prior to the release of the RFP document. Upon closing of the RFP document, each member of the Evaluation Committee was provided a copy of each Proponent’s Technical Proposal to score and evaluate. The Technical Proposal submissions were scored out of 70 possible points and only Proponents receiving a minimum technical score of 36 points progressed to the second stage.

The following criteria were used in evaluating the Technical Proposal:

Proponent/Fuel Program Profile (10 Points)

- Experience and credentials of the firm; and
- Qualification References, in response to Section 12, indicating the competence and track record of the Proponent in the marketplace with regard to services required by the Region.

Submission (5 Points)

- Responsiveness to the RFP, completeness/comprehensiveness of submission; and
- Demonstrated full understanding of the project objectives and the services to be provided

Deliverables – Program Specification Requirements (55 Points)

- Solution Type/Ability to meet the Region’s Program Needs;
- Products and Services Available;
- Implementation;
- Transaction Authorization Process;
- Station Hours of Operation/Proximity to Regional locations;
- Data Capture/Retention/Online Accessibility;
- Reporting Options/Report Samples;
- Program Support, Training and Maintenance;
- Customer Service;
- Security/Fraud Prevention;
- Liability;
- Web Access/Database Technology; and
- Value Added Services within the scope of the services required.

First Stage - Technical Proposal Scoring Chart

Proponent	Technical Score (out of 70)
Imperial Oil Limited	50.3

Second Stage – Presentation – 10 Points

Imperial Oil Limited met the minimum score in the First Stage and was invited to do a 90 minute presentation and product demo, including questions and answers from the Evaluation Committee. The presentation was scored out of 10 points.

The following chart depicts the combined results of the First and Second Stages.

Second Stage – Oral Presentation and Demonstration Scoring Chart

Proponent	Technical Score (out of 70)	Presentation/ Demo Score (out of 10)	Total Weighted Score After Second Stage (out of 80)
Imperial Oil Limited	50.3	7.5	57.8

Third Stage – Price Proposal (20 points)

Imperial Oil Limited met the minimum score for the First and Second Stage of the process, therefore their Price Proposal was opened and reviewed.

The following chart depicts the Total Weight Score for the RFP.

Third Stage – Price Proposal Scoring Chart

Proponent	Total Weighted Score After Second Stage (out of 80)	Total Price (based on YRP volumes) (pre H.S.T.)	Pricing Score (out of 30)	Total Weighted Score (out of 100)
Imperial Oil Limited	57.8	\$2,300,000	20.00	77.8

The Total price above is based on the discounts provided by Imperial Oil Limited and applied to estimated volume over a five year period for unleaded fuel, diesel and car washes. The procurement represents good value as Imperial Oil Limited provided fuel discount rates of \$0.04/Litre, with an additional discount of \$0.02/Litre until Dec. 2017. In addition, a discount rate of \$2.00/car wash is firm through the contract term.

Purchasing Bylaw No. 06-14, section 6.16, requires the Board’s approval to award a contract if the total cost of the contract exceeds one million dollars. In accordance with the recommendations contained in this report, it is therefore recommended that Imperial Oil Limited be awarded as the Proponent who submitted the only Proposal that met the minimum technical score which represents the best value to the Board.

EJ:cm

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

Accessible formats or communication supports are available upon request

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Contract Extensions Beyond Five Years

RECOMMENDATIONS

1. That the Board authorize an extension to the contract for caretaking supplies to Swish Maintenance Limited, for an additional six month term to March 31, 2017 at a total additional cost of \$76,502 excluding HST; and
2. That the Board authorize extensions to the contracts for towing services to Metro North Towing Incorporated operating as Elliott's Towing, York Region Traffic Services Incorporated, 730162 Ontario Limited operating as York Auto Towing and Recovery and Cardinal Towing Incorporated, for an additional five month term to March 31, 2017 with no additional cost.

SYNOPSIS

This report requests the Board's approval to extend existing contracts for caretaking supplies and towing services beyond a five year term to allow leadtime for competitive bidding processes. For the cleaning supplies contract, the proposed additional six month term is to allow the York District School Board as lead agency in the York Purchasing Co-Operative leadtime to replace the existing contract. For the towing services, the proposed additional five month term is to accommodate recent changes to local municipal towing Bylaws. Purchasing Bylaw No. 06-14, section 12.3, requires the Board's approval for scope changes or additional deliverables where the total contract term exceeds five years.

FINANCIAL IMPLICATIONS

Funds in the amount of \$154,000 are included in the 2016 Operating Budget for caretaking supplies. There are no financial implications for towing services as the contracts serve to administer fees established by local municipal Bylaws related to vehicles seized or impounded by York Regional Police.

BACKGROUND

Caretaking Services

At its meeting on November 23, 2011, the Board authorized the Chief of Police to enter into a cooperative agreement with the York Purchasing Co-operative for the supply and delivery of Caretaking Supplies by adopting the results of the York Region District School Board’s Request for Proposal (#CRFP2011-6). The contract was awarded to Swish Maintenance Limited and the terms of the Contract were for a one (1) year term, with four (4) additional one (1) year options. Subsequently all contract extensions were exercised and the contract expired on September 30, 2016.

York Region District School Board have approved an extension to the existing contract to allow additional leadtime to release a competitive bid for caretaking supplies. Swish Maintenance have agreed to the extension of the contract and to maintain existing contract pricing until March 31, 2017. Should a manufacturer insist on a price increase during the extension, Swish Maintenance Limited shall limit the increase to the consumer price index as per the original agreement.

Towing Services

As outcomes to Request for Proposals for towing services for vehicles seized or impounded by York Regional Police (#P-11-05, #P-11-06, #P-11-10 and #P-11-11), on October 12, 2011 contracts were awarded to Metro North Towing Inc., York Regional Traffic Services Inc., 730162 Ontario Limited and Cardinal Towing Incorporated. The contracts commenced on November 1, 2011 for a five year term that expired on October 31, 2016. Although the purchasing process does not preclude a single region-wide vendor, the historical protocol has been to request towing services by District which resulted in contracts to four vendors.

Towing Services Contracts by Municipality

Vendor	Districts/Municipalities
Metro North Towing Incorporated operating as Elliott’s Towing	#1 and #3 Districts servicing Aurora, Newmarket, East Gwillimbury and Georgina
York Region Traffic Services Incorporated	#2 District servicing Richmond Hill, Vaughan and Markham
730162 Ontario Limited operating as York Auto Towing and Recovery	#4 District servicing Vaughan and King
Cardinal Towing Incorporated	#5 District servicing Markham and Whitchurch-Stouffville

Due to recent changes in the local municipal towing bylaws, there has been a delay in releasing the Request for Proposal. As a result, the proposed five month extensions will allow the Purchasing Unit the leadtime to facilitate the local municipal Bylaw changes. Feedback from

vendors has been received with their agreement to continue to provide services under the same terms and conditions of the initial agreement.

Purchasing Bylaw 06-14 section 12.3, provides a limit of five years to extensions of existing contracts. It is therefore recommended that the Board approve a six month extension for caretaking supplies to March 31, 2017 and five month extensions to towing services to March 31, 2017 to allow leadtime for competitive bidding processes.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:jf

Accessible formats or communication supports are available upon request

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Donation of \$10,000 or More

RECOMMENDATION

1. That the Board approve the donation of \$20,000 from The Corporation of the City of Vaughan to support the York Regional Police Peer Support House, pursuant to the Police Services Board Public Donations Policy No. 01/15.

SYNOPSIS

This report seeks the Board's approval for a donation to support the York Regional Police Peer Support House from The Corporation of the City of Vaughan. Mayor Maurizio Bevilacqua presented a donation for \$20,000 to support the Peer Support House through the Mayor's Gala and Spirit of Generosity Event. In accordance with the Board's Public Donations Policy No. 01/15, all donations of \$10,000 or more require the Board's approval.

FINANCIAL IMPLICATIONS

The cash donation will be deposited into the appropriate Operating Budget for the Occupational Health and Wellness Bureau.

BACKGROUND

York Regional Police introduced a Peer Support House in an effort to provide a safe environment for members to receive support, while at the same time enhancing our partnerships

in the mental health community. The Peer Support House is home to the Peer Support Unit, the Staff Psychologist, York Region Paramedic Services Peer Support, Tema Conter and Wounded Warriors.

The Peer Support House is used to complete safeguard testing and interviews, provide members with a confidential place to visit for peer support, to obtain information and referrals for mental health and addiction related services, and for check-ins following a critical incident.

The donation to the Peer Support House for \$20,000 was raised through the 2016 Mayor's Gala and Spirit of Generosity, held in the City of Vaughan. Since 2011, the annual Mayor's Gala and Golf Tournament events have raised more than \$5 million. Distributed proceeds have been used for many important purposes, including iPads for children with autism, expansion of hospice programs, camp programs for children, toys for children at Christmas, to help victims of abuse and to build a new home for special needs adults.

Mayor Maurizio Bevilacqua has presented York Regional Police with a donation to support the Peer Support House for the excellent work it does for officers with Post Traumatic Stress Disorder.

It is therefore recommended that the Board approve this report pursuant with the reporting requirements within the Board's Public Donations Policy No. 01/15 for donations.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:se

Accessible formats or communication supports are available upon request

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Execution of Documents By-law and Purchasing By-Law

RECOMMENDATION

1. That the Board receive this report pursuant to the Execution of Documents By-Law No. 08-15 and Purchasing By-Law 06-14 quarterly reporting requirements.

SYNOPSIS

In accordance with the Police Services Board's Execution of Documents By-Law No. 08-15 and Purchasing By-Law 06-14, this report contains a summary of documents, agreements and purchasing matters that were executed in the third quarter of 2016.

FINANCIAL IMPLICATIONS

The funds necessary to satisfy the terms of each contract identified in this report were included in the 2016 Operating or Capital Budgets.

BACKGROUND

In accordance with the Execution of Documents By-Law No. 08-15, additional authority has been granted to permit the Deputy Chiefs to execute documents related to the programs and projects under their portfolio of responsibility.

The By-law further states that:

- In all cases where documents are executed under delegated authority, a quarterly report must be submitted to the Board; and
- Each signing officer shall obtain the approval of the Regional Solicitor or his or her designate as to form and content prior to executing any document pursuant to this By-law.

In accordance with the Purchasing By-Law No. 06-14, a quarterly report is required to advise the Board of the following matters:

- The award of any contract as a result of a request for tenders; and
- The award of any contract as a result of a request proposal and awarded by the Deputy Chief or Chief of Police; and
- Any expenditures made as a change in scope/additional deliverables.

In accordance with the Execution of Documents By-Law No. 08-15, the agreements and other undertakings that have been executed within the third quarter of 2016 are identified in Appendix 1. Appendix 2 outlines the agreements and undertakings in accordance with the Purchasing By-Law No. 06-14. All amounts listed exclude taxes. It is therefore recommended that the execution of documents and purchasing third quarter report be received.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:ac

Accessible formats or communication supports are available upon request

In accordance with the Execution of Documents By-Law No. 08-15, the agreements and other undertakings that have been executed within the third quarter of 2016 are outlined below in Appendix 1.

Appendix 1 - Execution of Documents By-Law No. 08-15

Contracts and Agreements		
Parties	Expiry Date	Amount
Canadian Criminal Real Time Identification Services (CCRTIS) a National Police Service of the Royal Canadian Mounted Police (RCMP) and York Regional Police to allow access to the Criminal Justice Information Management System (CJIM) and/or the Real Time Identification System (RTID)	August 21, 2021	Responsible for costs associated with procurement, operation and upgrades of network, security measures and federally-regulated user fees
The Regional Municipality of York Police Services Board and The Aids Committee of York Region Inc. – 3rd amending and extending occupancy agreement re The York Region Centre for Community Safety (YRCCS) located at 16775 Yonge Street, Newmarket	June 30, 2018	Operating cost of \$50 per day of use by The Aids Committee of York Region Inc. plus \$100 allocated to training and meeting expenses
The Regional Municipality of York Police Services Board and Women's Shelter of York Region Inc. – 3rd amending and extending occupancy agreement re The York Region Centre for Community Safety (YRCCS) located at 16775 Yonge Street, Newmarket	June 30, 2018	Operating cost of \$50 per day of use by Women's Shelter of York Region Inc. plus \$100 allocated to training and meeting expenses
The Regional Municipality of York Police Services Board and Project Hostel o/a Yellow Brick House – 3rd amending and extending occupancy agreement re The York Region Centre for Community Safety (YRCCS) located at 16775 Yonge Street, Newmarket	June 30, 2018	Operating cost of \$50 per day of use by Project Hostel o/a Yellow Brick House, plus \$100 allocated to training and meeting expenses
Bentall Kennedy (Canada) Limited Partnership - MOU providing York Regional Police with direct remote access to exterior surveillance cameras at The Interchange commercial property that includes a series of restaurants, night clubs and other entertainment venues	November 5, 2016	N/A
The Regional Municipality of York Police Services Board and Moving Forward 2015 Foundation – 3rd amending and extending occupancy agreement re The York Region Centre for Community Safety (YRCCS) located at 16775 Yonge Street, Newmarket	June 30, 2018	Operating cost of \$50 per day of use by Moving Forward 2015 Foundation, plus \$100 allocated to training and meeting expenses

The Regional Municipality of York Police Services Board and Children and Family Services for York Region – 3rd amending and extending occupancy agreement re The York Region Centre for Community Safety (YRCCS) located at 16775 Yonge Street, Newmarket	June 30, 2018	Operating cost of \$50 per day of use by Children and Family Services for York Region, plus \$100 allocated to training and meeting expenses
The Regional Municipality of York Police Services Board and Family Services York Region – 3rd amending and extending occupancy agreement re The York Region Centre for Community Safety (YRCCS) located at 16775 Yonge Street, Newmarket	June 30, 2018	Operating cost of \$50 per day of use by Family Services York Region, plus \$100 allocated to training and meeting expenses
York Regional Police and Intelligence Operations Enforcement and Intelligence Operations Division, GTA Region, Canada Border Services Agency (CBSA) - Letter of Agreement concerning the Participation of Canada Border Services Agency and Disclosure of Information re Project OREGANO	September 14, 2017	N/A
Her Majesty the Queen in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services (MCSCS) and The Regional Municipality of York Police Services Board – Proceeds of Crime (POC) Front-Line Policing (FLP) Grant Program - Project Cassiel, Child Trafficking Project - Ontario Transfer Payment Agreement	March 31, 2017	\$100,000
Newmarket Property Corporation and The Regional Municipality of York Police Services Board – Lease Agreement for premises located at Yonge/Mulock Centre, 16775 Yonge Street, Newmarket - Units 6 & 7	September 30, 2018	\$131,912 plus HST
The Regional Municipality of York (Paramedic Services) and The Regional Municipality of York Police Services Board – Licence to Occupy Agreement for premises located at 2768 Davis Drive, East Gwillimbury, ON	May 15, 2021	N/A
Total Expenditures		\$231,912

For comparison purposes, the delegation of authority for contracts and agreements in the third quarter 2015 was \$6,401,846, excluding HST.

In accordance with the Purchasing By-Law 6-14, the agreements and other undertakings that have been executed within the third quarter of 2016 are outlined below in Appendix 2.

Appendix 2 - Purchasing By-Law No. 06-14

Tender Approvals, Request for Proposals and Scope/Additional Deliverables			
Description	No. of Bids	Award Date	Value
Request for Tender Award (T-16-13): Supply & Delivery of CISCO Equipment Vendor: CDW Canada Corp. Term of Contract: One Time	2	July 4, 2016	\$170,503 (excluding HST)
Request for Tender Award (T-16-14): Supply and Delivery of Panasonic Tough Books Vendor: Hypertec Systems Inc. Term of Contract: One Time	6	July 4, 2016	\$240,000 (excluding HST)
Request for Proposal Award (P-16-03): Police Vehicle Repairs – York Regional Police #1 District, Newmarket Vendor: Evans Touch Auto Services Ltd. o/a Master Mechanics, Newmarket Term of Contract: 2 Years plus 2 optional one year extensions	2	July 12, 2016	\$433,501 (excluding HST)
Contract Action Request (PO#83653): Police Vehicle Repairs – York Regional Police #1 District, Newmarket Vendor: Tool Box Auto Shop Reason: To extend the current contract by three months until new contract in place		July 6, 2016	\$30,000 (excluding HST) Contract Total to date: \$460,978
Contract Action Request (PO#86849): Janitorial Services at Community Safety Village of York Region, Stouffville Vendor: Kleenway Building Maintenance Services Inc. Reason: To extend the contract for the first of two - two year options. The initial contract term was for one year.		July 12, 2016	\$69,952 (excluding HST) Contract Total to date: \$103,780
Contract Action Request (PO#83330): Microsoft Enterprise Licensing Vendor: CDW Canada Inc. Reason: Increase of the Purchase Order to pay 2016 Microsoft License “True Ups”		July 26, 2016 September 6, 2016	\$43,735 (excluding HST) \$67,618 (excluding HST) Contract Total to date: \$1,386,362

Tender Approvals, Request for Proposals and Scope/Additional Deliverables			
Description	No. of Bids	Award Date	Value
<p>Contract Action Request (PO#86560): Supply of Fuel for District 4 Vehicles from the Vaughan Works Yard Vendor: City of Vaughan Reason: To add funds to the P.O. as per the Co-operative Purchase Award Report dated June 6, 2015 for the second year of the contract.</p>		September 1, 2016	<p>\$600,000 (excluding HST)</p> <p>Contract Total to date: \$1,200,000</p>
<p>Contract Extension (PO#85280): Winter Clothing, Jacket and Pants Vendor: Uniform Experts North America Inc. Reason: To increase the funds and extend the contract for an additional year</p>		September 7, 2016	<p>\$95,000 (excluding HST)</p> <p>Contract Total to date: \$190,000</p>
<p>Contract Extension (PO#83859): Supply Delivery and Destruction of Soft Body Armour Vendor: Pacific Safety Products Reason: To increase funds</p>		September 19, 2016	<p>\$122,500 (excluding HST)</p> <p>Contract Total to date: \$1,856,364</p>
<p>Contract Action Request (PO#87389): Janitorial Services at York Regional Police Headquarters, Aurora Vendor: Kleenway Building Maintenance Services Inc. Reason: To extend the contract for the first of two - two year options. The initial contract term was one year.</p>		September 27, 2016	<p>\$656,678 (excluding HST)</p> <p>Contract Total to date: \$975,131</p>
<p>Contract Action Request (PO#83620) Tactical Uniforms Vendor: Outdoor Outfits Inc. Reason: To extend the contract for the second one year option.</p>		September 27, 2016	<p>\$120,000 (excluding HST)</p> <p>Contract Total to date: \$480,000</p>
<p>Contract Action Request (PO#83374): Janitorial Services at York Regional Police #1 District, Newmarket; #3 District, Sutton; and the Yonge & Mulock Centre, Newmarket Vendor: Kleenway Building Maintenance Services Inc. Reason: To extend the contract for the second of two - two year options.</p>		September 29, 2016	<p>\$292,902 (excluding HST)</p> <p>Contract Total to date: \$759,274</p>

Tender Approvals, Request for Proposals and Scope/Additional Deliverables			
Description	No. of Bids	Award Date	Value
Contract Action Request (PO#83377): Janitorial Services at York Regional Police #2 District, Richmond Hill, #5 District, Markham and Community Resource Centre, Richmond Hill Vendor: Kleenway Building Maintenance Services Inc. Reason: To extend the contract for the second of two - two year options.		September 29, 2016	\$466,446 (excluding HST) Contract Total to date: \$1,152,680
Total Expenditures			\$3,408,835

For comparison purposes, the delegation of authority for Purchasing By-law No. 06-14 items in the third quarter 2015 was \$24,407,033, excluding HST.

CO-OPERATIVE PURCHASING

In the third quarter of 2016, the following co-operative purchase orders were initiated under section 13 of Purchasing By-law No. 06-14:

Co-Operative Purchasing Agreements

Description	Co-ordinating Agency	Contract End	Vendor(s)	Value
Provision of Microsoft Enterprise Licensing Agreement	Region of York	June 2019	CDW Canada	\$703,601 (excluding HST)
Provision of Immediate Telephone Interpretation Services	Region of York	September 30, 2018	Language Line	\$44,000 (excluding HST)
Supply and delivery of one 2016 Toyota RAV4	Ontario Shared Services Police Cooperative Purchasing Group		Don Valley North Toyota	\$27,859 (excluding HST)
Supply and delivery of one 2017 Jeep Grand Cherokee Laredo	Ontario Shared Services Police Cooperative Purchasing Group		New Roads Chrysler Dodge-Jeep RAM (2493191 Ontario)	\$36,108
Total				\$811,568

For comparison purposes, the delegation of authority for co-operative purchasing items in the third quarter of 2015 was \$1,424,357.

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

November 23, 2016

2014-2016 Business Plan: Year 3 Status Update

RECOMMENDATION

1. That the Board receive this report.

SYNOPSIS

The York Regional Police 2014-2016 Business Plan served as our strategic roadmap for the past three years setting forth our Organizational priorities and ensuring we delivered services consistent with our Values. It was developed through extensive consultation with our residents, community partners and members of York Regional Police. In compliance with the *Police Services Act*, Regulation 3/99, its objectives and actions reflect the considerable feedback we received during our consultation process and our commitment to providing excellent policing services.

Since the Plan's implementation we have made significant progress towards achieving our objectives. This report highlights these achievements for year three of the 2014-2016 Business Plan and summarizes the overall status of all implementation plans developed during the three year time period. We are confident that realizing these objectives has enhanced our ability to deliver effective and efficient policing services that better our communities and work environment.

FINANCIAL IMPLICATIONS

None.

BACKGROUND

The York Regional Police business planning process was undertaken in accordance with Police Services Board Policy No. 03/10 and York Regional Police Procedure AI-001, Framework for Business Planning. The Business Plan covered three years spanning from 2014 to 2016 and our objectives were aligned to four interconnected strategic priority areas; These “Cornerstones of Success” are Community Focus, Operational Excellence, Preferred Place of Employment and Superior Quality Service. The cornerstones contained 18 objectives and 82 corresponding action items that describe our plans to address challenges in our operating environment while meeting the needs of our citizens and our members.

Implementation of the Business Plan has been member-driven and overseen by the Strategic Plan Steering Committee, comprised of the Executive Command Team and several members of senior management. Together, they were responsible for coordinating implementation teams to plan and undertake activities to complete the 82 actions of the plan, and for monitoring their progress. During the three years of the Plan, there were 245 activities planned to carry out these commitments.

Some of the highlights of activities completed in 2016 included the establishment of a mental health issues working group with community partners, furthering our partnerships with York Region Welcome Centres to engage with new Canadians, enhancing our safety messaging to seniors, utilizing a data-driven approach to crime and traffic safety, increasing the availability of online reporting and mobile services for residents, expanding the installation of in-car cameras, and creating a spousal support network for staff members with Post Traumatic Stress Disorder (PTSD). Further details of the major accomplishments in 2016 can be found in Appendix A.

The following chart shows the breakdown for all 2014 – 2016 Business Plan objectives and actions, and the status of all planned activities to year-end 2016.

Cornerstone	2014-2016 Objectives	2014-2016 Actions	2014-2016 Planned Activities
Community Focus	4	20	56/57 completed (98%) 1 to carry over
Operational Excellence	5	19	43/46 completed (93%) 2 to carry over 1 cancelled
Preferred Place of Employment	4	22	64/75 completed (85%) 3 to carry over 8 cancelled
Superior Quality Service	5	21	60/7 completed (89%) 7 to carry over
Total	18	82	223/245 completed (91%) 13 to carry over 9 cancelled

Of the 245 activities we planned to undertake over the last three years, 223 were completed to achieve the 18 objectives and 82 actions contained in the 2014-2016 Business Plan. There are a further thirteen in progress and/or substantially completed that will be carried over into next year for completion. Nine planned activities have been cancelled due to current cost or resource implications and their feasibility will be reassessed in the future should circumstances permit.

In summary, we are very pleased with the significant number of accomplishments we have been able to achieve in the past three years and the successful conclusion of this plan. The process to improve is never finished; however, and we will continue to build on our efforts. Our dedicated members have played a key role in our success and by continuing to work closely with our community partners we will ensure our future plans reflect the high quality of service our citizens expect us to deliver.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:as

Accessible formats or communication supports are available upon request



November 23, 2016

APPENDIX A **2016 Business Plan Accomplishments**

Community Focus:

- Established a mental health issues multi-discipline working group with community partners.
- Created a Countering Violent Extremism Strategy.
- Revitalized the Youth Advisory Committee.
- Collaborated with internal and external stakeholders to promote traffic safety messaging to seniors.
- Established a partnership with York Region Welcome Centres to engage and educate new Canadians.



Operational Excellence:

- Partnered with municipal groups and external stakeholders to conduct mock exercises and emergency preparedness training.
- Utilized the Data Driven Approach to Crime and Traffic Safety (DDACTS program) to reduce the risk of crime and collisions.
- Provided traffic safety programs at the Community Safety Village to enhance road safety awareness and education.
- Delivered numerous traffic enforcement initiatives throughout the Region.



Preferred Place of Employment:

- Selected as one of the 2016 Greater Toronto Area's Top Employers by Excellence Canada
- Established a Career Mentorship Pilot Program for civilian and sworn members.
- Enhanced recruiting programs to foster an inclusive and equitable environment.
- Developed and implemented mental health awareness training for all staff members.
- Conducted resume building and interview skills development workshops.
- The Peer Support Unit created a spousal support network for staff members suffering from Post-Traumatic Stress Disorder.



Superior Quality Service

- Continued to embrace emerging technology to create efficiencies in our business practices and processes.
- Developed training and awareness videos to enhanced internal risk communication messaging.
- Increased the availability of online reporting and mobile services for residents.
- Enhanced electronic data sharing of court documents with the Region of York and the Provincial Government (eDisclosure)
- Expanded the installation of in-car cameras in frontline police vehicles.



THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

Report of the Executive Director – November 23, 2016

Independent Police Oversight Review Proposed Submission

RECOMMENDATIONS

1. That the Board consider the proposed responses to Justice Tulloch for his review of the police oversight bodies in Ontario;
2. That the Executive Director submit the Board's approved responses to Justice Tulloch by the November 30, 2016 deadline.

PURPOSE

In September, the Board received a report from the Executive Director seeking the Board's direction on the questions by Justice Tulloch in relation to the police oversight review. This report provides proposed responses to the questions which were specifically formulated for police services boards.

BACKGROUND

On April 29, 2016, the Government of Ontario by way of an Order in Council, appointed Justice Tulloch to conduct a review of police oversight bodies in Ontario. The Order in Council which sets out the mandate and scope of the Review is attached.

Pursuant to the Order in Council, The Honourable Michael H. Tulloch of the Ontario Court of Appeal was appointed as Independent Reviewer to examine all aspects of the three police oversight bodies in Ontario, namely:

- The Special Investigations Unit ("SIU")
- The Office of the Independent Police Review Director ("OIPRD")
- The Ontario Civilian Police Commission ("OCPC")

Justice Tulloch's general mandate is to determine whether the oversight bodies are carrying out their work as efficiently and effectively as possible and to make recommendations that would enhance transparency and accountability, including whether SIU reports should be made public. The main specific points of the mandate are as follows:

- To make recommendations on how to enhance the transparency and accountability of the police oversight bodies, while preserving fundamental rights

- To ensure that police oversight bodies are effective and have clear mandates
- To address ways in which the transparency of the police oversight bodies can be enhanced while preserving fundamental rights, including, as a priority, ways in which the transparency of the SIU can be enhanced
- To examine whether former police officers should be employed by the police oversight bodies to conduct investigations
- To examine whether any information collected by each oversight body in relation to investigations can be shared between them, and if so, how it can best be accomplished
- To examine whether the three police oversight bodies could collect demographic statistics such as race, gender, age and community membership
- To examine whether mental health information ought to be collected as part of this statistical process

Justice Tulloch is holding consultations across the Province as part the oversight review. A consultation session has been scheduled in York Region for November 30, 2016 in Thornhill. The Board also has a scheduled consultation session with Justice Tulloch and his team on December 2, 2016.

SUMMARY

The attached proposed responses have been developed in consultation with the Regional Solicitor and Deputy Solicitor and YRP Legal Services Manager and Professional Standards OIC. The responses have been developed for Board discussion at its November 23rd meeting. and for input on the final submission to Justice Tulloch.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

CONCLUSION

The Independent Police Oversight Review provides the Board with an opportunity to have a voice in the provincially mandated review of the Special Investigations Unit, the Office of the Independent Police Review Director and the Ontario Civilian Police Commission. The written submission emphasizes the importance of transparency and efficiency in our oversight bodies and also emphasizes the importance of ensuring that there is clear path of accountability for police oversight bodies in Ontario.

Mafalda Avellino
Executive Director

Attach. (2): Order in Council – April 29, 2016
Board's Proposed Responses to Questions

DRAFT – For Discussion

Independent Police Oversight Review – Questions for Police Services Boards

1. What role does your organization play in relation to police oversight?

The Police Services Board (the “Board”) is the civilian body that oversees York Regional Police. The Board ensures the effective management of the police service and establishes objectives and priorities for the police service in consultation with the Chief of Police (the “Chief”). The Board directs the Chief through policy and the Chief implements or operationalizes the Board’s direction. The Board monitors compliance with legislation and with board objectives through reporting requirements for the Chief.

The following are examples of provisions in the *Police Services Act* (the “Act”) that engage Boards directly in civilian oversight:

- The Board is required to establish guidelines for dealing with public complaints under Part V of the *Act* and to monitor the Chief’s administration of the public complaints system.
- The Board is also required under the *Act* to review complaints against the Chief or Deputy Chiefs when such complaints are referred by the OIPRD and to make determinations based on its review. If there is a finding of misconduct and the Board views the complaint as serious, it must hold a hearing into the matter or refer it to the Ontario Civilian Police Commission (“OCPC”) for a hearing.
- The Board is also responsible for review of the Chief’s disposition of a police policy complaint or service complaint if a complainant requests.
- Under Section 83 of the *Act*, disciplinary proceedings must be commenced within six months unless, upon referral by the Chief, the Board is of the opinion that the delay beyond this period was reasonable.

2. Ideally, what role should your organization have in relation to police oversight?

The Board’s role, as the body that exercises civilian governance over the police services that it oversees is, and properly should be, limited to the specific areas mandated for Boards pursuant to section 31 of the *Act*. As noted, those areas include:

- recruiting, appointing, directing and monitoring the Chief and Deputies
- determining the objectives and priorities of the police service
- establishing policies for the effective management of the police service
- dealing with complaints pursuant to Part V of the *Act*.

In its submission to the province on the *Police Services Act* reform our Board made the following recommendation: Given the significant role that police services boards play in ensuring police accountability and public confidence in the police, our Board recommends that the quality of police governance and oversight in Ontario needs to be strengthened and more vigorously supported by the Province.¹

¹ The Regional Municipality of York Police Services Board’s Submission to Minister Yasir Naqvi, April 29, 2016, with respect to Strategy for a Safer Ontario.

The Board welcomes any measures that would potentially strengthen and clarify the Board's governance which could potentially include clarifying Board member roles and responsibilities and identifying and improving requisite Board member skills and competencies related to oversight.

3. What interaction does your Board have with the three police oversight bodies: the Special Investigations Unit, the Office of the Independent Police Review Director, and the Office of the Civilian Police Commission?

The Board does not deal with the SIU directly but receives mandated reports from the Chief pursuant to Section 11 of Ontario Regulation 267/10. These Section 11 reports highlight any issues or concerns found in the internal investigation.

The Board's interaction with OIPRD is related to the public complaints process. All public complaints received by the Board must be forwarded to OIPRD for screening. The interaction with OIPRD is limited to public complaints against the Chief or Deputy Chiefs and with respect to the review of service or policy complaints. In 2015, the OIPRD consulted with police services boards in relation to the new OIPRD Rules and Procedures, and our Board made submissions directly to OIPRD. None of our Board's recommendations were included in the final version of the OIPRD Rules as enacted on July 7, 2016.

As noted in the response to Question #1, Section 83 of the *Act* sets out procedures governing disciplinary hearings involving misconduct by police officers. Section 83(17) of the *Act* provides:

If six months have elapsed since [the chief of police or the board received the complaint referred by the OIPRD] no notice of hearing shall be served unless the board, in the case of a municipal officer...is of the opinion that it was reasonable, under the circumstances, to delay serving the notice of hearing.

In accordance with Board procedure, in matters that have been retained and investigated by the OIPRD, the Chief will request submissions from OIPRD explaining the delay and include those submissions as part of the Delay Application. The Board will consider the OIPRD's submission.

The Board has not had any interaction with OCPC in recent years and is accordingly not in a position to comment on this issue.

4. What is the role of these oversight bodies in relation to the oversight provided by the boards? What should it be?

Police boards are not legislated to oversee or investigate police wrongdoing unless it is referred by OIPRD for a complaint against a Chief or a Deputy Chief or by way of an internal investigation against the Chief or Deputy Chief.

The oversight of public complaints about police misconduct is the responsibility of OIPRD. However, our Board office has received queries and concerns from the public

about police misconduct including why an oversight body i.e., the police services board, does not get actively involved in police wrongdoing. Complainants on a few occasions have questioned whether boards care about police misconduct and wrongdoing. To address the public's concerns, the public should be made fully aware of the role of OIPRD and the OCPC in order to promote and enhance public trust and confidence in the transparency and accountability of police services boards.

5. Are the police oversight bodies transparent and accountable? Do they preserve fundamental rights?

In its defined oversight role pursuant to the provisions of the *Police Services Act*, the decisions and processes of the Board are public, pursuant to the limited exceptions described in section 35 of the *Act*. Accordingly, transparency and accountability are legislatively mandated.

In generally promoting transparency and accountability, the role of the respective oversight bodies should not infringe or overlap on the authority provided to police services boards, to the extent possible. Rather, the roles should be clearly defined and areas of redundancy and overlap should be avoided and, if they exist, they should be addressed. In particular, with respect to the most recent amendments to the OIPRD *Rules and Procedures*, there are concerns that the Director may be exceeding the jurisdiction conferred upon him by the *Act*, and there is at least the perception that there is little, if any, public accountability with respect to the changes which were unilaterally imposed.

With respect to accountability concerns relating to the OIPRD, as noted above, the Board identified concerns with the new OIPRD *Rules* which came into effect in July, 2016. Again, as noted, the Board was invited to comment on the proposed changes to the *Rules* in 2015 specifically as they relate directly to the functions and roles of Police Services Boards, and had particular concerns with Rules 12, 13 and 15. In each case, the Board was of the opinion that the Director imposed obligations or prohibitions upon Boards which exceeded his legislative mandate or which ran counter to the provisions of the *Act*.

Rule 12, which deals with extensions of time to serve notices of hearing pursuant to section 83(17) of the *Act* where complaints have been made against individual officers, Chiefs or Deputy Chiefs, now requires that the Director, who is not a party, be notified and allowed to make submissions on the issue of whether the delay was reasonable. This determination is, pursuant to the provisions of the *Act*, entirely within the purview of the Board and, as such, the Board should be entitled to determine substantive issues relating to the exercise of its discretion in coming to the requisite opinion, notwithstanding section 56(1)(b) of the *Act* which allows the Director to establish procedural rules for the handling of complaints by chiefs of police and boards.

Rule 13 deals with the Director's review of complaint investigations. In particular, Rule 13.6 directs a Chief not to apply to a Board pursuant to section 83(17) of the *Act*, despite the fact that the language in section 83(17) is mandatory in that no notice of hearing shall be served unless the Board is of the opinion that the delay in serving the notice of hearing was reasonable. By prohibiting the Chief from applying to the Board, the

Director has improperly circumscribed a power specifically delegated to Boards pursuant to the *Act*.

Similarly, Rule 15.4 prohibits the Board from inviting or receiving submissions from any party other than the complainant during its review of a complaint about a Chief or Deputy Chief. In doing so, the Director has improperly curtailed the Board's discretion to review and deal with complaints as mandated by the *Act*.

With respect to the SIU, there have been concerns about the length of time for the completion of investigations. The Board supports more expeditious completion of investigations to minimize the impact on all involved parties, including interested members of the public.

In 2015, the Board supported a resolution with respect to the adequate resourcing of the SIU. It is in the interest of all involved parties, including the public, for the SIU to complete its investigations in a thorough and timely fashion. The Chief of Police is unable to commence his/her own investigation, under section 11 of Ontario Regulation 267/10, until the Director reports the findings of the SIU investigations to the Attorney General. This delay compromises the Chief's ability to manage risks and undertake measures with respect to discipline or training, which impacts accountability.

6. Following a Section 11 review by a Chief of Police where SIU mandate has been triggered, should the identity of subject officers or any part of the Chief's report be released?

Certainly, there is a public interest in matters where the SIU mandate has been invoked and, to the extent possible, transparency and accountability are important considerations. However, these considerations must be weighed against important privacy, confidentiality and legal interests that also arise with respect to subject officers and witness officers. This is an area where legislative amendments to, among other statutes, the *Police Services Act*, Ontario Regulation 267/10 (SIU) the *Freedom of Information and Protection of Privacy Act* and the *Municipal Freedom of Information and Protection of Privacy Act* could potentially clarify and balance these competing interests.

7. Are the mandates of the police oversight bodies effective and clear?

The Board has previously supported the proposition that the mandate of the civilian oversight body, i.e. police service boards, could be made clearer. This could also apply to OCPC and OIPRD. The OCPC's mandate as it is described on its website is very similar to the mandate of police services boards:

The Ontario Civilian Police Commission (OCPC) is an independent oversight agency tasked with ensuring that adequate and effective policing services are provided in a fair and accountable manner under the Ontario Police Services Act.

The role of the OCPC seems more of a catch-all versus a role with a distinct and clear purpose. It also needs to be clearly differentiated from the OIPRD. One example is section 25(1) of the *Police Services Act* which states:

“the Commission, may, on its own motion or at the request of the Solicitor General, the Independent Police Review Director, a municipal council or a board, inquire into and report on (a) the conduct or the performance of duties of a police officer, a municipal chief of police, an auxiliary member....or a member of a board.”

The distinction between the oversight role of OIPRD and the OCPC when it comes to police conduct becomes less clear.

The Board also recommends more clarity and perhaps more outreach with respect to the role of the OIPRD. As indicated, police boards receive numerous calls with respect to police misconduct and complainants are often confused about the process and question the role of the board as the overseer in relation to police wrongdoing.

8. Are there areas of overlap and inefficiency between the police oversight bodies?

As detailed above, there are currently areas where the respective mandates of the oversight agencies, particularly that of Boards and the OIPRD, overlap and may come into conflict. Aside from being inherently inefficient, such overlap does not enhance public trust and confidence in the successful delivery of police oversight. Clarification of roles, responsibilities and authority should be addressed, particularly where overlap leads to uncertainty and inefficiency.

As well, where there are overlaps, this leads to the issue of whose responsibility it is to resolve any differences between the various oversight agencies, and to whom the respective agencies are accountable. For example, while the SIU is subject to Ombudsman review, there does not appear to be any clear accountability process for oversight bodies like OIPRD and OCPC. This begs the question, what recourse does a member of the public have if they are not satisfied with services or the conduct of an oversight body? As noted in the response to Question # 4 of this submission, if the IPRD exceeds his jurisdiction, as expressed, is there any recourse or does the Board have to challenge the application of the *Rules* in court? Quite simply, the issue is, “Is there oversight for the oversight bodies?”

Draft--For Discussion Purposes

Executive Council of Ontario/Conseil exécutif de l'Ontario



Ontario

**Order in Council
Décret**

On the recommendation of the undersigned, the Lieutenant Governor of Ontario, by and with the advice and concurrence of the Executive Council of Ontario, orders that:

Sur la recommandation de la personne soussignée, la lieutenante-gouverneure de l'Ontario, sur l'avis et avec le consentement du Conseil exécutif de l'Ontario, décrète ce qui suit:

WHEREAS the Lieutenant Governor in Council finds it necessary and convenient to amend Order in Council O.C. 629/2016 effective the date of this Order in Council;

AND WHEREAS the Special Investigations Unit (SIU) was established in 1990 and its legislative authority is set out in Part VII, Section 113 of the Police Services Act, with a mandate to cause investigations to be conducted into the circumstances of serious injuries and deaths that may have resulted from criminal offences, including sexual assaults committed by police officers;

AND WHEREAS the Office of the Independent Police Review Director (OIPRD) was established in 2007, and its legislative authority is set out in Part II.I and Part V of the Police Services Act, with a mandate to receive, manage and oversee all public complaints about police in Ontario; complaints can be in relation to the conduct of a police officer, or the policies and services of a police force;

AND WHEREAS the Ontario Civilian Police Commission (OCPC) was established in 2007 and its legislative authority is set out in Part II of the Police Services Act, with a mandate to, among other things, conduct hearings and adjudicate disputes related to police disciplinary decisions; budget disputes between municipal councils and police service boards; and disputes related to the provision of police services;

AND WHEREAS the Attorney General for Ontario has legislative authority for the three aforementioned police oversight bodies;

AND WHEREAS the oversight bodies perform a vital role in the administration of justice in the Province;

AND WHEREAS it was determined that it would be desirable to authorize under the common law pursuant to the prerogative of her Majesty the Queen in Right of Ontario, and in the discharge of the

government's executive functions, an individual to conduct an independent review of the matters referred to herein;

THEREFORE, it is ordered that the Honorable Michael Tulloch, a Justice of the Ontario Court of Appeal, be appointed as Independent Reviewer, in accordance with the following terms of reference:

Mandate

1. The Independent Reviewer shall conduct a review and make recommendations on how to:
 - a. enhance the transparency and accountability of the police oversight bodies, while preserving fundamental rights;
 - b. ensure the police oversight bodies are effective and have clear mandates;
 - c. reduce overlap and inefficiencies between these bodies; and
 - d. enhance cultural competence in the three police oversight bodies in relation to their interactions with Indigenous Peoples.
2. The Independent Reviewer shall address as a priority ways in which the transparency of the SIU can be enhanced while preserving fundamental rights, including:
 - a. Whether more information than is currently released to the public about an investigation, including the SIU Director's reports, should be released and, if so, the form this should take;
 - b. whether subject/witness officer names and other witness names should be released; and
 - c. whether past reports of the SIU Director should be released and, if so, the form this should take.
3. The Independent Reviewer shall, if feasible and in his discretion, make interim recommendations on the priority matters referred to in paragraphs 2 (a) to (c) or, alternatively, include such recommendations in his Final Report.
4. The Independent Reviewer also shall consider and provide recommendations with respect to the following:
 - a. Whether former police officers should be employed by the police oversight bodies to conduct investigations;
 - b. Whether the mandates of the three oversight bodies should be set out in legislation separate and apart from the Police Services Act;
 - c. Whether any information collected by each police oversight body in relation to investigations, or otherwise, can be shared between them, and if so, how it best can be accomplished;
 - d. Whether the three police oversight bodies should collect demographic statistics such as race, gender, age and community membership, whether mental health information ought to be collected as part of this statistical process, and what, if any, parameters ought to guide the collection of such data; and
 - e. Any other matter which, in his discretion he deems advisable in light of the objectives set out in paragraphs 1 (a) to (c) hereof.
5. In conducting the review, the Independent Reviewer shall:
 - a. review the existing legislation, processes and practices of each oversight body;

- b. review and consider any existing records or reports relevant to this mandate;
 - c. engage in public consultations, including engagements with Indigenous communities to ensure the review is informed by Indigenous perspectives;
 - d. conduct inter-jurisdictional analysis, including any relevant legislation, and identify best practices;
 - e. undertake such further inquiries as the Independent Reviewer, in his discretion, deems appropriate; and
 - f. prepare a report on his findings and recommendations.
6. The Independent Reviewer will determine the method, content and extent of consultations required to fulfill his mandate.
 7. The Independent Reviewer shall deliver his final report and recommendations to the Attorney General no later than March 31, 2017.
 8. In conducting the review, the Independent Reviewer may request any person to provide information or records to him.
 9. In fulfilling his mandate, the Independent Reviewer shall not report on any individual cases that are being investigated, or have been investigated by any of the three police oversight bodies.
 10. The Independent Reviewer shall perform his duties without expressing any conclusion or recommendation regarding professional discipline matters involving any person or the civil or criminal liability of any person or organization.
 11. Any notes, records, recollections, statements made to, and documents produced by the Independent Reviewer or provided to him in the course of the review, will be confidential. The disclosure of such information to Ontario or any other person shall be within the sole and exclusive discretion of the Independent Reviewer, except as required or restricted by the Freedom of Information and Protection of Privacy Act or any other applicable law.

Resources

12. Within a budget approved by the Ministry of the Attorney General, the Independent Reviewer may retain such counsel, staff, or expertise he considers necessary in the performance of his duties at reasonable remuneration approved by the Ministry of the Attorney General. The Independent Reviewer and his staff shall be reimbursed for reasonable expenses incurred in connection with their duties in accordance with Management Board of Cabinet Directives and Guidelines.
13. The Independent Reviewer shall follow Management Board of Cabinet Directives and Guidelines and other applicable government policies in obtaining other services and goods he considers necessary in the performance of his duties unless, in his view, it is not possible to follow them.

The Ontario Government

14. The Attorney General shall, in consultation with the Independent Reviewer, set a budget for the fulfillment of his mandate.
15. All ministries and all agencies, boards and commissions of the Government of Ontario shall, subject to any privilege or other legal restrictions, assist the Independent Reviewer to the

fullest extent possible so that the Independent Reviewer may carry out his duties and they shall respect the independence of the review.

16. The Attorney General shall make the final report of the Independent Reviewer available to the public as soon as practicable after receiving it. In delivering his report to the Attorney General, the Independent Reviewer shall ensure that the report is in a form appropriate for public release, consistent with the requirements of the Freedom of Information and Protection of Privacy Act and other applicable legislation. The Independent Reviewer shall also ensure that the report is delivered in English and French at the same time, in electronic and printed versions.

Further, Order in Council O.C. 629/2016 be revoked effective the date of this Order in Council.

ATTENDU QUE la lieutenante-gouverneure en conseil estime nécessaire et opportun d'apporter au décret n° 629/2016 des modifications qui entrent en vigueur à la date du présent décret;

ATTENDU QUE l'Unité des enquêtes spéciales (UES) a été constituée en 1990 sous le régime de l'article 113 de la partie VII de la Loi sur les services policiers, avec pour mandat de faire mener des enquêtes sur les circonstances qui sont à l'origine de blessures graves et de décès pouvant être imputables à des infractions criminelles, notamment des agressions sexuelles, de la part d'agents de police;

ATTENDU QUE le Bureau du directeur indépendant de l'examen de la police (BDIEP) a été constitué en 2007 sous le régime des parties II.I et V de la Loi sur les services policiers, avec pour mandat de recevoir, gérer et superviser l'ensemble des plaintes du public à l'égard des services policiers en Ontario au sujet de la conduite d'un agent de police ou encore des politiques d'un corps de police ou des services offerts par celui-ci;

ATTENDU QUE la Commission civile de l'Ontario sur la police (CCOP) a été constituée en 2007 sous le régime de la partie II de la Loi sur les services policiers, avec pour mandat, entre autres, de tenir des audiences et de trancher des différends liés à des décisions d'ordre disciplinaire en matière de police, des différends d'ordre budgétaire entre des conseils municipaux et des commissions de services policiers et des différends liés à la prestation de services policiers;

ATTENDU QUE les trois organismes de surveillance de la police susmentionnés relèvent du procureur général de l'Ontario;

ATTENDU QUE ces organismes de surveillance jouent un rôle crucial dans l'administration de la justice dans la province;

ATTENDU QU'il a été déterminé qu'il est souhaitable d'autoriser, en common law, selon la prérogative de Sa Majesté la reine du chef de l'Ontario, et dans le cadre des fonctions exécutives du

gouvernement, un particulier à effectuer un examen indépendant des questions mentionnées dans le présent décret;

EN CONSÉQUENCE, il est ordonné que l'honorable Michael Tulloch, juge de la Cour d'appel de l'Ontario, soit nommé examinateur indépendant conformément au mandat suivant :

Mandat

1. L'examineur indépendant procède à un examen et fait des recommandations visant ce qui suit :
 - a. accroître la transparence et la responsabilité des organismes de surveillance de la police, tout en préservant les droits fondamentaux;
 - b. assurer l'efficacité des organismes de surveillance de la police et la clarté de leurs mandats;
 - c. réduire les chevauchements et les inefficiences entre ces organismes;
 - d. accroître la sensibilité aux facteurs culturels au sein des trois organismes de surveillance de la police dans leurs rapports avec les peuples autochtones.
2. L'examineur indépendant se penche en priorité sur les façons d'accroître la transparence de l'UES tout en préservant les droits fondamentaux, notamment la question de savoir s'il convient de rendre publics :
 - a. davantage de renseignements que maintenant au sujet d'une enquête, y compris les rapports du directeur de l'UES, et, le cas échéant, la façon de procéder;
 - b. l'identité d'un agent impliqué ou d'un agent témoin et celle d'autres témoins;
 - c. les rapports précédents de directeurs de l'UES et, le cas échéant, la façon de procéder.
3. L'examineur indépendant fait, dans la mesure du possible et à sa discrétion, des recommandations provisoires sur les questions prioritaires visées aux sous-alinéas 2 a) à c) ou incorpore de telles recommandations dans son rapport final.
4. L'examineur indépendant étudie les questions suivantes et fait des recommandations à leur sujet :
 - a. la question de savoir si d'anciens agents de police devraient être employés par les organismes de surveillance de la police pour mener des enquêtes;
 - b. la question de savoir si les mandats des trois organismes de surveillance devraient être énoncés dans des textes législatifs distincts de la Loi sur les services policiers;
 - c. la question de savoir si les organismes de surveillance de la police peuvent s'échanger les renseignements qu'ils recueillent, notamment relativement à des enquêtes, et, le cas échéant, la meilleure façon de procéder;
 - d. la question de savoir si les trois organismes de surveillance de la police devraient recueillir des données démographiques, comme la race, le sexe, l'âge et l'appartenance à une communauté, si cette collecte de données statistiques devrait englober des renseignements sur la santé mentale et quels seraient les éventuels paramètres guidant la collecte de ces données;
 - e. toute autre question dont il estime l'étude opportune compte tenu des objectifs énoncés aux sous-alinéas 1 a) à c).
5. Dans le cadre de son examen, l'examineur indépendant :

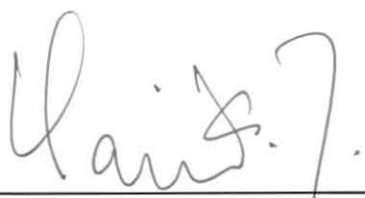
- a. examine les dispositions législatives et les procédés en vigueur ainsi que les pratiques actuelles touchant chaque organisme de surveillance;
 - b. examine et étudie les dossiers ou les rapports existants qui se rapportent à son mandat;
 - c. mène des consultations publiques notamment en sollicitant les collectivités autochtones pour veiller à ce que l'examen bénéficie du point de vue autochtone;
 - d. procède à une analyse comparative basée sur d'autres autorités législatives, notamment des dispositions législatives pertinentes, et détermine les meilleures pratiques à suivre;
 - e. mène toute autre enquête qu'il estime appropriée;
 - f. rédige un rapport qui énonce ses conclusions et ses recommandations.
6. L'examineur indépendant détermine la méthode, la teneur et l'étendue des consultations qu'il doit tenir dans le cadre de son mandat.
 7. L'examineur indépendant remet son rapport final et ses recommandations au procureur général au plus tard le 31 mars 2017.
 8. Dans le cadre de son examen, l'examineur indépendant peut demander à toute personne de lui fournir des renseignements ou des dossiers.
 9. Dans le cadre de son mandat, l'examineur indépendant ne doit pas faire rapport sur des affaires particulières qui font ou qui ont fait l'objet d'une enquête de la part de l'un des trois organismes de surveillance de la police.
 10. L'examineur indépendant s'acquitte de ses fonctions sans formuler de conclusions ou de recommandations quant aux questions de discipline professionnelle mettant en cause toute personne ou quant à la responsabilité civile ou criminelle de toute personne ou de tout organisme.
 11. Les notes, dossiers, souvenirs et déclarations communiqués à l'examineur indépendant et les documents produits par lui ou qui lui ont été fournis dans le cadre de son examen demeurent confidentiels. La divulgation de ces renseignements à l'Ontario ou à toute autre personne sera à la seule et entière discrétion de l'examineur indépendant, sauf conformément aux exigences ou restrictions prévues par la Loi sur l'accès à l'information et la protection de la vie privée ou toute autre loi applicable.

Ressources

12. Dans le cadre d'un budget approuvé par le ministère du Procureur général, l'examineur indépendant peut retenir les services des avocats, du personnel ou des experts qu'il juge nécessaires à l'exercice de ses fonctions selon la rémunération raisonnable approuvée par le ministère du Procureur général. L'examineur et son personnel se font rembourser les frais raisonnables engagés dans l'exercice de leurs fonctions, conformément aux directives et aux lignes directrices du Conseil de gestion du gouvernement.
13. À moins que, à son avis, cela ne soit pas possible, l'examineur indépendant suit les directives et les lignes directrices du Conseil de gestion du gouvernement ainsi que les autres politiques applicables du gouvernement dans le cadre de l'obtention des autres biens et services qu'il estime nécessaires à l'exercice de ses fonctions.

14. Le procureur général établit, en consultation avec l'examineur indépendant, un budget pour l'exécution du mandat de celui-ci.
15. Sous réserve de tout privilège ou de toute autre restriction légale, tous les ministères ainsi que tous les organismes, conseils et commissions du gouvernement de l'Ontario prêtent sans réserve leur concours à l'examineur indépendant de façon qu'il puisse s'acquitter de ses fonctions et ils respectent l'indépendance de l'examen.
16. Le procureur général met le rapport final de l'examineur indépendant à la disposition du public dès qu'il est matériellement possible de le faire après l'avoir reçu. L'examineur indépendant veille à remettre son rapport final au procureur général sous une forme appropriée pour sa diffusion publique, conformément aux exigences de la Loi sur l'accès à l'information et la protection de la vie privée et de toute autre loi applicable. En outre, l'examineur indépendant veille à ce que le rapport soit présenté à la fois en français et en anglais, sur support électronique et papier.

En outre, le décret n° 629/2016 est abrogé à la date du présent décret.



Recommended: Attorney General
Recommandé par: Le procureur général



Concurred: Chair of Cabinet
Appuyé par: Le président du Conseil des ministres,

Approved and Ordered:
Approuvé et décrété le: OCT 19 2016



Administrator of the Government
L'administratrice du gouvernement



Report of the Executive Director
Meeting Date: November 23, 2016

Major Case Management Policy

RECOMMENDATION

1. That the Board approve the attached policy as it relates to Ontario Regulation 354/04 (Major Case Management) under the *Police Services Act*.

PURPOSE

The purpose of policy is to ensure compliance with Ontario Regulation 354/06, Major Case Management.

BACKGROUND

As a result of an internal YRP audit of major case management, it was identified that the York Regional Police Services Board does not have a standalone policy with respect to the management of major cases in accordance with Ontario Regulation 354/04. In order to ensure compliance with the legislation and to prepare for an anticipated inspection with the Ministry of Community Safety and Correctional Services, it is recommended that a separate Board policy is developed and approved.

The Ontario Major Case Management system was developed by the Ministry in partnership with the Ontario policing community to create a common automated case management software application for use in the investigation of homicides and sexual assaults, to allow cases to be integrated more easily and to promote cooperation and information-sharing between law enforcement agencies.

The current version of the Ontario Major Case Management Manual governs the investigation of major cases defined as:

- (a) homicides within the meaning of subsection 222 (4) of the Criminal Code (Canada) and attempted homicides,
- (b) sexual assaults, including sexual interference, and attempted sexual assaults, sexual exploitation and invitation to sexual touching,
- (c) non-familial abductions and attempted non-familial abductions,

- (d) missing person occurrences where circumstances indicate a strong possibility of foul play,
- (e) occurrences, involving found human remains, that are suspected to be homicide,
- (f) criminal harassment where the harasser is not known to the victim, and
- (g) any other types of cases designated as a major case pursuant to the Ontario Major Case Management Manual.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

CONCLUSION

With the adoption of this policy, the Board will ensure full compliance with Ontario Regulation 354/06, Major Case Management.

Mafalda Avellino
Executive Director

Attach. (1)



YORK REGIONAL POLICE SERVICES BOARD

Major Case Management Manual Policy No. 1/16

Date Approved: November 23, 2016

Reporting Requirement: Report to Ministry of Community Safety and Correctional Services

Legislative Authority: Ontario Regulation 354/04 under the *Police Services Act*

Board Policy

It is the policy of the York Regional Police Services Board that the Chief of Police shall develop and maintain procedures that ensure compliance with the provisions in the Major Case Management Manual.

The Chief is further directed to ensure that a report is prepared and submitted to the Ministry of Community Safety and Correctional Services in accordance with the requirements of O. Reg. 354/04.



Report of the Executive Director
Meeting Date: November 23, 2016

Execution of Documents Report

RECOMMENDATION

1. That the Board receive this report pursuant to the Execution of Documents Bylaw No. 08-15.

BACKGROUND

In accordance with the Police Services Board's Execution of Documents Bylaw No.08-15, this report contains a summary of agreements which were executed by the Chair of the Board in 2016.

SUMMARY

In accordance with the Execution of Documents Bylaw No. 08-15, the Bylaw states:

- In all cases where documents are executed under delegated authority, a quarterly report must be submitted to the Board; and
- Each signing officer shall obtain the approval of the Regional Solicitor or his or her designate as to form and content prior to executing any document pursuant to this By-law.

In accordance with the Execution of Documents Bylaw No. 08-15, the agreements and other undertakings that have been executed to date by the Chair are as follows:

Community Policing Partnerships (CPP) grant – one year extension until March 31, 2017 for the amount of \$2,370,000,

1000 Officers Partnerships Program grant – one year extension until March 31, 2017 expiring for the amount of \$ 3,500,000.

Mafalda Avellino
Executive Director

**THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD**

BY LAW NO. 13-16

**A By Law to Confirm
the Proceedings of the Board at its Meeting
held on November 23, 2016**

The Regional Municipality of York Police Services Board HEREBY ENACTS as follows:

1. The action of the Board in respect of each motion, resolution and other action passed and taken by the Board at its meeting is hereby adopted, ratified and confirmed.
2. The Chair of the Board, the Chief of Police and Deputy Chiefs of Police are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman and Executive Director are hereby directed to execute all documents necessary in that behalf.

ENACTED AND PASSED this 23rd day of November, 2016

Mafalda Avellino, Executive Director

Mayor Frank Scarpitti, Chair



The Regional Municipality of York Police Services Board

To Make a Difference in Our Community

17250 Yonge Street, Newmarket,
Ontario, Canada L3Y 6Z1

Tel: 905.830.4444 or 1.877.464.9675 ext. 77906

Fax: 905.895.5249

E-mail: psb@yrp.ca • Web: yrpsb.ca

REVISED AGENDA PRIVATE SESSION

Wednesday, November 23, 2016, 9:00 a.m.

COMMITTEE ROOM "A"

YORK REGION ADMINISTRATIVE CENTRE

17250 YONGE STREET

NEWMARKET, ONTARIO

Pages

1. INTRODUCTION OF ADDENDUM ITEMS AND ANY OTHER BUSINESS
2. DISCLOSURE OF INTEREST
3. CONFIRMATION OF PRIVATE MINUTES OF THE OCTOBER 26, 2016 BOARD MEETING 1
4. REPORTS OF THE CHIEF OF POLICE
- 4.1 Human Resources 7

RECOMMENDATION

1. That the Board appoint five civilians, pursuant to Section 31(1)(a) of the Police Services Act; and
2. That the Board accept the retirement of Brenda Russell #5362; and
3. That the Board accept the resignations of Staff Sergeant Robert Martin #798 and Constable Craig Dundas #2037.

- 4.2 Appointment of New Police Officers 11

RECOMMENDATION

1. That the Board appoint up to 12 new individuals as Cadets-in-Training, effective December 5, 2016 pursuant to Section 51(1) of the

Police Services Act.

4.3 Appointment of Experienced Police Officers 15

RECOMMENDATION

1. That the Board appoint one experienced officer, effective December 5, 2016, pursuant to Section 31(1)(a) of the Police Services Act.

4.4 Execution of Documents Bylaw 17

RECOMMENDATION

1. That the Board receive this report pursuant to the Police Services Board Execution of Documents By-Law No. 8-15 enacted on June 24, 2015.

4.5 Notice of Civil Suit - Simo Karapalevski v. York Regional Police, et al. 23

RECOMMENDATION

1. That the Board receive this report for information.

5. ADDENDUM ITEMS

6. OTHER BUSINESS

7. CHAIR'S MEETING WITH THE BOARD

7.1 Executive Development and Review – Chair Scarpitti

8. PRIVATE ITEMS TO PROCEED TO PUBLIC

- a) Human Resources (Recommendation 1)
- b) Appointment of New Police Officers (Recommendation 1)
- c) Appointment of Experienced Police Officers (Recommendation 1)

9. ADJOURNMENT

10. Back to Open Session

RECOMMENDATION

Return to Open Session?

MINUTES OF THE PRIVATE MEETING

of

THE REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

October 26, 2016

The Board commenced its meeting of October 26, 2016 in Committee Room A, York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario on the above-noted date at 10:00 a.m. in private session. The public was excluded from the meeting in accordance with Section 35(4) of the *Police Services Act, 1990*.

Board Members Present: V. Hackson, Acting Chair, Mayor of the Town of East Gwillimbury
J. Molyneaux, Member
B. Jiang, Member
B. Rogers, Member
K. Usman, Member

Absent: F. Scarpitti, Chair, Mayor of the City of Markham
W. Emmerson, Chairman & C.E.O., York Region

Board Staff: M. Avellino, Executive Director

YRP Present: E. Jolliffe, Chief of Police
T. Carrique, Deputy Chief of Police
A. Crawford, Deputy Chief of Police
D. Conley, Executive Officer to the Chief of Police
J. Channell, Manager, Financial Services
K. MacDonald, Associate Counsel, Legal Services
K. Griffin, Manager, Corporate Communications

YR Legal & Court Services: J. Hulton, Regional Solicitor

375 **INTRODUCTION OF ADDENDUM ITEMS AND OTHER BUSINESS**

It was moved by Ms Jiang, seconded by Mr. Rogers that the following item be added to the agenda of the private session of this meeting:

- a) Update re Marine Facility (Addendum Item No.7.1)

376 **CONFIRMATION OF PRIVATE MINUTES OF SEPTEMBER 21, 2016 BOARD MEETING**

It was moved by Mr. Usman, seconded by Ms Jiang that the Board confirm the Minutes

for the private session of the meeting held on September 21, 2016 in the form supplied to the members.

CARRIED

377 **CONFIRMATION OF PRIVATE MINUTES OF OCTOBER 12, 2016 BOARD MEETING**

It was moved by Mr. Usman, seconded by Ms Jiang that the Board confirm the Minutes for the private session of the meeting held on October 12, 2016 in the form supplied to the members.

CARRIED

PRESENTATION

378 **Draft 2017 York Regional Police Budget**

It was moved by Mr. Rogers, seconded by Mr. Molyneaux that the presentation be received.

CARRIED

REPORTS OF THE CHIEF OF POLICE

379 **Human Resources**

It was moved by Ms Jiang, seconded by Mr. Rogers that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board reclassify 34 officers pursuant to the 2016 – 2019 Uniform Working Agreement; and
2. That the Board accept the retirements of Superintendent Anthony Cusimano #378, Staff Sergeant Ezra Anthony Browne #29, Sergeant William Boogaard #410, Detective Gregory Stribbell #529 and Constable Steven Patrick #429; and
3. That the Board accept the resignations of Sergeant Daniel Noakes #616 and Constable Carl Birs #2251.

CARRIED

380 **Appointment of New Police Officers**

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board appoint up to 30 new individuals as Cadets-in-Training, effective December 5, 2016 pursuant to Section 51(1) of the *Police Services Act*.

CARRIED

381 Appointment of Experienced Police Officers

It was moved by Ms Jiang, seconded by Mr. Usman that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board appoint three experienced officers, effective December 5, 2016, pursuant to Section 31(1)(a) of the *Police Services Act*.

CARRIED

382 Appointment of Auxiliary Members

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board appoint 28 new individuals as Auxiliary Members, effective October 15, 2016, pursuant to Section 52(1) of the *Police Services Act*.

CARRIED

383 Re-Appointment of Special Constable as Court Security Officers

It was moved by Mr. Rogers, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board authorize the re-appointment of four York Regional Police Special Constable for a further five year period, effective October 12, 2016, pursuant to Section 53(1) of the *Police Services Act*.

CARRIED

384 Termination of Appointment of York Region Transit Special Constable

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the Board adopt the following recommendations contained in the Report of the Chief of Police:

1. That the Board terminate the appointment of Special Constable Henry Ngo #99521 of York Region Transit effective September 13, 2016.

CARRIED

385 **Section 11 Review into the Action of PC Matthew Deguire #1817**

It was moved by Ms Jiang, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report pursuant to Section 11(4) of the *Ontario Regulation 267/10* made under the *Police Services Act – Conduct and Duties of Police Officers Respecting Investigations* by the Special Investigations Unit.

386 **Request for Legal Indemnification**

It was moved by Mr. Usman, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board approve the decision of the Chief of Police to provide legal indemnification for PC Travis Chamberlain #2133 (Subject), PC Dustin Goobie #2355, PC Al Halimic #1945 (Witnesses) in connection with a custody injury which occurred on July 21, 2016, pursuant to Police Services Board Legal Indemnification Policy No. 05/01 and Article 30.6 of the 2016 - 2019 Uniform Working Agreement.

CARRIED

387 **Request for Legal Indemnification**

It was moved by Mr. Usman, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board approve the decision of the Chief of Police to provide legal indemnification for PC Michael Crawford #2419 and PC Robin McBride #1165 (Witnesses) in connection with a sexual assault allegation which occurred on August 5, 2016, pursuant to Police Services Board Legal Indemnification Policy No. 05/01 and Article 30.6 of the 2016-2019 Uniform Working Agreement.

CARRIED

388 **Request for Legal Indemnification**

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board approve the decision of the Chief of Police to provide legal indemnification for PC Matt Landry #2245 (Subject), PC Leah Brodhagen #2136 (Witness) in connection with a custody death which occurred on August 15, 2016, pursuant to Police Services Board Legal Indemnification Policy No. 05/01 and Article 30.6 of the 2016 - 2019 Uniform Working Agreement.

CARRIED

389 **Notice of Civil Suit – Herman Jagdeo v. York Regional Police Services Board, et al.**

It was moved by Mr. Usman, seconded by Ms Jiang that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report for information.

CARRIED

390 **Notice of Civil suit – Sareda Nur v. York Regional Police Services Board et al.**

It was moved by Mr. Molyneaux, seconded by Mr. Usman that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board receive this report for information.

CARRIED

ADDENDUM ITEM

391 **Update re Marine Facility (Addendum Item No. 7.1)**

It was moved by Mr. Usman, seconded by Mr. Molyneaux that the Board adopt the following recommendation contained in the Report of the Chief of Police:

1. That the Board accept this report as an update on the Marine Facility direct purchase with MSR Holding Incorporated.

OTHER BUSINESS

392 *Nil.*

CHAIR'S MEETING WITH THE BOARD

393 **Automation of Board Meetings – Executive Director**

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the as of the November 23, 2016 Board meeting, no paper copies will be provided.

CARRIED

394 **Executive Development and Review – Chair Scarpitti**

Item will be deferred to the November 23, 2016 Board meeting.

CARRIED

395 **PRIVATE ITEMS TO PROCEED TO PUBLIC SESSION**

It was moved by Mr. Molyneaux, seconded by Mr. Rogers that the following private session items be considered during the public session of this meeting:

- (a) Human Resources (Recommendation 1)
- (b) Appointment of New Police Officers (Recommendation 1)
- (c) Appointment of Experienced Police Officers (Recommendation 1)
- (d) Appointment of Auxiliary Officers (Recommendation 1)
- (e) Re-Appointment of Special Constable as Court Security Officer Recommendation

396 **ADJOURNMENT**

It was moved by Mr. Rogers, seconded by Ms Jiang that the private session of the meeting be adjourned.

CARRIED

The private session of the meeting adjourned at 1:50 p.m.

Mafalda Avellino
Executive Director

Mayor Frank Scarpitti
Chair

Minutes to be confirmed and adopted at the meeting of the Board held on November 23, 2016.

Accessible formats or communication supports are available upon request.

PRIVATE

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Human Resources

RECOMMENDATIONS

1. That the Board appoint five civilians, pursuant to Section 31(1)(a) of the *Police Services Act*; and
2. That the Board accept the retirement of Brenda Russell #5362; and
3. That the Board accept the resignations of Staff Sergeant Robert Martin #798 and Constable Craig Dundas #2037.

SYNOPSIS

This report identifies five hires, one retirement and two resignations.

This report is being considered in private as it relates to Section 35(4) of the *Police Services Act*.

FINANCIAL IMPLICATIONS

The financial impact on the 2016 Operating Budget, including salary and benefits, for the new civilian hires is \$59,769.

There are no financial implications for the resignations and retirements as these vacancies will be filled.

BACKGROUND

1. Civilian Hires:

Civilian Hires

Name	Position	New/Permanent Replacement	Effective Date
Jennifer Robinson #5916	Crime Analyst, Real Time Operations Centre	New	December 2, 2016
Marianne Soliman #5917	Business Analyst -Non-Versadex, Information Technology	Permanent Replacement	November 7, 2016
Ashley Sametz #5918	Crime Analyst, Real Time Operations Centre	New	December 6, 2016
Cassandra Williams #5919	Crime Analyst, Real Time Operations Centre	New	December 6, 2016
Stephanie Piper #5920	GIS Specialist	New	November 7, 2016

2. Retirement:

Retirement

Civilian Member	Date of Hire	Last Day in the Workplace	Retirement Date
Brenda Russell #5362 – MCM Assistant	January 7, 2002	August 30, 2017	September 30, 2017

3. Resignations

Resignations

Sworn Members	Unit	Date of Hire	Resignation Date
S/Sgt. Robert Martin #798	5 District Patrol	May 17, 1990	October 26, 2016
P.C. Craig Dundas #2037	4 District Patrol	April 6, 2010	November 7, 2016

EJ:at

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

Accessible formats or communication supports are available upon request.

YORK REGIONAL POLICE

Staff Deployment

October 31, 2016

PERSONNEL DEPLOYMENT	Uniform		Civilian		Total	
	Authorized	F.T.E.	Authorized	F.T.E.	Authorized	F.T.E.
FTE BANK	23		2		25	0
Chief's Staff	30	31	42	41	72	72
D/Chief Administration	1	1	22	22	23	23
Information Services	42	45	165	157.5	207	202.5
Financial Services	0	1	33	33	33	34
Staff Services	4	8	33	33.5	37	41.5
Corporate Development	42	45	17	18	59	63
<i>Cadets in Training*</i>		0				0
Community Services	60	55	14	12	74	67
Court Services	22	27	59	55	81	82
D/Chief Operations	1	1	1	1	2	2
Operational Command	14	14	117	119	131	133
#1 District	175	177.5	8	7	183	184.5
#2 District	208	207	8	8	216	215
#3 District	102	99	4	3	106	102
#4 District	238	248	8	8	246	256
#5 District	218	216	8	7	226	223
Support Services	116	111	7	7	123	118
Investigative Services	140	117	51	52	191	169
Organized Crime & Intelligence Services	143	156	24	25.5	167	181.5
<i>Paid Secondments**</i>		14				14
October 31, 2016	1579	1573.5	623	609.5	2202	2183

HISTORICAL October 31, 2015	Authorized	F.T.E.	Authorized	F.T.E.	Authorized	F.T.E.
		1559	1574	621	590.5	2180

ACTUAL UNIFORM STRENGTH			
By Rank			
Chief of Police			1
Deputy Chief			2
Superintendent			14
Inspector			23
Staff Sergeant			43
Detective Sergeant			27
Sergeant			122
A/Sergeant			1
A/S/Sergeant			0
Detective			133
Constable:			
1st Class	1031.5	65.6%	
2nd Class	59	3.7%	
3rd Class	49	3.1%	
4th Class	68	4.3%	1207.5
Cadets in Training		0.0%	0
Uniform Strength by Gender			
Male	1273.5	80.9%	
Female	300	19.1%	
Total Uniform Strength:			1573.5

See additional notes attached

31-Oct-16

Human Resources Bureau

**YORK REGIONAL POLICE
Staff Deployment**

Notes - October 31, 2016

The total number of new hires approved during the budget process is added to the Authorized Total at the beginning of each year.

PDS (Paid Secondment) members are not attached to any district/unit, but are included in the "Actual" totals to form part of YRP's "Actual Strength".

Uniform Job Share - There are a total of 9 full time uniform members working in job share positions. These 9 positions are only counted as 4.5 F.T.E. positions.

Civilian Job Share - There are a total of 17 full time civilian members working in job share positions. These 17 positions are only counted as 8.5 F.T.E. positions. There are also 5 temporary members working in job share positions. These 5 positions are only counted as 2.5 FTE temporary positions.

There are currently 6 full time uniform members who are suspended from duty. There is also 1 civilian member currently suspended from duty.

In addition to the 609.5 full time civilian members, there are a total of 124.5 temporary civilians that have been hired to backfill existing vacancies and assist in special projects and initiatives. This comprises of 38 full time temporary members, 38 part time temporary members, 2.5 temporary job shares, 46 casual temporary members. Currently the largest group of temporary civilian hires (38) are working in Investigative Services on the Wire Room Project.

Sworn Recruitment Strategy - Targeted Sworn Strength

Authorized Strength **(1579)** + 100% Paid Secondments **(14)** + 50% Job Shares **(4.5)** + 100% Maternity **(18)** + 50% Parental Leaves **(2)**
+ 50% Paid Leave of Absences **(0)** = **1617.5 Targeted Sworn Strength**

Civilian Recruitment Strategy - Targeted Civilian Strength

Authorized Strength **(623)** + 100% Paid Secondments **(0)** + 50% Job Shares **(8.5)** + 100% Maternity **(19)** + 50% Parental Leaves **(0)**
+ 50% Paid Leave of Absences **(0)** = **650.5 Targeted Civilian Strength**

Replacement to Item No. 4.2

PRIVATE

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Appointment of New Police Officers

RECOMMENDATION

1. That the Board appoint 12 new individuals as Cadets-in-Training, effective December 5, 2016 pursuant to Section 51(1) of the *Police Services Act*.

SYNOPSIS

Twelve Cadets-in-Training will commence employment with York Regional Police on December 5, 2016, joining the Cadets-in-Training who have already been identified in the October 2016 Board Report. On January 11, 2017, these 12 Cadets-in-Training will then commence their Basic Constable Training Program at the Ontario Police College.

This report identifies 12 Cadets-in Training who have successfully completed the recruiting process and are recommended for appointment as new Police Officers.

This report is being considered in private as it relates to Section 35(4) of the *Police Services Act*.

FINANCIAL IMPLICATIONS

The financial impact on the 2016 Operating Budget for the hiring of 12 Cadets-in-Training, including salary and benefits is \$63,773. Funds are included in the 2016 Salary Budget for these positions.

BACKGROUND

Under Section 31(1) of the *Police Services Act*, the Police Services Board shall appoint the members of the Municipal Police Force. Newly appointed officers are classified as Cadets-in-Training and must attend a 12 week Basic Constable Training Program at the Ontario Police College in order to gain their qualifications for service.

The 12 Cadets-in-Training will commence employment with York Regional Police on December 5, 2016. After completing the initial five weeks of Level I Training at the York Regional Police Training and Education Bureau, the 12 Cadets-in-Training will commence the Level II Basic Constable Training Program at the Ontario Police College on January 11, 2017.

Upon their return from the Ontario Police College, the Cadets-in-Training will commence their Level III Training, which starts on April 10, 2017 at the York Regional Police Training and Education Bureau. The Cadets-in-Training will graduate on May 11, 2017, and will then commence their Level IV Training with an assigned Coach Officer for 50 active shifts of field training.

The following 12 individuals have successfully completed the recruiting process:

Cadets-in-Training

Name		Name	
Raelyn Prince #2418		William Thomas #2431	
George (Matt) Macdonald #2426		Mark Elias #2432	
Kyle Smith #2427		Tanya Pettenuzzo #2433	
Brett Cook #2428		Marvick Chan #2434	
Reginald Adamson #2429		Jermaine Jarvis #2435	
Aleksandar Gazdic #2430		Nigel Macdonald #2436	

As the following charts highlight, the 12 Cadets-in-Training are well educated, include representation from our diverse community, range from 25 years of age to 36 years of age and are predominately from York Region and the City of Toronto.

Education

Total		Number of Diverse Members		Education (Graduate)			
Male	Female	Male	Female	University	College	Technical Institute	Secondary School
10	2	2	0	9	2	0	1

Age

Age Range	Average Age
25 – 36	31

Residency Upon Application

York Region	Toronto	Golden Horseshoe	Simcoe	Durham	North Ontario	Peel	Out of Province
6	2	1	1	1	-	-	1

As of October 31, 2016, the authorized sworn strength of York Regional Police was 1,579 officers. To accommodate Paid Leave of Absences, Maternity/Parental Leave, Paid Secondments and Job Shares, we require an additional 38.5 officers, providing a targeted sworn authorized strength of 1,617.5 officers. Our actual strength as of October 30, 2016 was 1,573.5 officers.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:km

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THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Appointment of Experienced Police Officer

RECOMMENDATION

1. That the Board appoint one experienced officer, effective December 5, 2016, pursuant to Section 31(1)(a) of the *Police Services Act*.

SYNOPSIS

One experienced officer was identified through our recruitment process as a suitable candidate to commence employment with York Regional Police. This officer will replace an officer who has retired or resigned from York Regional Police.

This report is being considered in private as it relates to Section 35(4) of the *Police Services Act*.

FINANCIAL IMPLICATIONS

The financial impact on the 2016 Operating Budget for the one experienced officer, including salary and benefits, is \$8,303. Funds are included in the 2016 Salary Budget for this position.

BACKGROUND

Under Section 31(1)(a) of the *Police Services Act*, the Police Services Board shall appoint the members of a municipal police force. In an effort to maintain front-line policing coverage, the Uniform Recruiting Unit accepts applications from both experienced officers and individuals seeking to enter policing as a new Cadet-in-Training.

The Uniform Recruiting Unit interviewed Kyle Hammond and reviewed his qualifications to ensure he met the requirements of York Regional Police for employment as a Police Constable. The hiring of this experienced officer will permit York Regional Police to address community policing needs as identified in the Business Plan without significant training costs. Ensuring that the front-line is appropriately staffed enhances our ability to respond to the needs of the community.

Upon being approved for hiring, this experienced officer will commence his training with the York Regional Police Training and Education Bureau on December 5, 2016 along with the three experienced officers identified in the October 26, 2016 Board report. He will receive transitional training in the areas of Defensive Tactics, Firearms and Information Technology. He will also receive training on our Regulations and Procedures and the Organization's expectations in relation to our Vision, Mission and Values, as well as our Professional Code of Ethics. This experienced officer will be assigned to his respective district on December 19, 2016, where he will be assigned to a qualified Coach Officer who is responsible for mentoring him and familiarizing him with the operational activities of York Regional Police.

Constable Kyle Hammond

Constable Kyle Hammond resides in Fort McMurray, Alberta. He has been employed with the Royal Canadian Mounted Police as a police constable since 2013. Constable Hammond was raised in York Region and attended high school in Aurora. He later obtained a diploma as a Fish and Wildlife Technician from Fleming College in 2010. Constable Hammond looks forward to serving the community which he grew up in for 17 years. Constable Hammond has chosen York Regional Police because he believes it is at the forefront of leadership and technology in Canada, in addition to the number of career opportunities it offers within.

As of October 31, 2016, the authorized sworn strength of York Regional Police was 1,579 officers. To accommodate Paid Leave of Absences, Maternity/Parental Leave, Paid Secondments and Job Shares, we require an additional 38.5 officers, providing a targeted sworn authorized strength of 1,617.5 officers. Our actual strength as of October 30, 2016 was 1,573.5 officers, which does not include the experienced officer identified in this report.

EJ:pc

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

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THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

Execution of Documents By-Law

RECOMMENDATION

1. That the Board receive this report pursuant to the Police Services Board Execution of Documents By-Law No. 8-15 enacted on June 24, 2015.

SYNOPSIS

In accordance with the Police Services Board Execution of Documents By-Law No. 8-15, this report contains a summary of agreements and other undertakings that were executed within the third quarter of 2016. The issues being dealt with are confidential in nature because they deal with intimate personal information.

This report is being considered in private as it relates to Section 35(4) of the *Police Services Act*.

FINANCIAL IMPLICATIONS

Contributions to the Central Sick Leave Bank are made by each member in accordance with Section 6.3 of the Uniform and Civilian Working Agreements; and therefore, no additional liability will be incurred by the Board.

BACKGROUND

In accordance with the Execution of Documents By-Law No. 8-15, additional authority has been granted to permit the Deputy Chiefs to execute documents related to the programs and projects under their portfolio of responsibility.

The By-law further states that:

- In all cases where documents are executed under delegated authority, a quarterly report must be submitted to the Board; and
- Each signing officer shall obtain the approval of the Regional Solicitor or his or her designate as to form and content prior to executing any document pursuant to this By-law.

In accordance with the By-law and the above-mentioned report of the Chief of Police, the agreements and other undertakings that have been executed within the third quarter of 2016 are identified in Appendix 1.

Interprovincial Policing Act Applications

In accordance with the April 27, 2011 report of the Chief of Police regarding *Interprovincial Policing Act* applications, the Chief is required to report to the Board any appointments requested, made, denied and terminated.

The *Interprovincial Policing Act, 2009*, allows Chiefs of Police and Deputy Chiefs to appoint police officers from other provinces or territories to exercise their duties in Ontario, provided they are designated as Appointing Officials by the Minister of Community Safety and Correctional Services.

1. No police officers were appointed under Part II, Standard Appointment Procedure.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:ac

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Appendix 1

Contracts and Agreements – 8.4

Parties	Expiry Date	Amount
Ministry of Community Safety and Correctional Services o/a Criminal Intelligence Service Ontario (CISO) and The Regional Municipality of York Police Services Board and Acting Detective Sergeant Frank Doto #770 - CIROC Coordinator	July 17, 2018	\$158,817
Ontario Police College (OPC) and The Regional Municipality of York Police Services Board and Sergeant Mike Stern #485	December 1, 2017	\$114,730

Unpaid Leave of Absence – 4.3

Member	Total Hours	Date(s) of Leave
Sharon DeLorenzi #5126 – Information Management Platoon Supervisor, Transcript/Validation	96	November 2 – 13, 2016
Loredana Morrone #5355 – Background & Clearances, Corporate Development	40	August 8 – 12, 2016
Richard Andrews #5397 – Fleet Supervisor, Procurement & Fleet Management	40	September 19 – 23, 2016
Melissa Nelson #5450 – Criminal Records Courts Processor, Information Management	72	September 5 – 16, 2016
Melissa Styles #5467 – Report Validator, Special Events	54	December 19, 2016 – January 5, 2017
Catherine Gibbs #5520 – Criminal Records Court Processor, Information Management	24	September 7 – 9, 2016
Melissa Tesarski #5562 – Crime Analyst, Intelligence	80	December 5 – 16, 2016
Jessica Muir #5821 – Administrative Assistant, Training and Education	80	December 5 – 16, 2016
Lisa Salmon #5792 – HR Recruiting Representative, Staff Services	160	August 22, 2016 – September 18, 2016
Lindsay Liu #5856 – Financial Analyst, Budget & Control	40	August 15 – 19, 2016
Raja Hamza #5904 – Call Taker, Operational Command	40	October 3 – 7, 2016
Mary Powell #6040 – Courts Security Officer, Prisoner Management, Court Operations	80	August 22 – September 5, 2016
PC Maximiliana Bairos #808 – 5 District Patrol	48	October 5 – 8, 2016
PC Juan Alvarez #967 – 4 District Services	360	August 1 – September 30, 2016
PC Tricia Watts #1287 – Planning, Research & Evaluation	40	August 28 – September 1, 2017
PC Andrew Smockum #1683 – Field Support	72	October 11 – 21, 2016
PC Mark Cornett #2220 – Traffic Enforcement	72	August 24 – September 2, 2016

Central Sick Leave Bank

Member	Total Hours	Date(s) of Leave
Janine Hanko #5099 – Supervisor Criminal Records /Document Control, Information Management	304	August 23 – September 17, 2016 September 18 – October 15, 2016
Shirley Smith #5189 – Property Room Coordinator, Information Governance and Evidence Management	72	June 20 – 30, 2016
Theresa Hegarty #5197 – Administrative Assistant, Uniform Recruiting	233.5	July 26, 2016 – September 17, 2016
Susan Dodgson #5225 – Customer Service Representative, Customer Service	100	July 12 – August 6, 2016
Kellie Sue Likely #5241 – Administrative Assistant, Investigative Services, Homicide	240	July 1 – 28, 2016 September 4 – 17, 2016
Nancy Lean #5328 – Crime Analyst – Intelligence Integrated Crime Analysis	147	September 6 – 30, 2016
Deborah Challis #5483 – Information Request Processor, Information Services	192	June 26 – July 23, 2016 July 24 – 30, 2016
Tanya L. Highmore #5530 – Communicator, 911 / Call Centre	528	June 26 – July 23, 2016 July 24 – August 20, 2016 August 21 – September 17, 2016 September 18 – October 15, 2016
Sabrina Pereira #5540 – Administrative Assistant, 4 District Services	154.5	August 19 – September 17, 2016 September 18 – October 15, 2016
Cindy Morris #5598 – Administrative Assistant, Financial Services Fleet	565	July 5 – 23, 2016 July 24 – August 20, 2016 August 21 – September 17, 2016 September 18 – October 15, 2016
Marie Myrie #5885 – Crown Folder Processor, Information Management Bureau	208	June 26 – July 23, 2016 July 24 – August 3, 2016
Raja Hamza #5904 – Call Taker, Operational Command	52.75	September 13 – October 1, 2016
Sgt. David Mackay #503 – 2 District Services	72	September 6 – 17, 2016
Det. Maria Abbruzzese #732 – Intelligence	258	July 18 – August 6, 2016 August 7 – 20, 2016 August 21 – September 3, 2016
P.C. Janice Smissen #783 – Court Services	72	June 26 – July 9, 2016
P.C. Shannon Riesberry #1067 – Community Services	58.5	September 21 – October 1, 2016
P.C. Brad Bennett #1819 – 4 District Services	409	July 6 – 23, 2016 July 24 – August 20, 2016 August 21 – September 17, 2016
P.C. Michelle Marriott #1957 – Community Services	552	June 24 – July 23, 2016 July 24 – August 20, 2016 August 21 – September 17, 2016 September 18 – October 1, 2016

Member	Total Hours	Date(s) of Leave
P.C. Pavol Zec #2096, 5 District Services	635.5	June 23 – July 23, 2016 July 24 – August 20, 2016 August 21 – September 17, 2016 September 18 – October 14, 2016

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THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

NOVEMBER 23, 2016

**Notice of Civil Suit – Simo Karapalevski v. York Regional
Police, et al.**

RECOMMENDATION

1. That the Board receive this report for information.

SYNOPSIS

On October 25, 2016, Simo Karapalevski (the plaintiff) served a Statement of Claim against Arbor Memorial Inc. (Memorial Arbor Inc.) cob as Highland Funeral Home and York Regional Police, in relation to a motor vehicle collision that occurred on February 10, 2015.

This report is being considered in private as it relates to Section 35(4) of the *Police Services Act*.

FINANCIAL IMPLICATIONS

The plaintiff claims a total of \$1,500,000.00 for general damages. The Regional Municipality of York is insured for such claims subject to a deductible of \$500,000.00.

BACKGROUND

On February 10, 2015, Highland Funeral Home requested paid duty officers from York Regional Police to assist as funeral escorts from 16th Avenue to Main Street in the City of Markham.

PC Sina Heidarpour #2127, PC Steven Zhang #1657 and Sgt. Stephen Beale #1116 all attended for the paid duty.

At approximately 12:30 pm, Mr. Karapalevski was proceeding through the intersection on Highway 48 at Major Mackenzie Drive, in the City of Markham. In his statement of claim, he claims that a York Regional Police officer failed to stop traffic, causing his vehicle to strike another.

A witness of the accident called in the collision to police. PC Willis #2189, the responding officer, noted that Mr. Karapalevski's vehicle drove through the red light during the funeral procession when he was not directed to do so.

PC Heidarpour #2127, while at the paid duty, noticed a white Hyundai in the middle of the Highway 48 at Major Mackenzie Drive intersection with damage to the front right passenger side. He attended the north east corner of the intersection and noticed a damaged dark minivan as well. Two passengers identified themselves by saying they were inside the vehicles and they did not have any injuries. PC Heidarpour was directing traffic facing the opposite way so he did not witness the accident.

PC Zhang #1657 and Sgt. Beale #1116 were not present and did not witness the accident as the funeral procession was lengthy and spanned several miles.

OPP Constable Singh #8188 arrived on scene and advised he would complete the investigation and the report.

On October 25, 2016, Simo Karapalevski (the plaintiff) served a Statement of Claim against Arbor Memorial Inc. (Memorial Arbor Inc.) cob as Highland Funeral Home and York Regional Police, in relation to a motor vehicle collision that occurred on February 10, 2015.

The plaintiff claims a total of \$1,500,000.00 for general damages.

This claim will be defended.

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

EJ:ac

Accessible formats or communication supports are available upon request.