

The Regional Municipality of York Police Services Board

Public Board Meeting
October 5, 2022

Report of the Chief of Police

2021 York Transit Annual Report

1. Recommendation

That the Board receive this report pursuant to Section 52 of the Agreement between the Regional Municipality of York Police Services Board and the Regional Municipality of York.

2. Summary

This report has been submitted in accordance with an Amending Agreement signed on February 13, 2008, between the Regional Municipality of York Police Services Board (the Board) and the Regional Municipality of York (the Region). Section 52 of the Agreement requires the Region to annually report to the Board statistical information regarding enforcement activities, training, supervision, complaints and other issues of concern. A copy of the 2021 Annual Report for York Regional Transit Enforcement and Security is submitted with this report.

3. Background

**IN 2005 THE BOARD AND THE REGION ENTERED INTO A JOINT SERVICES
AGREEMENT FOR SPECIAL CONSTABLES FOR YORK REGION TRANSIT**

On September 14, 2005, the Board and the Region entered into a Joint Services Agreement to facilitate an 18-month pilot project dealing with special constables for York Region Transit. In June 2007, upon completion of the pilot project, the Ministry of Community Safety and Correctional Services approved the program. On February 13, 2008, the Board and the Region signed an Amending Agreement extending the Joint Services Agreement.

York Region Transit has an approved special constable workforce of one manager, four shift supervisors, 20 special constables and seven fare media inspectors in the Transit Enforcement and Security section. All newly-hired special constables must complete a comprehensive, four-week training course provided by a certified professional vendor. This initial training covers use of force and defensive tactics, conflict resolution, both federal and provincial legal authorities, tactical communications and officer safety. Final testing consists of academic, practical and judgmental components. The special constables also have to pass an annual requalification. This requalification is three days in length and consists of legislative information and updates, use of force, crisis intervention, diversity and court training.

Special constable appointments by the Board authorize the special constables to enforce a by-law that regulates the use of public transit vehicles and facilities in the Regional Municipality of York (#R-1415-2005-28). This includes the enforcement of proper fare payment, conduct on transit vehicles and the safety of all persons travelling on public transit vehicles or located on/in public transit facilities.

In addition, for the purpose of their appointment, special constables have peace officer powers as set out in the *Criminal Code*. They enforce sections dealing with obstructing or resisting a peace officer, obstructing justice, false pretenses, forgery, uttering a forged document, fraud under \$5,000 and fraud in relation to fares.

Originally, the geographic jurisdiction of the special constables was restricted to the property and vehicles under the control of the Regional Municipality of York and situated within the boundaries of the Region. A Memorandum of Understanding with the Toronto Police Services Board allowing York Region Transit special constables the authority to enforce the *Trespass to Property Act* within the City of Toronto has been in effect since January 1, 2010.

Supervision of Special Constables

General supervision of the special constables comes under the transit enforcement supervisor. This special constable holds an administrative position and is responsible for all aspects of the York Region Transit Special Constables Program, including human resource issues, training, supervision, complaints and discipline. The transit enforcement supervisor has received additional training in all of these areas. Additionally, the transit enforcement supervisor is a member of the Municipal Law Enforcement Committee and is on the Board of Investigation and Enforcement Directors Council of Ontario, which includes other agencies such as the Ministry of Transportation of Ontario, the Ministry of Natural Resources and the Ministry of Finance.

All public complaints relating to staff conduct, security and safety, fare evasion and fine disputes are forwarded to the transit enforcement supervisor for review, assessment and

investigation. Serious complaints relating to the conduct of special constables are forwarded to York Regional Police Professional Standards Bureau for further investigation. There were 24 complaints lodged in 2021, 23 of which were identified as unsubstantiated by York Region Transit and one which was identified as unsubstantiated by York Regional Police.

4. Analysis

YORK REGION TRANSIT HISTORICAL COMPLAINTS

Table #1

York Region Transit Historical Complaints			
Year	Number of Complaints	Investigated by York Region Transit	Investigated by York Regional Police
2017	55	55	0
2018	56	56	0
2019	60	60	0
2020	24	24	0
2021	24	23	1

5. Financial

There are no financial implications.

6. Conclusion

In 2021, the York Region Transit Enforcement and Security section worked in conjunction with York Regional Police on the following operational undertakings:

- Staff participated in various community events and programs including the Ontario Special Olympics Polar Plunge, Bowl for Kids, and the 360° Kids Experience
- Participated in the York Regional Police Places of Worship Tour
- Participated in the 2021 York Region Black History Month Celebration
- Conducted safety and security initiatives with York Regional Police focusing on community outreach and visibility of the York Region Transit system

The attached 2021 Annual Report from York Region Transit Enforcement satisfies Section 52 of the Agreement between the Regional Municipality of York Police Services Board and the Regional Municipality of York. York Regional Police staff will continue to liaise with York Region Transit staff to ensure the terms of the Agreement are fulfilled.

Accessible formats or communication supports are available upon request

Jim MacSween, M.O.M., B.A.A.
Chief of Police

JMS/rb

Attachments (2) -2021 Annual Report York Region Transit Enforcement and Security
-Office of the Commissioner Public Works Department Memorandum