



January 05, 2021

Honourable Sylvia Jones
Solicitor General of Ontario
George Drew Building, 18th Floor
25 Grosvenor Street
Toronto, Ontario M7A 1Y6

RE: Request for a review of the Province's Use of Force Model

Dear Minister Jones,

On August 18, 2020, the Toronto Police Services Board approved a report entitled "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety." The Board Minute is enclosed with this letter.

The report included a recommendation directing the Chair and Executive Director, on behalf of the Board, to advocate for and recommend to the province that the Ministry of the Solicitor General:

- a. conduct a review of the current provincial Use of Force Model with input from all relevant stakeholders, including police services boards, community organizations and persons with lived experience;
- b. ensure any new provincial model focuses on de-escalation and minimizes use of force, especially with people in crisis; and,
- c. rename the provincial Use of Force Model the 'De-Escalation Model.' (Recommendation 48 in the Board Report referenced above)

The above Board direction followed similar recommendations made to the Board by its Mental Health and Addictions Advisory Panel (MHAAP) and Anti-Racism Advisory Panel (ARAP) in their reports of July 23, 2020 and July 24, 2020, respectively, which were attached as Appendix F and Appendix G, respectively, to the above Board Minute (and also enclosed with this letter).

As you know, this is not the first call for a re-examination of Ontario's Use of Force Model, which was originally published in 2004. Over the years since, many independent reviews, inquests and other reports have recommended revisions of various types to the existing model – and, one consistent theme in these recommendations has been for a new, updated model to more explicitly emphasize an ongoing de-escalation focus in interactions between police and members of the public, with any type of use of force being a very last resort.

For example, in 2016, Ontario's Ombudsman Paul Dubé published "A Matter of Life and Death: Investigation into the direction provided by the Ministry of Community Safety and Correctional Services (MCSCS) to Ontario's police services for de-escalation of conflict situations." This report included a recommendation (#3) that called on the Ministry to "institute a new use of force model that is easy to understand and clearly identifies de-escalation options rather than just use of force options." As you are aware, in response to this recommendation, a team led by University of Toronto Professor Judith Andersen was engaged by the Ministry and their work led to the submission of two reports: "The Science Behind De-escalation and Use of Force Decision-Making: Policy Recommendations for Police Training, Scientific Literature Review and Applied Data Synthesis" (2017), and "Decision Model for Police Encounters: A Science-Based Approach for Decision Making in Police Encounters" (2018), which included a specific proposal for a new model to replace Ontario's existing Use of Force Model.

The Board recognizes that there is much research that has been conducted in this field, provincially and internationally, and that various alternative approaches have been recommended over the years. Without supporting any specific alternative, the Board encourages you to make use of all the resources already available to quickly develop, consult with stakeholders, and ultimately adopt a revised model that places an emphasis on de-escalation and recognizes the two-way nature of escalation and de-escalation in an interaction between a police officer and a member of the public. Such a revised model, and an accompanying robust update to the use of force training program currently provided, would allow the Toronto Police Service and other police services in Ontario, to improve the direction and quality of the training it provides to its officers when it comes to de-escalation and use of force. All of this will ultimately serve to improve the delivery of police services to the public.

The Board welcomes the opportunity to discuss this request with you and Deputy Minister Di Tommaso in more detail. It would be appreciated if you could have your office contact Ms. Sheri Chapman, Executive Assistant to the Chair, to arrange a meeting. Ms. Chapman can be reached at sheri.chapman@tpsbc.ca.

Thank you for your consideration.

Yours truly,



Jim Hart
Chair



Ryan Teschner
Executive Director and Chief of Staff

- Encl. (1) Board Minute No. P129/2020
(2) Appendix F - recommendations made to the Board by its Mental Health and Addictions Advisory Panel (MHAAP)
(3) Appendix G - recommendations made to the Board by Anti-Racism Advisory Panel (ARAP)

Copy: Mr. Mario Di Tommaso, Deputy Solicitor General, Community Safety
His Worship John Tory, Mayor, City of Toronto
Ms. Jennifer Chambers, Co-Chair, MHAAP
Mr. Steve Lurie, Co-Chair, MHAAP
Mr. Ainsworth Morgan, Co-Chair, ARAP
Mr. Anthony Morgan, Co-Chair, ARAP
Chief James Ramer, Toronto Police Service



Toronto Police Services Board Report

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on August 18, 2020

P129. Policing Reform Initiatives and Accompanying Presentations

The Board was in receipt of presentations and three separate reports regarding current events.

Deputations:

Kris Langenfeld
Derek Moran
John Sewell
Morgan Lockhart
Dylan Gunaratne
Ena Chadha, Chief Commissioner, Ontario Human Rights Commission
Scout R
Kris Langenfeld
Dallas Jokic
Berkley Staite
Steve Lurie
Alex Lepianka
Marie Glass
Ryan Murdock
Jennifer Chambers
Rachel Bromberg
Jade Armstrong
Anders Yates
Jason Prolas
Howard . Morton
Luke Ottenhof
Amy Todd
Pax Santos
Serena Purdy
Emma McKay
Rebecca Amoah
Emma Wildeman
Vanessa Campbell
Derek Moran,
Jacqueline Edwards

Twoey Gray
Tom Hobson
Miguel Avila-Velarde
Karita
Norman Gardner

Written Submissions:

Information and Privacy Commissioner of Ontario
John Cartwright, Toronto and York Region Labour Council
Kathryn Wells
Katias Yee
Mackenzie Kinmond
Alex Mlynek
Howard F. Morton, Law Union of Ontario
Estarmir Hernandez
Matthew McMahon
Nicole Corrado
Tynan Bramberger
Hans Tim
Diedra Wandel
Bev Solomon

- a. August 10, 2020 from Jim Hart, Chair
**Re: Police Reform in Toronto: Systemic Racism, Alternative
Community Safety and Crisis Response Models and Building New
Confidence in Public Safety**

The Board was in receipt of a report dated August 10, 2020 from Jim Hart, Chair.

Recommendation(s):

It is recommended that the Board approve the recommendations listed at Appendix A.

The recommendations listed in Appendix A were as follows:

It is recommended that the Board:

1. Direct the Executive Director to:

- a. Work with the Service, City Manager and other stakeholders to identify the categories of calls that might be addressed by a non-police response. (City Council #1; Board #4; MHAAP #26; ARAP #11)
 - b. Work with the City Manager, Government of Ontario, community based mental health and addictions service providers, organization representing people with mental health and/or addictions issues and other stakeholders to develop new and enhance existing alternative models of community safety response, including mobile mental health and addictions crisis intervention. (City Council #1 and 18; Board #4, MHAAP #25; ARAP #10)
 - c. Work with the Service, and others including the Auditor General, to identify non-core policing services that can be delivered by alternative service providers, as well as other opportunities for improved service delivery by the Service itself (subject to the requirement that provincial Adequacy Standards for policing continue to be met)
 - d. Work with the Service, and others including the Auditor General, to identify funding or areas of funding currently allocated to policing that can potentially be re-allocated to support alternative community safety models and/or fund other City of Toronto programming and services that contribute to community safety.
 - e. Work with the City of Toronto and the Service to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis. (MHAAP #5; ARAP #19)
 - f. Engage the Service to detail potential reductions to the Toronto Police Service budget that would result from any proposed changes to the current community safety response model, once the details of this alternative model are developed. (City Council #1)
 - g. Engage MHAAP and ARAP in the above efforts. (City Council #1; Board #4; ARAP #11; MHAAP #26)
 - h. Engage the CABR Unit and other experts to ensure that an anti-Black racism analysis is employed in the development and implementation of any alternative models to public safety response. (CABR #18.2)
 - i. Provide an opportunity for broad community and public consultation in the above efforts. (City Council #1; Board #4; ARAP #11; MHAAP #26)
2. Direct the Chief of Police to work with the Executive Director and Board Staff in the above efforts, including providing access to the Service Members, data and other resources necessary to perform this work.
 3. Direct the Chief of Police to report to the Board on the outcome of crisis calls made to the Service (e.g., referral to services, apprehensions, etc.) in 2019 and 2020, and going forward on an annual basis, for the city in aggregate and per police division. (MHAAP #5; ARAP #19)

4. Direct the Chief of Police to prioritize and create a plan to implement, as soon as feasible, an immediate expansion of the MCIT program in partnership with existing community-based crisis services, including peer support, to meet current demands for mental health-related service calls, recognizing the need for the Service's partners to secure necessary funding for this expansion, with a view to providing MCIT services 24 hours a day, seven days a week, and across all Divisions. (City Council #5; Board #4; MHAAP #2 and 25; ARAP #10 and 16)
5. Direct the Chief of Police to include in that plan provisions for:
 - a. implementation oversight, including routine monitoring, evaluation and benchmarks for success; (MHAAP #6; ARAP #20)
 - b. follow-up for individuals after an MCIT response, which should be delivered in partnership with community-based mental health and addictions service providers including ethno-racial specific services, provide connection to ongoing supports including case management when needed, and ensure individuals who could benefit are referred to Mental Health and Justice and community-based crisis prevention programs and/or the FOCUS table; (MHAAP #7; ARAP #21)
 - c. quarterly meetings at the Divisional level with community-based mental health and addictions agencies within Divisions to plan for a co-ordinated approach to crisis response and prevention, and to align their strategies with existing community-based planning tables as appropriate; (MHAAP #9; ARAP #23)
 - d. a culturally responsive approach consistent with the commitment to equity and anti-racism outlined in the Service's Mental Health and Addictions Strategy; (MHAAP #10; ARAP #24)
 - e. recruitment criteria for participating police and health care providers, which should include a demonstrated ability for anti-racist and anti-oppressive practice, commitment to human rights, and awareness of lived experience of mental health and/or addictions related issues; (MHAAP #10; ARAP #24)
 - f. ongoing quality improvement of program operations through data collection and reporting on MCIT interventions, services provided and outcomes, which should include:
 - i. anonymization and aggregation for public dissemination through regular reports to the Board;
 - ii. mandatory race-based data collection for MCIT service calls, which collection should be prioritized for implementation;
 - iii. gender-based data collection that should include non-binary gender options;
 - iv. public reporting through reports to the Board on MCIT service call outcomes, including apprehensions made under the *Mental Health Act* (MHA);
 - v. public reporting through reports to the Board on service outcome disparities by race, gender identity or other client information;

- vi. cross-referencing MCIT service call outcomes with emergency department data (through the Institute for Clinical Evaluation Sciences) to understand how MHA apprehensions result in hospital admissions; and
 - vii. provision for any public data reporting to be reviewed by MHAAP and ARAP prior to public release. (MHAAP #11; ARAP #25)
- 6. Direct the Chief of Police to present his plans for expanding the MCIT to MHAAP for review and feedback. (MHAAP #6; ARAP #20)
- 7. Direct the Chief of Police to fund the expansion of the MCIT program from within the current 2020 Toronto Police Service Operating Budget, including any appropriate reserves, and to continue to fund the expanded MCIT program without a request for additional funding in the 2021 budget request. (City Council #5; Board #4; MHAAP #2 and 10; ARAP #25)
- 8. Direct the Chief of Police to expand the existing MCIT Steering Committee to include representatives from MHAAP and ARAP, Executive Directors/CEOs of community-based mental health and addictions agencies, a representative of the CABR unit, delegates of the Board and people with lived experience. (MHAAP #8; ARAP #22)
- 9. Direct the Chief of Police to have the expanded MCIT Steering Committee meet on a quarterly basis, at minimum. (MHAAP #8; ARAP #22)
- 10. Direct the Chief of Police to work with the Board to pursue additional contribution from other levels of government to expand the MCIT program, and in particular, the funding of additional mental health nurses or other mental health providers.
- 11. Advocate with the municipal, provincial and federal governments for additional funding at a level consistent with or greater than the cost of the proposed MCIT expansion, specifically for community-based services to work in collaboration with police crisis services and Ontario Health Teams and, more specifically, for organizations that provide relevant resources, services and support to assist individuals responding to mental health and addictions related issues. (MHAAP #3; ARAP #17)
- 12. Direct the Chief of Police, in consultation with MCIT service users, front-line workers and Service Members, to explore and develop a plan to place MCIT police officers in a distinct uniform, specially designed to support de-escalation. (MHAAP #4; ARAP #18)
- 13. Direct the Chief of Police to work with the Chair and Executive Director to develop and implement a line-by-line approach to reviewing the police budget in order to identify opportunities for service delivery improvement and efficiencies, including the possible redirection of non-core policing functions and their

associated funding to alternative non-police community safety providers and/or community safety services or programming.

14. Direct the Chief of Police to work with the Executive Director and the City Manager to identify opportunities for the development of alternative crime prevention and reduction initiatives that could ultimately reduce the demand for reactive police services across Toronto.
15. Direct the Chief of Police to immediately post a line-by-line breakdown of the 2020 Toronto Police Service Budget to the Service's website in a machine readable, open format that would facilitate further analysis of the information. (City Council #4)
16. Direct the Chief of Police to provide an annual line-by-line breakdown of the Toronto Police Service's budget request at the outset of every annual budget process. (Board #6; ARAP #12; MHAAP #27)
17. Direct the Chief of Police to provide a line-by-line breakdown of the Toronto Police Service's approved budget at the end of every annual budget process. (Board #6; ARAP #12; MHAAP #27)
18. Direct the Chief of Police to organize all line-by-line breakdowns by individual program area, function and service delivered, subject to the need to protect investigative techniques and operations, and in such a way as to provide maximum transparency to the public. (Board #6; ARAP #12; MHAAP #27)
19. Direct the Chief of Police to immediately provide the Board with the annual Budget Summaries and Uniform/Civilian Staffing Summaries by command, with Approved, Proposed and Actuals for the last five budgets, and to do so for all future budgets, in a machine readable open dataset format. (City Council #7)
20. Direct the Executive Director to immediately post the annual Budget Summaries and Uniform/Civilian Staffing Summaries per command, with Approved, Proposed and Actuals for the last five budgets and for all future budgets to the Board website in a machine readable open dataset format, and to make the same available to the City of Toronto to post to its open data portal. (City Council #7)
21. Allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, to include the involvement of community-based partners, and, in the future, to ensure that sufficient funds are allocated annually to support public consultation during the budget process. (Board #6; ARAP #12; MHAAP #27)
22. Direct the Chief of Police to explore options for the Service to pay honoraria and transportation costs to otherwise unpaid community members that contribute

their time, skills and experience to police training and service improvement. (MHAAP # 14; ARAP #28)

23. Direct the Executive Director to compile the above directions and any other appropriate policy guidance into a budget transparency policy, for future consideration by the Board.
24. Direct the Chair and Executive Director to work with the Auditor General to enter into a Memorandum of Understanding, and accompanying work plan, with the effect of engaging the Auditor General to perform audits of the Toronto Police Service to improve service delivery, identify specific areas of success and specific areas for improvement within the Service, and to find potential areas for savings and redistribution of funding. (City Council #10 and 11)
25. Direct the Chief of Police to assist the Chair, Executive Director and Auditor General in developing the above Memorandum of Understanding and accompanying work plan and to make available the personnel, information and other resources necessary for that purpose. (City Council #10 and 11)
26. Direct the Chief of Police to grant Board Staff and the Auditor General access to personnel, information, records and any other resources necessary to perform any audits contemplated by the above work plan, subject always to applicable legal requirements that do not permit disclosure (e.g. investigative techniques). (City Council #10 and 11)
27. Direct the Chair to communicate to the Province the Board's support of City Council's request to amend the City of Toronto Act to expand the Auditor General's jurisdiction to include auditing the Service, and reporting the results of any audits by the Auditor General to the Board. (City Council #9)
28. Direct the Executive Director to update the Board's Audit Policy addressing audits of the Service, to include any standing directions and policy guidance for the Chief of Police to ensure the Board, its staff and any third parties contracted by the Board for the purpose of auditing the Service, are provided with the access to information and personnel necessary for a successful audit.
29. Direct the Chair and Executive Director to engage with the City Manager and discuss additional and alternative approaches to ensuring transparent auditing of police practices and policies. (City Council #31)
30. Direct the Chief of Police to present a preliminary report to the Board by November 2020, to be followed by a comprehensive report by February 2021 and thereafter on a frequency as directed by the Board, on outcomes associated with how diversity in human resources is being prioritized and achieved in the Toronto Police Service, including with respect to recruitment, hiring and

promotion for both civilian and uniform positions at all ranks and classifications.
(City Council #33)

31. Direct the Executive Director to publish the criteria expected in a successful candidate for Toronto's Chief of Police to the Board's website and communicate those criteria in the recruitment process.
32. Emphasize, in the selection of the Chief of Police, the following qualifications, skills and experience:
 - a. a proven track record and/or demonstrated ability to create deep and successful reform of policing, including:
 - i. a proven ability to ensure that non-violent de-escalation strategies and techniques are properly employed by police officers, particularly in relation to engagement with people from racialized communities and people with mental health issues;
 - ii. demonstrated experience and success in policing modernization initiatives, with an emphasis on building and sustaining strong, collaborative relationships with racialized and marginalized communities, and the willingness to consider other models for first responder calls for non-violent incidents.
 - iii. a demonstrated track record of building and maintaining community safety, as well as the ability to lead through innovation and collaboration. The Chief will, together with an engaged Command Team, be a visible advocate of effective, equitable policing with the public. The Chief will work to ensure the Service is seen as an international leader in providing modern, trusted, community-focused policing;
 - iv. the ability to motivate members to be innovative, collaborative and inclusive. The Chief will support both the 'front line' and uniform and civilian support staff and will ensure the Service is a sought-after and positive place of employment with talented individuals who reflect the city's diversity at all levels of the organization and who are passionate ambassadors of community engagement and public safety;
 - v. the understanding of how to prioritize, develop and nurture partnerships with a broad spectrum of social service providers, law enforcement agencies, health sector organizations (with a focus on mental health and addictions services), community organizations and leaders, and government, in addition to having demonstrated experience and success in collaborating with these stakeholders. The Chief will leverage these partnerships to collaborate in the development of innovative programs rooted in community policing;
 - vi. having a deep understanding of the myriad and complex challenges facing policing organizations internally and externally, including

- strengthening member wellness and engagement, and increasing public trust and legitimacy across communities, particularly those that are vulnerable, marginalized, and disaffected;
- vii. having the ability to effectively manage a significant annual budget that places innovation, alternative service delivery, data and technology at the centre of a strategy to leverage the most out of public dollars, and find ways to do the TPS's work so as to set a new standard in policing;
- viii. being a recognized and proven senior leader in the policing community who is known for embracing challenge, developing creative solutions and a clear ability to lead cultural change with the support of an engaged Command Team. The Chief will have a demonstrated track record of bridging divides, earning respect through a commitment to excellence and accountability, and empowering people to be their best; and
- ix. providing the leadership and inspire the confidence necessary to make Toronto the model for the future of urban policing.

b. understand and value:

- i. the importance of diversity in the City and in the Toronto Police Service itself;
- ii. acceptance of all people and a recognition that Toronto is home to the most culturally diverse population in the world, which gives our City its strength in times of crisis;
- iii. the strategies and actions required to ensure that, in the policing context, Toronto remains a place of inclusion, diversity and respect for all; and
- iv. human rights as a core competency and an on-going commitment for themselves and the Toronto Police Service as a whole. (City Council #14)

33. Direct the Executive Director to engage the City Manager, the CABR Unit and the Indigenous Affairs Office of the City of Toronto to provide their advice on the development and implementation of a rigorous community consultation process for the selection of the next Chief of Police. (City Council #16)

34. Ensure that human rights competency and achievements are included as a component of the Chief of Police's annual performance review.

35. Direct the Chief of Police to immediately post the Toronto Police Service's Use of Force Procedure on its public website, in a form that will ensure the efficacy of investigative techniques or operations is not endangered and that will not compromise the safety of any person by divulging police practice. (City Council #6)

36. Direct the Chief of Police to post on the Service's public website, as soon as feasible and on an on-going basis, up-to-date copies of those procedures of public interest that govern the interaction of police with the public, in a form that will not endanger the efficacy of investigative techniques and operations.
37. Direct the Chief of Police to share regularly updated datasets from the Toronto Police Service's open data portal with the City of Toronto for display and distribution on the City's open data portal, subject to the need to protect personal privacy and to comply with any privacy legislation. (City Council #16)
38. Direct the Chief of Police to convert the Toronto Police Services Board's annual reports and any files currently provided on the Toronto Police Service's open data portal in PDF format into appropriate digital format for use and distribution on the City's open data portal. (City Council #16)
39. Direct the Chief of Police to post all open data collected pursuant to the Race-Based Data Collection Policy to the Toronto Police Service open data portal and to share that data with the City of Toronto for display and distribution on its open data portal, subject to the need to comply with applicable privacy and other legislation. (City Council #30)
40. Direct the Chief of Police and the Executive Director to work with the City Manager to consolidate and expedite continuous data sharing in order to better inform city-wide approaches to violence prevention and community safety, including with respect to the City's Community Safety and Well-Being Planning efforts. (City Council #30)
41. Direct the Executive Director to develop a policy governing information transparency and data sharing for the Toronto Police Service, which will include the above directions and any other provisions that will contribute to information transparency and data sharing that will improve accountability and service delivery.
42. Direct the Executive Director to identify potential research, policy and academic centres with whom the Board can partner for research and policy development aimed at improving policing in Toronto.
43. Direct the Chair to write in support of City Council's requests for changes to the *Police Services Act* and other applicable legislation or regulations that would expand the instances in which suspension without pay and revocation of a police officer's appointment as a police officer are available and to support amendments that would, at a minimum, implement the relevant elements of the *Police Services Act, 2018* that addressed suspension without pay and the relevant elements of the *Policing Oversight Act, 2018* that created the ability to revoke a police officer's appointment as a police officer in Ontario. (City Council #20; CABR #17.2)

44. Direct the Chair and Executive Director to explore and report on the Board's ability to enact policy directing that all instances of alleged racial profiling and bias be investigated under the *Police Services Act*, and to make recommendations on how the Board can ensure that all alleged instances of racial profiling and bias are investigated and addressed. (City Council #29; CABR #17.2)
45. Direct the Chief to report by November 2020 on the means by which:
- a. the Toronto Police Service identifies police officers who are repeated subjects of conduct complaints or negative findings by the courts, or those who disproportionately use force, even where no specific instance amounts to allegations of misconduct;
 - b. those identified officers are monitored for compliance with Toronto Police Service policy and procedure and receive additional training where necessary;
 - c. the Toronto Police Service determines what other interventions are appropriate or required for officers that are identified as part of the Service's efforts as per a. and b., above.
46. Direct the Chief of Police to develop and implement a formal annual performance review process for uniformed Service Members, in consultation with any relevant experts, that will assist in identifying the strengths and areas for improvement of each police officer, and which will include an individualized annual performance plan that identifies the education, training and experiences to be completed in the coming year in order to build on their identified strengths and address their identified areas for improvement.
47. Explore, in consultation with the Chief of Police, mechanisms to make both disciplinary proceedings under the *Police Services Act*, as well as the decisions reached in these proceedings, more transparent and accessible to the public, given the provisions of the current *Act*, and in light of the future coming into force of the new *Police Services Act, 2019*.
48. Direct the Chair and the Executive Director to advocate for and recommend that the Government of Ontario (Ministry of the Solicitor General):
- a. conduct a review of the current Use of Force Model with input from all relevant stakeholders, including police services boards, community organizations and persons with lived experience;
 - b. ensure any new model focused on de-escalation and minimizes use of force, especially with people in crisis; and
 - c. rename the Use of Force Model the De-Escalation Model. (MHAAP #15; ARAP #29)
49. Direct the Executive Director, in consultation with the Chief of Police, to review the Board's Use of Force Policy, consult with internal and external experts, and

propose to the Board by November 2020, amendments to the Policy that will align it with best practices to reduce death and injuries from the use of force by Service Members and with the Ontario Provincial Use of Force Model.

50. Direct the Executive Director, in consultation with the Chief of Police, to review the Board's Uniform Promotions and Appointments Policy, and propose to the Board by November 2020, amendments to the Policy that will improve the transparency of promotions with regards to candidates' disciplinary history.
51. Direct the Executive Director to review and consolidate the Board's Policies on human rights, and develop a revised comprehensive Human Rights Policy that will also include direction on racial profiling, for consideration by the Board.
52. Direct the Chief of Police to:
 - a. immediately make permanent the current anti-Black racism training component of the annual re-training (civilians) and In-Service Training Program (uniform); and
 - b. consult with experts in the appropriate fields and engage the CABR Unit to:
 - i. explore opportunities to expand this component;
 - ii. audit and review all courses with an anti-racism lens to identify how existing police training can be changed to address systemic racism or bias in training and to identify how anti-racism training can be incorporated into all courses taught at the College; and
 - iii. report to the Board by December 2021 with the findings of these consultations. (Board #2; CABR #16.4 and 16.5)
53. Direct the Chief of Police to:
 - a. create a permanent stand-alone training course that contributes to professional practice in policing with a view to supporting an organizational culture committed to the delivery of fair and unbiased police services to Toronto's diverse communities and populations. This training curriculum must include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias and implicit bias avoidance; interactions with racialized communities, LGBTQ2S+ communities and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; and principles of human rights accommodation and disabilities, including mental health and addictions issues and ethics in policing;
 - b. ensure this training is developed and updated based on best practice and through the active engagement of the CABR Unit, ARAP, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental health and

- addictions issues and with a focus on utilizing adult-oriented training methods that are proven to lead to high achievement and demonstrated applied practice by those who experience the curriculum;
 - c. make this training mandatory for all new Members of the Service, both civilian and uniform;
 - d. make a refresher version of this training mandatory for all current Members of the Service, both civilian and uniform, every 2 years; and
 - e. present the training curriculum before the Board for information by February 2021. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)
54. Direct the Chief of Police to prepare a plan for integrating the provision of annual in-service and other training and education of Service Members by members of peer run organizations, including organizations representing people with lived experience of mental health and addiction issues, through collaborations with racialized, indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. (MHAAP #13; ARAP #27)
55. Direct the Chief of Police to review all current and future training, including judgment and other scenario based training, and ensure that it:
- a. prioritizes and emphasizes de-escalation; (MHAAP #14)
 - b. is informed by members of the communities most often affected by police use of force; (MHAAP #14; ARAP #28)
 - c. is relevant to the root causes and consequences of structural violence, systemic and internalized racism, negative stereotyping, intersectionalities, and use of force on people with mental health and/or addictions issues; and (MHAAP #13; ARAP #27)
 - d. is trauma informed. (MHAAP #13; ARAP #27)
56. Direct the Chief of Police to report of the feasibility of all uniformed Service Members receiving MCIT training or other mental health crisis response training, such as mental health first aid or emotional CPR. (ARAP #10; MHAAP 25)
57. Direct the Chief of Police to engage experts in the relevant fields to create and implement a framework to constantly evaluate the efficacy of its mental health and anti-racism training and the competence of training participants, including how it is applied in the field, and serve to identify areas for improvement to training, with reports on the Service's findings and responsive actions provided to the Board semi-annually. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)
58. Direct the Chief of Police to review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of Service funded training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the

Board by December 2020 with an assessment of options. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)

59. Direct the Executive Director to coordinate ongoing training sessions for Board Members on anti-Black racism and human rights as it relates to police governance in Ontario.

60. Make ARAP permanent and require ARAP to:

- a. review its terms of reference in consultation with the Board at least every 3 years or when otherwise required; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
- b. review its membership at least every 3 years or when otherwise required; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
- c. meet on a quarterly basis, at a minimum; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
- d. meet with MHAAP annually; (Board #1; CABR #17.4; ARAP #5; MHAAP #20) and
- e. share its minutes with MHAAP and convene a joint meeting when there are issues of mutual interest and significance. (Board #1; CABR #17.4; ARAP #5; MHAAP #20)

61. Confirm ARAP's mandate to advise and support the Board in relation to policing and racism, anti-Black racism and anti-Indigenous racism, including:

- a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for approval by the Board;
- b. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism;
- c. Monitoring the implementation of the Board's Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis and any interventions developed by the Service to address racial disparities for feedback and recommendations for enhancement;
- d. Monitoring the implementation of the recommendations from the Andrew Loku Inquest through the monitoring framework previously developed by ARAP;
- e. Reviewing Service reports on Conducted Energy Weapon (CEW) use and making recommendations for enhancement;
- f. Monitoring the implementation of inquest recommendations as appropriate;
- g. Reviewing the development and implementation of all Service training and offering recommendations for enhancement, including training on anti-racism;
- h. Monitoring the implementation of the recommendations in the present report and providing advice to the Board on necessary enhancements and improvements; and

- i. Participating in the community consultation process on the Toronto Police Service's annual budget. (ARAP #3; MHAAP #18)
- 62. Appoint Ainsworth Morgan as ARAP's next Board Co-Chair for a 3 year term and direct the Chair and Executive Director to explore the appointment of Anthony Morgan, the Manager of the CABR Unit, or another agreed delegate of the CABR Unit, as community Co-Chair for a 3 year term. (ARAP #4; MHAAP #19)
- 63. Make MHAAP permanent and require MHAAP to:
 - a. review its terms of reference in consultation with the Board at least every 3 years or when otherwise required; (Board #3; ARAP #1; MHAAP #16)
 - b. review its membership at least every 3 years or when otherwise required; (Board #3; ARAP #1; MHAAP #16)
 - c. meet on a quarterly basis, at a minimum; (Board #3; ARAP #1; MHAAP #16)
 - d. meet with ARAP annually; and (Board #3; ARAP #5; MHAAP #20)
 - e. share its minutes with ARAP and convene a joint meeting when there are issues of mutual interest and significance. (Board #3; ARAP #5; MHAAP #20).
- 64. Request MHAAP to monitor and advise the Board on the implementation of the recommendations in the present report, inasmuch as they are included within MHAAP's mandate.
- 65. Direct the Executive Director to develop plans for an annual policy forum or other process that will provide a regular opportunity for the Board and its advisory panels to consult the public, community organizations and other stakeholders both at length and in depth in order to review the efficacy of existing Board policies, identify existing and emerging issues in policing, and develop effective policy interventions to address those issues. (CABR #17.4)
- 66. Direct the Chief of Police to develop, in consultation with the CABR Unit and other experts in the field, an anti-racism lens to be applied in auditing existing Toronto Police Service procedures and the development of future procedures. (CABR #16.3)
- 67. Direct the Chief of Police to implement new communications strategies, with input from ARAP and on the basis of community consultation, especially with members of Toronto's Black and Indigenous communities, about the steps taken to eliminate carding as a policing practice and regulate street checks in Toronto (CABR #16.1)
- 68. Direct the Executive Director to, in consultation with the Chief of Police and other stakeholders, develop a new policy for the provision of apologies, expressions of regret and recognitions of loss, mindful of legal and other considerations.

69. Direct the Executive Director to explore, in consultation with relevant stakeholders, ARAP, community organizations and representatives of Toronto's Black and Indigenous communities, the development of a Board-sponsored voluntary restorative alternative dispute resolution process aimed at both resolving complaints and claims against police, and achieving reconciliation between police and both complainants and their respective communities.
70. Direct the Chief of Police to develop and execute a multi-faceted "know your rights" campaign before the end of 2020, on the basis of consultation and collaboration with various stakeholders, including representatives from the Board-funded Collective Impact initiative, representatives of Toronto's Black and Indigenous communities, youth groups, and community-based organizations that serve vulnerable and marginalized populations. (CABR #18.1)
71. Direct the Executive Director and the Chief of Police to work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to increase awareness about the different types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, individuals' rights related to the *Mental Health Act* and success stories should be showcased as part of this campaign. (MHAAP #12; ARAP #26)
72. Direct the Executive Director to develop, in consultation with the City Manager, an on-line tool to assist the public in tracking and monitoring the progress of the implementation of the recommendations in this report, which will be available on the Board's website by October 2020.
73. Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the Board's Race-Based Data Collection Policy, and where the Policy deviates from or fails to implement the recommendations of the Ontario Human Rights Commission in its written deputation to the Board, to identify the reason for that deviation or failure to implement. (City Council #24; ARAP #6; MHAAP #21)
74. Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the recommendations made in the PACER Report and, where recommendations remain unimplemented in part or in full, to present a timetable for their implementation or the rationale for not implementing particular recommendations and suitable alternatives. (ARAP #7; MHAAP #22)
75. Direct the Chief to report by November 2020 on the status of implementation of the recommendations made in the *Independent Review of Police Encounters with People in Crisis* and, where the Service has deviated from or failed to

implement a recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #25)

76. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Auditor General in all previous reports and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.
77. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Inquest into the Death of Andrew Loku and, where the Service has deviated from or failed to implement an inquest recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #27)
78. Direct the Chief of Police to report by November 2020 on the status of the implementation of the Service's Mental Health and Addictions Strategy and further direct that the strategy be fully implemented by September 30, 2021. (MHAAP #1; ARAP #15)
79. Direct the Chief of Police to report by November 2020 on the status of recommendations made in *Action Plan: The Way Forward*, including what has been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of *Action Plan: The Way Forward* should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility. (Board #2; ARAP #14; MHAAP #29)
80. Direct the Chief of Police that the reports required in above sections 74–80 should include an assessment of each recommendation, including:
 - a. Concerns;
 - b. Status;
 - c. Impact (weighting);
 - d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);
 - e. Timelines; and
 - f. Service Lead (Deputy Chief)
81. Direct the Executive Director to develop, in consultation with the Auditor General, a work plan for the auditing of the implementation of the approved recommendations made in this report.

Chair Hart emphasized the importance of continuing to incorporate community voices in the discussion surrounding policing reforms. He indicated that these reforms are part of an ongoing process that must be inclusive and dynamic.

The Board discussed the possibility of civilianizing more of the Service's training. Chair Hart noted that such options were included in past Auditor General reports, and they will be considered as part of the requirement of the Service to report on the implementation of these reports, which is included in the report.

In addition to the recommendations contained in the report, Mayor Tory moved the following Motion:

MOTION

THAT the Board direct the Chief to:

- 1. Consult with stakeholders, including the Mobile Crisis Intervention Team (MCIT) Steering Committee and hospital partners, and report back to the September 2020 meeting of the Board on a preliminary basis regarding:**
 - **The current approach as to how the Service responds to mental health crisis calls, including relevant considerations in determining the nature of the emergency response;**
 - **How the Service is exploring the feasibility of having MCITs dispatched as the first responders to as many persons in crisis calls as possible, concurrent with the implementation of the expanded MCIT Program currently being designed by the Service;**
 - **The initiatives that the Service is currently exploring, including pilot programs, to expand the response by non-police crisis responders to mental health crisis calls; and,**
 - **Additional details about the approach to addressing and implementing the above-noted items at the Boards' November 2020 meeting.**
- 2. THAT the Chief provide a report at the Board's November 2020 meeting which provides additional details about the approach to addressing and implementing the above-noted items.**

[...]

The Board moved the Motions, received the depositions, presentation and approved the foregoing reports.

Each Board Member recorded their approval via a vote.

Appendix F

MHAAP Recommendations

July 23, 2020

To: Chair and Members
Toronto Police Services Board

From: Jim Hart
Uppala Chandrasekera
Steve Lurie
Jennifer Chambers

Co-Chairs, Mental Health and Addictions Advisory Panel (MHAAP)

Subject: Recommendations from the Toronto Police Services Board's Mental Health and Addictions Advisory Panel regarding the Toronto Mobile Crisis Intervention Team Program and Board Chair Jim Hart's Report titled "Recommendations to the Board Related to Current Events"

The following recommendations were developed through consensus by the Community Members of the Toronto Police Services Board's Mental Health & Addictions Advisory Panel (MHAAP) at a meeting held on the morning of Thursday, July 23, 2020, to review and provide feedback on Board Chair Jim Hart's report titled "Recommendations to the Board Related to Current Events" dated June 17, 2020.

TPS Mental Health & Addictions Strategy

1. First and foremost, MHAAP recommends that the TPS and the Board fully implement the TPS Mental Health and Addictions Strategy by September 30, 2021, which is within two years of the initial launch of the strategy.

Toronto Mobile Crisis Intervention Team (MCIT) Program

2. MHAAP supports the expansion of the MCIT in partnership with existing community-based crisis services in Toronto, including peer support services. The total costs for this expansion should come from the existing TPS budget.
3. At the same time, MHAAP recommends that the Board advocate for, at minimum, an equal amount of additional funding for community-based services – those organizations that provide the relevant resources, services and support to

assist individuals with responding to mental health and addictions related issues – to work in collaboration with police crisis services and Ontario Health Teams.

4. The police officers with the MCIT program should wear plainclothes. TPS should consult with service users, front-line workers and TPS members to develop a plan to move to a plainclothes approach for the MCIT police officers.
5. TPS should work with the City of Toronto to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis right now. Information on the outcomes of the existing crisis calls to TPS (by police division, etc.), the outcomes of the crisis calls, as well as the connections between MCIT and other community-based services is needed to determine the most appropriate response for individuals in crisis.
6. Any plans for MCIT expansion should be first presented to MHAAP for feedback and review; and the plan should include a comprehensive plan for routine monitoring, evaluation, benchmarks for success, etc.
7. An expanded MCIT model should build in follow-up for individuals after an MCIT response. Follow-up should be delivered in partnership with community-based mental health and addictions service providers including ethno-racial specific services, provide connection to ongoing supports including case management when needed, and ensure individuals who could benefit are referred to Mental Health and Justice and community-based crisis prevention programs and/or the FOCUS table.
8. The current MCIT Steering Committee should be expanded to include representatives from MHAAP as well as the Board's Anti-Racism Advisory Panel (ARAP), Executive Directors/CEOs of community-based mental health and addictions agencies, representative from the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, and people with lived experience of mental health and addictions issues, as well as any other members appointed/selected by the Board, ensuring significant inclusion of peer run organizations. The expanded MCIT Steering Committee should meet quarterly at a minimum.
9. TPS should host quarterly meetings at the division-level with the community-based mental health and addictions agencies within their division to plan for a coordinated approach to crisis response and prevention services and align their strategies with existing community-based planning tables as appropriate.
10. The MCIT program should ensure that a culturally responsive approach is embedded into the program, consistent with the commitment to equity and anti-racism as outlined in the TPS Mental Health and Addictions Strategy. Individuals that are recruited for the MCIT program, including police officers and health care

providers, must have demonstrated ability in anti-racist and anti-oppressive practice, demonstrated skills in human rights related matters, and awareness of lived experience of mental health and/or addictions related issues.

11. MCIT program should continue to collect data on interventions and services provided to inform the quality improvement of program operations:
 - a. This data should be anonymized, aggregated, and made available to the public, through regular reporting to the Board;
 - b. Race-based data collection must be made mandatory for the MCIT program and prioritized for implementation as soon as possible;
 - c. Gender-based data collection should be enhanced beyond gender binary options;
 - d. Outcomes of MCIT interactions should be reported publicly, including when apprehensions are made under the *Mental Health Act*, and whether there are disparities by race using the TPS race-based data collection;
 - e. Outcomes of MCIT interactions should be linked to emergency department data, through the Institute for Clinical Evaluative Sciences, to better understand how apprehensions made under the *Mental Health Act* result in hospital admissions; and
 - f. Data relating to the MCIT program should be reviewed by MHAAP and ARAP prior to public release.

Communication to the Public Regarding Crisis Response Programs

12. TPS should work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to increase awareness about the different types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, and individuals' rights related to the *Mental Health Act*. Success stories should be showcased as part of this campaign.

Training for All TPS Members

13. Training and education for all TPS members, at minimum on an annual basis, should include education by members of peer-run organizations, including organizations representing people with lived experience of mental health and addiction issues, forming collaborations with Black, Brown, Indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. Training needs to be relevant to the root causes and consequence of structural violence, systemic and internalized racism and negative stereotyping of, a focus on the impact of intersectionalities, and use of force on, people with mental health and/or addictions issues. All training must be trauma informed.

14. Training must prioritize and emphasize de-escalation. De-escalation is important for safe outcomes involving people in crisis. Training must include members of the communities most often affected by use of force, and funds must be provided by TPS for community members to provide this education.
15. The Board should recommend to the Government of Ontario (Ministry of the Solicitor General) that a review of the use of force model be conducted, that the use of force model be renamed the de-escalation model, and that the new model minimize the use of force, especially with people in crisis.

Board Chair Jim Hart's report titled "Recommendations to the Board Related to Current Events" dated June 17, 2020

MHAAP fully supports the following recommendations in Board Chair Jim Hart's report. Wording changes to the original report recommended by MHAAP are underlined.

16. The Board's Anti-Racism Advisory Panel (ARAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and ARAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. ARAP meetings should be held at minimum on a quarterly basis.
17. The work of ARAP will be informed by Ontario's *Anti-Racism Act, 2017*, and other governance and guidance documents as appropriate. The definitions and guiding principles contained within the legislation and the associated *Anti-Racism Strategic Plan* will be the starting point of ARAP's discussions (see Appendix).
18. Mandate of ARAP is to advise TPSB relating to racism, anti-Black racism, and anti-Indigenous racism and policing, including:
 - a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for adoption by the Board;
 - b. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism;
 - c. Monitoring the implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis; any interventions developed by TPS to address racial disparities should be reviewed by ARAP for feedback and recommendations for enhancement;
 - d. Monitoring the implementation of the Andrew Loku Inquest using the monitoring framework previously developed by ARAP;

- e. Reviewing TPS reports on CEW use and making recommendations for enhancement;
 - f. Monitoring the implementation of Inquest recommendations as appropriate;
 - g. Reviewing the development and implementation of all TPS training and offering recommendations for enhancement, including training on anti-racism; and
 - h. Participating in the community consultation process on the Toronto Police Service's annual budget.
19. ARAP recommends that the new ARAP Co-Chairs be Board Member Mr. Ainsworth Morgan (as the TPSB Co-Chair) and Mr. Anthony Morgan, the Manager of the City of Toronto's Confronting Anti-Black Racism Unit or agreed designate (as the Community Co-Chair), for a term of 3 years from 2020-2023.
20. ARAP should meet with the Board's Mental Health & Addictions Advisory Panel (MHAAP) annually and as needed to share information and recommendations. ARAP and MHAAP should share their meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.
21. ARAP recommends the full implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy by January 1, 2021, and recommends that the Toronto Police Service continue ongoing reporting on progress to ARAP, and to the Board at its public meetings, on a quarterly basis.
22. ARAP recommends the full implementation of the recommendations contained in the PACER report by January 1, 2021, and recommends that the Toronto Police Service report on progress to ARAP, as well as to the Board at a public meeting.
23. The Board direct the Chief to:
- a. create a permanent, standalone Ethics, Inclusivity and Human Rights training course that contributes to professional practice in policing in the context of providing policing services to Toronto's diverse communities and populations. This training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias avoidance; interactions with racialized communities, LGBTQ2S+ communities, and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; the LGBTQ2S+ community; principles of human rights accommodation and disabilities, including mental health and addictions issues, and, ethics in policing. This standalone course will be taken every 2 years by all Members of the Service, civilian and uniform;
 - b. ensure this training is developed and updated based on best practice and through the active engagement of the City of Toronto's Confronting Anti-

Black Racism (CABR) Unit, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental and addictions issues, and that the City's CABR Unit be requested to provide an independent assessment of the new course curriculum to the Board by October 2020;

- c. make this training mandatory for both new and current Members of the Service, both uniform and civilian;
- d. create and implement a framework to constantly evaluate the efficacy of this training and serve to identify areas for improvement to the training, evaluate the competence of training participants, with reports on the Service's findings and responsive actions provided to the Board semi annually;
- e. make permanent the current anti-Black racism training component of the annual re-training (civilians) and In Service Training Program (uniform) and report back to the Board on opportunities to expand this component;
- f. audit and review all courses to determine how anti-racism training can be incorporated throughout all courses taught at the College, and report to the Board by December 2020 with the findings of this audit and review;
- g. review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options; and
- h. funding for the development and implementation of this training should be provided by the Toronto Police Service.

24. The Board's Mental Health and Addictions Advisory Panel (MHAAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and MHAAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. MHAAP should participate in the community consultation process on the Toronto Police Service's annual budget.

~~MHAAP should meet with the Anti-Racism Advisory Panel as needed to share information and recommendations.~~ MHAAP should meet with the Board's Anti-Racism Advisory Panel (MHAAP) annually and as needed to share information and recommendations. MHAAP and ARAP should share their

meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.

25. The Board, in consultation with its Mental Health and Addictions Advisory Panel, Anti-Racism Advisory Panel and the Toronto Police Service, should:

- a. expand the Mobile Crisis Intervention Team Program on an urgent basis to meet current service demands, and that any expansion be funded from within the current 2020 Toronto Police Service Operating Budget, and given that no allocation was made for this purpose within the current budget, any expenses that cannot be absorbed be allocated to appropriate reserves;
- b. work with the Government of Ontario, the City of Toronto, community-based mental health and addictions providers, and organizations representing people with mental health and/or addictions issues, and other partners to develop new and enhance existing community based models to mobile mental health crisis intervention service delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) and may not necessarily involve police officers unless there are significant safety issues present; and,
- c. if an alternative mobile crisis intervention model is identified and all partners agree, and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's Mobile Crisis Intervention Team Program for re-allocation to this alternative model;
- d. all TPS Officers should be required to receive the five-day Mobile Crisis Intervention Team training, and explore whether alternative training options should be provided, including the Mental Health Commission of Canada's Mental Health First Aid training, Emotional CPR, etc.

26. The Board will consult with its Anti-Racism Advisory Panel and its Mental Health and Addictions Advisory Panel on Recommendations 1 – 4 and consider any input provided on an ongoing basis;

27. The Board direct the Chief to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available. This line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations). The Board should also direct the Chief to provide and make publicly available the same line-by-line

breakdown of any new budget requests that are recommended to the Board during the Board's annual budget process;

28. The Board allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, including the involvement of community-based consultation partners and should commence the public consultation process in September 2020; and,
29. The Board direct the Chief to provide a status update regarding the recommendations in The Way Forward, based on what has already been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.

Appendix

Selected definitions from *Ontario's 3-Year Anti-Racism Strategic Plan*, arising from the *Anti-Racism Act, 2017*, S.O. 2017, c. 15.

Selected Definitions

Anti-Black racism

Anti-Black racism is prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system. (African Canadian Legal Clinic).

Race

Is a term used to classify people into groups based principally on physical traits (phenotype) such as skin colour. Racial categories are not based on science or biology but on differences that society has chosen to emphasize, with significant consequences for people's lives. Racial categories may vary over time and place, and can overlap with ethnic, cultural or religious groupings.

Racism

Refers to ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

Systemic racism

When institutions or systems create or maintain racial inequity, often as a result of hidden institutional biases in policies, practices and procedures that privilege some groups and disadvantage others.

Guiding Principles

A Better Way Forward: Ontario's 3-Year Anti-Racism Strategic Plan targets systemic racism by building an anti-racism approach into the way government develops policies, makes decisions, evaluates programs, and monitors outcomes. It calls for a proactive, collaborative effort from all government ministries and community partners to work toward racial equity.

The plan is comprised of initiatives under four categories: Policy, Research and Evaluation; Sustainability and Accountability; Public Education and Awareness; and Community Collaboration. In addition, there are targeted population-specific strategies. All of these initiatives are informed by the following key guiding principles:

1. **Systemic focus:** We are focusing on proactively removing systemic barriers and root causes of racial inequities in provincial institutions.
2. **Whole-of-government, collective impact approach:** We recognize that working with ministries across government — not in silos — is required to address systemic racial inequities.
3. **Targeted universalism:** We recognize everyone benefits from government's targeted removal of systemic barriers faced by the most disadvantaged communities. Reducing barriers and disparities leads to a better Ontario for everyone.
4. **Distinctness and intersectionality of racisms:** We acknowledge racism is experienced differently by various racialized groups, and within groups along intersectional lines, including gender identity, creed, class, sexual orientation, history of colonization, etc.
5. **Inclusive process:** Indigenous and racialized people must be meaningfully engaged. Their perspectives and guidance inform the strategy and government decision-making.
6. **Transparent, evidence-based approach:** Our approach is evidence-based and driven by measurable goals and outcomes that are tracked and publicly

reported. This is consistent with Ontario's Open Government principles.

Sustainability: We are setting the foundation for long-term government anti- racism efforts.

Appendix G

ARAP Recommendations

July 24, 2020

To: Chair and Members
Toronto Police Services Board

From: Notisha Massaquoi
Uppala Chandrasekera

Co-Chairs, Anti-Racism Advisory Panel (ARAP)

Subject: Recommendations from the Toronto Police Services Board's Anti-Racism Advisory Panel regarding the Board Chair Jim Hart's Report titled "Recommendations to the Board Related to Current Events"

The following recommendations were developed through consensus by the Community Members of the Toronto Police Services Board's Anti-Racism Advisory Panel (ARAP) at a meeting held on the morning of Friday, July 24, 2020, to review and provide feedback on Board Chair Jim Hart's report titled "Recommendations to the Board Related to Current Events" dated June 17, 2020.

Board Chair Jim Hart's report titled "Recommendations to the Board Related to Current Events" dated June 17, 2020

ARAP fully supports the following recommendations in Board Chair Jim Hart's report. Wording changes to the original report recommended by ARAP are wave underlined. Please note that the wording changes to the original report recommended by the Board's Mental Health & Addictions Advisory Panel (MHAAP) at their meeting on July 23, 2020, are single underlined.

1. The Board's Anti-Racism Advisory Panel (ARAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and ARAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. ARAP meetings should be held at minimum on a quarterly basis.
2. The work of ARAP will be informed by Ontario's *Anti-Racism Act, 2017*, and other governance and guidance documents as appropriate. The definitions and guiding principles contained within the legislation and the associated

Anti-Racism Strategic Plan will be the starting point of ARAP's discussions (see Appendix).

3. Mandate of ARAP is to advise TPSB relating to racism, anti-Black racism, and anti-Indigenous racism and policing, including:
 - a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for adoption by the Board;
 - b. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism;
 - c. Monitoring the implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis; any interventions developed by TPS to address racial disparities should be reviewed by ARAP for feedback and recommendations for enhancement;
 - d. Monitoring the implementation of the Andrew Loku Inquest using the monitoring framework previously developed by ARAP;
 - e. Reviewing TPS reports on CEW use and making recommendations for enhancement;
 - f. Monitoring the implementation of Inquest recommendations as appropriate;
 - g. Reviewing the development and implementation of all TPS training and offering recommendations for enhancement, including training on anti-racism; and
 - h. Participating in the community consultation process on the Toronto Police Service's annual budget.
4. ARAP recommends that the new ARAP Co-Chairs be Board Member Mr. Ainsworth Morgan (as the TPSB Co-Chair) and Mr. Anthony Morgan, the Manager of the City of Toronto's Confronting Anti-Black Racism Unit or agreed designate (as the Community Co-Chair), for a term of 3 years from 2020-2023.
5. ARAP should meet with the Board's Mental Health & Addictions Advisory Panel (MHAAP) annually and as needed to share information and recommendations. ARAP and MHAAP should share their meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.
6. ARAP recommends the full implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy by January 1, 2021, and recommends that the Toronto Police Service continue ongoing reporting on progress to ARAP, and to the Board at its public meetings, on a quarterly basis.

7. ARAP recommends the full implementation of the recommendations contained in the PACER report by January 1, 2021, and recommends that the Toronto Police Service report on progress to ARAP, as well as to the Board at a public meeting.
8. The Board direct the Chief to:
 - a. create a permanent, standalone Ethics, Inclusivity and Human Rights training course that contributes to professional practice in policing in the context of providing policing services to Toronto's diverse communities and populations. This training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias avoidance; interactions with racialized communities, LGBTQ2S+ communities, and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; the LGBTQ2S+ community; principles of human rights accommodation and disabilities, including mental health and addictions issues, and, ethics in policing. This standalone course will be taken every 2 years by all Members of the Service, civilian and uniform;
 - b. ensure this training is developed and updated based on best practice and through the active engagement of the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental and addictions issues, and that the City's CABR Unit be requested to provide an independent assessment of the new course curriculum to the Board by October 2020;
 - c. make this training mandatory for both new and current Members of the Service, both uniform and civilian;
 - d. create and implement a framework to constantly evaluate the efficacy of this training and serve to identify areas for improvement to the training, evaluate the competence of training participants, with reports on the Service's findings and responsive actions provided to the Board semi annually;
 - e. make permanent the current anti-Black racism training component of the annual re-training (civilians) and In Service Training Program (uniform) and report back to the Board on opportunities to expand this component;
 - f. audit and review all courses to determine how anti-racism training can be incorporated throughout all courses taught at the College, and report to the Board by December 2020 with the findings of this audit and review;

- g. review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options; and
 - h. funding for the development and implementation of this training should be provided by the Toronto Police Service.
9. The Board's Mental Health and Addictions Advisory Panel (MHAAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and MHAAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. MHAAP should participate in the community consultation process on the Toronto Police Service's annual budget. MHAAP should meet with the Anti-Racism Advisory Panel as needed to share information and recommendations. MHAAP should meet with the Board's Anti-Racism Advisory Panel (MHAAP) annually and as needed to share information and recommendations. MHAAP and ARAP should share their meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.
10. The Board, in consultation with its Mental Health and Addictions Advisory Panel, Anti-Racism Advisory Panel and the Toronto Police Service, should:
- e. expand the Mobile Crisis Intervention Team Program on an urgent basis to meet current service demands, and that any expansion be funded from within the current 2020 Toronto Police Service Operating Budget, and given that no allocation was made for this purpose within the current budget, any expenses that cannot be absorbed be allocated to appropriate reserves;
 - f. work with the Government of Ontario, the City of Toronto, community-based mental health and addictions providers, and organizations representing people with mental health and/or addictions issues, and other partners to develop new and enhance existing community based models to mobile mental health crisis intervention service delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) and may not necessarily involve police officers unless there are significant safety issues present; and,
 - g. if an alternative mobile crisis intervention model is identified and all partners agree, and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's

Mobile Crisis Intervention Team Program for re-allocation to this alternative model;

- h. all TPS Officers should be required to receive the five-day Mobile Crisis Intervention Team training, and explore whether alternative training options should be provided, including the Mental Health Commission of Canada's Mental Health First Aid training, Emotional CPR, etc.
- 11. The Board will consult with its Anti-Racism Advisory Panel and its Mental Health and Addictions Advisory Panel on Recommendations 1 – 4 and consider any input provided on an ongoing basis;
- 12. The Board direct the Chief to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available. This line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations). The Board should also direct the Chief to provide and make publicly available the same line-by-line breakdown of any new budget requests that are recommended to the Board during the Board's annual budget process;
- 13. The Board allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, including the involvement of community-based consultation partners and should commence the public consultation process in September 2020; and,
- 14. The Board direct the Chief to provide a status update regarding the recommendations in The Way Forward, based on what has already been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.

ARAP also endorses all of the recommendations that were developed through consensus by the Community Members of the Toronto Police Services Board's Mental Health & Addictions Advisory Panel (MHAAP) at a meeting held on the morning of Thursday, July 23, 2020.

TPS Mental Health & Addictions Strategy

15. First and foremost, MHAAP recommends that the TPS and the Board fully implement the TPS Mental Health and Addictions Strategy by September 30, 2021, which is within two years of the initial launch of the strategy.

Toronto Mobile Crisis Intervention Team (MCIT) Program

16. MHAAP supports the expansion of the MCIT in partnership with existing community-based crisis services in Toronto, including peer support services. The total costs for this expansion should come from the existing TPS budget.
17. At the same time, MHAAP recommends that the Board advocate for, at minimum, an equal amount of additional funding for community-based services – those organizations that provide the relevant resources, services and support to assist individuals with responding to mental health and addictions related issues – to work in collaboration with police crisis services and Ontario Health Teams.
18. The police officers with the MCIT program should wear plainclothes. TPS should consult with service users, front-line workers and TPS members to develop a plan to move to a plainclothes approach for the MCIT police officers.
19. TPS should work with the City of Toronto to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis right now. Information on the outcomes of the existing crisis calls to TPS (by police division, etc.), the outcomes of the crisis calls, as well as the connections between MCIT and other community-based services is needed to determine the most appropriate response for individuals in crisis.
20. Any plans for MCIT expansion should be first presented to MHAAP for feedback and review; and the plan should include a comprehensive plan for routine monitoring, evaluation, benchmarks for success, etc.
21. An expanded MCIT model should build in ongoing case management and/or ongoing supports for the individuals in crisis served by MCIT in partnership with a community-based mental health and addictions service provider, and ensure these individuals are referred to community-based crisis prevention programs and the FOCUS program.
22. The current MCIT Steering Committee should be expanded to include representatives from MHAAP as well as the Board's Anti-Racism Advisory

- Panel (ARAP), Executive Directors/CEOs of community-based mental health and addictions agencies, representative from the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, and people with lived experience of mental health and addictions issues, as well as any other members appointed/selected by the Board, ensuring significant inclusion of peer run organizations. The expanded MCIT Steering Committee should meet quarterly at a minimum.
23. TPS should host quarterly meetings at the division-level with the community-based mental health and addictions agencies within their division to plan for a coordinated approach to crisis response and prevention services and align their strategies with existing community-based planning tables as appropriate.
 24. The MCIT program should ensure that a culturally responsive approach is embedded into the program, consistent with the commitment to equity and anti-racism as outlined in the TPS Mental Health and Addictions Strategy. Individuals that are recruited for the MCIT program, including police officers and health care providers, must have demonstrated ability for anti-racist and anti-oppressive practice, demonstrated skills in human rights related matters, and lived experience of mental health and/or addictions related issues.
 25. MCIT program should continue to collect data on interventions and services provided to inform the quality improvement of program operations:
 - a. This data should be anonymized, aggregated, and made available to the public, through regular reporting to the Board;
 - b. Race-based data collection must be made mandatory for the MCIT program and prioritized for implementation as soon as possible;
 - c. Gender-based data collection should be enhanced beyond gender binary options;
 - d. Outcomes of MCIT interactions should be reported publicly, including when apprehensions are made under the *Mental Health Act*, and whether there are disparities by race using the TPS race-based data collection;
 - e. Outcomes of MCIT interactions should be linked to emergency department data, through the Institute for Clinical Evaluative Sciences, to better understand how apprehensions made under the *Mental Health Act* result in hospital admissions; and
 - f. Data relating to the MCIT program should be reviewed by MHAAP and ARAP prior to public release.

Communication to the Public Regarding Crisis Response Programs

26. TPS should work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to increase awareness about the different

types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, and individuals' rights related to the *Mental Health Act*. Success stories should be showcased as part of this campaign.

Training for All TPS Members

27. Training and education for all TPS members, at minimum on an annual basis, should include education by members of peer-run organizations, including organizations representing people with lived experience of mental health and addiction issues, forming collaborations with Black, Brown, Indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. Training needs to be relevant to the root causes and consequence of structural violence, systemic and internalized racism and negative stereotyping of, a focus on the impact of intersectionalities, and use of force on, people with mental health and/or addictions issues. All training must be trauma informed.
28. Training must prioritize and emphasize de-escalation. De-escalation is important for safe outcomes involving people in crisis. Training must include members of the communities most often affected by use of force, and funds must be provided by TPS for community members to provide this education.
29. The Board should recommend to the Government of Ontario (Ministry of the Solicitor General) that a review of the use of force model be conducted, that the use of force model be renamed the de-escalation model, and that the new model minimize the use of force, especially with people in crisis.

Appendix to the ARAP Recommendations

Selected definitions from *Ontario's 3-Year Anti-Racism Strategic Plan*, arising from the *Anti-Racism Act, 2017*, S.O. 2017, c. 15.

Selected Definitions

Anti-Black racism

Anti-Black racism is prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black

racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system. (African Canadian Legal Clinic).

Race

Is a term used to classify people into groups based principally on physical traits (phenotype) such as skin colour. Racial categories are not based on science or biology but on differences that society has chosen to emphasize, with significant consequences for people's lives. Racial categories may vary over time and place, and can overlap with ethnic, cultural or religious groupings.

Racism

Refers to ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

Systemic racism

When institutions or systems create or maintain racial inequity, often as a result of hidden institutional biases in policies, practices and procedures that privilege some groups and disadvantage others.

Guiding Principles

A Better Way Forward: Ontario's 3-Year Anti-Racism Strategic Plan targets systemic racism by building an anti-racism approach into the way government develops policies, makes decisions, evaluates programs, and monitors outcomes. It calls for a proactive, collaborative effort from all government ministries and community partners to work toward racial equity.

The plan is comprised of initiatives under four categories: Policy, Research and Evaluation; Sustainability and Accountability; Public Education and Awareness; and Community Collaboration. In addition, there are targeted population-specific strategies. All of these initiatives are informed by the following key guiding principles:

- 7. Systemic focus:** We are focusing on proactively removing systemic barriers and root causes of racial inequities in provincial institutions.
- 8. Whole-of-government, collective impact approach:** We recognize that working with ministries across government — not in silos — is required to address systemic racial inequities.
- 9. Targeted universalism:** We recognize everyone benefits from government's targeted removal of systemic barriers faced by the most disadvantaged communities. Reducing barriers and disparities leads to a better Ontario for everyone.

- 10. Distinctness and intersectionality of racisms:** We acknowledge racism is experienced differently by various racialized groups, and within groups along intersectional lines, including gender identity, creed, class, sexual orientation, history of colonization, etc.
- 11. Inclusive process:** Indigenous and racialized people must be meaningfully engaged. Their perspectives and guidance inform the strategy and government decision-making.
- 12. Transparent, evidence-based approach:** Our approach is evidence-based and driven by measurable goals and outcomes that are tracked and publicly reported. This is consistent with Ontario's Open Government principles.
- 13. Sustainability:** We are setting the foundation for long-term government anti- racism efforts.