



# PUBLIC Agenda

Date: Thursday, August 29, 2024  
Time: 1:45 p.m. – 3:00 p.m.  
Location: 150 Goyeau, 4<sup>th</sup> Floor, WPS Headquarters

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1. Agenda
  - 1.1 Agenda
2. Closed Session: The Board met in closed session on August 29, 2024, pursuant to Section 44 of the Community Safety and Policing Act, for consideration of confidential subject matter related to personal matters, labour relations, contractual negotiations, information supplied by the province, security of property, financial information, and potential litigation
3. Call to Order
4. Declarations of Conflict & Pecuniary Interest by Members
5. Approval of Agenda
6. Approval of Minutes
  - 6.1 Public Minutes June 20, 2024
7. Business Arriving from the Minutes
8. Delegations
9. Monthly Reports
  - 9.1 Professional Standards Report
  - 9.2 Section 32 Reports
  - 9.3 Crime Stoppers Report
  - 9.4 Crime Statistics (Verbal)
  - 9.5 Information and Privacy Report
10. Quarterly Reports
  - 10.1 Use of Force Q2
  - 10.2 Calls for Service – CCP/POP Q2
  - 10.3 Youth Crime Statistics Q2
  - 10.4 Amherstburg Detachment Policing Activities Q2
11. Human Resources
  - 11.1 Promotions and Retirements
12. Communications
  - 12.1 All Chiefs Memos
  - 12.2 Tribunals Ontario – Ontario Civilian Police Commission
13. New Business
  - 13.1 Policies – New and Updated
    - 13.1.1 Adequate and Effective Policing
    - 13.1.2 The Disclosure by the Chief of Police of Personal Information About Individuals
    - 13.1.3 The Administration of the Disclosure of Secondary Activities to the Chief of Police
    - 13.1.4 Discipline of Members

13.1.5 Internal Complaints and Disclosure Against the Chief of Police or Deputy Chief of Police

13.1.6 Chief of Police Performance Evaluation System

13.1.7 Electronic Monitoring of Employees

13.1.8 Board Members Code of Conduct, Complaints and Other Governance Responsibilities of Board Members

13.1.9 Respecting the Right to Disconnect from Work

13.1.10 Equal Opportunity, Discrimination and Workplace Harassment Prevention

13.1.11 Human Resources Policy

13.1.12 Board Administrative Framework

13.1.13 Administration of Public Complaints – Police Officer

13.1.14 Process for Selecting Chief of Police and Deputy Chief of Police

13.1.15 Management of Police Records

13.1.16 Police Response to Persons in Crisis – Mental Illness/Neurodevelopmental Disability

13.1.17 Management of Police Service Board Records

13.1.18 Use of Board Issued Equipment and Technology

13.1.19 Institutional and Police Service Members Conflicts of Interest

13.1.20 Administration of Police Service

13.2 WPS Census Report

14. Adjournment: Date of Next Meeting – **Thursday, September 19, 2024**



# ITEM: 6.1

## PUBLIC Meeting MINUTES

Date: Thursday, June 20, 2024

Time: 1:45 – 3:00 pm

Location: 150 Goyeau Street, 4<sup>th</sup> Floor, WPS Headquarters

### PRESENT:

Mayor Drew Dilkens, Chair  
Councillor Jo-Anne Gignac, Vice Chair  
Ms. Sophia Chisholm  
Mr. John Elliott

Chief Jason Bellair  
Deputy Chief Jason Crowley  
Mayor Michael Prue

Kent Rice, Windsor Police Association  
Melissa Brindley  
Barry Horrobin  
Bryce Chandler  
Gary Francoeur

Video Conference: Deputy Chief Karel DeGraaf, David Tilley, Inspectorate of Policing Office

REGRETS: Mr. Robert de Verteuil

RECORDER: Administrative Director

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### 1. Call to Order

The Chair calls the meeting to order at 1: pm

### 2. Declarations of Conflict & Pecuniary Interest by Members

**None declared**

### 3. Approval of Agenda

Moved by J. Gignac

Seconded by J. Elliott

- **CARRIED**





## 7.4 Professional Standards Branch

Moved by J. Gignac      Seconded by S. Chisholm      -      **CARRIED**

## 8. General Reports

### 8.1 Asset Management Plans

This report is required to ensure compliance with the Legislative mandate directing all Municipalities to develop comprehensive Asset Management Plans (AMP). WPS worked with the City of Windsor's AMP project team to ensure all legislatively mandated WPS elements are included in the overall plan. A Member enquires about the condition and life expectancy of the Windsor Police Headquarters. It is noted that the life expectancy is 50 years, but it will most likely be longer.

Response: There is a significant capital reserve fund that ensures that there is the financial ability to maintain the building. Building assessments are done on a regular basis and they have indicated that the structural integrity of the building is very high.

Moved by S. Chisholm      Seconded by J. Elliott      -      **CARRIED**

## 9. Human Resources Report

Moved by S. Chisholm      Seconded by J. Elliott      -      **CARRIED**

## 10. Communications

### 10.1 WPA Ratification Agreements correspondence

Moved by J. Gignac      Seconded by J. Elliott      -      **CARRIED**

### 10.2 All Chiefs Memos

Moved by J. Gignac      Seconded by J. Elliott      -      **CARRIED**

## 11. New Business

### 11.1 Use of Police Crest/Shoulder Patch Emblem

Members agree that Victoria Greenlawn Memorial Gardens be allowed to add the Police Badge/Shoulder Patch emblems to their artwork catalogue for use by WPS members and retirees but that a provision should be included in the resolution requiring that Victoria Greenlawn Memorial Gardens contact the Deputy Chief of Operations and the Windsor Police Service Board prior to use of the artwork to ensure that it will be used for WPS members and retirees only.

Moved by J. Gignac

Seconded by S. Chisholm

BE IT RESOLVED THAT	The Windsor Police Service Board approves the request from the Victoria Greenlawn Memorial Gardens for permission to use the WPS Badge and Shoulder Patch images for a period of five (5) years commencing June 20, 2024, until June 20, 2029.
BE IT FURTHER RESOLVED THAT	Victoria Greenlawn Memorial Gardens may use these images for Windsor Police Service Members and retirees only.
BE IT FURTHER RESOLVED THAT	Victoria Greenlawn Memorial Gardens provide in writing, prior to the use of the emblem(s), the name of each member/retiree for whom the reproduction of these images will be used to the Deputy Chief of Operational Support and to the Windsor Police Service Board.

- **CARRIED**

### 11.2 Request from University of Windsor – Windsor Police Service Criminology Award

Moved by S. Chisholm

Seconded by J. Gignac

BE IT RESOLVED THAT	That the Windsor Police Service Board approve the request from the University of Windsor for a donation in the amount of \$500.00 for the Windsor Police Service Criminology Award for the 2024-2025 academic year.
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- **CARRIED**

### 11.3 Windsor Police Service Board Procedural By-Law

A Member notes that the Conflict of Interest provisions (as contained in Appendix “A” – Ontario Regulation 408/23 made under the Community Safety and Policing Act, 2019 – Code of Conduct for Police Service Board Members – Application and Interpretation (2) “personal relationship”) go further than anything he has seen before. Another Member indicates his comfort with the provisions in that section of the regulation.

Moved by J. Gignac

Seconded by S. Chisholm

BE IT RESOLVED THAT	The Windsor Police Service Board enact By-Law Number 01-2024 – A By-Law to Provide Rules Governing the Proceedings of the Windsor Police Service Board.
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- **CARRIED**

12. Adjournment

Moved by J. Gignac          Seconded by J. Elliott

The Public Meeting of the Windsor Police Service Board adjourn at 2:13 p.m.

- **CARRIED**

**Date of Next Meeting; Thursday, August 22, 2024, at 1:45 p.m.**



Date: August 7, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Karel DeGraaf

Re: PSB Reports June & July – Public Agenda

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Dear Chair and Members of the Board,

Please see the attached reports for the public agenda from the Windsor Police Services Professional Standard Branch for the months of June and July.

Sincerely,

A handwritten signature in blue ink that reads "K.A. De Graaf".

Karel DeGraaf  
Deputy Chief Operational Support  
Windsor Police Service

Attachment: PSB Public Report – June  
PSB Public Report – July

# PSB Monthly Board Report

## June 2024

The Professional Standards Office addressed the following number of complaints:

<b>7</b>	New Complaints received in	<b>June</b>	2024	<b>28</b>	Remained Pending prior to	<b>June</b>	2024
	Public	5			Opened In	2020	1
	Service	0				2021	1
	Chief	1			Public	2022	0
	Tariff	1				2023	2
						2024	13
					Service	2023	0
						2024	2
					Chief	2022	1
						2023	5
						2024	3
					Tariff	2023	0
						2024	0

Of the **35** complaints handled in the PSB office in June:

<b>16</b>	Files Closed	<b>19</b>	Remained Pending going into	<b>July</b>	2024
<b>Total</b>	Public	Service	Chief	Tariff	
	<b>13</b>	<b>1</b>	<b>1</b>	<b>1</b>	
2020	0				
2021	0				
2022			0		
2023	1	0	1		
2024	12	1	0	1	
Jan- May	9	1	0	0	
June	3	0	0	1	

Public	Opened In	2020	1	
		2021	1	
		2022	0	
		2023	1	
		2024	6	
Service		2023	0	
		2024	1	
Chief		2022	1	
		2023	4	
		2024	4	
Tariff		2023	0	
		2024	0	

### YEAR TO DATE REPORT OF NEW COMPLAINTS

	OIPRD Complaints						Internal Complaints					
	Public Complaints			Service/Policy			Chief's Complaints			Informal Discipline (Tariff)		
	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
January	5	17	5	0	3	2	0	0	1	<del>XXXX</del>	5	0
February	7	7	3	1	1	0	2	2	0	<del>XXXX</del>	17	2
March	7	7	3	0	0	1	2	0	0	4	7	0
April	7	6	12	1	0	0	4	1	2	1	0	0
May	8	12	7	0	0	1	1	3	0	8	2	0
June	2	10	5	0	2	0	2	0	1	4	2	1
July	2	7		1	3		1	0		3	3	
August	7	11		2	0		4	1		0	0	
September	10	9		1	1		0	3		4	0	
October	6	6		1	1		3	1		4	4	
November	16	16		1	1		1	2		3	1	
December	8	6		1	0		0	0		8	0	
<b>TOTAL</b>	<b>85</b>	<b>114</b>	<b>35</b>	<b>9</b>	<b>12</b>	<b>4</b>	<b>20</b>	<b>13</b>	<b>4</b>	<b>39</b>	<b>41</b>	<b>3</b>

# July 2024

The Professional Standards Office addressed the following number of complaints:

<b>14</b>	New Complaints received in	<b>July</b>	2024
		<b>9</b>	Public
		<b>1</b>	Service
		<b>3</b>	Chief
		<b>1</b>	Tariff
		<b>0</b>	Civilian Misconduct
		<b>0</b>	WorkplaceHarassment
		<b>0</b>	SIU

<b>29</b>	Complaints Pending as of		<b>July 1st</b>	2024
Public	Opened In	2020	<b>1</b>	<b>9</b>
		2021	<b>1</b>	
		2022	<b>0</b>	
		2023	<b>1</b>	
Service		2024	<b>6</b>	<b>1</b>
		2023	<b>0</b>	
Chief		2024	<b>1</b>	<b>9</b>
		2023	<b>4</b>	
		2022	<b>4</b>	
Tariff		2024	<b>0</b>	<b>0</b>
		2023	<b>0</b>	
Civilian		2024	<b>2</b>	<b>2</b>
Workplace		2024	<b>5</b>	<b>5</b>
SIU		2024	<b>3</b>	<b>3</b>

Of the **43** complaints handled in the PSB office in June:

<b>17</b>	Complaint Files Closed	<b>26</b>	Pending Complaints Carried into	<b>Aug</b>	2024
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Total	Public	Service	Chief	Tariff	Civilian	Workplace	SIU
<b>11</b>	<b>11</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>
2020	0						
2021	0						
2022			0				
2023	1	0	1	0			
2024	10	2	0	1	0	1	1
Files opened Jan-Jun 2024	3	1	0	0	0	1	1
Files opened Jul 2024	7	1	0	1	0	0	0

Public	Opened In	2020	<b>1</b>	<b>7</b>
		2021	<b>1</b>	
		2022	<b>0</b>	
		2023	<b>0</b>	
Service		2024	<b>5</b>	<b>0</b>
		2023	<b>0</b>	
Chief		2024	<b>0</b>	<b>11</b>
		2022	<b>1</b>	
		2023	<b>3</b>	
Tariff		2024	<b>7</b>	<b>0</b>
		2023	<b>0</b>	
Civilian		2024	<b>0</b>	<b>2</b>
Workplace		2024	<b>2</b>	<b>4</b>
SIU		2024	<b>4</b>	<b>2</b>

## YEAR TO DATE REPORT OF NEW COMPLAINTS

	OIPRD Complaints					
	Public Complaints			Service/Policy		
	2022	2023	2024	2022	2023	2024
January	5	17	5	0	3	2
February	7	7	3	1	1	0
March	7	7	3	0	0	1
April	7	6	12	1	0	0
May	8	12	7	0	0	1
June	2	10	5	0	2	0
July	2	7	9	1	3	1
August	7	11		2	0	
September	10	9		1	1	
October	6	6		1	1	
November	16	16		1	1	
December	8	6		1	0	
<b>TOTAL</b>	<b>85</b>	<b>114</b>	<b>44</b>	<b>9</b>	<b>12</b>	<b>5</b>

	Internal Complaints					
	Chief's Complaints			Informal Discipline		
	2022	2023	2024	2022	2023	2024
	0	0	1	<del>X</del>	5	0
	2	2	0	<del>X</del>	17	2
	2	0	0	4	7	0
	4	1	2	1	0	0
	1	3	0	8	2	0
	2	0	1	4	2	1
	1	0	3	3	3	1
	4	1		0	0	
	0	3		4	0	
	3	1		4	4	
	1	2		3	1	
	0	0		8	0	
<b>TOTAL</b>	<b>20</b>	<b>13</b>	<b>7</b>	<b>39</b>	<b>41</b>	<b>4</b>

ITEM: 9.2

## HONOUR IN SERVICE



Date: August 8, 2024

To: Chair and Members of the Police Services Board

From: Deputy Chief Karel DeGraaf

Re: Section 32 – Public Agenda

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Dear Chair and Members of the Board,

Please see the attached Section 32 document SIU 24-OCI-001 for the Public Agenda.

A handwritten signature in black ink that reads "K.A. De Graaf".

Karel DeGraaf  
Deputy Chief Operational Support  
Windsor Police Service

Attachment: Section 32 – SIU 24-OCI-001

**WINDSOR POLICE SERVICE**  
**PROFESSIONAL STANDARDS BRANCH**



**SECTION 32 REVIEW: SIU 24-OCI-001**

**AFFECTED PERSON:** Injured Male  
**INCIDENT DATE:** January 1, 2024  
**INVESTIGATED BY:** Sergeant Steve Owen  
**WPS PSB NUMBER:** SI2024-001  
**WPS CASE NUMBER:** 2024-91



## **Executive Summary**

1. This review is pursuant to section 32 of Ontario Regulation 268/10 of the Police Services Act. It will review the applicable policies of the Windsor Police Service (WPS), the services provided, and the conduct of its members.

## **Background**

2. On January 1, 2024, the Windsor Police Service contacted the Special Investigations Unit of the Ministry of the Solicitor General as a result of Windsor Police Event #2024-91. This contact was initiated to maintain consistent adherence with provincial legislative requirements during an exigent matter that required clear and direct communication.
3. It was determined that the facts-in-issue regarding the events with respect to the serious injury of the Affected Person who was arrested and in police custody, met the threshold as defined under the Special Investigations Unit Act. This information exchange as to the details of the aforementioned event caused the Special Investigations Unit to invoke their mandate and commence an investigation.
4. Section 32 of Ontario Regulation 268/10 made under the Police Services Act requires the Chief of Police to commence an investigation forthwith into any incidents in which the SIU invokes its mandate. Assigned to this investigation was Sergeant Steve Owen of the WPS Professional Standards and Risk Management Unit. This report is based on a factual review of the events, the actions of the involved officers, and a review of applicable WPS policies.

## Methodology

5. The scope of this Section 32 review has identified a number of Windsor Police Service Directives and Policies. The purpose of this review is to ensure compliance with the Police Services Act of Ontario, Regulations including the Ontario Policing Standards, and overall policing best practices. During the investigation, the PSB Investigator reviewed all involved officer's written reports in Versadex and their notes, plus all relevant Directives and Policies.

## Scope of Review

6. This review pursuant to Section 32 of Ontario Regulation 268/10 made under the Police Services Act will review the applicable policies of the Service, the services provided, and the conduct of its members.
7. Examined in relation to this incident were the following Windsor Police Service Directives:
  - a. WPS Directive 716-01 – Special Investigations Unit
  - b. WPS Directive 711-00 – Use of Force
  - c. WPS Directive 711-04 – Agency Conducted Energy Weapon
  - d. WPS Directive 730-01 – Arrest
  - e. WPS Directive 730-02 – Assault/Resist/Obstruct Police Investigations
  - f. WPS Directive 734-01 – Handcuffing, Restraints and Spit Hoods
  - g. WPS Directive 863-01 – Supervisory Response
  - h. WPS Directive 732-02 – Prisoners Admitted to Hospital

## Involved Persons

### **Affected Person (aka “Complainant”)**

- Injured Male

### **Subject Official (SO)**

- Windsor Police Constable - SO

### **Witness Officials (WO)**

- Windsor Police Constable - WO #1
- Windsor Police Constable - WO #2
- Windsor Police Constable - WO #3
- Windsor Police Constable - WO #4

### **Civilian Witnesses (CW)**

- CW #1
- CW #2
- CW #3
- CW #4

### **Investigators**

- Sergeant Steve Owen – Windsor Police; Professional Standards
- Mr. James Troy– SIU; lead investigator

### **Summary**

8. On January 1, 2024, the WPS first received a call at 1:53 am in relation to a male (The Affected Person) causing a disturbance on Bruce Avenue. The Affected Person had attended a New Year's party and assaulted several people. He had punched at least three people, kicked the front door and broke the glass in the door.
9. A short time later, an additional seven calls were made to 911. One of the calls reported that the Affected Person was running down the street at York Street and



Wahketa Street. He was punching cars and causing a disturbance. Another caller reported that the Affected Person was circling the caller's vehicle and pounding on the windows. Another caller reported that the Affected Person was screaming and punching cars, and had fought a man at Shepherd Street West and York Street.

10. At 2:32 am, the Subject Official located the Affected Person walking and stumbling at Shepherd Street West and York Street. The Subject Official told the Affected Person that he was under arrest for assault and attempted to grab the Affected Person's arm. The Affected Person ran eastbound on Shepherd Street West and the Subject Official engaged in a foot pursuit.

11. A short distance later, the Subject Official caught up to the Affected Person and took him to the ground; however, the Affected Person was shirtless and sweating and the Subject Official was unable to control him. The Affected Person was able to get up and continued to run eastbound toward Church Street.

12. Witness Official #1, Witness Official #2, and Witness Official #3 arrived in the area. Witness Official #1 attempted to intervene and stop the Affected Person. The Affected Person punched Witness Official #1 in the face and continued running northbound on Church Street.

13. The Subject Official caught up to the Affected Person and once again took him to the ground. The Affected Person refused to provide his hands to the Subject Official, Witness Official #2 and Witness Official #3 to be handcuffed. The Subject Official delivered two to three punches to the Affected Person's face while the Affected Person continued to resist the efforts by police to handcuff him. Witness

Official #2 deployed his CEW<sup>1</sup> which was initially ineffective; however, after the second deployment, the Affected Person was controlled and handcuffed.

14. The Affected Person was transported to hospital due to his erratic behavior and his high level of intoxication, where he was later diagnosed with a fractured wrist.
15. Based on the facts and circumstances noted above, the Windsor Police Service made notification to the SIU at 2:43 pm on January 1, 2024. The SIU invoked their mandate, dispatching a team of 3 Investigators, arriving on scene at 8:10 pm.
16. On April 30, 2024, the Special Investigations Unit notified Chief Jason Bellaire pursuant to Section 34 of Ontario Regulation 268/10, their investigation was complete and a report had been filed with the Attorney General. The Special Investigations Unit indicated that there were no reasonable grounds in the evidence to proceed with criminal charges against the Subject Official.

## **POLICY REVIEW**

### **Special Investigations Unit; Directive #716-01, Effective 2023-02-21**

#### 17. Rationale:

- a. The Special Investigations Unit (SIU) is a civilian agency with a legislative mandate to ensure transparent oversight of law enforcement occurrences across Ontario. The legislative framework for the SIU is set out in the Special Investigations Unit Act, 2019. The SIU is independent of any police service and operates at arm's length from the Ministry of the Attorney General. The mandate of the SIU is to conduct investigations into circumstances that result in serious injury or death, the discharge of a firearm at a person, or an

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<sup>1</sup> CEW – Conducted Energy Weapon commonly referred to as a Taser.

allegation of a sexual assault, which were the result of actions of a police official and may have criminal implications.

- b. Section 31 of the Special Investigations Unit Act requires that members of the Windsor Police Service shall co-operate fully with members of the SIU. The Special Investigations Unit Act addresses the conduct and duties of police officers with respect to SIU investigations. The purpose of this Directive is to ensure clear direction for members of the Windsor Police Service in fulfilling their legislated duty with the SIU.
- c. Section 32 of Ontario Regulation 268/10 made under the Police Services Act states: The Chief of Police shall promptly cause an investigation to be conducted into any incident involving a police officer in the Chief's police force that becomes the subject of an investigation by the SIU director under section 15 of the Special Investigations Unit Act, 2019.

#### 18. Findings:

- a. At the time of this incident, Directive #716-01 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

#### **Use of Force; Directive 711-00, Effective 2023-07-11**

#### 19. Rationale:

- a. The authority to use force on a person carries a great responsibility. It is incumbent on a Police Service to provide the proper tools, training and guidance to its Members to ensure that this responsibility is always paramount in the decision making process.
- b. It is important that the Service have access to information concerning the frequency and types of force used by police and the circumstances under



which it occurs. This information is used to guide local training, refine policy and assist in the identification of provincial trends and training needs.

- c. The purpose of this Directive is to establish policy and procedures with respect to the reporting of use of force required by PSA Ontario Regulation 926 and Ontario Regulation 267/18. The other directives in the 711 series are specific to the various Use of Force tools.

#### 20. Findings:

- a. At the time of this incident, Directive #711-00 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

#### **Agency Conducted Energy Weapon; Directive 711-04, Effective 2023-01-23**

#### 21. Rationale:

- a. The Ministry of Community Safety and Correctional Services (MCSCS) has authorized the carrying and usage of Conducted Energy Weapons (CEW). Expanded use of the CEW provides authorization to front line constables assigned to patrol services, constables assigned to Drugs and Guns, Morality and Target Base. The Emergency Services Unit, Front Line Supervisors or Designates and Supervisors in Drugs and Guns and Target Base continue to have authorization to carry the CEW.
- b. The CEW has a direct impact on the human central nervous system. CEWs use propelled probes and wires or direct contact to conduct energy to stimulate the central nervous system and overrides both the Sensory and Muscular Nervous systems causing what is referred to as Neuromuscular Incapacitation. CEW technology uses similar electrical impulses to cause stimulation of the nerves that control movement.

- c. The purpose of this Directive is to establish policy and procedures regarding the administration, use, maintenance, downloading and reporting of the CEW.

22. Findings:

- a. At the time of this incident, Directive #711-04 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

**Arrest; Directive 730-01, Effective 2023-05-22**

23. Rationale:

- a. The purpose of this Directive is to establish policy and procedures with respect to arrest, which encompasses the legal, constitutional and case law requirements relating to arrest. This directive will outline that all arrests of persons shall be made in accordance with the provisions of the Criminal Code, Charter of Rights and Freedoms, Provincial Statutes and Common Law, and that the rights of all arrested persons under the Canadian Charter of Rights and Freedoms shall be protected.

24. Findings:

- a. At the time of this incident, Directive #730-01 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

**Assault/Resist/Obstruct Police Investigations; Directive 730-02; Effective 2022-04-27**

25. Rationale:



- a. The purpose of this Directive is to establish policy and procedures with respect to arrests involving Assault Police, Resist Arrest and Obstruct Police, all of which terms include the legal, constitutional and case law requirements relating to arrest.
- b. Events involving assault police, resist arrest, and obstruct police present some of the highest risk to the reputation of our officers and our organization. This directive will outline that all arrests of persons shall be made in accordance with the provisions of the Criminal Code, Charter of Rights and Freedoms, Provincial Statutes and Common Law, and that the rights of all arrested persons under the Canadian Charter of Rights and Freedoms shall be protected.

26. Findings:

- a. At the time of this incident, Directive #730-02 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

**Handcuffing, Restraints and Spit Hoods; Directive 734-01; Effective 2022-05-25**

27. Rationale:

- a. Handcuffs/Leg Restraints and Disposable Restraints are a temporary means of restraint used to control a person to prevent escape, prevent injury to the police or public including the person handcuffed and to prevent the possible destruction of evidence. The proper use of all restraints provides a positioning advantage for police officers/members in the event a person attacks, resists or attempts to escape.
- b. Due to the health risks associated with human saliva exposures, the need to protect officers is increasingly important. Therefore, the use of Spit Hoods

is approved to provide protection against the transfer of saliva or blood from a prisoner in custody.

28. Findings:

- a. At the time of this incident, Directive #734-01 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

**Supervisory Response; Directive 863-01; Effective 2023-05-14**

29. Rationale:

- a. Adequacy Standards Regulations require the establishment of processes and procedures on supervision that set out the circumstances where a supervisor must be notified of an event and where the supervisor must attend at or become involved in an event. These requirements are also embedded in the event specific Directives.
- b. The purpose of this Directive is to list the circumstances where a patrol supervisor must attend a scene, circumstances where the patrol supervisor must be notified of the occurrence, and the supervisory reporting requirements.

30. Findings:

- a. At the time of this incident, Directive #863-01 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

**Prisoner Admitted to Hospital; Directive 732-02; Effective 2023-10-30**

31. Rationale:

- a. Occasionally, persons suffer from injury or illness prior to, during, or after arrest and yet prior to arraignment or release from custody. The Windsor Police Service is under an obligation to ensure that the requirements of the Criminal Code are met with regard to the timely release or arraignment of prisoners.

32. Findings:

- a. At the time of this incident, Directive #732-02 was up to date. Officers were in full compliance and adhered to the directive. There are no further recommendations.

**Services**

33. The PSB Investigator reviewed the services provided by the Windsor Police members who attended the incident. The review found no issues with the services that were provided by these members.

**Conduct**

34. On January 1, 2024, in the early morning hours the WPS received a series of 911 calls from citizens reporting a male (The Affected Person) causing a disturbance on Bruce Avenue, Shepherd Street West, York Street and Warketa Street. The male reportedly assaulted several individuals, damaged property and banged on vehicles. Officers were dispatched to the area.

35. The Affected Person had consumed alcohol to excess before leaving his home and was venting his anger on motorists and pedestrians.

36. The Subject Official was the first to confront the Affected Person on Shepherd Street West east of York Street. The Affected Person broke free from the Subject Official's grasp and ran eastbound. The Subject Official caught up to the Affected



Person and tackled him to the ground. The Affected Person picked himself up and continued running. Other officers began arriving on scene, including Witness Official #1. Witness Official #1 attempted to engage the Affected Person at the northwest corner of Shepherd Street West and Church Street. The Affected Person lunged at Witness Official #1 and punched her in the head before continuing to flee northbound on Church Street.

37. The Subject Official caught up to the Affected Person again and took him down in the area of 1489 Church Street. The Subject Official was joined by Witness Official #1, Witness Official #2, and Witness Official #3. The Affected Person was prone on the ground and struggling against the officers' efforts to secure his arms behind his back. The Subject Official punched the Affected Person two to three times in the head and Witness Official #2 discharged his CEW. Following the last of the CEW deployments, the Affected Person was handcuffed and taken into police custody.

38. The Affected Person was taken to hospital after his arrest and diagnosed with a fractured left wrist.

39. Based on the facts and circumstances noted above, the Windsor Police Service made notification to the SIU at 2:43 pm on January 1, 2024. The SIU invoked their mandate, dispatching a team of 3 Investigators, arriving on scene at 8:10 pm.

40. Due to the serious injuries sustained by the Affected Person, the Windsor Police Service made notification to the SIU at 2:43 pm on January 1, 2024. A Windsor Police Constable was designated as a Subject Official, along with four Witness Officials. The SIU interviewed the three Witness Officials as part of their

investigation. The Subject Official did not consent to an interview with the SIU Investigator.

41. On April 30, 2024, the Special Investigations Unit notified Chief Jason Bellaire that pursuant to Section 34 of Ontario Regulation 268/10, their investigation was complete and a report had been filed with the Attorney General. The Special Investigations Unit indicated that there were no grounds in the evidence to proceed with criminal charges against the Subject Official.

42. The SIU Director, Mr. Joseph Martino, explained:

- a. "On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant's arrest and injury."
- b. "Pursuant to Section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law."
- c. "Given what the officers knew of the Complainant's violent and destructive behavior from the 911 calls, they were within their rights in seeking to take him into custody."
- d. "With respect to the force brought to bear in aid of the Complainant's arrest, I am satisfied that it was legally justified. The takedowns performed by the SO were reasonable tactics. On both occasions, the Complainant was running from police and it was clear that a physical intervention of some sort was

necessary to bring his flight to an end. Given his combative proclivities at the time, a takedown made sense as it would immediately position the officers to better manage any further resistance by the Complainant. Once on the ground, the SO delivered a series of punches to the Complainant's head. The Complainant was struggling at the time and refusing to release his hands to be handcuffed. It was important in the moment to quickly subdue the Complainant in light of his violence and I am unable to reasonably conclude that the punches – about two to three of them – constituted excessive force in context, particularly as the strikes did not succeed in releasing the Complainant's arms. It was not until WO #2 fired his CEW that the Complainant's arms were controlled and handcuffed”

43. The SIU Director concluded, “It is not clear when the Complainant fractured his wrist. It might be that the injury was incurred prior to his run-in with the police as the Complainant struck at persons and vehicles. Be that as it may, as there are no reasonable grounds to believe that the SO comported himself other than within the limits of the criminal law in his dealings with the Complainant, there is no basis for proceeding with charges in this case.”

## Conclusion

44. After reviewing the policies, procedures and services provided with respect to this review, no misconduct issues were noted with respect to the actions of the Subject Official, nor any other member of the Windsor Police Service in relation to this incident on January 1, 2024. The Windsor Police Service cooperated fully and as required with the Special Investigations Unit.

45. The Special Investigations Unit concluded that there were no reasonable grounds to lay a criminal charge against the Subject Official. This review, as outlined, concludes that there is no misconduct pursuant to the Police Services Act of Ontario. Accordingly, this file is closed.

Respectfully Submitted,



**Sergeant Steve Owen**  
Professional Standards Branch  
Risk Management Unit  
Windsor Police Service  
Dated: May 13, 2024

## Supervisor – Manager Approval:

*Jacqueline Khoury*

**Staff Sergeant Jacqueline Khoury**  
Professional Standards Branch  
Risk Management Unit  
Windsor Police Service  
Dated: May 13, 2024



**Inspector Ken Cribley**  
Professional Standards Branch  
Risk Management Unit  
Windsor Police Service

Dated: 2024 05 13

Submitted to Chief's Office: May 14, 2024

**Office of the Chief of Police Approval:**

**Approved by:**



---

**Chief of Police Jason Bellaire (or Designate)**  
Windsor Police Service  
150 Goyeau Street  
Windsor, Ontario  
N9A 6J5

Date: May 14 2024

Windsor Police Services Board Submission Due Date: May 30, 2024



**Windsor Police Service**  
**Professional Standards Branch**



**Section 32 REVIEW: SIU 24-OCI-026**

<b>AFFECTED PERSON:</b>	<b>Injured Female</b>
<b>INCIDENT DATE:</b>	<b>January 18, 2024</b>
<b>INVESTIGATED BY:</b>	<b>Staff Sergeant Jacqueline Khoury</b>
<b>WPS PSB NUMBER:</b>	<b>SI2024-004</b>
<b>WPS CASE NUMBER:</b>	<b>2024-6636 / 24-6639</b>

## **Executive Summary**

1. This review is pursuant to section 32 of Ontario Regulation 268/10 of the Police Services Act. It will review the applicable policies of the Windsor Police Service (WPS), the services provided, and the conduct of its members.

## **Background**

2. On January 18, 2024, the Windsor Police Service contacted the Special Investigations Unit of the Ministry of the Solicitor General as a result of Windsor Police event #24-6636 / 24-6639. This contact was initiated to maintain consistent adherence with provincial legislative requirements during an exigent matter that required clear and direct communication.
3. It was determined that the facts-in-issue regarding the events with respect to the serious injury sustained by the Affected Person, met the threshold as defined under the Special Investigations Unit Act. This information exchange as to the details of the aforementioned event caused the Special Investigations Unit to invoke their mandate and commence an investigation.
4. Section 32 of the Ontario Regulation 268/10 made under the Police Services Act requires the Chief of Police to commence an investigation forthwith into any incidents in which the SIU invokes its mandate. Assigned to this investigation was Staff Sergeant Jacqueline Khoury of the WPS Professional Standards and Risk Management Unit. This report is based on a factual review of the events, the actions of the involved officers, and a review of the applicable WPS policies.

## **Methodology**

5. The scope of this section 32 review has identified a number of Windsor Police Service Directives and Policies. The purpose of this review is to ensure

compliance with the Police Services Act of Ontario, Regulations including the Ontario Policing Standards, and overall policing best practices.

### **Scope of Review**

6. This review pursuant to section 32 of Ontario Regulation 268/10 made under the Police Services Act will review the applicable policies of the Service, the services provided, and the conduct of its members.
  
7. Examined in relation to this incident were the following Windsor Police Service Directives:
  - a. WPS Directive 716-01 – Special Investigations Unit
  - b. WPS Directive 730-01 – Arrest
  - c. WPS Directive 734-01 – Handcuffing, Restraints and Spit Hoods
  - d. WPS Directive 871-01 – Search of Person
  - e. WPS Directive 731-03 – Detention Center
  - f. WPS Directive 731-01 – Prisoner Care and Control
  - g. WPS Directive 732-02 – Prisoners Admitted to Hospital

### **Involved Persons**

#### **Affected Person (aka “Complainant”)**

- Injured Female

#### **Subject Official (SO)**

- Windsor Police Constable - SO

#### **Witness Officials (WO)**

- Windsor Police Constable - WO #1
- Windsor Police Constable - WO #2

- Windsor Police Constable - WO #3

### **Investigators**

- Staff Sergeant Jacqueline Khoury – Windsor Police; Professional Standards
- Frank Pohl – SIU; Lead Investigator

### **Summary**

8. On January 18, 2024, the Windsor Police Service (WPS) attended the area of Shepherd Street East and Lincoln Road following a report of a single motor vehicle colliding with the front porch of a residence. Witnesses reported that a man and woman in the vehicle were observed arguing prior to the woman leaving the area southbound on foot. The woman was later identified as the Complainant. Further investigation revealed that the Complainant had outstanding warrants and resided in the same area. Officer's attended her residence, and after knocking on the door were greeted by her father. The Complainant was called to the front door, where she was observed to be showing signs of intoxication. She stepped out onto the snow/ice covered front porch in her bare feet and slipped, falling backwards onto the porch.
9. The Complainant was able to get to her feet and was subsequently placed under arrest at 2:05 am, on the strength of the outstanding arrest warrant. The Complainant was then transported to the WPS detention unit. During the booking process the Complainant complained of pain in her right wrist, advising the booking Sergeant that the injury existed prior to police involvement. Emergency Medical Services (EMS) was requested at 3:00 am, and the Complainant was transported to Windsor Regional Hospital Ouellette Campus, where she was diagnosed with a fractured right wrist at 8:00 am.

10. Based on the facts and circumstances noted above, the Windsor Police Service made notification to the SIU at 8:50 am on January 18, 2024. The SIU invoked their mandate, dispatching a team of Investigators at 2:17 pm, arriving on scene at 3:23 pm.

11. On May 16, 2024, the Special Investigations Unit notified Chief Bellaire that pursuant to Section 34 of Ontario Regulation 268/10, their investigation was complete and a report had been filed with the Attorney General. The Special Investigations Unit indicated that there were no reasonable grounds to believe that the SO had committed a criminal offence in connection with the Complainant's injury.

## **POLICY REVIEW**

### **Special Investigations Unit; WPS Directive 716-01, Effective 2023-02-21**

#### 12. Rationale:

- a. The Special Investigations Unit (SIU) is a civilian agency with a legislative mandate to ensure transparent oversight of law enforcement occurrences across Ontario. The legislative framework for the SIU is set out in the Special Investigations Unit Act, 2019. The SIU is independent of any police service and operates at arm's length from the Ministry of the Attorney General. The mandate of the SIU is to conduct investigations into circumstances that result in serious injury or death, the discharge of a firearm at a person, or an allegation of sexual assault, which were the result of actions of a police officer and may have criminal applications.
- b. Section 31 of the Special Investigations Unit Act requires that members of the Windsor Police Service shall co-operate fully with members of the SIU. The Special Investigations Unit Act addresses the conduct and duties of police officers with respect to SIU investigations. The purpose of this Directive is to

ensure clear direction for members of the Windsor Police Service in fulfilling their legislated duty with the SIU.

- c. Section 32 of Ontario Regulation 268/10 made under the Police Services Act states:

*The Chief of Police shall promptly cause an investigation to be conducted into any incident involving a police officer in the chief's police force that becomes the subject of an investigation by the SIU Director under section 15 of the Special Investigations Unit Act, 2019.*

13. Findings:

- a. At the time of this incident, Directive 716-01 was up to date. Officers were found to be in compliance and adhered to the Directive. There are no further recommendations.

**Arrest; WPS Directive 730-01, Effective Date 2023-05-25**

14. Rationale:

- a. The purpose of this Directive is to establish policy and procedures with respect to arrest, which encompasses the legal, constitutional and case law requirements relating to arrest. This directive will outline that all arrests of persons shall be made in accordance with the provisions of the Criminal Code, Charter of Rights and Freedoms, Provincial Statutes and Common Law, and that the rights of all arrested persons under the Canadian Charter of Rights and Freedoms shall be protected.

15. Findings:

- a. At the time of this incident, Directive 730-01 was up to date. Officers were found to be in compliance and adhered to the directive. There are no further recommendations.

**Handcuffing, Restraints and Spit Hoods; WPS Directive 734-01, Effective Date 2022-05-25**

16. Rationale:

- a. Handcuffs/Leg Restraints and Disposable Restraints are a temporary means of restraint used to control a person to prevent escape, prevent injury to the police or public including the person handcuffed, and to prevent the possible destruction of evidence. The proper use of all restraints provides a positioning advantage for police officers/members in the event a person attacks, resists or attempts to escape.
- b. Due to health risks associated with human saliva exposures, the need to protect officers is increasingly important. Therefore, the use of Spit Hoods is approved to provide protection against the transfer of saliva or blood from a prisoner in custody.

17. Findings:

- a. At the time of this incident, Directive 734-01 was up to date. Officers were found to be in compliance and adhered to the directive. There are no further recommendations.

**Search of Persons; WPS Directive 871-01, Effective Date 2022-01-01**

18. Rationale:

- a. Search of persons conducted by police officers must be performed lawfully. Search of persons, to whatever degree they are carried out, must be justifiable in all the circumstances and conducted in an appropriate manner.

19. Findings:

- a. At the time of this incident officers were in full compliance with and adhered to the directive.

**Recommendations:** During the Section 32 review it was found that the Search of Persons Directive was due for review in January 2023. It is recommended that this directive be reviewed and updated as necessary.

**Update:** Directive 871-01 'Search of Persons' was reviewed and updated as required. This Directive was approved and signed by the Deputy Chief of Operational Support, and remains current.

**Detention Centre; WPS Directive 731-03, Effective Date 2024-02-05**

20. Rationale:

- a. The purpose of this Directive is to provide members with the information necessary for the proper operation and maintenance of the Windsor Police Detention Centre, to ensure both the safety of members of the Service and the safety of those being detained.

21. Findings:

- a. At the time of this incident, Directive #731-03 was up to date. Officers were found to be in compliance and adhered to the directive. There are no further recommendations.

**Prisoner Care and Control; WPS Directive 731-01, Effective Date 2023-09-01**

22. Rationale:

- a. The purpose of this Directive is to establish policy and procedures relative to care and control of prisoners detained in the Detention Centre. The police owe a duty of care to those in custody. Offenders are entitled to humane treatment and immediate medical care if needed.
- b. The Sergeant assigned to the Detention Centre is the Officer-in-Charge (OIC) for the purposes of this Directive. The Officer in Charge is responsible to ascertain the need for medical attention for offenders and arrange for medical attention if circumstances so indicate, resolving all doubt in favour of prisoner wellbeing.



- c. The Officer in Charge of the Detention Centre shall ensure that the appropriate special precautions are taken for offenders who are known or suspected to be: violent or exhibit violent behaviour, mentally ill or have a developmental disability, suicidal, emotionally disturbed or under the influence of alcohol/drugs or suffering a medical emergency.
- d. Offenders have a right to private consultation with counsel. Offenders may be allowed to contact family or friends while in custody.

23. Findings:

- a. At the time of this incident, Directive #731-01 was up to date. Officers were found to be in compliance and adhered to the directive. There are no further recommendations.

**Prisoners Admitted to Hospital; WPS Directive 732-02, Effective Date 2023-10-30**

24. Rationale:

- a. Occasionally, persons suffer from injury or illness prior to, during, or after arrest and yet prior to arraignment or release from custody. The Windsor Police Service is under an obligation to ensure that the requirements of the Criminal Code are met with regard to the timely release or arraignment of prisoners.

25. Findings:

- a. At the time of this incident officers were in full compliance with and adhered to the directive. There are no further recommendations.

**Services**

- 26. The PSB Investigator reviewed the services provided by the Windsor Police members who attended the incident. The review found no issues with the services that were provided by these members.

## Conduct

27. On January 18, 2024 at 1:39 am, WPS received four 911 calls about a motor vehicle collision. A pick-up truck had reportedly crashed into a home in the vicinity of Shepherd Street East and Lincoln Road, Windsor. The SO responded to the area and conducted an investigation that led him to a home in the same area, where he had reason to believe that a female involved in the collision had gone.

28. Arriving at the address, which was a short distance from the site of the collision, the SO located the woman – the Complainant – and took her into custody. She was eventually placed in a prisoner transport van and taken to the police station.

29. During the booking process the Complainant complained of a sore right wrist, which she indicated she received prior to any police interaction. When questioned as to how the injury was sustained the Complainant stated, “I think it was in the car”. The Complainant was transported to the hospital where she was diagnosed with a fractured right wrist.

30. The SIU Director explained;

- a. “On January 18, 2024, the Complainant was diagnosed with a serious injury following her arrest by a WPS officer. The SIU was notified of the incident and initiated an investigation naming the SO the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant’s arrest and injury.
- b. There are no questions raised about the legality of the Complainant’s arrest. A warrant in effect at the time authorized her arrest and the SO was within his rights in taking the Complainant into custody.
- c. Three possibilities are raised in the evidence regarding the source of the Complainant’s injury. It is likeliest the case that the Complainant was an occupant of the pick-up truck and that she incurred the injury in the collision.

There is also evidence that the Complainant might have fractured her wrist when she fell on the slippery porch of her home, shortly before or after her arrest by the SO. None of these scenarios suggest criminal liability on the part of the officer. In two of the three, the injury occurred before the Complainant was in police custody. In the case of a handcuffed prisoner, there is no doubt that the SO owed the Complainant a duty of care while he had her in his charge. However, the evidence, at most, suggests a momentary lapse of attention in failing to safeguard the Complainant from a fall on a slippery surface. It falls well short of establishing the type of marked departure from a reasonable standard of care necessary to attract criminal sanction.

- d. For the forgoing reasons, there is no basis for proceeding with criminal charges in this case. The file is closed.”

### **Conclusion**

It is clear based on the evidence relied upon by the Special Investigations Unit that there were no grounds to believe that the SO's actions were anything but reasonable and appropriate in light of the facts and circumstances he was faced with. No issues were identified in regards to the conduct of the officers who attended, nor in the policies that our members are required to adhere to.

Respectfully Submitted,

*Jacqueline Khoury*

**Staff Sergeant Jacqueline Khoury**

Professional Standards Branch

Risk Management Unit

Windsor Police Service

Dated May 22, 2024

Approved by:



**Inspector Ken Cribley**  
Professional Standards Branch  
Risk Management Unit  
Windsor Police Service  
Dated May 22, 2024

Dated May Submitted to Chief's Office: May 24, 2024

**Office of the Chief of Police Approval:**

Approved by:

\_\_\_\_\_  
**Chief of Police Jason Bellaire (or Designate)**  
Windsor Police Service  
150 Goyeau Street  
Windsor, Ontario  
N9A 6J5

Date: \_\_\_\_\_

Windsor Police Services Board Submission Due Date: June 15, 2024



Date: August 7, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Jason Crowley

Re: **Crime Stoppers Report June & July**

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Dear Chair and Members of the Police Service Board,

Please see the attached Crime Stoppers Report for the months of June and July.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Crowley".

Jason Crowley  
Deputy Chief Operations  
Windsor Police Service

Attachment: Crime Stoppers Report June  
Crime Stoppers Report July



## **Windsor & Essex County Crime Stoppers**

### **Police Coordinator Report**

**June 1st – June 30th, 2024**

#### **Overview**

Crime Stoppers exists to provide a means for the public to pass along anonymous information that assists in solving crimes, recovering stolen property, seizing illegal drugs, and locating those for whom there is an outstanding warrant of arrest. Locally, the program is operated jointly as Windsor-Essex County Crime Stoppers and has the responsibility to receive and disseminate information to all law enforcement agencies within Essex County.

#### **Program Education and Community Events**

- June 1<sup>st</sup>- Ontario Association of Crime Stoppers Conference
- June 1<sup>st</sup>- Tecumseh Mall Recycle Event

#### **AM800**

“Crime of the Week” report with AM800 radio recorded every Monday which airs every Tuesday morning and afternoon.

- June 4<sup>th</sup>- Stunt Racing Investigation- WPS
- June 11<sup>th</sup>- Missing Person- OPP
- June 18<sup>th</sup>- Crime Stoppers Stats for 2024
- June 25<sup>th</sup>- Assault with weapon- WPS

#### **CTV News/Media**

- Missing person, Windsor Police Service Investigation, aired June 4<sup>th</sup>

## **Social Media**

- Daily/Weekly Facebook, Twitter and Instagram posts

## **Crime Stoppers Upcoming Calendar**

- July 1<sup>st</sup> Canada Day Parade
- Every Wednesday in August- Pasta Fundraiser
- August 22<sup>nd</sup> Crime Stoppers Golf Tournament

This statistical report is reflective of June 1-30th, 2024

Crime Stoppers tip information was distributed to the following agencies during this time period.

Windsor Police Service

WPS - Amherstburg Detachment

Ontario Provincial Police

LaSalle Police Service

Ministry of Revenue and Finance

Windsor & Essex County Health Unit- Tobacco Enforcement

CBSA

ROPE

Windsor Police Criminal Intelligence Unit – Cannabis Enforcement

### **Attached documents include:**

Police Coordinators Report

Monthly Statistical Report

Tip Summary Report

**This Report was Prepared By:** Constable Lauren Brisco – WPS

TOTAL POPULATION REPRESENTED – 836,615 (2023 CENSUS)

POPULATION (CITY) – 342,000

POPULATION (COUNTY) – 436,061

POPULATION (LASALLE) – 34,023

POPULATION (AMHERSTBURG) – 24,531

\*\*SI on Statistical Report is “Since Inception” – 1985



# Windsor - Essex County Crime Stoppers - Statistical Report

Filter Date: June 2024    Run Date: 2024/07/02

Statistic	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Tips Received	131	123	139	168	130	113	0	0	0	0	0	0
Tip Follow-ups	84	96	132	131	145	117	0	0	0	0	0	0
Arrests	11	2	1	14	7	0	0	0	0	0	0	0
Cases Cleared	11	8	1	7	6	0	0	0	0	0	0	0
Charges Laid	23	38	16	34	13	0	0	0	0	0	0	0
Fugitives	0	0	0	0	0	0	0	0	0	0	0	0
Administrative Discipline	0	0	0	0	0	0	0	0	0	0	0	0
# of Rewards Approved	5	7	2	4	3	4	0	0	0	0	0	0
Rewards Approved	\$450	\$1,650	\$950	\$1,200	\$850	\$800	\$0	\$0	\$0	\$0	\$0	\$0
# of Rewards Paid	1	0	0	0	1	0	0	0	0	0	0	0
Rewards Paid	\$100	\$0	\$0	\$0	\$350	\$0	\$0	\$0	\$0	\$0	\$0	\$0
# of Weapons Recovered	0	1	3	0	0	0	0	0	0	0	0	0
# of Vehicles Recovered	0	3	0	1	0	0	0	0	0	0	0	0
Property Recovered	\$0	\$155,000	\$0	\$8,300	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Cash Recovered	\$0	\$6	\$970	\$7,486	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Drugs Seized	\$145,520	\$100	\$4,625	\$125,245	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Recovered	\$145,520	\$155,106	\$5,595	\$141,031	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Statistic	Q1	Q2	Q3	Q4	YTD	SI
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Statistic	Q1	Q2	Q3	Q4	YTD	SI
Tips Received	393	411	0	0	804	62,511
Tip Follow-ups	312	393	0	0	705	22,122
Calls Received	0	0	0	0	0	3,138
Arrests	14	21	0	0	35	7,148
Cases Cleared	20	13	0	0	33	10,481
Charges Laid	77	47	0	0	124	10,521
Fugitives	0	0	0	0	0	625
Administrative Discipline	0	0	0	0	0	3
# of Rewards Approved	14	11	0	0	25	1,919
Rewards Approved	\$3,050	\$2,850	\$0	\$0	\$5,900	\$1,276,860
# of Rewards Paid	1	1	0	0	2	973
Rewards Paid	\$100	\$350	\$0	\$0	\$450	\$834,102
# of Weapons Recovered	4	0	0	0	4	558
# of Vehicles Recovered	3	1	0	0	4	38
Property Recovered	\$155,000	\$8,300	\$0	\$0	\$163,300	\$13,729,473
Cash Recovered	\$976	\$7,486	\$0	\$0	\$8,462	\$616,571
Drugs Seized	\$150,245	\$125,245	\$0	\$0	\$275,490	\$120,029,582
Total Recovered	\$306,221	\$141,031	\$0	\$0	\$447,252	\$134,375,626

# Windsor - Essex County Crime Stoppers Tip Summary Report

Created Date: 2024/06/01 to 2024/06/30

Offense Type	Count
Animal Cruelty	1
Arson	1
Assault	5
Attempt Murder	0
Breach of Condition	1
Break and Enter	0
By Law	0
Child Abuse	2
COVID-19	0
Cybercrime	0
Disqualified Driving	1
Drugs	41
Elder Abuse	0
Fraud	2
Highway Traffic Act	5
Hit and Run / Fail to Remain	1
Homicide	1
Human Smuggling	0
Human Trafficking	0
Illegal Cigarettes	0
Immigration	0

Impaired Driver	3
Indecent Act	0
Liquor (sales to minors, sales without licence)	2
Mischief	2
Missing Person	1
Motor Vehicle Collision	0
Possession of Stolen Property	1
Prostitution/Morality	1
Repeat Impaired Driver	0
Robbery	4
Sexual Assault	2
Stolen Vehicle	1
Suspended Driver	0
Suspicious Activity	6
Terrorism	0
Test Tip	0
Theft	14
Threats	0
Warrant	1
Weapons	4
<i>Other</i>	11
<i>Unknown</i>	1
<b>Total</b>	<b>115</b>



## Windsor & Essex County Crime Stoppers

Police Coordinator Report

July 1<sup>st</sup> – 31<sup>st</sup>, 2024

### Overview

Crime Stoppers exists to provide a means for the public to pass along anonymous information that assists in solving crimes, recovering stolen property, seizing illegal drugs, and locating those for whom there is an outstanding warrant of arrest. Locally, the program is operated jointly as Windsor-Essex County Crime Stoppers and has the responsibility to receive and disseminate information to all law enforcement agencies within Essex County.

### AM800

“Crime of the Week” report with AM800 radio recorded every Monday which airs every Tuesday morning and afternoon.

- July 2<sup>nd</sup> – Crime Stoppers Golf Tournament
- July 9<sup>th</sup> – Canada Wide Warrant- Philip Grant
- July 16<sup>th</sup> – Crime Stoppers Golf Tournament
- July 23<sup>rd</sup> – West-end Shooting –W.P.S.
- July 30<sup>th</sup> – Theft Investigation– O.P.P.

### St. Clair College-Media Plex and Radio CJAM FM 99.1

- Recorded weekly – Crime of the Week on hold until September

### CTV News

- Crime Stoppers Stat Report and Golf Tournament, aired July 5<sup>th</sup>
- Fraud Awareness Crime Stoppers Report, aired July 24<sup>th</sup>

### Social Media

- Daily/Weekly Facebook, Twitter and Instagram posts

## Crime Stoppers Upcoming Calendar

- Every Wednesday for the month of August- Pasta Fundraiser at Riverside Sportsmen Club
- August 22 – Crime Stoppers Golf Tournament at Kingsville Golf and Country Club
- August 27<sup>th</sup>- 29<sup>th</sup> - Student Orientation at St. Clair College

This statistical report is reflective of July 1<sup>st</sup> – 31<sup>st</sup>, 2024.

Crime Stoppers tip information was distributed to the following agencies during this period.

Windsor Police Service

WPS - Amherstburg Detachment

Ontario Provincial Police

LaSalle Police Service

Ministry of Revenue and Finance

Windsor & Essex County Health Unit- Tobacco Enforcement

CBSA

ROPE

Windsor Police Criminal Intelligence Unit – Cannabis Enforcement

### **Attached documents include:**

Police Coordinators Report

Monthly Statistical Report

Tip Summary Report

### **This Report was Prepared By:**

Constable Lauren Brisco – Windsor Police Service

*TOTAL POPULATION REPRESENTED – 398,718 (2019 CENSUS)*

*POPULATION (CITY) – 217,188*

*POPULATION (COUNTY) – 126,314*

*POPULATION (LASALLE) – 33,180*

*POPULATION (AMHERSTBURG) – 22,036*

*\*\*SI on Statistical Report is “Since Inception” – 1985*



# Windsor - Essex County Crime Stoppers - Statistical Report

Filter Date: July 2024    Run Date: 2024/08/06

Statistic	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Tips Received	131	123	139	168	130	113	112	0	0	0	0	0
Tip Follow-ups	84	96	132	131	145	117	96	0	0	0	0	0
Arrests	11	2	1	14	7	0	21	0	0	0	0	0
Cases Cleared	11	8	1	7	6	0	0	0	0	0	0	0
Charges Laid	23	38	16	34	13	0	0	0	0	0	0	0
Fugitives	0	0	0	0	0	0	0	0	0	0	0	0
Administrative Discipline	0	0	0	0	0	0	0	0	0	0	0	0
# of Rewards Approved	5	7	2	4	3	4	5	0	0	0	0	0
Rewards Approved	\$450	\$1,650	\$950	\$1,200	\$850	\$800	\$1,250	\$0	\$0	\$0	\$0	\$0
# of Rewards Paid	1	0	0	0	1	0	1	0	0	0	0	0
Rewards Paid	\$100	\$0	\$0	\$0	\$350	\$0	\$650	\$0	\$0	\$0	\$0	\$0
# of Weapons Recovered	0	1	3	0	0	0	0	0	0	0	0	0
# of Vehicles Recovered	0	3	0	1	0	0	0	0	0	0	0	0
Property Recovered	\$0	\$155,000	\$0	\$8,300	\$0	\$0	\$2,000	\$0	\$0	\$0	\$0	\$0
Cash Recovered	\$0	\$6	\$970	\$7,486	\$0	\$0	\$500	\$0	\$0	\$0	\$0	\$0
Drugs Seized	\$145,520	\$100	\$4,625	\$125,245	\$0	\$0	\$365,152	\$0	\$0	\$0	\$0	\$0
Total Recovered	\$145,520	\$155,106	\$5,595	\$141,031	\$0	\$0	\$367,652	\$0	\$0	\$0	\$0	\$0

Statistic	Q1	Q2	Q3	Q4	YTD	SI
Tips Received	393	411	112	0	916	62,623
Tip Follow-ups	312	393	96	0	801	22,218
Calls Received	0	0	0	0	0	3,138
Arrests	14	21	21	0	56	7,169
Cases Cleared	20	13	0	0	33	10,481
Charges Laid	77	47	0	0	124	10,521
Fugitives	0	0	0	0	0	625
Administrative Discipline	0	0	0	0	0	3
# of Rewards Approved	14	11	5	0	30	1,924
Rewards Approved	\$3,050	\$2,850	\$1,250	\$0	\$7,150	\$1,278,110
# of Rewards Paid	1	1	1	0	3	975
Rewards Paid	\$100	\$350	\$650	\$0	\$1,100	\$835,352
# of Weapons Recovered	4	0	0	0	4	558
# of Vehicles Recovered	3	1	0	0	4	38
Property Recovered	\$155,000	\$8,300	\$2,000	\$0	\$165,300	\$13,731,473
Cash Recovered	\$976	\$7,486	\$500	\$0	\$8,962	\$617,071
Drugs Seized	\$150,245	\$125,245	\$365,152	\$0	\$640,642	\$120,394,734
Total Recovered	\$306,221	\$141,031	\$367,652	\$0	\$814,904	\$134,743,278

# Windsor - Essex County Crime Stoppers Tip Summary Report

Created Date: 2024/07/01 to 2024/08/01

Offense Type	Count
Animal Cruelty	1
Arson	1
Assault	1
Attempt Murder	4
Breach of Condition	2
Break and Enter	1
By Law	1
Child Abuse	0
COVID-19	0
Cybercrime	0
Disqualified Driving	3
Drugs	44
Elder Abuse	0
Fraud	6
Highway Traffic Act	4
Hit and Run / Fail to Remain	0
Homicide	2
Human Smuggling	0
Human Trafficking	1
Illegal Cigarettes	2
Immigration	0



Impaired Driver	2
Indecent Act	0
Liquor (sales to minors, sales without licence)	0
Mischief	0
Missing Person	5
Motor Vehicle Collision	0
Possession of Stolen Property	1
Prostitution/Morality	2
Repeat Impaired Driver	1
Robbery	2
Sexual Assault	0
Stolen Vehicle	0
Suspended Driver	0
Suspicious Activity	6
Terrorism	1
Test Tip	0
Theft	4
Threats	0
Warrant	5
Weapons	4
<i>Other</i>	10
<i>Unknown</i>	4
<b>Total</b>	<b>120</b>



Date: July 26, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Karel DeGraaf

Re: Municipal Freedom of Information and Protection of Privacy Act – June & July

Dear Chair and Members of the Board,

Please see the attached report for the Municipal Freedom of Information and Protection of Privacy Act for June and July.

A handwritten signature in cursive script that reads "K. A. De Graaf".

Karel DeGraaf  
Deputy Chief Operational Support  
Windsor Police Service

Attachment: FOI Report – June  
FOI Report – July



Date: July 4, 2024

To: Windsor Police Services Board

From: Marilyn Robinet, Coordinator - Information & Privacy Unit

Re: **Municipal Freedom of Information and Protection of Privacy Act for June 1 – June 30, 2024 Windsor & Amherstburg**

<b>MONTHLY REPORT</b>	
Number of requests received	55
Number of Appeals received	1
Number of Privacy Complaints received	0
Total fees received	\$463.87
<b>COMPLIANCE RATES</b>	
Basic Compliance Rate	77%
Extended Compliance Rate	86%

## **SUMMARY OF APPEALS**

MA21-00219 – An individual requested access to 911 call related to an allegation pending before the courts. Access was denied under 52(2.1) of the act which states: the act does not apply to a record relating to a prosecution if all proceedings in respect of the prosecution have not been completed. Requester has appealed the decision and continues to seek access to the report.

Stage: INTAKE

MA22-00278 – A general request for access to E911 Dispatch Contract (Resolved during Mediation), fees paid by Amherstburg for Policing (Resolved during Mediation) and number of times “specialty units” were dispatched to Amherstburg.

Stage: ADJUDICATION

MA23-00108 – An individual requested access to two reports involving the individual. Partial access granted. Individual seeking access to severed portions.

Stage: ADJUDICATION

MA23-00226 – Media request for record related to notification of a named officer speeding.

Stage: MEDIATION

MA23-00347 – Media request for record related to Retired Chief Contract and Retirement package.

Stage: INTAKE

MA23-00558 – Media request for records related to a named officer.

Stage: INTAKE

MA23-00562 – Request for records involving the personal information of another individual.

Stage: MEDIATION

MA23-00644 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00673 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00672 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00683 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00822 – Request for records involving the personal information of the requester and other parties.

Stage: INTAKE

MA24-00068 – Request for records involving the personal information of the requester and other parties.

Stage: **MEDIATION**

MA24-00079 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA24-00099 – Request for records involving towing contract and records related to pending charges.

Stage: INTAKE

MA24-00311 – Media Request records related to signage and promotional materials at Headquarters.

Stage: INTAKE

**MA24-00468 – Request for records that fall outside the scope of the act.**

**Stage: INTAKE**

Respectfully submitted,



Marilyn Robinet, Co-ordinator,  
Information and Privacy Unit



Date: August 9, 2024

To: Windsor Police Service Board

From: Marilyn Robinet, Coordinator - Information & Privacy Unit

Re: **Municipal Freedom of Information and Protection of Privacy Act for July 1 – July 31, 2024 Windsor & Amherstburg**

<b>MONTHLY REPORT</b>	
Number of requests received	68
Number of Appeals received	0
Number of Privacy Complaints received	0
Total fees received	\$539.90
<b>COMPLIANCE RATES</b>	
Basic Compliance Rate	78%
Extended Compliance Rate	85%

## **SUMMARY OF APPEALS**

MA21-00219 – An individual requested access to 911 call related to an allegation pending before the courts. Access was denied under 52(2.1) of the act which states: the act does not apply to a record relating to a prosecution if all proceedings in respect of the prosecution have not been completed. Requester has appealed the decision and continues to seek access to the report.

Stage: INTAKE

MA22-00278 – A general request for access to E911 Dispatch Contract (Resolved during Mediation), fees paid by Amherstburg for Policing (Resolved during Mediation) and number of times “specialty units” were dispatched to Amherstburg.

Stage: ADJUDICATION

MA23-00108 – An individual requested access to two reports involving the individual. Partial access granted. Individual seeking access to severed portions.

Stage: ADJUDICATION

MA23-00226 – Media request for record related to notification of a named officer speeding.

Stage: MEDIATION

MA23-00347 – Media request for record related to Retired Chief Contract and Retirement package.

Stage: **CLOSED - RESOLVED**

MA23-00558 – Media request for records related to a named officer.

Stage: INTAKE

MA23-00562 – Request for records involving the personal information of another individual.

Stage: MEDIATION

MA23-00644 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00673 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00672 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA23-00683 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION



## Municipal Freedom of Information and Protection of Privacy Act for July 1 – July 31, 2024

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MA23-00822 – Request for records involving the personal information of the requester and other parties.

Stage: INTAKE

MA24-00068 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA24-00079 – Request for records involving the personal information of the requester and other parties.

Stage: MEDIATION

MA24-00099 – Request for records involving towing contract and records related to pending charges.

Stage: INTAKE

MA24-00311 – Media Request records related to signage and promotional materials at Headquarters.

Stage: INTAKE

MA24-00468 – Request for records that fall outside the scope of the act.

Stage: INTAKE

Respectfully submitted,



Marilyn Robinet, Co-ordinator,  
Information and Privacy Unit



# HONOUR IN SERVICE

Date: July 29, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Karel DeGraaf

Re: Use of Force Report – Q2

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Dear Chair and Members of the Board,

Please see the attached Use of Force Report for Q2 from the Windsor Police Service Training Branch.

A handwritten signature in black ink that reads "K. A. De Graaf".

Karel DeGraaf  
Deputy Chief Operational Support  
Windsor Police Service

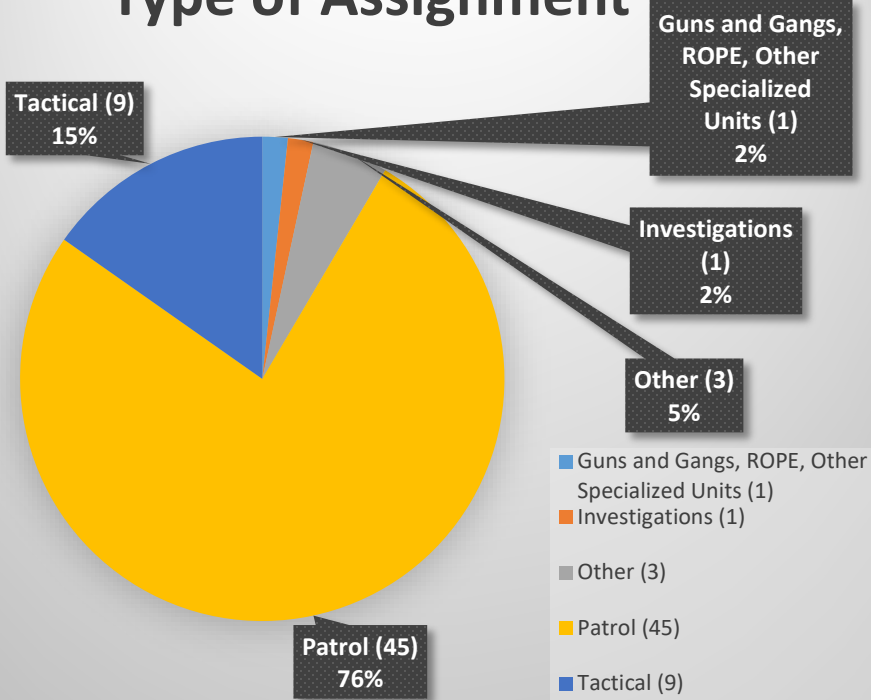
Attachment: Use of Force – Q2



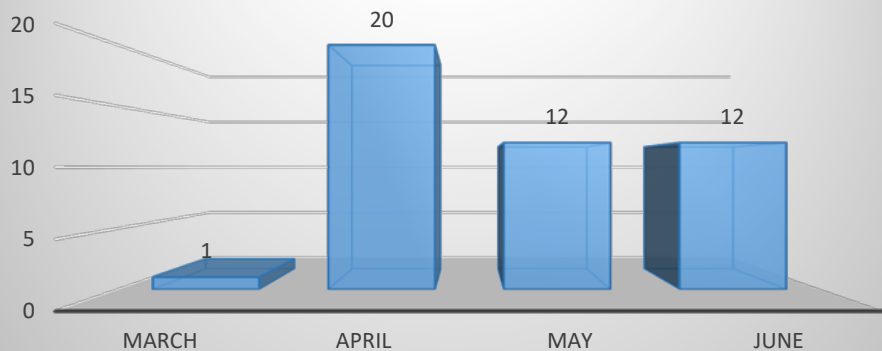
# 2024 Q2 Use of Force Dashboard

40525 Calls for Service – 59 Reports (0.15%)

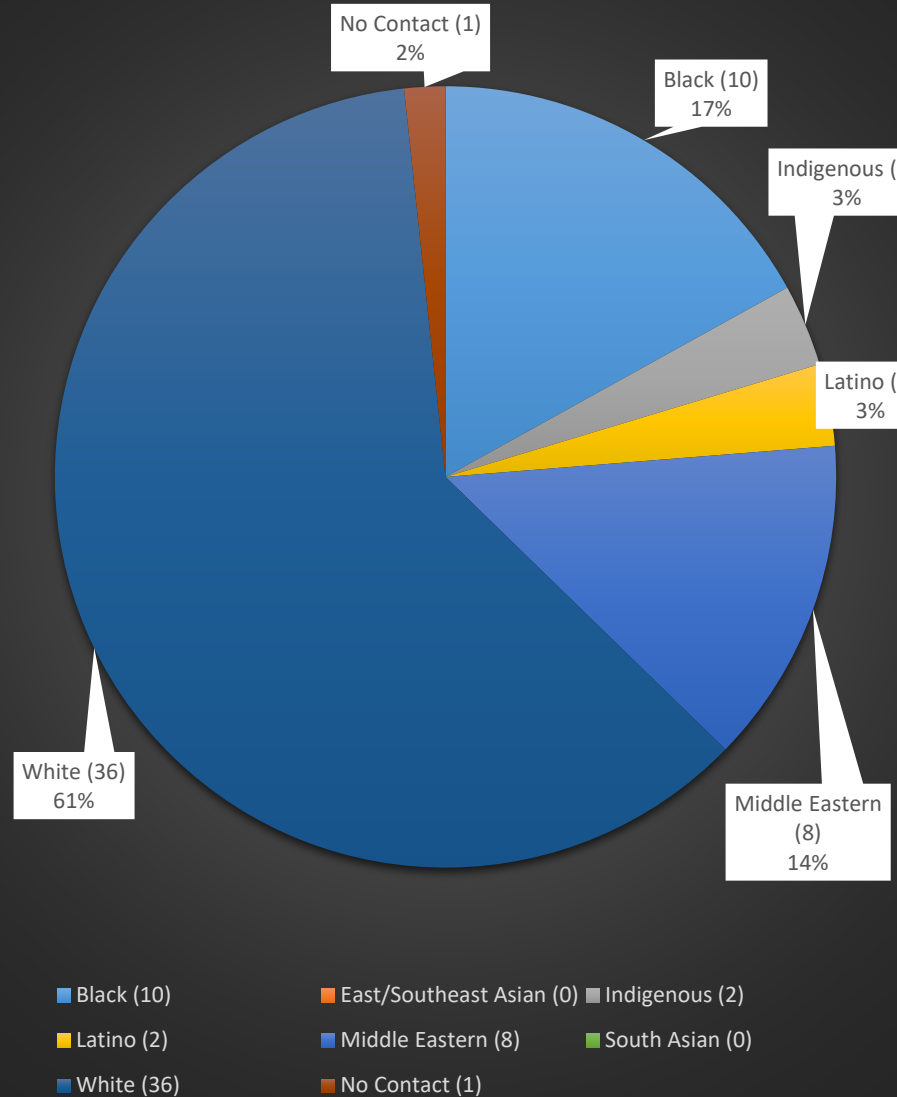
## Type of Assignment



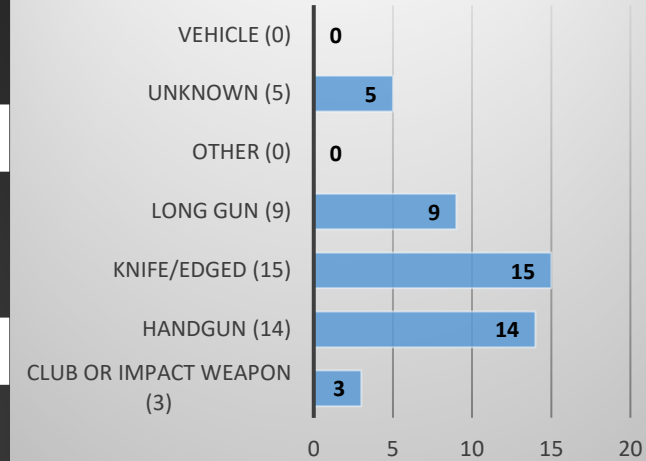
## Events per Month



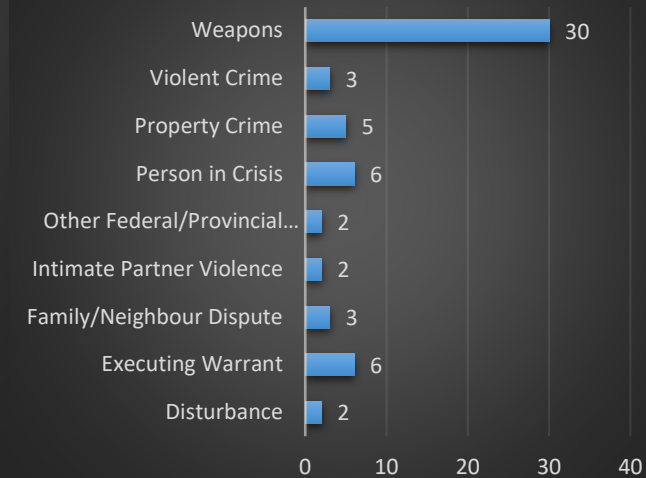
## Perceived Race of Subject



## Weapons Carried by Subject



## Type of Incident

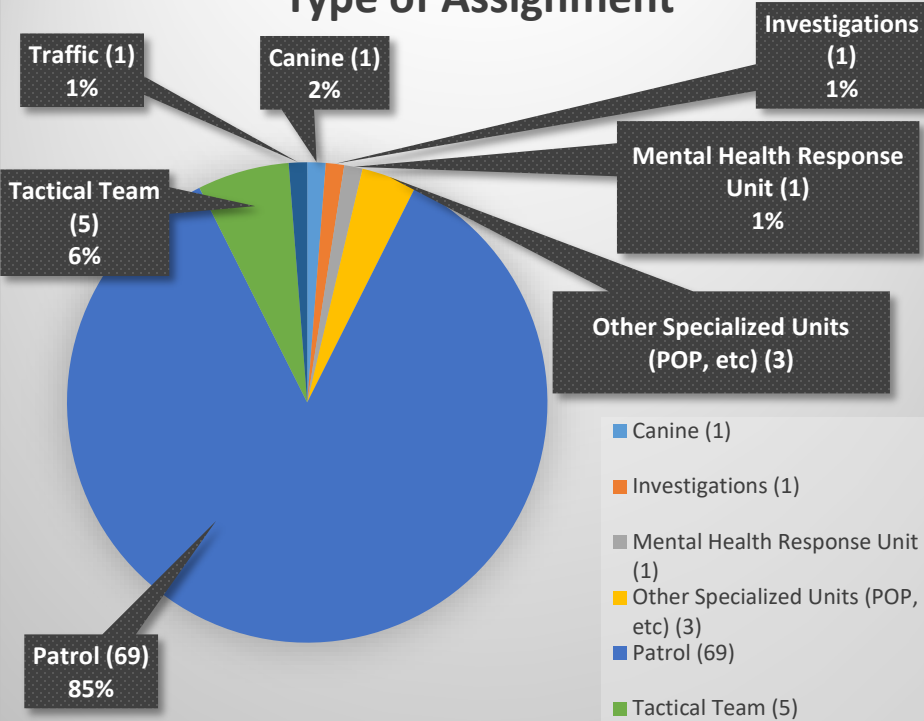




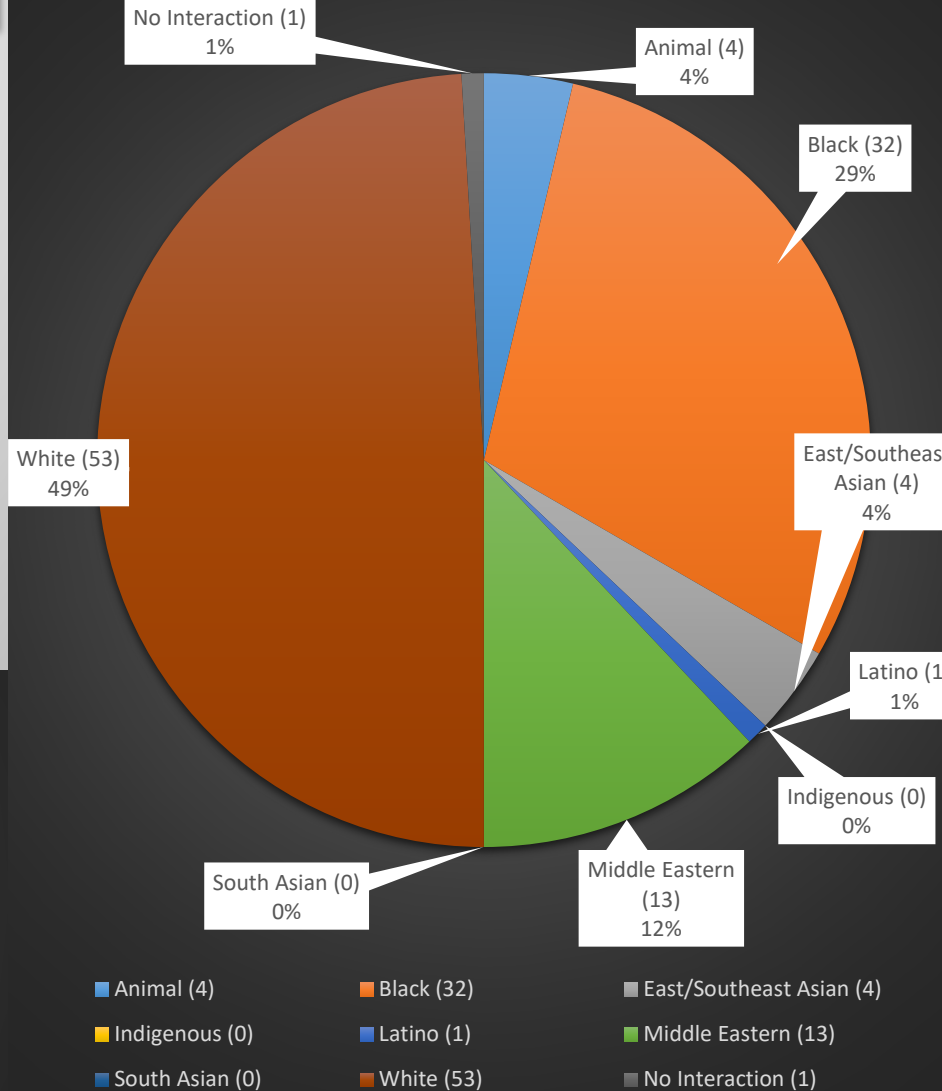
# 2023 Q2 Use of Force Dashboard

## 40093 Calls for Service – 81 Reports (0.2%)

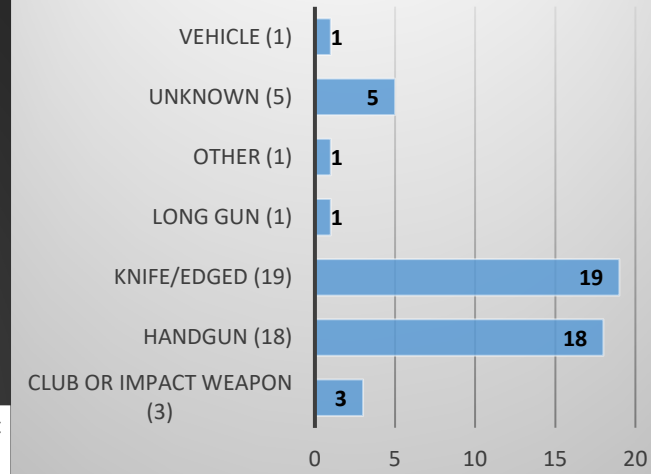
### Type of Assignment



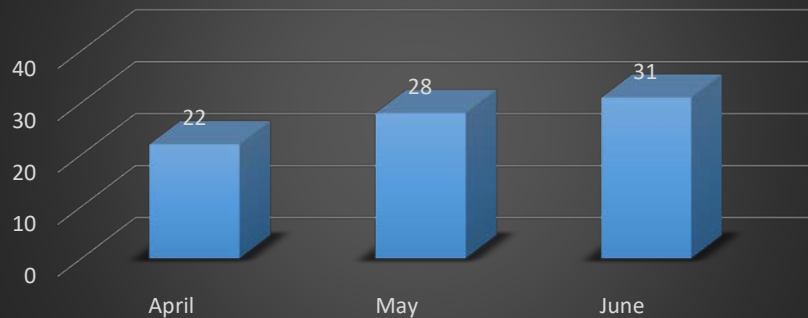
### Perceived Race of Subject



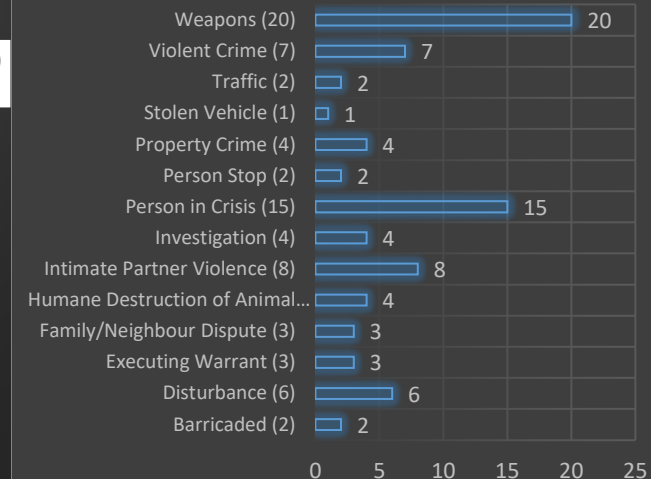
### Weapon Carried by Subject(s)



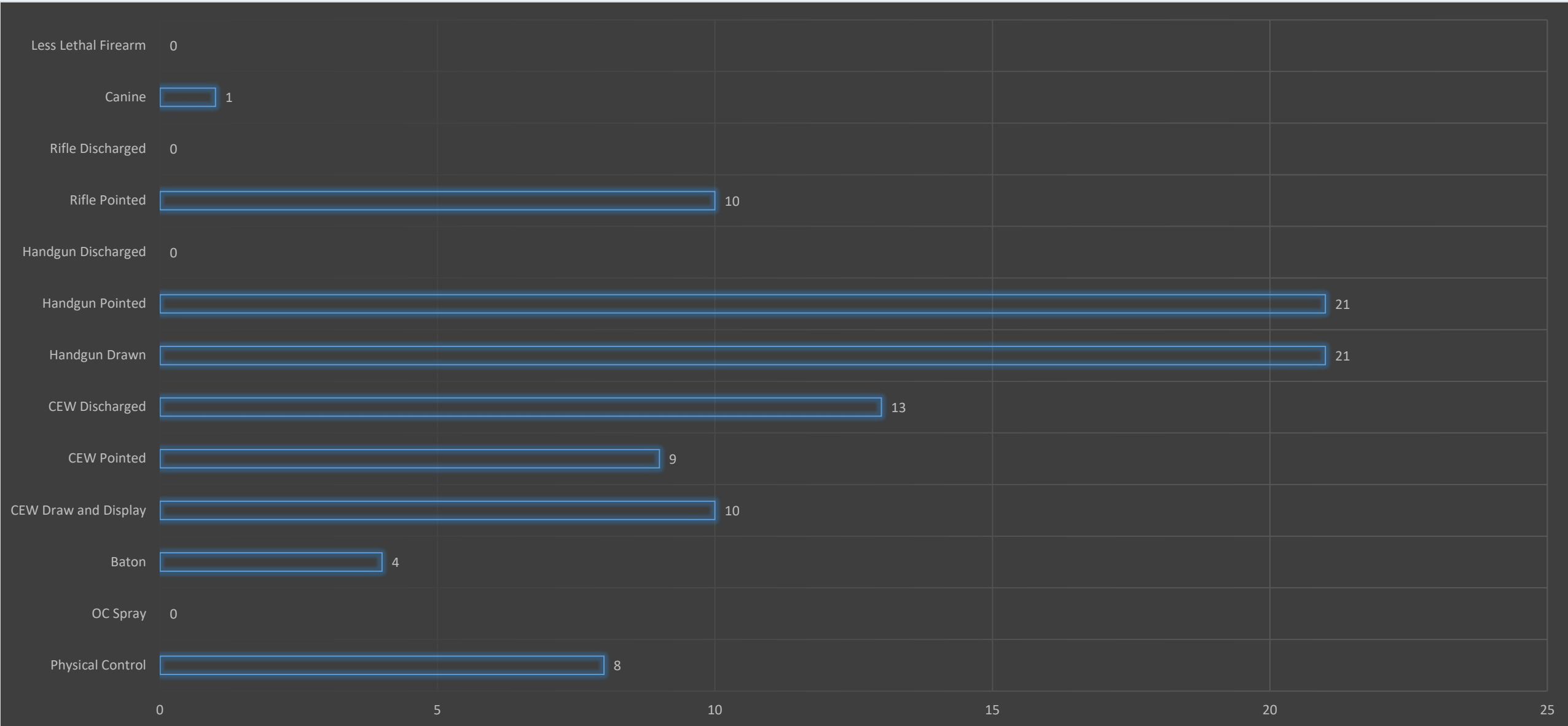
### Events per Month



### Type of Incident

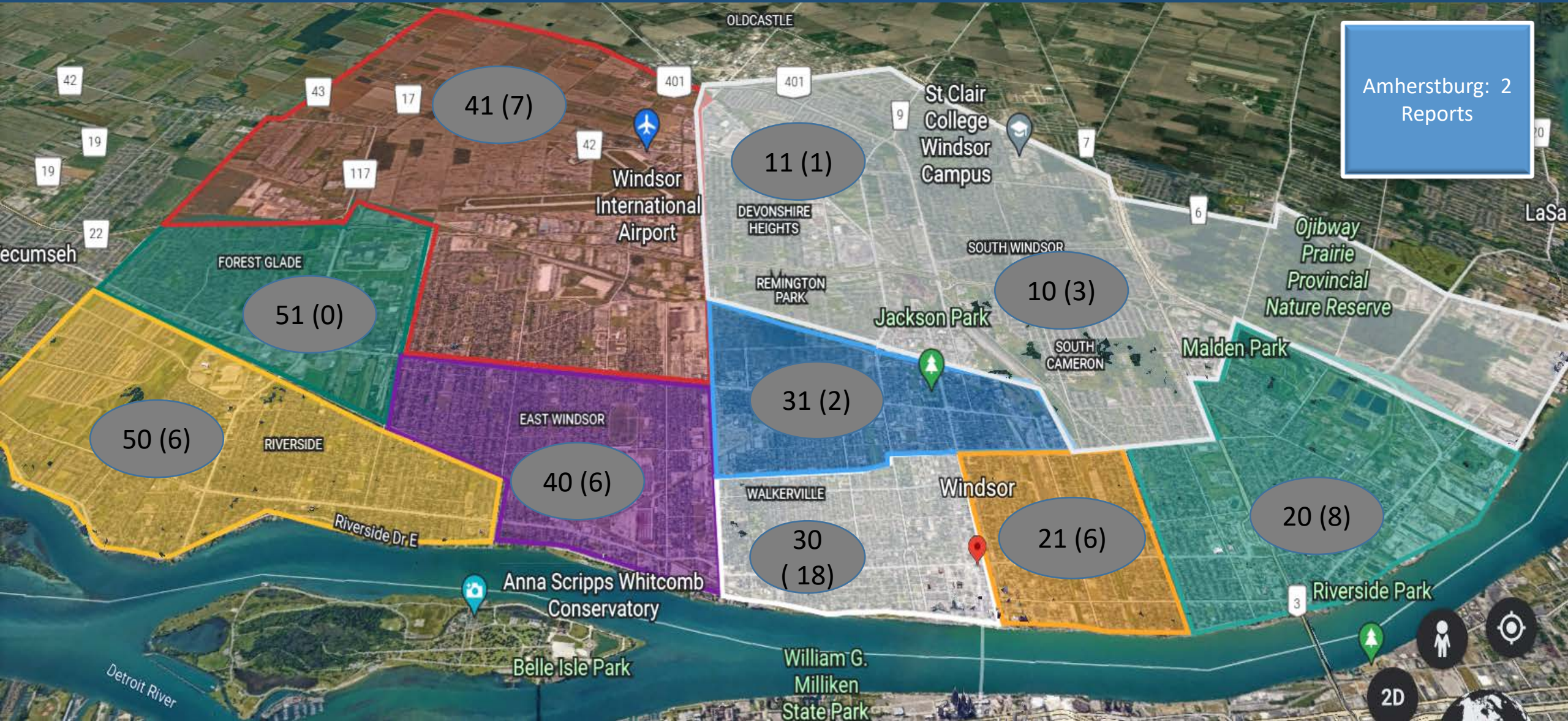


# Type of Force Used by Officer



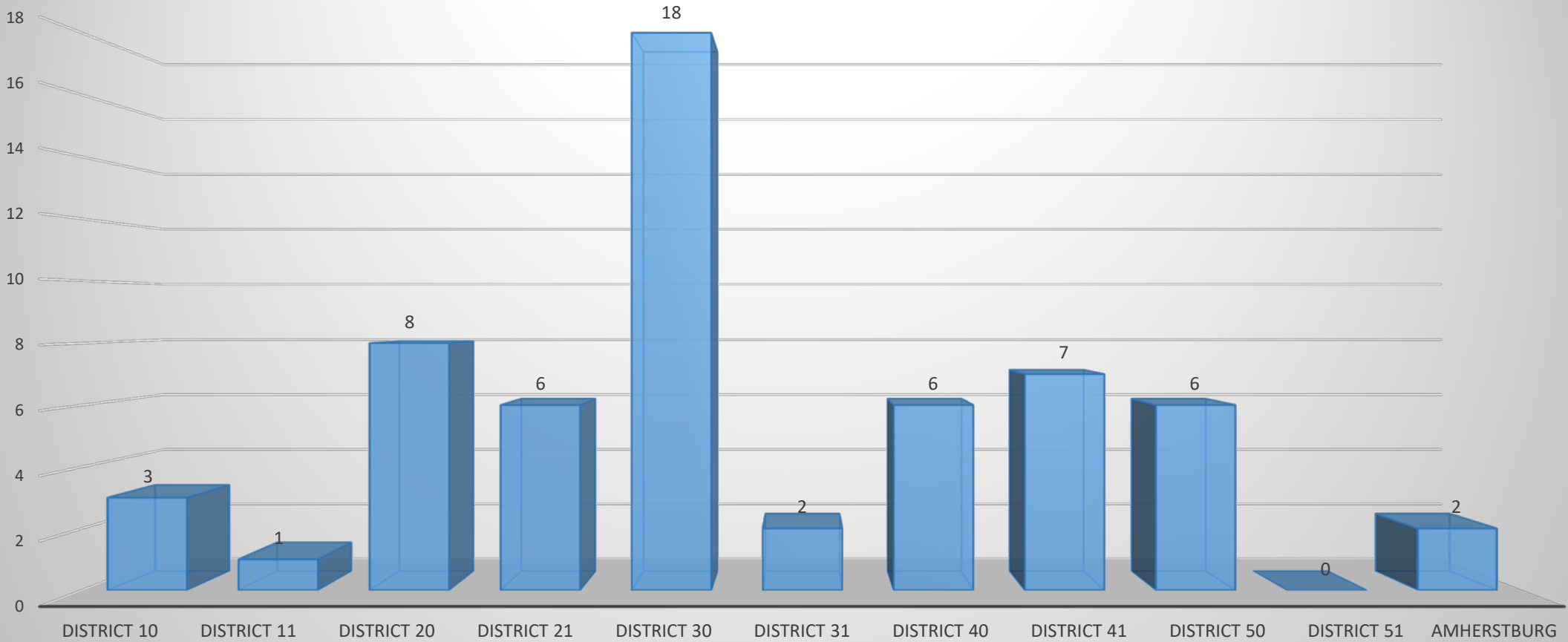


# 2024 Q2 Use of Force Map by Zone (# of Use of Force Reports)



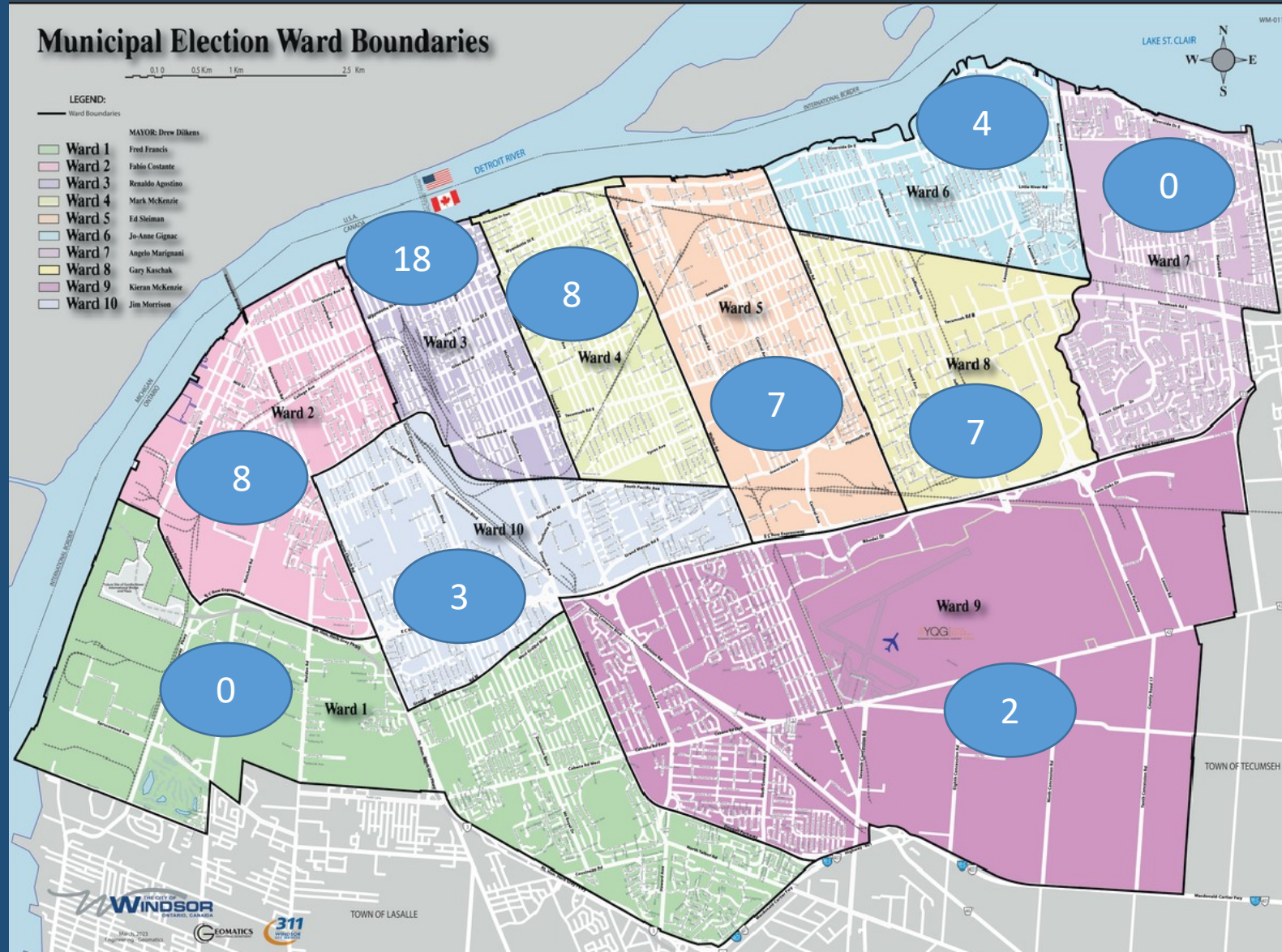


# 2024 Q2 Use of Force Reports by Zone



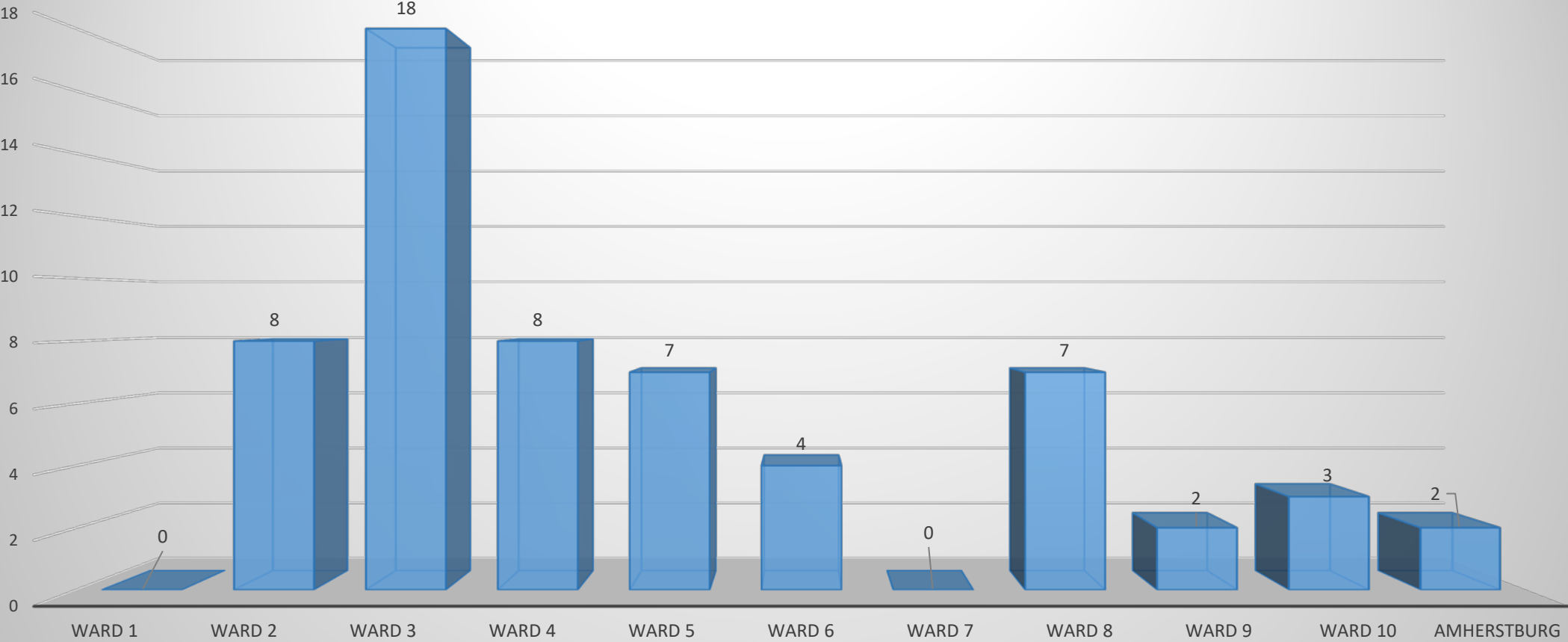


# 2024 Q2 Use of Force Map by Ward (# of Use of Force Reports)



Amherstburg:  
2 Reports

# 2024 Q2 Use of Force Reports by Ward





Date: August 8, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Jason Crowley

Re: **Q2 Calls for Service – CCP/POP Units**

---

Dear Chair and Members of the Police Service Board,

Please see the attached Q2 Calls for Service – CCP/POP Unit report.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Crowley".

Jason Crowley  
Deputy Chief Operations  
Windsor Police Service

Attachment: Q2 Calls for Service – CCP/POP Unit Report



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Date: July 24, 2024

To: Deputy Chief Jason Crowley

From: A/Inspector Scott Jeffery

Re: Second Quarter 2024 - City Centre Patrol (CCP) and Problem-Oriented Policing (POP) Unit

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Deputy Chief Jason Crowley,

Enclosed are the compiled statistics for the City Centre Patrol (CCP) and Problem-Oriented Policing (POP) Unit for the second quarter of 2024. The report includes noteworthy incidents from the POP Unit during this period.

Respectfully submitted,

A handwritten signature in cursive script that reads "Scott Jeffery".

A/Inspector Scott Jeffery  
Windsor Police Service

**CITY CENTRE PATROL (CCP) STATISTICS FOR 2024**

	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>TOTAL</u>
<b>TOTAL ARRESTS</b>	70	63	85	60	66	63							407
<b>PIC APPREHENSIONS</b>	16	16	28	12	12	14							98
<b>ARREST WARRANTS</b>	30	34	49	37	39	41							230
<b>RETURN-OTHER JURISDICTIONS</b>	1	0	2	0	0	0							3
<b>CC/CDSA CHARGES</b>	56	46	64	38	44	56							304
<b>PON/PART 111'S</b>	18	41	19	21	18	19							136
<b>CALLS FOR SERVICE</b>	726	709	822	653	383	743							4036

**PROBLEM-ORIENTED POLICING (POP) STATISTICS FOR 2024**

	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>TOTAL</u>
<b>TOTAL ARRESTS</b>	133	123	93	106	73	85							613
<b>PIC APPREHENSIONS</b>	1	0	0	1	2	2							6
<b>ARREST WARRANTS</b>	100	104	79	79	81	53							496
<b>RETURN-OTHER JURISDICTIONS</b>	6	0	1	0	3	2							12
<b>CC/CDSA CHARGES</b>	309	311	246	303	252	184							1605
<b>PON/PART 111'S</b>	8	2	1	0	4	14							29
<b>CALLS FOR SERVICE</b>	247	176	148	138	251	194							1154

## **2024 Q2 HIGHLIGHTS FOR POP UNIT**

**Case #24-44869:** Officers were conducting routine patrol, and observed a male party operating a vehicle with a female passenger whom he had non-association conditions with. Officers located the vehicle in question parked around Church Street and Hanna Street West, with both parties inside. A vehicle stop was conducted. Upon arrest, a Black handheld Taser, a Collapsible Baton, and a Knife were seized. Including the weapons, 29 grams of Crystal Meth, 8.6 grams of Crack Cocaine, and Percocet Tablets were also seized. **Charges: Facilitate Breach Release Order, Breach Release Order, Possess Prohibited Weapon x2, Possession of Controlled Substance for Purpose of Trafficking**

**Case #24-55173:** Officers received information as to the location of a known wanted party. Officers conducted surveillance in the area and observed the accused leaving an associate's residence on foot. The accused was stopped and arrested on the strength of the arrest warrant. **Charges: Fraud Over \$5000 x 6, Fraud Under \$5000 x 2, Possess Stolen Property Over \$5000 x 2, Conspiracy to Commit Fraud**

**Case #24-59346:** Officers attended the residence of a known wanted male party who is typically un-cooperative with Police. Upon arrival, officers heard the voice of a female inside the unit. The accused is currently charged with numerous Intimate Partner Violence charges. Officers believed that the voice of the female heard was possibly the current victim of the charges. After numerous failed attempts to communicate with the parties inside, officers believed that exigent circumstances existed as it pertained to the safety of the victim. Officers breached the door of the Unit and located the female inside. The wanted male party was located hiding in the closet with numerous clothing items covering him. The male was arrested on the strength of the warrant. **Charges: Assault (IPV)**

**Case #24-59616:** Officers conducted surveillance on a known male party who was a person of interest regarding a Stabbing call in the City of Windsor. Officers located the male and conducted a vehicle stop. He was found to be in Breach of his Release Order. **Charges: Fail to Comply with Release Order, Aggravated Assault in relation to the Stabbing**

**Case #24-61480:** Officers attended a call for service at 333 Glengarry Avenue, where numerous persons were walking through the hallways with firearms. Officers arrived on scene, viewed video and observed the males in question exiting through the stairwell. Officers were able to apprehend all subjects involved. Upon search, Officers located and seized a Black shotgun, a Black sawed off shotgun, and an imitation Assault Rifle. The 5 arrested parties were charged. **Charges: Possess weapon dangerous to public peace x 3, Fail to comply with Release Order, Unlawfully in Dwelling, Breach Probation x 2**



**Case #24-62104:** Officers located a known wanted male party at his place of employment. Upon observing officers, the male attempted to flee on an electric scooter. After a brief foot pursuit, the male was ultimately arrested without incident. **Charges: Sexual Assault, Sexual Interference with a Person under 16 years of age.**

**Case #24-65857:** Officers attended a call for service where the female complainant advised that her boyfriend was currently inside her unit. The female advised that her boyfriend is currently wanted by the Windsor Police and that he had just assaulted her prior to contacting Police. Officers attended an address in the 900 block of St Luke. Officers entered through the front and rear entry doors, observing a masked male in the stairwell who was immediately recognized as the wanted party. After a brief foot pursuit, the male was arrested on the strength of 2 arrest Warrants, including additional charges. **Charges: Breach Probation x 2, Assault x 2 (IPV), Mischief Under \$5000, Utter Death Threats.**

**Case #24-54211:** Officers were patrolling in the 5500 block of Lassaline Avenue when their attention was drawn to an unoccupied newer model silver Toyota Carolla that was parked facing east. Officers had knowledge of a vehicle matching that description being involved in a firearms investigation on a previous date. Through investigation, they were able to get a suspect description from the report which contained reasonable grounds to arrest the male matching for point firearm and utter threats. While conducting surveillance officers observed a male and female walk from a row of houses to the vehicle. The male matched the description of the suspect. He entered the driver seat, and the female entered the passenger. Officers subsequently conducted a vehicle stop; the male was placed into custody without incident. Once at Police Headquarters, officers were advised that during the search of the male in the Detention Unit, they located suspected cocaine and fentanyl in his groin area. **Charges: Point firearm, Utter Threats, Possess for the Purpose of Trafficking.**

**Case #24-57169:** Officers were requested to attempt arrest a male party wanted in relation to an IPV investigation. Officers attended his address. Once on scene, a female exited the residence and advised that the male would exit and turn himself over to Police. He was subsequently arrested without incident. **Charges: Assault x4, Utter Threats to Cause Death x3, Utter Threats to Cause Bodily Harm, Assault with a Weapon.**

**Case #24-62401:** Officers attended the 1600 block of Marentette Avenue, in regards to a wanted person call for service. Officers conducted several door knocks but met with negative results. Officers were preparing to leave when the wanted person was located through a cellar window under the porch. Officers attempted to communicate with the wanted party, but he appeared unresponsive. Upon further observation it appeared he had barricaded himself in the cellar. Further, his condition appeared to be worsening. Officers called out to him on several occasions but were met with no response. It appeared exigent to enter for life saving measures. The wanted party was located and his body fell lifeless once the door was opened. Officer started CPR until paramedics took over. The wanted party was revived and taken to hospital for further



treatment. **Charges: B&E & Theft x3, Have Face Mask x2, Mischief over, Lasalle Police Warrants, OPP warrants.**

**Case #24-69532:** Officers attended a residence in the 700 block of Bridge Avenue. A known wanted person was observed coming and going from the address. Officers located a camper/trailer in the rear yard that is believed to be housing the wanted party. Officers set up containment. A Feeney warrant was granted. Officers conducted an entry. At this time, the wanted party lit the camper on fire to escape from Police. He was later located inside a residence and taken into custody. No serious injuries to anyone involved. **Charges: Break and Enter, Theft of MV, Drive while Prohibited x 3, Arson Disregard for Human Life, Arson causing Property Damage.**

**Calls for Service**

Completed Calls						
	2024	2023	2022	2021	2020	2019
January	12114	10876	8626	8581	10344	9325
February	11611	10170	8114	8030	9500	8381
March	12139	11142	9532	10089	9845	9444
April	12449	11625	9774	10006	8695	9806
May	13802	13879	10823	10571	9787	11155
June	14274	14585	10686	11697	10205	11131
July	14581	15135	10819	12475	10558	11659
August		13883	11522	11695	10264	11891
September		13220	11511	10873	9979	11620
October		12494	10600	10674	9385	10842
November		11296	10082	9688	9152	9982
December		10927	9576	9729	8503	9783
Total		149, 232	121, 665	124, 108	116, 217	125, 019

\*\* As of June 22, 2023, the Windsor Police Service implemented a new procedure where vehicle stops now generate a call for service.

# ITEM: 10.3 HONOUR IN SERVICE



---

Date: August 6th, 2024

To: Windsor Police Services Board

From: Inspector Andrew Randall, Investigations

Re: **Youth Diversion – 2024 Q2 Report – Public Agenda**

---

Attached is the *Essex County Youth Diversion Program* Report for the period of April-June 2024 (Q2).

Submitted for your information.

A handwritten signature in black ink that reads "A. Randall".

**Andrew Randall**  
Inspector, Investigations



# WPS – Youth Diversion; Q2 Report 2024

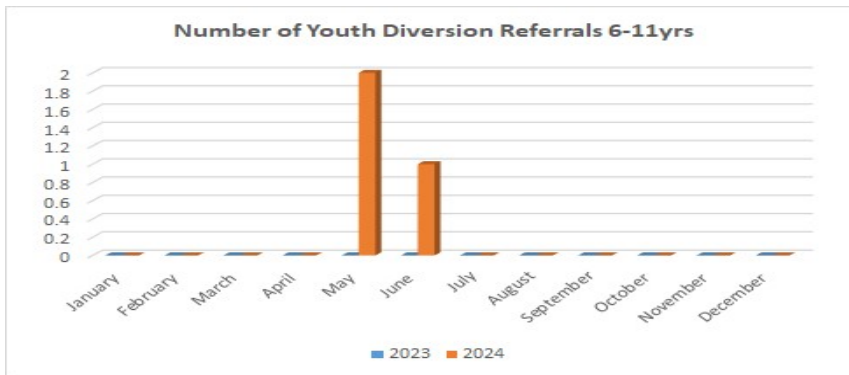
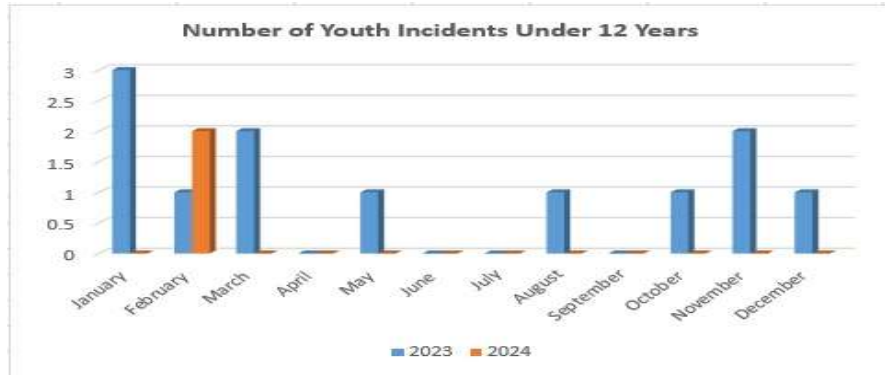
## Objective and Goal:

To review investigations involving young persons who have either been identified as a Subject, a Person of Interest, or an Offender to determine if reasonable grounds exist for a Criminal Charge, and if it is in the best interest of the Community and the youth offender to proceed by way of a **Youth Diversion** referral. This is also undertaken to identify factors that could be contributing to the youth offender not being identified as an appropriate candidate for the program.

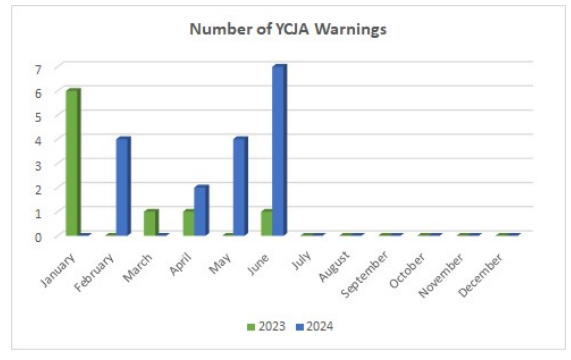
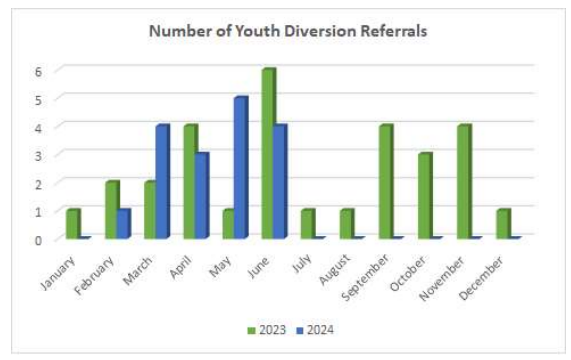
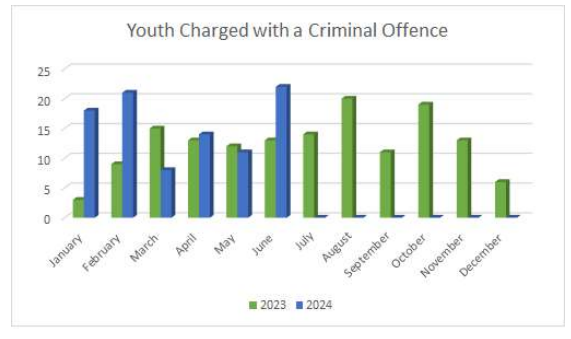
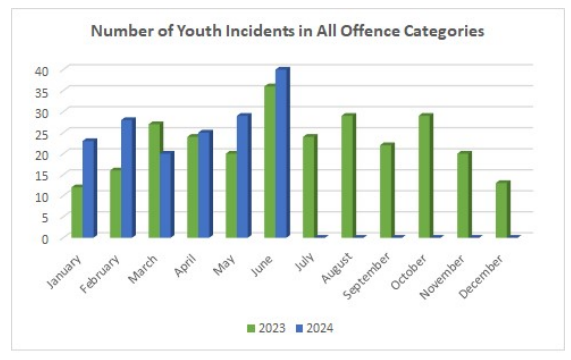
The goals are to increase the number of referrals to the **Essex County Youth Diversion Program**, and increase awareness of the program, which in turn would benefit the youth, family and support a safer community.

## Highlights Q2:

- WPS created a YCJA Audit Coordinator position pilot project to oversee and review all files involving youths which commenced April 15, 2024.
- Youth Diversion program referrals now offered by WPS for youths aged 6-11 with no criminal offence present (see chart below)



## Statistics



**Statistics:** In Q4 of 2023 WPS Information Services completed a thorough audit of the youth related files within our records management system. The consequence was a more accurate reporting of the total overall youth related occurrences reported. YTD comparisons between 2023 and 2024 should prove more accurate overall.

Please note: Second Quarter data within this document is accurate as of July 28<sup>th</sup>, 2024. There is potential that some ongoing Q2 investigations may not have concluded at the time of this report and thus may not reflect accurately in the date herein. Once these potential ongoing investigations conclude by way of criminal charge, or Youth Diversion Referral, or YCJA Warning, these numbers will be added to the Q2 totals within the Q3 report.



Date: August 6, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Jason Crowley

Re: **Q2 2024 Amherstburg Policing Activities Report**

---

Please see the attached Second Quarterly 2024 report for Amherstburg Policing activities.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Crowley".

Jason Crowley  
Deputy Chief Operations  
Windsor Police Service

Attachment: Q2 2024 Amherstburg Policing Activities Report

**2024 POLICING ACTIVITIES REPORT  
WINDSOR POLICE SERVICE AMHERSTBURG DETACHMENT**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
<b>CALLS FOR SERVICE</b>													
Dispatch Generated Incidents (CAD calls)	1067	1050	986	1058	1068	999							6228
Self-Generated Walk-In Incidents	0	11	6	14	10	23							64
<b>TOTAL INCIDENTS</b>	<b>1067</b>	<b>1061</b>	<b>992</b>	<b>1072</b>	<b>1078</b>	<b>1022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6292</b>
<b>PROVINCIAL OFFENCES</b>													
Traffic Offences	774	721	670	686	578	488							3917
Part III Summons	16	9	9	21	5	9							69
Liquor Offences	1	1	2	3	1	0							8
Other Provincial Offences	135	89	72	72	42	48							458
<b>TOTAL</b>	<b>926</b>	<b>820</b>	<b>753</b>	<b>782</b>	<b>626</b>	<b>545</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4452</b>
<b>CRIME STATISTICS</b>													
Attempted Murder	0	0	0	0	0	0							0
Robbery	0	0	0	0	0	0							0
Break and Enter	2	7	3	0	2	4							18
Theft Over	5	2	3	1	0	0							11
Theft Under	8	7	3	9	10	14							51
Possession Stolen Goods	1	1	1	0	0	0							3
Fraud	12	4	10	5	12	9							52
Mischief	3	6	3	7	10	5							34
Assault (All)	9	6	11	8	8	15							57
Drugs	0	0	0	0	1	0							1
Firearms	0	0	0	0	0	0							0
Arson/Fire Calls	0	2	0	0	0	0							2
Impaired Driving	1	0	2	0	4	0							7
Federal Statutes	0	0	0	0	0	0							0
Other Criminal Code	6	8	5	5	7	8							39
<b>TOTAL</b>	<b>47</b>	<b>43</b>	<b>41</b>	<b>35</b>	<b>54</b>	<b>55</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>275</b>
<b>COMMUNITY OUTREACH ACTIVITIES</b>													
Community Service Calls / Coast	9	19	23	19	26	21							117

\*February 7th - commenced implenation of Aburg walk-in procedure with dispatch.

ITEM: 11.1

HONOUR IN SERVICE



Date: August 9, 2024

To: Chair and Members of the Police Service Board

From: Deputy Chief Karel DeGraaf

Re: **Human Resources Board Report – Public Agenda August 2024**

---

Dear Chair and Members of the Board,

Please see the attached Human Resources Report for the August Board Meeting - Public Agenda.

A handwritten signature in cursive script that reads "K.A. De Graaf".

Karel DeGraaf  
Deputy Chief Operational Support  
Windsor Police Service

Attachment: Human Resources Report August – Public Agenda



---

Date: August 12, 2024  
To: Windsor Police Service Board  
Chair and Members  
From: Jason Bellaire, Chief of Police  
Re: **Human Resources Monthly Report (Public)**

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## **Retirements:**

### **Sergeant Edward Parent (#7555)**

Date Hired: June 21, 1993  
Date Retired: June 21, 2024  
Years of Service: 31yrs

### **Constable Robert Mousseau (#7821)**

Date Hired: August 2, 1994  
Date Retired: July 31, 2024  
Years of Service: 30yrs

### **Constable Holly Bedore (#8739)**

Date Hired: April 18, 1995  
Date Retired: July 31, 2024  
Years of Service: 29yrs & 3 mos

### **Carlos Cardoso (#15187)**

*Computer Maintenance Technician*  
Date Hired: June 6, 2007  
Date Retired: July 31, 2024  
Years of Service: 17yrs & 2 mos

Respectfully submitted for the information of the Board.





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Date: August 12, 2024  
To: Windsor Police Service Board  
Chair and Members  
From: Jason Bellaire, Chief of Police  
Re: **Human Resources Monthly Report (Public)**

---

**Promotions:**

**Effective July 2, 2024**

Constable Keith Humber (#20544)

- Promoted to the rank of **Sergeant**

Respectfully submitted for the information of the Board.

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Responding to Animals Left in Motor Vehicles

<b>DATE OF ISSUE:</b>	<b>May 31, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0040</b>
<b>PRIORITY:</b>	<b>Normal</b>

Similar to last year's communication and further to All Chief's Memo 23-0054, with warmer weather underway it is important to ensure pets across the province remain safe, and comfortable. It is critical that the necessary precautions are taken to keep pets safe and protected during the hot summer months, including making sure that pets are not left unattended in a motor vehicle.

Temperatures inside a motor vehicle can quickly become much hotter than the temperature outside. Even at an outdoor temperature of only 25°C, the inside temperature of a car can reach 34°C in as little as 10 minutes and up to 50°C by the time an hour has passed. Pets can be put at great risk of serious illness and possibly death as a result of being left in a motor vehicle during hot weather.

**Police Officer and First Nation Officer Authority under the *Provincial Animal Welfare Services Act, 2019 (PAWS Act)***

Pursuant to the PAWS Act, police officers, First Nations Officers, and animal welfare inspectors may enter motor vehicles to search for animals in critical distress. Some visible signs of critical distress in dogs, for example, includes excessive panting or drooling, listlessness, collapsing, or seizures.

**Section 29** permits such entry and search where a police officer, First Nations Officer, and/or animal welfare inspector have reasonable grounds to believe that an animal is in critical distress.

If the motor vehicle is a dwelling, in addition to having reasonable grounds, a police officer, First Nations Officer, or animal welfare inspector must also be satisfied that the

time required to obtain a warrant may result in serious injury or death. Critical distress is defined in the PAWS Act as “distress requiring immediate intervention in order to prevent serious injury or to preserve life”.

**Section 33** provides authority to supply the animal in distress with necessities to relieve its distress on the spot (where it was found).

**Section 31** provides authority to remove the animal and take possession of it for the purpose of relieving its distress in the following three circumstances:

1. A veterinarian has advised the inspector (police officer or First Nations Officer) in writing that relieving the animal’s distress necessitates its removal;
2. The inspector (police officer or First Nations Officer) has inspected the animal and has reasonable grounds for believing that the animal is in distress **and** the owner or custodian of the animal is not present and cannot be found promptly; **or**
3. An order respecting the animal has been made under section 30 and the order has not been complied with (police officers and First Nations Officers do not have the power to issue orders under section 30).

The act permits use of force that is reasonably necessary to remove the animal (**Section 31(4)**).

If any of the above powers are exercised by a police officer or a First Nations Officer, **section 60 of the PAWS Act requires prompt notification to the Chief Animal Welfare Inspector.**

**Where an animal is removed from a motor vehicle and taken into possession under section 31, the police officer or First Nations Officer must promptly notify an animal welfare inspector who shall inspect the animal and determine whether to take it into possession. Police officers and First Nations Officers may do so by contacting the Ontario Animal Protection Call Centre at 1-833-9- ANIMAL (1-833-926-4625) and request to speak with an inspector.**

Please note that police officers and First Nations Officers can contact local veterinary clinics for assistance in assessing the condition of an animal found in a motor vehicle, determining if removal is necessary to relieve its distress (i.e., one of the grounds to remove), and/or providing urgent veterinary care to the animal as required (e.g., treatment of heat stroke). Necessaries to relieve distress can be provided on the spot or with removal (if the conditions for the removal under Section 31 are met).

We appreciate your continued partnership to help safeguard animal welfare in Ontario.

Sincerely,



Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General

Ministry of the Solicitor General

Ministère du Solliciteur général



Public Safety Division

Division de la sécurité publique

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3

Telephone: (416) 314-3377  
Facsimile: (416) 314-4037

Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Ministry of the Attorney General and Justice Canada  
Prosecution Pilot for First Nation Laws 2024-2025

<b>DATE OF ISSUE:</b>	<b>June 20, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>March 31, 2025</b>
<b>INDEX NO.:</b>	<b>24-0041</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of the Attorney General's Indigenous Justice Division, I am sharing a communication regarding the extended Prosecution Pilot project for First Nations laws.

For further information, please review the attached memo from Assistant Deputy Attorney General Marian Jacko, Indigenous Justice Division, Ministry of the Attorney General. If you have any questions regarding the Prosecution Pilot, please contact Sara Greenfield, Legal Counsel, Ministry of the Attorney General by email at [sara.greenfield@ontario.ca](mailto:sara.greenfield@ontario.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Weatherill".

Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachments

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General

**Ministry of the Attorney General**

Office of the Assistant Deputy  
Attorney General

Indigenous Justice Division

McMurtry-Scott Building  
4th Floor  
720 Bay Street  
Toronto ON M7A 2S9

**Ministère du Procureur général**

Cabinet du sous-procureur  
général adjoint

Division de la justice pour les Autochtones

Édifice McMurtry-Scott  
4e étage  
720, rue Bay  
Toronto ON M7A 2S9

**MEMORANDUM TO:** Kenneth Weatherill  
Assistant Deputy Minister  
Public Safety Division

**DATE:** June 20, 2024

**FROM:** Marian Jacko  
Assistant Deputy Attorney General  
Indigenous Justice Division

**RE: Ministry of the Attorney General and Justice Canada  
Prosecution Pilot for First Nation laws 2024-2025**

---

The Ministry of the Attorney General and Justice Canada are working together to support the prosecution of First Nations laws and by-laws.

As you may know, in December 2022, the Ministry of the Attorney General and Justice Canada launched a Prosecution Pilot program to support First Nations to retain private counsel to prosecute offences under First Nations laws and by-laws. The Prosecution Pilot aimed to improve community safety and well-being through deterrence and appropriate legal consequences, including prosecutions before the Ontario Court of Justice or the diversion of appropriate matters into restorative justice programs or community courts (e.g., the Akwesasne Court). Eleven First Nations in Ontario participated in the Prosecution Pilot, which was scheduled to conclude on **March 31, 2024**.

I am pleased to advise that Ontario and Canada will extend the Prosecution Pilot until **March 31, 2025**. This one-year extension is intended to provide opportunities for more First Nations to participate in the program. We anticipate the additional time and refinements will also allow us to build on the successes and lessons learned to help inform longer term solutions.

The extended Prosecution Pilot will continue to be application-based and open to all First Nations in Ontario, subject to the availability of funding. Applications will be accepted by the Ministry of the Attorney General (Indigenous Justice Division) and Justice Canada until December 31st, 2024. First Nations will be asked to include the following information in their application:



1. A copy of at least one First Nation law for review and/or prosecution through the Prosecution Pilot.
2. The proposed enforcement service or mechanism to enforce the First Nation law(s) included in the Pilot (e.g., by-law officers, local police service).
3. A description of the activities to be undertaken with funding under the Prosecution Pilot.
4. A budget proposal.

Successful applicants will each receive up to \$35,000 to retain private counsel to support the review and prosecution of the First Nation laws identified in the application. Where a First Nation has identified OPP as the proposed enforcement service for the purpose of the Prosecution Pilot in their application, the appropriate detachment will be notified. To promote the early identification and resolution of potential operational challenges on the ground, the Ministry of the Attorney General and Justice Canada will offer to facilitate one or more meetings with the relevant local justice system partners (e.g., by-law officers where applicable, police services, court services, Crown Attorneys who will be getting notice of the private prosecutions pursuant to section 507.1(3) of the Code). For more information, see enclosed application materials.

We are sharing this information with you as participating communities may seek police enforcement of First Nation laws as part of the Prosecution Pilot. As you know, under the *Community Safety and Policing Act, 2019*, police officers are not required to enforce First Nation laws, but they are also not prohibited from doing so, and maintain their authority to enforce First Nations by-laws as long as they comply with other legal obligations and restrictions in doing so (e.g., restrictions on use of force under the *Charter* and *Criminal Code*).

I am requesting your assistance to provide this update to Chiefs of Police throughout Ontario with the goal of increasing awareness of the Prosecutions Pilot. We hope that the Prosecution Pilot will help to enhance First Nations' access to prosecution services and support police in their work to advance key Indigenous policing and community safety priorities.

If you have any questions about the Prosecution Pilot, you can contact Legal Counsel in the Indigenous Justice Division of the Ministry of the Attorney General by email at [sara.greenfield@ontario.ca](mailto:sara.greenfield@ontario.ca).

Sincerely,



Marian Jacko  
Assistant Deputy Attorney General  
Indigenous Justice Division  
Ministry of the Attorney General

Encl.      2024-2025 Prosecution Pilot Application  
              2024-2025 Prosecution Pilot Program Guidelines



**PROSECUTION PILOT PROGRAM  
INDIGNEOUS JUSTICE DIVISION  
APPLICATION FORM AND INSTRUCTIONS**

Please forward all documentation, signed by an authorized person, together with any additional supporting material, by email to [indigenousjustice@ontario.ca](mailto:indigenousjustice@ontario.ca).

A decision to approve or decline your application will be made and communicated by staff from the Indigenous Justice Division (IJD) and/or Justice Canada following IJD's receipt of your application. Although we will endeavour to do this expeditiously, it may take approximately four weeks to process your application. During this process, you may also be contacted by staff from IJD and/or Justice Canada and asked to provide additional information.

If you have any questions about the application or the program's eligibility criteria please contact:

Sara Greenfield, Legal Counsel  
Email: [sara.greenfield@ontario.ca](mailto:sara.greenfield@ontario.ca)  
Telephone: (647) 967-2981

**APPLICATION OVERVIEW**

**First Nation or Organization**

<b><i>Name of Community:</i></b>
<b><i>Name of Organization: (if applying on behalf of a First Nation):</i></b>
<b><i>Address:</i></b>

**Contact Person**

<b><i>Name:</i></b>
<b><i>Position:</i></b>

<b>Phone:</b>
<b>Email:</b>

**Project Information**

<b>Title: Prosecution Pilot</b>
<b>Description of Anticipated Work to be Undertaken by Lawyer Retained:</b>
<b>Project Duration (i.e. start &amp; end Dates):</b>
<b>Amount Requested:</b>
<b>Total Project Budget:</b>

**DETAILED APPLICATION**

**Please complete the required information (below) and provide details on how your proposed activity / initiative supports the enforcement and prosecution of your community’s laws. Include any relevant information such as examples of past experiences that will support the success of the proposed initiative.**

**Description of the Prosecution Pilot Initiative**

- Please provide a detailed description of the proposed initiative. Include a description of the need or gap addressed by the initiative.
- Please include copy of any duly enacted First Nation law(s) the First Nation is seeking to include in the Pilot.

**Enforcement**

- Please identify the proposed enforcement service or mechanism to enforce the First Nation law(s) included in the Prosecution Pilot (e.g., by-law officers, local police service).
- If conversations have been had or are currently underway with this enforcement service or mechanism about the enforcement of the First Nation law(s) to date, please describe.

### Evaluation

- Please describe how you will determine if your participation in the Prosecution Pilot is successful (e.g. number of existing First Nation laws reviewed, number of prosecutions under First Nation laws initiated/completed, number of charges under First Nation laws diverted/addressed through community restorative justice etc.)

### Project budget

- Please attach a detailed budget with a breakdown of the costs/budget that is estimated to be required in relation to the project.

### Workplan

- Please complete the workplan template showing estimated timelines (if known), key deliverables, milestones, and reporting plans. An example is shown below:

Activities	Timeline	Detailed Description	Status
<b>Retain private legal counsel</b>	May – July 2024	Retain legal counsel	
<b>Support private legal counsel in reviewing First Nation laws and ensuring any matters related to infractions of First Nation laws are addressed</b>	July 2023 – March 2025	Work with legal counsel as needed and provide any support required in the context of reviewing, enforcing and prosecuting First Nation laws	
<b>Report to IJD/Justice Canada</b>	March 31, 2025	Provide written report to IJD/Justice Canada on any matters undertaken by legal counsel in relation to the review, enforcement and prosecution of First Nation laws.	

### RECIPIENT OBLIGATIONS

Successful applicants will be required to:

- Sign a Transfer Payment Agreement with Ontario (Ministry of the Attorney General, Indigenous Justice Division) outlining the terms and conditions for receiving funds;
- Carry at least \$2 million commercial general liability insurance coverage, and add “His Majesty the King in Right of Ontario as represented by the Attorney General” as a co-insured on this coverage before the Transfer Payment Agreement can be executed;
- Report back to IJD within the specified timeframes as outlined in the Transfer Payment Agreement in the form specified by the ministry;
- Allow IJD to verify and/or audit the information submitted (at the discretion of the ministry) to ensure that the information is complete and accurate, and that the funds were used for the intended purpose(s);
- Agree that if the funds were not or will not be used for the intended purpose(s), because specified activities were not completed, that IJD has the right at a future date to recover the funds that were transferred to the recipient;
- Advise IJD of any new First Nations to be included in the Pilot after funding has been approved; and
- Obtain IJD’s prior approval for any proposed change to the project after funding has been approved.

## **DISCLAIMER**

The provision of funding under the Prosecution Pilot is not an acknowledgement by the Government of Ontario of the validity or enforceability of any First Nation law or recognition of an inherent law, inherent right or an Aboriginal or treaty right pursuant to s. 35 of the *Constitution Act, 1982*. For greater certainty, the Government of Ontario respects the authority of the Ontario Court of Justice to determine which matters it can adjudicate.

Funding is dependent on the availability of funds. IJD and Justice Canada reserve the right, at their discretion, to fund or not fund any particular project that has been applied for. Applicants should be aware that meeting the eligibility criteria as outlined in the 2024-2025 Prosecution Pilot Funding Guidelines does not guarantee funding or a particular funding amount. Funds received may only be spent on eligible activities carried out during the funding year specified in the budget that will be attached to the Agreement.



**MINISTRY OF THE ATTORNEY GENERAL  
INDIGENOUS JUSTICE DIVISION**

**&**

**JUSTICE CANADA**

**PROSECUTION PILOT PROGRAM GUIDELINES  
2024-2025**

# PROSECUTION PILOT FUNDING GUIDELINES

## BACKGROUND

In December 2022, the Ontario Ministry of the Attorney General (MAG) and Justice Canada jointly launched a Prosecution Pilot, which provided one-time funding to interested First Nations to support their retention of private legal counsel to review their laws and prosecute infractions, where appropriate.

The Prosecution Pilot has now been extended to **March 31, 2025**.

The extended Prosecution Pilot is intended to provide opportunity for additional First Nations to identify laws they are seeking to enforce based on community needs and priorities. It will also enable participating First Nations to undertake a legal review of these laws to support more effective enforcement and prosecution.

The Prosecution Pilot is application-based and open to all First Nations within Ontario, subject to the availability of funding. Applications will be accepted by the Indigenous Justice Division (IJD) of MAG and Justice Canada until **December 31<sup>st</sup>, 2024**.

To promote the early identification and resolution of potential operational challenges on the ground, IJD and Justice Canada are offering to facilitate one or more meetings with the relevant local justice system partners (e.g., by-law officers where applicable, police services, court services, Crown Attorney).

## FUNDING AMOUNTS

Successful applicants will each receive up to \$35,000 to retain private counsel to support the review and prosecution of the First Nation laws identified in the application.

The amount of funding available for an individual First Nation is capped at \$35,000. If/when a First Nation is approved for this funding, it will be flowed to the community by IJD on behalf of Ontario and Canada through a Transfer Payment Agreement. Funding must be spent in full by **March 31, 2025**.

## ELIGIBILITY

Funding is available to First Nation communities in Ontario that:

- have one or more duly enacted First Nation laws. These laws may be enacted pursuant to jurisdiction recognized in federal statute (e.g., Indian Act by-laws, land code laws), and/or pursuant to the First Nation's inherent jurisdiction; and,
  - are seeking to undertake a legal review of those laws to support enforceability; and/or
  - are seeking to prosecute offences under those laws at the Ontario Court of Justice by way of summary conviction procedure or divert or refer



matters related to offences under those laws to a community/restorative justice process.

Individual First Nations in Ontario are eligible to apply for funding as well as First Nation organizations applying on behalf of one or more First Nations in Ontario (i.e., Tribal Councils, Provincial-Territorial Organizations). An organization applying on behalf of one or more First Nations must provide a Band Council Resolution in support of the application from each community represented on the application.

Note: First Nations that received funding through the Prosecution Pilot in a previous year are eligible to re-apply in 2024-2025, however, priority will be given to new applicants.

### **ELIGIBLE PROJECT ACTIVITIES AND COSTS**

Prosecution Pilot funding may be used to support the review of laws duly enacted by a First Nation pursuant to jurisdiction recognized by federal statute and/or the First Nation's inherent jurisdiction, and which include at least one offence the First Nation is seeking to enforce and prosecute.

Prosecution Pilot funding may also be used to support prosecutions where proceedings are commenced by way of summary conviction procedure at the Ontario Court of Justice. First Nations may also use Pilot funding to divert or resolve the matter through a restorative justice program or prosecute the matter in the community's own court (e.g., the Akwesasne Court).

#### **Eligible activities and project costs:**

- Retaining legal counsel to:
  - Undertake a legal review of a First Nation's existing law(s);
  - Prosecute offences under a First Nation's existing law(s) at the Ontario Court of Justice by way of summary conviction procedure; and/or
  - Divert or refer offences under a First Nation's existing law(s) to a community/restorative justice process.

#### **Activities and project costs that are not eligible for funding:**

- Development/enactment of new\*\* First Nation laws.
- Administrative costs exceeding 10% of the overall project costs.
- Project components already completed or fully funded through other sources.

\*\* Note: Funding for the development of new First Nation laws may be available through Indigenous Services Canada's [Professional and Institutional Development Program](#).

## **APPLICATION PROCESS AND TIMELINES**

- Applications will be accepted until **December 31, 2024**.
- The receipt of applications will be acknowledged electronically. Although IJD and Justice Canada will endeavour review applications expeditiously, applications may take approximately four weeks to process.

First Nations applying for funding under the Prosecution Pilot must include the following information in their application:

- A copy of any duly enacted First Nation law(s) the First Nation is seeking to include in the Pilot.
- The proposed enforcement service or mechanism to enforce the First Nation law(s) included in the Pilot (e.g., by-law officers, local police service).
- A description of the activities to be undertaken with funding under the Pilot.
- A budget proposal.

Before submitting your application, please ensure that you :

- Review the Prosecution Pilot Funding Guidelines in its entirety;
- Complete the entire application form and submit the required supporting information where applicable.

## **RECIPIENT OBLIGATIONS**

Successful applicants will be required to:

- Sign a Transfer Payment Agreement with Ontario (Ministry of the Attorney General, Indigenous Justice Division) outlining the terms and conditions for receiving funds;
- Carry at least \$2 million commercial general liability insurance coverage, and add "His Majesty the King in Right of Ontario as represented by the Attorney General" as a co-insured on this coverage before the Transfer Payment Agreement can be executed;
- Report back to IJD within the specified timeframes as outlined in the Transfer Payment Agreement in the form specified by the ministry;
- Allow IJD to verify and/or audit the information submitted (at the discretion of the ministry) to ensure that the information is complete and accurate, and that the funds were used for the intended purpose(s);
- Agree that if the funds were not or will not be used for the intended purpose(s), because specified activities were not completed, that IJD has the right at a future date to recover the funds that were transferred to the recipient;
- Advise IJD of any additional First Nation laws to be included in the Pilot after funding has been approved; and
- Obtain IJD's prior approval for any proposed change to the project after funding has been approved.

## **DISCLAIMER**

The provision of funding under the Prosecution Pilot is not an acknowledgement by the Government of Ontario of the validity or enforceability of any First Nation law or recognition of an inherent law, inherent right or an Aboriginal or treaty right pursuant to s. 35 of the *Constitution Act, 1982*. For greater certainty, the Government of Ontario respects the authority of the Ontario Court of Justice to determine which matters it can adjudicate.

Funding is dependent on the availability of funds. IJD and Justice Canada reserve the right, at their discretion, to fund or not fund any particular project for which an application has been submitted. Applicants should be aware that meeting the eligibility criteria as outlined above does not guarantee funding or a particular funding amount. Funds received may only be spent on eligible activities carried out during the funding year specified in the budget that will be attached to the Agreement.

## **COLLECTION AND SHARING OF INFORMATION**

IJD is subject to the *Freedom of Information and Protection of Privacy Act* (FIPPA). Personal information related to the Prosecution Pilot is collected by IJD for the proper administration of the program and will only be used for those purposes including evaluation of the application, administration of agreements, funding and reporting.

In accordance with subsection 38(2) of FIPPA, this collection of personal information is necessary to the proper administration of a lawfully authorized activity.

Information about Prosecution Pilot (including the names of First Nations approved for funding and the description of the work they are undertaking) may be made public by the Government of Ontario through public announcements.

Applicants should be aware that any information provided to IJD in connection with their application may be subject to disclosure in accordance with FIPPA requirements.

## **GET IN TOUCH**

Questions about the Prosecution Pilot and application process as well as the collection, use and disclosure of information may be directed to:

Indigenous Justice Division  
720 Bay Street, 4<sup>th</sup> Floor  
Toronto ON M7A 2S9

Sara Greenfield, Legal Counsel  
Email: [sara.greenfield@ontario.ca](mailto:sara.greenfield@ontario.ca)  
Telephone: (647) 967-2981

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Next Generation 9-1-1 (NG9-1-1) Transition Funding  
Supports - 2024-25 Call For Applications

<b>DATE OF ISSUE:</b>	<b>June 25, 2024</b>
<b>CLASSIFICATION:</b>	<b>For Action</b>
<b>RETENTION:</b>	<b>August 23, 2024</b>
<b>INDEX NO.:</b>	<b>24-0043</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Emergency Services Telecommunications Division, I am sharing a communication regarding the opening of the 2024-25 call for applications for Next Generation 9-1-1 (NG9-1-1) Transition Funding Supports. Applications for this transfer payment program can be submitted between June 25, 2024 and August 23, 2024, for funding to support municipalities, police service boards, and private entities currently operating a Public Safety Answering Point (PSAP) accepting and processing incoming 9-1-1 calls, and that participated in the 2023-24 NG9-1-1 transfer payment program.

For further information, including details around eligibility and upcoming information sessions, please review the attached memo from Joy Stevenson, Assistant Deputy Minister, Emergency Services Telecommunications Division, Ministry of the Solicitor General. If you have any questions regarding the attached memo, please contact [estd.ng9-1-1@ontario.ca](mailto:estd.ng9-1-1@ontario.ca) by email.

Sincerely,



Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachments

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General

21 College Street  
Suite 301  
Toronto ON M5G 2B3

21, rue College  
Bureau 301  
Toronto ON M5G 2B3

**DATE:** June 25, 2024

**MEMORANDUM TO:** Kenneth Weatherill  
Assistant Deputy Minister  
Public Safety Division

**FROM:** Joy Stevenson  
Assistant Deputy Minister  
Emergency Services Telecommunications Division

**SUBJECT:** **Next Generation 9-1-1 (NG9-1-1) Transition Funding Supports – opening of the 2024-25 call for applications**

---

Ontario is launching the 2024-25 call for applications to access the NG9-1-1 transfer payment program to support municipalities and 9-1-1 communication centres to transition their emergency response systems to NG9-1-1.

The funding, first announced in April 2022, is being provided over three years to help municipalities and their emergency response communication centres provide the infrastructure, technology upgrades and training needed to transition to NG9-1-1 by March 2025.

The 2024-25 NG9-1-1 funding program is open to municipalities, police service boards, and private entities currently operating a Public Safety Answering Point (PSAP) accepting and processing incoming 9-1-1 calls, and that participated in the 2023-24 NG9-1-1 transfer payment program. Applications will open on June 25, 2024, and can be submitted through the [Transfer Payment Ontario](#) portal up to August 23, 2024.

To help support applicants with the NG9-1-1 application process, including completion of the readiness assessment questionnaire and other application information, the Ministry of the Solicitor General, Emergency Services Telecommunication Division is offering information sessions to all applicants. Please refer to **Appendix A** for details on these sessions.

As with the 2023-24 application process, we encourage municipalities and their PSAP to jointly complete and submit the application.

We appreciate your support in sharing this letter with your membership to ensure all eligible applicants can access this funding.

On behalf of the Ministry of the Solicitor General, we look forward to working with you and your teams to support the transition to NG9-1-1 to enhance emergency response capabilities in Ontario.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Joy Stevenson, Assistant Deputy Minister  
Emergency Services Telecommunications Division  
Ministry of the Solicitor General

- c: Mario Di Tommaso, O.O.M. Deputy Solicitor General, Community Safety, Ministry of the Solicitor General  
Erin Hannah, Associate Deputy Minister, Modernization, Ministry of the Solicitor General  
Phil Thompson, Director NG9-1-1 and Public Safety Broadband Network, Emergency Services Telecommunications Division, Ministry of the Solicitor General



## Appendix A – NG9-1-1 Transition Funding Information Sessions

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Municipalities, police service boards, and private entities currently operating a PSAP accepting and processing incoming 9-1-1 calls and that also participated in the 2023-24 NG9-1-1 transfer payment program, are invited to work with their PSAP to apply for 2024-25 NG9-1-1 transition funding supports.

To access 2024-25 funding, eligible municipalities and their PSAPs must complete their application, including the readiness assessment questionnaire, project plan, and project budget. Further information on the eligibility criteria, application process and requirements has been posted to the [Get funding from the Ontario government | ontario.ca](https://www.ontario.ca/get-funding) website.

To support PSAPs and municipalities with the NG9-1-1 funding application process, the Emergency Services Telecommunication Division (ESTD) has scheduled the following virtual information sessions:

- Session A: June 27, 2024, 10:00 a.m. – 11:00 a.m.
- Session B: July 4, 2024, 10:00 a.m. – 11:00 a.m.
- Session C: July 9, 2024, 10:00 a.m. – 11:00 a.m.
- Session D: July 11, 2024, 10:00 a.m. – 11:00 a.m.

Each session will review the application process and provide an opportunity to address your questions. If you or members of your organization would like to attend one of these information sessions, please send an email to [estd.ng9-1-1@ontario.ca](mailto:estd.ng9-1-1@ontario.ca) with the following information:

- The virtual information session you would like to join
- Contact name(s)
- Email address(es) of attendees
- PSAP name and municipality

ESTD will send an email invitation with the information session information.

21 College Street  
Suite 301  
Toronto ON M5G 2B3

21, rue College  
Bureau 301  
Toronto ON M5G 2B3

**DATE:** 25 juin 2024

**MÉMORANDUM À:** Kenneth Weatherill  
Sous-ministre adjointe  
Division de la sécurité publique

**DEPUIS:** Joy Stevenson  
Sous-ministre adjointe  
Division des télécommunications des services d'urgence

**SUJETTE:** **Soutien financier à la transition vers le 9-1-1 de nouvelle  
génération (NG9-1-1) – ouverture de l'appel de candidatures  
2024-2025**

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L'Ontario lance l'appel de demandes 2024-2025 qui permettra aux municipalités et centres de communication 9-1-1 d'obtenir des fonds du programme de paiements de transfert pour les services 9-1-1 PG afin de les aider à faire la transition de leurs systèmes d'intervention d'urgence vers ces services.

Le financement triennal de 208 millions de dollars, initialement annoncé en avril 2022, est accordé aux municipalités et à leurs centres de communication d'intervention d'urgence pour les aider à obtenir l'infrastructure, les mises à niveau technologiques et la formation nécessaires à la transition vers les services 9-1-1 PG d'ici mars 2025.

Le programme de financement 2024-2025 pour les services 9-1-1 PG est ouvert aux municipalités, aux commissions de services policiers et aux entités privées qui exploitent actuellement un centre d'appels de la sécurité publique qui accepte et traite les appels 9-1-1 entrants et qui ont participé au programme de paiements de transfert 2023-2024 des services 9-1-1 PG. On pourra commencer à soumettre des demandes à compter de 25 juin 2024 par l'entremise du portail [Paiements de transfert Ontario](#) jusqu'en 23 août 2024.

Pour aider les demandeurs dans le cadre du processus de demande du Programme des services 9-1-1 PG, et notamment à remplir le questionnaire d'évaluation de l'état de préparation et à fournir d'autres renseignements concernant la demande, la Division des télécommunications des services d'urgence du ministère du Solliciteur général offre des séances d'information à tous les demandeurs. Veuillez consulter l'annexe A pour obtenir des détails au sujet de ces séances.

Comme pour le processus de demande 2023-2024, nous encourageons les municipalités et leurs centres d'appels de la sécurité publique à remplir et à soumettre conjointement la demande.

Nous vous prions de transmettre cette lettre à vos membres afin que tous les demandeurs admissibles puissent accéder à ce soutien financier.

Au nom du ministère du Solliciteur général, nous avons hâte de travailler avec vous et vos équipes pour appuyer la transition vers les services 9-1-1 PG et améliorer les capacités d'intervention d'urgence en Ontario.

Je vous prie de recevoir, mes sincères salutations.

A handwritten signature in black ink, appearing to be 'Joy Stevenson', with a large loop on the left and a horizontal line extending to the right.

Joy Stevenson, sous-ministre adjointe  
Division des télécommunications des services d'urgence  
Ministère du Solliciteur général

c. c. Mario Di Tommaso, O.M.O., sous-solliciteur général, Sécurité communautaire, ministère du Solliciteur général  
Erin Hannah, sous-ministre associée, Modernisation, ministère du Solliciteur général  
Phil Thompson, directeur, 9-1-1 PG et Réseau à large bande de la sécurité publique, Division des télécommunications des services d'urgence, ministère du Solliciteur général

## **Appendix A – Annexe A – Séances d’information sur le financement de la transition aux services 9-1-1 PG**

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Les municipalités, les commissions de services policiers et les entités privées qui exploitent actuellement un centre d’appels de la sécurité publique (CASP) acceptant et traitant les appels 9-1-1 entrants qui ont également participé au programme de paiements de transfert 2023-2024 pour les services 9-1-1 PG sont invités à collaborer avec leur CASP pour présenter une demande de soutien financier pour la transition vers les services 9-1-1 PG.

Pour avoir accès au financement de 2024-2025 pour les services 9-1-1 PG, les municipalités admissibles et leurs CASP doivent remplir leur demande en y incluant le questionnaire d’évaluation de l’état de préparation, le plan de projet et le budget du projet. De plus amples renseignements sur les critères d’admissibilité, le processus de demande et les exigences ont été affichés sur le site Web [Obtenir du financement du gouvernement de l’Ontario | ontario.ca](https://www.ontario.ca/fr/obtenir-du-financement-du-gouvernement-de-lontario).

Pour appuyer les CASP et les municipalités dans le cadre du processus de demande de financement des services 9-1-1 PG, la Division des télécommunications des services d’urgence (DTSU) du ministère du Solliciteur général a prévu les séances d’information virtuelles suivantes :

- Séance A – 27 juin 2024, de 10 h à 11 h
- Séance B – 4 juillet 2024, de 10 h à 11 h
- Séance C – 9 juillet 2024, de 10 h à 11 h
- Séance D – 11 juillet 2024, de 10 h à 11 h

Durant chaque séance, on examinera le processus de demande et on répondra à vos questions. Si vous ou des membres de votre organisation souhaitez assister à l’une de ces séances d’information, veuillez envoyer un courriel à [estd.ng9-1-1@ontario.ca](mailto:estd.ng9-1-1@ontario.ca) en fournissant les renseignements suivants :

- Séance d’information virtuelle à laquelle vous souhaitez participer
- Nom de la ou des personnes-ressources\*
- Adresse(s) de courriel des participants
- Nom du CASP et municipalité

La DTSU enverra une invitation par courriel contenant les renseignements sur la séance d’information.

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** *Towing and Storage Safety and Enforcement Act*  
*Education and Awareness Period Update and*  
*Amendment to O. Reg. 162/23*

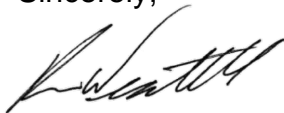
<b>DATE OF ISSUE:</b>	<b>June 25, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0044</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of Transportation, I am sharing an update to All Chiefs Memo 24-0021, distributed on March 28, 2024, to provide an update on the phased implementation of the *Towing and Storage Safety and Enforcement Act* (TSSEA) that impacts the towing and vehicle storage sectors.

For further information, please review the attached memo from Marcelle Crouse, Associate Deputy Minister, Transportation Safety Division, Ministry of Transportation.

If you have any questions, please contact Kim MacCarl, Manager, Transportation Safety Division, at [Kim.MacCarl@Ontario.ca](mailto:Kim.MacCarl@Ontario.ca).

Sincerely,



Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General

**Ministry of Transportation**

Transportation Safety Division

87 Sir William Hearst Avenue  
Room 191  
Toronto ON M3M 0B4  
Tel: (647) 535-6208

**Ministère des Transports**

Division de la sécurité en matière de transport

87, avenue Sir William Hearst  
bureau 191  
Toronto ON M3M 0B4  
Tél: (647) 535-6208



**MEMORANDUM TO:**

Kenneth Weatherill  
Assistant Deputy Minister  
Public Safety Division  
Ministry of the Solicitor General

**FROM:**

Marcelle Crouse  
Associate Deputy Minister  
Transportation Safety Division  
Ministry of Transportation

**DATE:**

June 25, 2024

**SUBJECT:**

**TSSEA Education and Awareness period and amendment to  
O. Reg. 162/23**

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This memorandum is to provide an update on the education and awareness period of the *Towing and Storage Safety and Enforcement Act* (TSSEA) and to advise of an amendment to Ontario Regulation 162/23 – Charges for Towing and Vehicle Storage Services.

As per the March 28, 2024, All Chiefs Memo, the ministry implemented an extended education and awareness period to support the industry in adjusting to the new legislation. This extension will end on July 1<sup>st</sup>, 2024. The ministry thanks our police partners for their cooperation and efforts to educate the sector during the transition period.

Also, effective July 1, 2024, all tow truck drivers must have a TSSEA certificate to operate in Ontario.

The ministry is also advising of a recent amendment to Ontario Regulation 162/23, which allows for tow operators to charge for clean-up services within the Maximum Rate Schedule under basic towing services. This regulatory amendment took effect on June 14, 2024.

A full review of the Maximum Rate Schedule is underway and once the review is complete, the ministry will consult with industry prior to implementing further amendments.

To learn more about Ontario's tow and vehicle storage requirements, customer rights and rates, please visit:

- [Ontario.ca/towstoragecertificate](https://ontario.ca/towstoragecertificate)
- [Towing and vehicle storage requirements | ontario.ca](#)
- [Submit tow and vehicle storage rates | ontario.ca](#)
- [Know your rights when getting a tow | ontario.ca](#)

If you have any further questions, please contact Kim MacCarl, Manager, Transportation Safety Division at [Kim.MacCarl@Ontario.ca](mailto:Kim.MacCarl@Ontario.ca)



Marcelle Crouse  
Associate Deputy Minister  
Transportation Safety Division

c: Jennifer Elliott, Director, Commercial Safety and Compliance Branch,  
Transportation Safety Division

Sean McGowan, Director, Commercial Inspection and Enforcement Branch,  
Transportation Safety Division



Ministry of the Solicitor General

Public Safety Division

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3

Telephone: (416) 314-3377  
Facsimile: (416) 314-4037

Ministère du Solliciteur général

Division de la sécurité publique

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3

Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037



**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Automatic Vehicle Permit (Licence Plate) Validation

<b>DATE OF ISSUE:</b>	<b>June 26, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0045</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of Transportation, I am sharing an update on recent amendments under the *Highway Traffic Act* regarding the expiry and renewal of licence plates that will come into force on July 1, 2024.

For information on these changes, please review the attached memo from Marcelle Crouse, Associate Deputy Minister, Transportation Safety Division, Ministry of Transportation. If you have any further questions, please contact Frank Iannuzzi, Manager, Vehicle Program Development Office at [Frank.Iannuzzi@ontario.ca](mailto:Frank.Iannuzzi@ontario.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Weatherill".

Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General

**Ministry of Transportation**

Transportation Safety Division

87 Sir William Hearst Avenue  
Room 191  
Toronto ON M3M 0B4  
Tel.: (647) 535-6208

**Ministère des Transports**

Division de la sécurité en matière de transport

87, avenue Sir William Hearst  
bureau 191  
Toronto ON M3M 0B4  
Tél. (647) 535-6208



**MEMORANDUM TO:** Kenneth Weatherill  
Assistant Deputy Minister  
Public Safety Division  
Ministry of the Solicitor General

**FROM:** Marcelle Crouse  
Associate Deputy Minister  
Transportation Safety Division  
Ministry of Transportation

**DATE:** June 26, 2024

**SUBJECT:** **Automatic Vehicle Permit (Licence Plate) Validation**

---

This memorandum is to advise the policing community of recent amendments to the *Highway Traffic Act* (HTA) that will come into force on July 1, 2024.

On May 16, 2024, the *Get It Done Act, 2024* (formerly Bill 162) received Royal Assent. Among the various changes, it enables the government to automatically renew licence plates for most passenger vehicles, light duty commercial vehicles ( $\leq 3000\text{kg}$ ), motorcycles, limited speed motorcycles, and mopeds (in-scope vehicles). Only vehicles registered to individuals (or jointly between two individuals) are eligible at this time. Vehicles registered to companies are not in scope.

Effective July 1, 2024, when a licence plate expiry date approaches, the Ministry of Transportation (MTO) will attempt to renew these plates automatically. If an eligible in-scope vehicle is insured and has no defaulted fines or tolls, its plates will be automatically renewed for one year. If the plates of an eligible vehicle cannot be renewed due to a fine, toll, or insurance issue, the vehicle owner will be notified by paper or digital notification of the issue and steps they need to take to renew their plate. Expired plates will be subject to roadside enforcement and vehicle owners must continue to update address changes within six (6) days of moving.

Please note, starting on July 1, 2024, the Ministry of Transportation will also make a one-time attempt to renew all eligible plates that have expired since January 2020. For plates that cannot be renewed due to fines, tolls or insurance issues, vehicle owners who have not provided digital contact information will receive a paper notice sent to the last address on record indicating the steps they need to take to renew.

Vehicle owners who pay their defaulted fines on or near their expiry date may still appear on the hotlist because of delays in updating MTO's system. To ensure vehicle owners are not incorrectly flagged due to system update delays, there will be a delay flagging expired plates to the Automated Licence Plate Reader (ALPR) Hotlist, until seven (7) calendar days has elapsed from the time of expiry. All other ALPR hotlist data will remain the same.

Since the program will ensure that no in-scope vehicle owner has their plate expire simply because they forgot to renew, we expect to see a decrease in the number of expired plates for eligible vehicles on the road.

I also want to acknowledge the sustained efforts of our policing partners as they continue to take a measured, risk-based approach to roadside enforcement.

Public education and awareness are critical to ensuring successful implementation as we modernize vehicle registration and related processes. As a key partner, police services will continue to be engaged appropriately to ensure operational alignment of new programs or other changes and to support effective roadside interaction.

**BACKGROUND:**

On February 22, 2022, the government announced it was making life more affordable and convenient for nearly eight million vehicle owners by eliminating licence plate renewal fees and the requirement to have a licence plate sticker for passenger vehicles, light-duty trucks, motorcycles and mopeds, effective March 13, 2022. In addition, the government indicated that vehicle owners will still be required to renew their licence plate every one or two years at no cost.

Please contact **Frank Iannuzzi, Manager, Vehicle Program Development Office** at [Frank.Iannuzzi@ontario.ca](mailto:Frank.Iannuzzi@ontario.ca) with any further questions you may have.

Thank you for your assistance.



Marcelle Crouse  
Associate Deputy Minister, Transportation Safety Division  
Ministry of Transportation

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Provincial Bail Compliance Dashboard – Security  
Access Requirements

<b>DATE OF ISSUE:</b>	<b>June 26, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0046</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ontario Provincial Police (OPP), I am sharing this communication on security requirements for policing partners seeking access to the Provincial Bail Compliance Dashboard (BCD).

Beginning in summer 2024, the Provincial BCD will help enhance the monitoring of high-risk offenders by providing a situational awareness tool for frontline officers across the province.

For further information, please review the attached memo from Deputy Commissioner Rohan Thompson, Traffic Safety and Operational Support, OPP. If you have any questions regarding the attached memo, please contact Chloe Patsakos, Director of IT and Telecommunications, OPP by email at [Chloe.Patsakos@opp.ca](mailto:Chloe.Patsakos@opp.ca) or Marilyn MacSephney, Senior Manager, Solution Deliver, OPP at [Marilyn.MacSephney@opp.ca](mailto:Marilyn.MacSephney@opp.ca).

Sincerely,



Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General



June 19, 2024

**MEMORANDUM TO:**      Kenneth Weatherill, Assistant Deputy Minister  
Public Safety Division  
Ministry of the Solicitor General

**FROM:**                      Rohan Thompson, Deputy Commissioner  
Traffic Safety and Operational Support  
Ontario Provincial Police

**SUBJECT:**                      **Provincial Bail Compliance Dashboard –  
Security Access Requirements**

---

I am writing to request the dissemination of an All Chiefs Memo to Ontario Chiefs of Police, to apprise our policing partners of the security requirements to access the Provincial Bail Compliance Dashboard (BCD). This technology solution is currently under development within the Ontario Provincial Police (OPP), in collaboration with the Toronto Police Service and other Ontario justice sector partners, with a phased launch scheduled to commence in summer 2024.

Due to the highly sensitive nature of the data contained in this OPP-hosted dashboard application, the following security provisions will apply for onboarding and accessing the Provincial BCD:

- All agencies wishing to be onboarded and access the Provincial BCD must have a valid National Police Services Network (NPSNet) Connection Authorization Change Request (NCACR) with the Ontario Police Technology Information Cooperative (OPTIC), the Emergency Services Cooperative Ontario (ESCO) group, or the Royal Canadian Mounted Police (RCMP), as applicable.
- Any agency whose NCACR is expiring within six (6) months will be required to provide written confirmation that preparations for their NCACR renewal are underway, and that they will remain in compliance with the access requirements by maintaining a valid NCACR.

Efforts will be made at the program level to work with any agency that does not meet the security requirements, to support compliance. If an agency's compliance lapses, the matter will be referred to an executive steering committee for further action, which may include denying, revoking or restricting access to the Provincial BCD where necessary to ensure the security of law enforcement data.

Thank you for your assistance in communicating this messaging to our policing partners in Ontario.

A handwritten signature in black ink, appearing to read "R. Thompson", is written in a cursive style.

Deputy Commissioner Rohan Thompson  
Traffic Safety and Operational Support  
Ontario Provincial Police

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **New Educational Hate Crime Training for Police  
Services Across Ontario**

<b>DATE OF ISSUE:</b>	<b>June 28, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0047</b>
<b>PRIORITY:</b>	<b>Normal</b>

Further to All Chiefs Memo 24-0027, issued on May 1, 2024, the Ministries of the Solicitor General and the Attorney General have developed the online educational training to support police services in their understanding of identifying and enforcing hate crimes.

This educational training, entitled ***Navigating the Complexities of Hate – A Primer for Law Enforcement***, is now accessible through the [Ontario Police College Virtual Academy \(OPCVA\)](#).

If you have any questions about this training, please contact Instructor Amy Cook by email at [Amy.Cook@ontario.ca](mailto:Amy.Cook@ontario.ca). For questions related to accessing the OPCVA, please contact the Ontario Police College Distance Learning unit by email at [OPCDL@ontario.ca](mailto:OPCDL@ontario.ca).

Sincerely,



Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety



Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **Amended Set Fine Order s. 7 (1) (a) and (c) of the  
*Highway Traffic Act***

<b>DATE OF ISSUE:</b>	<b>July 9, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0048</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of Transportation, I am sharing an update on recent amendments under the [Highway Traffic Act](#) (HTA) which came into force on July 1, 2024.

Amendments have been made to the HTA to the set fine structure under section 7 (1) (a) for driving a motor vehicle without a valid permit and 7 (1) (c) for driving a motor vehicle with no validation on the plate or the validation is improperly affixed.

For further information on these changes, please review the attached memo from Marcelle Crouse, Associate Deputy Minister, Transportation Safety Division, Ministry of Transportation. If you have any questions, please contact Frank Iannuzzi, Manager, Vehicle Program Development Office at [Frank.Iannuzzi@ontario.ca](mailto:Frank.Iannuzzi@ontario.ca).

Sincerely,



Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachments

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

**Ministry of Transportation**

Transportation Safety Division

87 Sir William Hearst Avenue  
Room 191  
Toronto ON M3M 0B4  
Tel.: (416) 420-0717

**Ministère des Transports**

Division de la sécurité en matière de transport

87, avenue Sir William Hearst  
bureau 191  
Toronto ON M3M 0B4  
Tél. (416) 420-0717



**MEMORANDUM TO:** Kenneth Weatherill  
Assistant Deputy Minister  
Public Safety Division  
Ministry of the Solicitor General

**FROM:** Marcelle Crouse  
Associate Deputy Minister  
Transportation Safety Division  
Ministry of Transportation

**DATE:** July 09, 2024

**SUBJECT:** **Amended Set Fine Order s. 7 (1) (a) and (c) of the Highway Traffic Act**

---

I am sharing a communication on behalf of the Ministry of Transportation regarding the set fine increase for section 7 (1) (a) and (c) of the Highway Traffic Act (HTA) where no person shall drive a motor vehicle on a highway unless, there exists a currently validated permit for the vehicle, there is no validation on the plate or validation is improperly affixed.

Effective July 1, 2024, section 7 of the HTA has been amended to change that section's fine structure.

Clause 7 (1) (a) of the HTA is no longer a general penalty offence because subsections 7 (3.1) and (3.2) have been added to section 7 of the Act. The new penalty provisions state:

(3.1) Every person who contravenes clause (1) (a) is guilty of an offence and on conviction is liable to a fine of not less than \$100 and not more than \$1,000.

(3.2) Despite subsection (3.1), every person who contravenes clause (1) (a) is guilty of an offence and, if the offence was committed by means of a commercial motor vehicle, on conviction is liable to a fine of not less than \$250 and not more than \$2,500.

In 2022, clause 7 (1) (c) of the HTA was amended and revoked subclauses (i) and (ii). Subclauses (i) and (ii) no longer exist.

New short form wordings have recently been made for some parts of section 7, and these are reflected in the set fine order. Attached is an order for the new set fines in effect as of July 1, 2024.

*The Highway Traffic Act*

Item	Offence	Section	Set Fine
1.	Drive motor vehicle, no permit	7(1)(a)	\$125.00
1.1	Drive motor vehicle, no permit — commercial motor vehicle	7(1)(a)	\$400.00
2.	Drive motor vehicle, no currently validated permit	7(1)(a)	\$125.00
2.1	Drive motor vehicle, no currently validated permit — commercial motor vehicle	7(1)(a)	\$400.00
6.	Drive motor vehicle, no validation on plate	7(1)(c)	\$85.00
7.	Drive motor vehicle, validation improperly affixed	7(1)(c)	\$85.00

Please contact **Frank Iannuzzi, Manager, Vehicle Program Development Office** at [Frank.Iannuzzi@ontario.ca](mailto:Frank.Iannuzzi@ontario.ca) with any further questions you may have.

Thank you for your assistance.



Marcelle Crouse  
Associate Deputy Minister, Transportation Safety Division  
Ministry of Transportation

Office of the Deputy Solicitor General  
Community Safety

Bureau du sous-solliciteur général  
Sécurité communautaire

25 Grosvenor Street, 11<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel: 416 326-5060  
Fax: 416 327-0469

25, rue Grosvenor, 11<sup>e</sup> étage  
Toronto ON M7A 1Y6  
Tél. : 416 326-5060  
Télec. : 416 327-0469

133-2024-46  
**By email**

May 8, 2024

Dear Special Constable Employers:

As we have passed the one-month mark of the *Community Safety and Policing Act, 2019* (CSPA) coming into force, I would like to thank you for your commitment and dedication to coming into alignment with the requirements set out in the Act and Regulations.

As a follow-up to the communications sent to you by the Ministry of the Solicitor General's Public Safety Division on March 15, 21, and 25, 2024, and to support you in your application to become an authorized special constable employer, please review [Ontario Regulation 396/23](#) to ensure your application is compliant with the requirements set out within. Additionally, the *Police Services Act* is no longer in force; therefore, documentation that is submitted in support of demonstrating that requirements are met should be current and reflect the CSPA, including the Memorandum of Understanding. Police Service Boards are encouraged to work with organizations that are seeking to become authorized employers, including updating documentation that is required under the CSPA in a timely manner.

Employers who currently employ special constables under the *Police Services Act* may continue to employ special constables whose appointments carry on for up to three years from when the CSPA came into force (i.e., up to April 1, 2027), or are set to expire before April 1, 2027, whichever comes first.

Expired special constable appointments cannot be renewed by the police service board of jurisdiction or the Commissioner of the Ontario Provincial Police unless the employer is authorized as a special constable employer. No new special constables may be appointed unless the employer is an authorized special constable employer.

Should you have any questions about the application process, please contact [Andrea.D'Silva@ontario.ca](mailto:Andrea.D'Silva@ontario.ca) and [Sarah.Marshall@ontario.ca](mailto:Sarah.Marshall@ontario.ca), Senior Policy Advisors, External Relations Branch, Public Safety Division.

Thank you for your ongoing collaboration throughout this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario Di Tommaso". The signature is fluid and cursive, with the first name "Mario" and last name "Tommaso" clearly distinguishable.

Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

c: Kenneth Weatherill  
Assistant Deputy Minister, Public Safety Division

Michelina Longo  
Director, External Relations Branch

Ontario Chiefs of Police

Thomas Carrique, C.O.M.  
Commissioner, Ontario Provincial Police

Ontario Police Service Boards



Ministry of the Solicitor General

Public Safety Division

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3

Telephone: (416) 314-3377  
Facsimile: (416) 314-4037

Ministère du Solliciteur général

Division de la sécurité publique

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3

Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037



**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **Transfer of Criminal Offences of a Sexual Nature from  
the Military Justice System to the Civilian Justice  
System**

<b>DATE OF ISSUE:</b>	<b>July 12, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0049</b>
<b>PRIORITY:</b>	<b>Normal</b>

I am sharing the attached communication at the request of the Ministry of the Solicitor General's Strategic Policy Division regarding the transfer of military sexual offence cases to civilian jurisdiction.

Please review the attached memo from Sarah Caldwell, Assistant Deputy Minister, Strategic Policy Division, Ministry of the Solicitor General for further details. If you have any questions regarding the transfer of cases, please contact Sheela Subramanian, Director, Community Safety and Intergovernmental Policy Branch, at 416-710-9401 or [Sheela.Subramanian@ontario.ca](mailto:Sheela.Subramanian@ontario.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Weatherill", written in a cursive style.

Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

**MEMORANDUM TO:** Kenneth Weatherill  
Assistant Deputy Minister  
Public Safety Division

**FROM:** Sarah Caldwell  
Assistant Deputy Minister  
Strategic Policy Division

**SUBJECT:** **Memorandum of Understanding between the Department of National Defence, the Ontario Ministry of the Attorney General and the Ontario Ministry of the Solicitor General relating to the transfer of military investigations of alleged sexual offenses to civilian authorities**

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I am writing to inform you that effective May 17, 2024 a Memorandum of Understanding (MOU) came into effect between the Ministries of the Solicitor General and Attorney General and the Department of National Defence on the interim transfer of jurisdiction over *Criminal Code* sexual offenses from the military justice system to the civilian justice system.

#### Notification of MOU

In April 2021, the Department of National Defence announced that former Supreme Court Justice Louise Arbour would conduct an Independent External Comprehensive Review (IECR) of policies, procedures, programs and culture within the Department of National Defence (DND) and the Canadian Armed Forces (CAF).

In her May 2022 Final Report, Justice Arbour recommended the complete removal of *Criminal Code* sexual offenses from the jurisdiction of the CAF. In Ontario, the interim transfer of cases began in October 2021, following Canada's adoption of Justice Arbour's interim recommendation.

The MOU sets out a framework for continued cooperation and coordination, including with CAF, to support the implementation of the IECR interim recommendation to remove *Criminal Code* sexual offenses from the jurisdiction of the CAF. It outlines principles related to ongoing, transparent, and timely coordination, as well as information sharing related to the manner in which transfers occur, investigations and prosecutions are

conducted, and victim support is provided. The MOU was informed by input received from both municipal police services and the Ontario Provincial Police.

### Information on Bill C-66

On March 21, 2024, Canada introduced [Bill C-66, the \*Military Justice System Modernization Act\*](#). The bill proposes to permanently remove CAF jurisdiction to investigate and prosecute *Criminal Code* sexual offences that were committed in Canada. Once in force, civilian police services will not be able to decline any transfer of cases and investigations. The proposed legislation would provide exclusive jurisdiction to civilian authorities to investigate and try sexual offences committed in Canada, while allowing for military police to retain authority to secure and preserve evidence and perform certain necessary investigative measures (e.g., make an arrest, conduct a search incident to arrest) prior to the arrival of civilian authorities.

### Next Steps regarding the MOU and Bill C-66

Currently, the ministry's focus is on the operational protocols under the MOU to ensure the efficient and effective transfer of cases to civilian authorities, in response to both the interim recommendations and Bill C-66. The Ministry of the Solicitor General will continue to work with the Ontario Association of Chiefs of Police Working Group and the Ontario Provincial Police to finalize the details and operational needs associated with the case transfer process, both for the interim period and going forward.

If you have any questions regarding the transfer of cases, please contact Sheela Subramanian, Director, Community Safety and Intergovernmental Policy Branch at (416) 710-9401 or [Sheela.Subramanian@ontario.ca](mailto:Sheela.Subramanian@ontario.ca).

Thank you for your assistance in communicating this.

Sincerely,



Sarah Caldwell  
Assistant Deputy Minister  
Strategic Policy Division

Ministry of the Solicitor General

Ministère du Solliciteur général



Public Safety Division

Division de la sécurité publique

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3

Telephone: (416) 314-3377  
Facsimile: (416) 314-4037

Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Amendments to R.R.O. 1990, Reg. 619 under the  
*Highway Traffic Act*

<b>DATE OF ISSUE:</b>	<b>July 17, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0050</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of Transportation, I am sharing an update on recent amendments to [R.R.O. 1990, Reg. 619](#) under the [Highway Traffic Act](#). The amendments came into force on July 12, 2024 and establish a speed limit of 110 km/h on nine sections of provincial freeways in southern Ontario and one section in Northern Ontario.

For further information on these changes, please review the attached memo from Jasan Boparai, Assistant Deputy Minister, Operations Division, Ministry of Transportation. If you have any questions, please contact Justin White, Head of the Safety Information Management Section, Provincial Traffic Office by phone at (905) 321-5103 or email at [Justin.White@ontario.ca](mailto:Justin.White@ontario.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Weatherill".

Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

**Ministry of Transportation**

Assistant Deputy Minister's Office  
Operations Division

777 Bay Street  
7th Floor, Suite 700  
Toronto ON M7A 1Z8  
Tel: 416 327-9044

**Ministère des Transports**

Bureau du sous-ministre adjoint  
Division des opérations

777, rue Bay  
7e étage, bureau 700  
Toronto ON M7A 1Z8  
Tél. : 416 327-9044



July 12, 2024

**Memorandum to:**

Kenneth Weatherill  
Assistant Deputy Minister, Public Safety Division  
Ministry of the Solicitor General

**From:**

Jasan Boparai  
Assistant Deputy Minister, Operations Division  
Ministry of Transportation

**Re:**

**Speed Limit Initiative – Phase 2**

---

This memorandum is to advise the policing community of recent amendments to O. Reg. 619: SPEED LIMITS under the Highway Traffic Act (HTA), that come into effect on July 12, 2024.

The amendments to R.R.O. 1990, Reg. 619 establish a speed limit of 110 km/h on nine sections of provincial freeways in southern Ontario and one section in Northern Ontario. This will add to the previously approved permanent speed limit increase to 110 km/h at six sections of provincial freeways in Southern Ontario and at two trial sections in Northern Ontario implemented in April 2022. The two trial sections in Northern Ontario are to remain at 110 km/h and no regulatory work is required to make these permanent.

The locations are listed below and are highlighted on the map at Appendix A:

- Existing 110 km/h speed limit sections implemented in April 2022:
  - QEW from Hamilton to St. Catharines
  - Hwy 402 from London to Sarnia
  - Hwy 417 from Ottawa to the Ontario / Quebec Border
  - Hwy 401 from Windsor to Tilbury
  - Hwy 404 from Newmarket to Woodbine
  - Hwy 417 from Kanata to Arnprior
  - Hwy 400 from MacTier to Nobel – 2 year trial now permanent
  - Hwy 11 from Emsdale to South River – 2 year trial now permanent
  
- July 2024 110 km/h speed limit sections:
  - Hwy 401 from Essex Rd 42 in Tilbury to Merlin Dr
  - Hwy 401 from Hwy 35/115 to Burnham St/County Rd 18 (Cobourg)
  - Hwy 401 from County Rd 25 (Colborne) to Sidney Street (Belleville)

- Hwy 401 from east of Hwy 37 (Belleville) to west of County Rd 38 (Kingston)
- Hwy 401 from Hwy 16 to Quebec boundary
- Hwy 403 from Middletown Line (Woodstock) to Oak Park Rd (Brantford)
- Hwy 403 from Garden Ave (Brantford) to Highway 52 (west boundary limit) (Hamilton)
- Hwy 406 from south of St. David's Rd (Thorold) to Niagara Regional Rd 27 (Welland)
- Hwy 416 from north of Hwy 401 to north of Fallowfield Rd/County Rd 12 (Ottawa)
- Hwy 69 from north of Hwy 537 (Sudbury) to south of Pickerel River Rd (French River/Killarney)

Consistent with all speed limits on provincial highways that differ from statutory speed limits, the start of each 110 km/h section will have a 110 km/h Begins sign and the leaving end will have the appropriate speed limit Begins sign.

I ask you to kindly bring this memorandum to the attention of police services. Please direct any questions regarding these amendments to Justin White, Head, Safety Information Management Section, Provincial Traffic Office at (905) 321-5103 or via email at [Justin.White@ontario.ca](mailto:Justin.White@ontario.ca).

Thank you for your assistance in communicating these changes.

Sincerely,

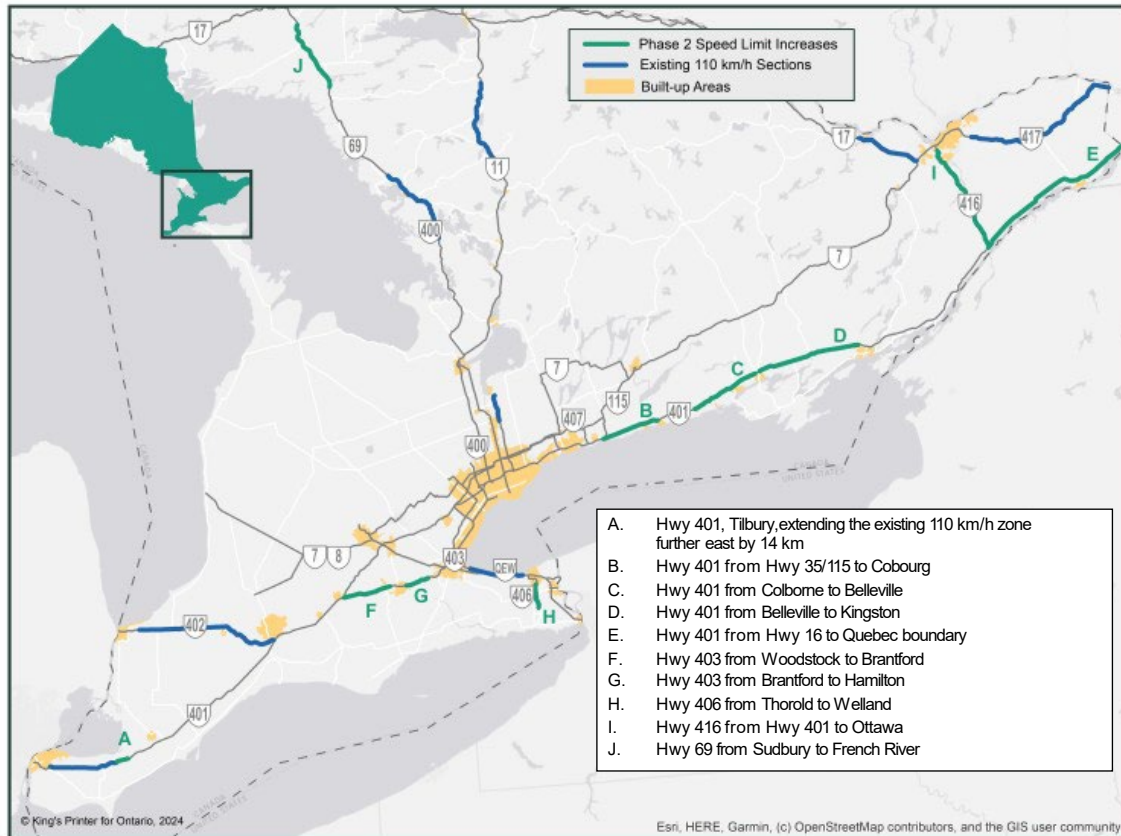


Jasan Boparai, P.Eng.  
Assistant Deputy Minister

Attachment. Appendix A – Map Showing 110 km/h Speed Limit Sections

## APPENDIX A

### Map Showing 110 km/h Speed Limit Sections



**Ministry of the Solicitor General**

Public Safety Division

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3

Telephone: (416) 314-3377  
Facsimile: (416) 314-4037

**Ministère du Solliciteur général**

Division de la sécurité publique

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3

Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037



**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **Office of the Chief Coroner and Ontario Forensic  
Pathology Service Management of Found Skeletal  
Remains Procedure**

<b>DATE OF ISSUE:</b>	<b>July 31, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0051</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of Dr. Dirk Huyer, Chief Coroner for Ontario, and Dr. Michael Pollanen, Chief Forensic Pathologist for Ontario, I am sharing a communication regarding the Office of the Chief Coroner's and Ontario Forensic Pathology Service's new procedure, which provides guidance on the management of found skeletal remains in Ontario that are apparently not of recent origin. The procedure applies to all members of the death investigation service who may be involved when such skeletal remains are discovered.

Please review the attached memo and procedure document from Dr. Huyer and Dr. Pollanen for further details. If you have questions, please contact the Office of the Chief Coroner at [occ.inquiries@ontario.ca](mailto:occ.inquiries@ontario.ca) by email or 416-314-4000 by phone.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Weatherill".

Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachments

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety



Forensic Services and  
Coroners Complex  
25 Morton Shulman Avenue  
Toronto ON M3M 0B1

Complexe des sciences judiciaires  
et du coroner  
25, Avenue Morton Shulman  
Toronto ON M3M 0B1

Telephone: (416) 314-4000  
Facsimile: (416) 314-4030

Téléphone: (416) 314-4000  
Télécopieur: (416) 314-4030

C24-107

**MEMORANDUM TO:** Ken Weatherill, Assistant Deputy Minister  
Public Safety Division, Ministry of the Solicitor General

**FROM:** Dr. Dirk Huyer  
Chief Coroner for Ontario

Dr. Michael Pollanen  
Chief Forensic Pathologist for Ontario

**DATE:** July 31, 2024

**RE:** **Management of Found Skeletal Remains Procedure**

---

We are writing to request an All-Chiefs Memorandum to share a new procedure guiding management of found skeletal remains in Ontario that are apparently not of recent origin. The procedure has been finalized and is now operational.

The Management of Found Skeletal Remains (Apparently not recent) procedure outlines a stepwise approach when the Office of the Chief Coroner/Ontario Forensic Pathology Service (OCC/OFPS) is notified about the discovery of skeletal remains that considers overlapping interests and jurisdictions. Some key highlights of the procedure include:

- Process flows when police services are initially notified of the discovery of skeletal remains of unknown origin
  - Police will contact the **Provincial Dispatch Unit** in Toronto (**416-314-4100** or 1-855-299-4100) to report the discovery of skeletal remains. Provincial Dispatch will engage the forensic anthropologist on-call
- Responsibilities at the scene if there is no concern of foul play requiring further investigation by the OCC/OFPS
- OCC/OFPS step-by-step process for early notification of Indigenous communities

Found human skeletal remains have a profound impact on Indigenous communities. The OCC/OFPS will engage in early notification of Indigenous communities to ensure timely

involvement with discovery of their Ancestors. The Indigenous representatives will provide input into consideration/involvement of cultural traditions, practices and ceremony. Collaborative and respectful discussion between the OCC/OFPS and communities will inform the approach followed when human skeletal remains, potentially of Indigenous ancestry, are discovered.

The procedure document is attached for your information. If you have any questions, please contact the Office of the Chief Coroner at [occ.inquiries@ontario.ca](mailto:occ.inquiries@ontario.ca) or 416-314-4000.

Sincerely,



Dirk Huyer  
Chief Coroner for Ontario



Michael S. Pollanen  
Chief Forensic Pathologist for Ontario

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

OCC	Management of Found Skeletal Remains	Document ID: 4804
	Effective: Thursday June 27, 2024	Revision: 2

## Management of Found Skeletal Remains

### (Apparently not recent)

## PROCEDURE

### 4804.1 PURPOSE

The purpose of this document is to outline the approach to be followed when the Office of the Chief Coroner/Ontario Forensic Pathology Service (OCC/OFPS) is notified about the discovery of skeletal remains that are apparently not recent.

#### **NOTE: Approach to Recent Deaths**

If the information reported suggests that the discovered remains represent a recent death and/or a criminally suspicious death, routine death investigation approaches must be followed, including, but not limited to:

- Coroner notification
- Police involvement (if not already involved)
- Coroner and police scene attendance

The approach to scene management, including involvement of forensic anthropology expertise will be informed through discussion with the Regional Supervising Coroner (RSC) and the OFPS forensic pathologist (FP) on-call. Circumstances that should be investigated as recent deaths include, but are not limited to:

- Potential discovery of remains of a missing person
- Potential for identification arising from investigation information or scene findings (e.g., personal identifiers present with the remains)
- Findings of potential foul play, including apparent clandestine burials
- Surface scattered remains

### 4804.2 INTRODUCTION

The authority for the coroner to take possession of and examine human skeletal remains is found in the *Coroners Act* s.10 (1), s.15 (1) and s.28 (1). Forensic anthropologists (FAs) are experts in the study of bones in the medicolegal context. FAs make an important contribution to the OCC/OFPS in death investigations involving skeletonized, burned, mutilated or otherwise unrecognizable remains. In Ontario, FAs act as consultants to FPs, who are ultimately accountable for the postmortem examination of remains. Early involvement of FPs is expected when remains appear recent and/or when criminally suspicious.

This document summarizes best practices that consider the overlapping interests and jurisdictions of ministries, agencies, police services, Indigenous communities and other government bodies

**PRINTED VERSIONS OF THIS DOCUMENT ARE CONSIDERED UNCONTROLLED**

<b>OCC</b>	Management of Found Skeletal Remains	Document ID: 4804
	Effective: Thursday June 27, 2024	Revision: 2

that are involved when skeletal remains are found. The practices outlined here are applicable to the discovery of skeletal remains across Ontario.

Early notification of Indigenous communities is important to ensure appropriate consideration/involvement of cultural traditions, practices and ceremony. Collaborative and respectful discussion will inform the approach followed when human skeletal remains, potentially of Indigenous ancestry, are discovered.

### **4804.3 SCOPE**

This procedure applies to all members of the death investigation service who may be involved when skeletal remains that are apparently not recent are discovered.

### **4804.4 REFERENCES**

Coroners Act

Funeral, Burial and Cremation Services Act

How to Use Ontario Portal for Indigenous Consultation to Identify First Nations Contacts: Training Manual (QID 4812)

Human Vs Non-Human Anthropology Consultation – Notification and Case Management at the PFPU (QID 2941)

Management of Found Skeletal Remains - Email Templates (QID 4856)

Form for Case Information as Part of Official Referral of the Burial Site from the Forensic Anthropologist to the Registrar (QID 4857)

### **DEFINITIONS**

**Archaeological:** Where there are no concerns of recent foul play which require further investigation by the OCC/OFPS, human skeletal remains may be considered “archaeological” in nature

**Burial Site:** Land containing human remains that is not a cemetery

**Cemetery:** Land that has been established as a cemetery under the *Funeral, Burial and Cremation Services Act, 2002*, a private Act or a predecessor of one of them that related to cemeteries, or land that was recognized by the Registrar as a cemetery under a predecessor of this Act that related to cemeteries. It includes land that:

- Is known to contain human remains
- Was set aside to be used for the interment of human remains
- Was and continues to be set aside for the interment of human remains and
- Was and remains readily identifiable as land containing human remains

<b>OCC</b>	Management of Found Skeletal Remains	Document ID: 4804
	Effective: Thursday June 27, 2024	Revision: 2

**Forensic Interest**<sup>1</sup>: Demonstrated when the medicolegal death investigation system is engaged by others regarding the discovery of human skeletal remains (i.e., for assessment and investigation for potential foul play)

**Foul Play**: When information from the investigation following discovery of human skeletal remains raises concerns that the death may have resulted from the actions of others. These investigations are also characterized as criminally suspicious

**Recent**: Often described by investigators as less than 50 years, within the context of the criminal justice system. A decision about further investigation by the OCC/OFPS must be based upon the findings of individual investigations as opposed to a strictly applied time interval

**Registrar, Funeral, Burial and Cremation Services Act (FBCSA)**: Public servant within the Consumer Services Operations Division, Ontario Ministry of Public and Business Service Delivery (MPBSD) with statutory authority for burial sites under the *Funeral, Burial and Cremation Services Act, 2002*

#### 4804.5 ABBREVIATIONS

<b>BAO</b>	Bereavement Authority of Ontario
<b>BSI</b>	Burial Site Investigation
<b>FA(s)</b>	Forensic Anthropologist(s)
<b>FBCSA</b>	Funeral, Burial and Cremation Services Act
<b>FP(s)</b>	Forensic Pathologist(s)
<b>FPU(s)</b>	Forensic Pathology Unit(s)
<b>HPC</b>	High-Profile Case
<b>ID</b>	Identification
<b>MPBSD</b>	Ontario Ministry of Public and Business Service Delivery
<b>OCC</b>	Office of the Chief Coroner
<b>OFPS</b>	Ontario Forensic Pathology Service
<b>OPIC</b>	Ontario Portal for Indigenous Consultation
<b>PFPU</b>	Provincial Forensic Pathology Unit
<b>RA</b>	Regional Advisor
<b>RSC</b>	Regional Supervising Coroner

#### 4804.6 INVESTIGATIVE PROCESSES

The discovery of skeletal remains can occur in many contexts. Upon discovery of skeletal remains, the first issue is to determine if the bones are human. The decision for notification of the OCC/OFPS demonstrates that the discovery is of forensic significance (i.e., requesting a medicolegal opinion) to the person or organization who made the report.

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<sup>1</sup> NOTE: The term “not of forensic interest” may be considered inaccurate and potentially offensive by some Indigenous peoples.

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If the skeletal remains are determined to be human, the next step is to determine if there are concerns of foul play requiring further investigation by the OCC/OFPS.

#### **4804.6.1 Notification to OCC/OFPS**

The discovery of skeletal remains is most often reported to the local police service. The OCC/OFPS may also be notified directly of the discovery of skeletal remains by the person who discovered the remains, or any person having knowledge of the remains (e.g., a Chief of a First Nation or a member of that First Nation, a site monitor or archaeologist). The OCC/OFPS will then notify the local police, if required for investigative purposes (e.g., when criminally suspicious).

When police are notified of the discovery of skeletal remains of unknown origin:

1. The police service will contact the Provincial Dispatch Unit in Toronto to request examination by a FA to determine if the remains are human or non-human
2. Police, or another agency, will email Provincial Dispatch via [OCCDispatchers@ontario.ca](mailto:OCCDispatchers@ontario.ca) about the discovery. The email should include:
  - a. Photographs of found remains
  - b. Police occurrence number
  - c. Information as to whether the scene is being held pending FA review

Following the procedure [Human Vs Non-Human Anthropology Consultation – Notification and Case Management at the PFPU \(QID 2941\)](#), Provincial Dispatch will create an F-Path (OFPS case management system) accession and forward the photographs to the FA on-call, copying the Identification (ID) team, for determination.

**NOTE:** When representatives from Indigenous communities express concerns with, or object to, photographs being taken of found skeletal remains, the coroner and FA, supported by the RSC and Chief Coroner, are expected to discuss these concerns with Indigenous representatives and consider them on a case-by-case basis (e.g., discovery during an archaeological assessment with involvement of site monitors).

##### **4804.6.1.1 Outcome: Non-human**

If the FA determines that the remains are not human, the FA reports this to the police agency, Provincial Dispatch and the OCC/OFPS ID team by replying all to the original email. The ID team will upload any related documents to F-Path and formally close the accession (as per [Human Vs Non-Human Anthropology Consultation – Notification and Case Management at the PFPU \(QID 2941\)](#)). The email from the FA serves as the final FA report.

##### **4804.6.1.2 Outcome: Human**

If the FA determines that the remains are human, the FA will reply all and request Provincial Dispatch assign a coroner to the investigation, if a coroner is not already involved, and Dispatch will create a case in QuinC. Forensic pathologist involvement is expected when the remains are transferred to a forensic pathology unit (FPU) for further examination.

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The Provincial Dispatch Unit can be reached 24/7 by calling **416-314-4100** or **1-855-299-4100**.

The assigned coroner and FA (and FP when required) will discuss the available case-specific information and plan next steps, including necessary notifications, scene attendance and management.

The coroner will follow the **High-Profile Case (HPC) notification** (Type: Skel/Decomp/Fragmented and/or in Uncontrolled Environment) process and contact the RSC on-call.

#### *4804.6.1.2.1 Notification of Indigenous communities*

When the FA determines found skeletal remains are human, it is important that Indigenous communities are notified early to open the possibility of attending the scene and participating in discussions about managing the scene and the human remains.

#### Steps for notification of Indigenous communities:

1. After contact by the coroner through the HPC notification process, the RSC notifies the appropriate OCC Regional Advisor (RA) by providing information about the scene (i.e., municipal address)
2. The assigned coroner, supported as necessary by the RSC and RA, in consultation with the FA, determines whether any representatives from Indigenous communities have been involved in the undertaking that resulted in the discovery of human remains (e.g., Indigenous field representatives present during an archaeological assessment). If yes:
  - a. The coroner will request contact information from these representatives. If the representatives indicate that a different person or organization in their community should be contacted instead, the coroner will provide this person's contact information.
3. The RA accesses the Ministry of Indigenous Affairs' [Ontario Portal for Indigenous Consultation](#) (OPIC) to identify the contact information for First Nations that are potentially associated with the location of discovery based on treaty territories, traditional territories, and/or nearby reserves (see [How to Use Ontario Portal for Indigenous Consultation Portal to Identify First Nations Contacts: Training Manual \(QID 4812\)](#) for step-by-step instructions).
  - a. Search municipal address in portal
  - b. List representative Indigenous community/ies based on treaty territories, traditional territories, and/or nearby reserves
  - c. Search contact information for each identified representative Indigenous community/ies identified (use contact information for staff with archaeological experience and/or responsibilities, if available)
  - d. Email the list of contact information to the RSC, including the name, title, phone number and email address for individuals from representative First Nation(s)

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4. **Initial Notification:** The RSC notifies the First Nations contacts via email, informing them of the discovery and opening the opportunity of participating in next step discussions (e.g., attending the scene) (see [Appendix A in Management of Found Skeletal Remains: Email templates \(QID 4856\)](#)). The notification should include the following information, if known at the time of notification:
- Municipal address or legal description of the property on which the remains were found
  - Additional addresses if multiple scenes
  - Relevant circumstances of discovery (e.g., discovered by workers while preparing a site for a new home development, if found on surface of soil or in water, etc.)
  - Parties to the discovery (e.g., local police service member on scene, landowner, archaeologist (if involved), Indigenous representative(s), etc.)
  - Contact information for the police investigator, coroner, and FA, if involved
  - Date and time the coroner and/or FA attended the scene
  - Any actions taken to preserve, secure or protect the scene
  - Information on whether the remains are believed to be of Indigenous ancestry and/or the date of death, based on the initial determination by the FA, if any
  - Information about the nature of the site (e.g., cultural origin or religious affiliation, manner of interment, minimum number of individuals), if known
  - Investigative activities (e.g., if further examination by FA is required to understand potential time period of death; if the remains must be removed from the site and transferred to another location for more detailed examination)
5. **Update/Next Steps Communication:** If further investigation occurred, the RSC emails an update to all individuals included on the initial notification email, once the investigation is completed (see [Appendix B in Management of Found Skeletal Remains: Email templates \(QID 4856\)](#)).
- If there are concerns of foul play that require additional investigation by the OCC/OFPS and police, the email will inform First Nations contacts that the investigation is ongoing with police involvement, and no further information will be provided at this time
  - If there are no concerns of foul play requiring additional investigation by the OCC/OFPS, the email will inform First Nations contacts that the case is being referred to the MPBSD Registrar under the *Funeral, Burial and Cremation Services Act (FBCSA)*, and [FBCSARegistrar@ontario.ca](mailto:FBCSARegistrar@ontario.ca) will also be copied on the email
  - If the remains were found within a licensed cemetery, and there are no concerns of foul play requiring additional investigation by the OCC/OFPS, the email will inform First Nations contacts that the case is being referred to the Bereavement Authority of Ontario's (BAO) Registrar under the *Funeral, Burial and Cremation Services Act*, and [Registrar@TheBAO.ca](mailto:Registrar@TheBAO.ca) will also be copied on the email



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Further investigation by the death investigation service may be required to determine the following:

- a) Concerns of foul play requiring further investigation by the OCC/OFPS with police involvement
- b) Whether the skeletal remains are of potential Indigenous ancestry
- c) Where the skeletal remains originated from (see [section 1.7.2](#) for most common scenarios for discovery)

If the human remains are believed to be recent and/or require assessment or examination by a FA and/or FP (e.g., concerns of foul play), routine investigation processes for found human remains should be followed, including police involvement.

If the investigation does not raise concerns of foul play requiring further examination by a FA and/or a FP, follow [1.7.3 Notification of the Registrar, \*Funeral, Burial and Cremation Services Act\*](#).

**If there is reason to believe that the skeletal remains may be associated with a death of a child at an Indian Residential School or other government or church-run facility<sup>2</sup>, even if the remains are not recent, then the matter should be investigated by the OCC/OFPS to rule out foul play, prior to referral to the Registrar.**

#### **4804.6.2 Most Common Scenarios for Discovery**

##### **4804.6.2.1 Accidental discovery**

Police services are generally contacted initially when a member of the public discovers skeletal remains. The OCC/OFPS may also be notified directly of the discovery of skeletal remains by the person who discovered the remains, or any person having knowledge of the remains (e.g., a Chief of a First Nation or a member of that First Nation, a site monitor or archaeologist). In such cases, the OCC/OFPS will notify the police, if required for investigative purposes (e.g., when criminally suspicious).

The police will attend, photograph the scene and the remains and contact Provincial Dispatch by phone to report the discovery. Provincial Dispatch will direct the police to email the photographs to [OCCDispatchers@ontario.ca](mailto:OCCDispatchers@ontario.ca).

**NOTE:** When representatives from Indigenous communities express concerns with, or object to, photographs being taken of found skeletal remains, the coroner and FA, supported by the RSC and Chief Coroner, are expected to discuss these concerns with Indigenous representatives and consider them on a case-by-case basis, (e.g., discovery during an archaeological assessment with involvement of site monitors).

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<sup>2</sup> May include Federal Hostels, recognized, or not recognized, under the Indian Residential School Settlement Agreement (IRSSA), and other associated institutions, such as hospitals (including psychiatric hospitals and sanatoria), Indian hospitals, reformatories, and industrial schools.

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Provincial Dispatch will send the photographs to the FA on-call (copying the ID team at [Identification@ontario.ca](mailto:Identification@ontario.ca)) to make a determination, whether the person contacting Provincial Dispatch believes the remains are human or not (see [Human Vs Non-Human Anthropology Consultation – Notification and Case Management at the PFPU \(QID 2941\)](#)).

If the remains are determined to be human, early notification of Indigenous communities is expected (see [1.7.1.1 Outcomes](#) for notification of Indigenous communities).

If the remains are determined to be human, the FA must determine the nature/context of the remains. The FA may be able to make this determination from submitted photographs, though the FA will often need to attend the scene and, in some situations, transfer the remains for further examination. Scene attendance should be planned together with the FA, coroner and police services, with RSC support, as well as discussion with Indigenous communities.

**NOTE:** The coroner is expected to notify the FP on-call if the remains are transferred to a FPU for further examination.

In some cases, the FA may need to conduct minimal excavation of the remains at the scene to determine whether foul play may be suspected. Efforts should be made to minimize site disturbance. **All bone and associated grave-related materials still embedded in the ground should not be disturbed unless removal is essential for investigative purposes or unless leaving them in place may cause them to be harmed, damaged, or destroyed.**

If further examination of skeletal remains by the FA and/or FP is required to determine the potential of foul play concerns, discussion with Indigenous representatives regarding next steps is expected, particularly prior to undertaking destructive testing to inform the potential for foul play requiring further investigation by the OCC/OFPS (e.g., DNA testing or carbon dating).

The presence of concerns of foul play requiring further investigation by the OCC/OFPS will be determined through discussion involving the FA, FP, coroner and police services, with RSC support. When concerns remain, investigation by the death investigation team, including police services, will continue.

#### 4804.6.2.2 Archaeological assessment

If potential human remains are discovered during an archaeological assessment, any person on site who has knowledge of the presence of human remains must contact the local police or the OCC/OFPS by calling Provincial Dispatch to report the discovery.

**NOTE:** Indigenous Peoples express that discovery of a tooth represents an Ancestor. In circumstances where the found remains are teeth, or a tooth (i.e., no bones), the Registrar (see [1.7.3 Notification of the Registrar, Funeral, Burial and Cremation Services Act](#)) should be informed directly that under the authority of the *Coroners Act*, a tooth does not constitute a ‘body’, and the OCC does not have jurisdiction; therefore there are no concerns of foul play that require investigation by the OCC/OFPS.

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**The archaeological assessment must be paused pending review by the death investigation service and additional direction by the Registrar** (see [1.7.3 Notification of the Registrar, Funeral, Burial and Cremation Services Act](#)).

Dispatch will engage the FA on-call to initiate the process outlined in [1.7.2.1 Accidental Discovery](#).

The FA will contact the assigned coroner and contact the archaeologist for contextual information about the site, including the possible age of the burial and possible cultural affiliation, to assist in determining if there may be concerns of foul play requiring further investigation by the OCC/OFPS.

Early notification of Indigenous communities is expected (see [1.7.1.1 Outcomes](#) for notification of Indigenous communities).

**NOTE:** Skeletal remains determined to be archaeological should not be transported to a FPU unless secure storage is otherwise unavailable, or the archaeologist and/or Indigenous representatives feel that the skeletal remains are at risk of destruction or disturbance. Once formal referral has occurred (see [1.7.3 Notification of the Registrar, Funeral, Burial and Cremation Services Act](#)), the Registrar, in discussion with the archaeologist and Indigenous communities, will manage the burial site. If the remains are transported to a FPU for secure storage, the coroner and RSC will work together to arrange for the remains to be returned to the landowner or archaeologist for appropriate repatriation. The FPU will support repatriation as needed.

#### 4804.6.2.3 Cemetery discovery

When unanticipated or unmarked skeletal remains are discovered in a licensed cemetery (active or inactive), the police will usually be contacted. The OCC/OFPS may also be notified directly of the discovery of skeletal remains by the person who discovered the remains, or any person having knowledge of the remains (e.g., a Chief of a First Nation or a member of that First Nation, a site monitor or archaeologist). In such cases, the OCC/OFPS will notify the police, if required for investigative purposes (e.g., when criminally suspicious).

Police will contact Provincial Dispatch to engage the FA on-call, copying the ID team. If the FA determines the remains are human, the FA will determine if the remains originated in the cemetery or not (follow process in [1.7.1 Notification to OCC/OFPS > Outcomes](#)). The FA may be able to make this determination from submitted photographs, though the FA will often need to attend the cemetery and, in some situations, transfer the remains for further examination.

If the remains are determined to have originated from the cemetery, the BAO must be notified by the attending coroner, in discussion with the FA and supported by the RSC, as required, via [Registrar@TheBAO.ca](mailto:Registrar@TheBAO.ca) or 647-483-2645. The BAO will assume responsibility for the investigation. The remains will be secured by cemetery staff and should not be transported to a FPU (see [Appendix C in Management of Found Skeletal Remains: Email templates \(QID 4856\)](#) & [Appendix D in Management of Found Skeletal Remains: Email templates \(QID 4856\)](#)); send to [Registrar@TheBAO.ca](mailto:Registrar@TheBAO.ca)).

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If the remains cannot be determined to have originated from the cemetery, they should be treated as an accidental discovery (see section [1.7.2.1 Accidental discovery](#)).

#### **4804.6.3 Notification of the Registrar, *Funeral, Burial and Cremation Services Act* & documentation**

Under Regulation 30/11 of the *FBCSA*, a coroner must ensure the Registrar is notified when a burial site is discovered, and a coroner must declare that foul play is not suspected in relation to the human remains at the site, to allow next steps to occur under the *FBCSA*.

The FA and the coroner, supported by the RSC and police services, will make the determination as to whether foul play requiring further investigation by the OCC/OFPS is suspected. Together, they will discuss next steps, including the plan for release of the site from the authority of the OCC/OFPS and referral to the Registrar, *FBCSA*:

- **The FA, copying the coroner, RSC, Chief Coroner and ID team, will email the Registrar at [FBCSARegistrar@ontario.ca](mailto:FBCSARegistrar@ontario.ca) with as much case information as possible, outlining the nature and context of the discovery, including (see [Appendix C](#) in Management of Found Skeletal Remains: Email templates (QID 4856)):**
  - Landowner's contact information (phone number and email address)
  - Municipal address or legal description of the property on which the remains were found
    - Location to be as specific as possible (e.g., providing GPS co-ordinates or text descriptions of where on the property the burial site is located)
  - Additional addresses if multiple scenes
  - Date and time the coroner and/or FA attended the scene
  - Parties to the discovery (e.g., local police service member on scene, landowner, archaeologist (if involved), Indigenous representative(s), etc.)
    - Include contact information of the archaeologist (phone number and email address) if involved
    - Include contact information for any Indigenous representatives contacted by the coroner and/or RSC (see [1.7.1.2.1 Notification of Indigenous communities](#))
  - Investigative activities
  - Any actions taken to preserve or secure/protect the site
  - Information about the nature of the site (e.g., cultural origin or religious affiliation, manner of interment, minimum number of individuals), if known
  - Site sign-off
  - Rationale for the determination of no concerns of foul play requiring further investigation by the OCC/OFPS

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- An inventory of the remains and any associated items (e.g., artifacts) discovered, and information about their current location (e.g., at a FPU, temporarily reburied at site, in a secure location on the property, etc.)
- Inclusion of any photographs or other documents prepared that record the discovery
- File number / case number / unique identifier for the site or remains (i.e., QuinC number)

Discovery information should be populated in the referral email (see [Appendix C in Management of Found Skeletal Remains: Email templates \(QID 4856\)](#)) for email template for Registrar referral). A fillable form is also available to complete and attach to the email for Registrar referral (see [Form for case information as part of official Referral of the burial site from the Forensic Anthropologist to the Registrar \(QID 4857\)](#)).

- **Only a coroner has the statutory authority to determine if the remains have been the subject of foul play. The RSC will ensure a reply all to this email is sent by the coroner or RSC to officially refer the burial site to the Registrar** (see [Appendix D in Management of Found Skeletal Remains: Email templates \(QID 4856\)](#))
  - The email will include the statement that the origin of the remains is not suspected to be through foul play that requires additional investigation by the OCC/OFPS and that this is therefore a burial site within the meaning of the FBCSA.
  - The Registrar can be reached via [FBCSARegistrar@ontario.ca](mailto:FBCSARegistrar@ontario.ca) or at **416-212-7499**. Notification of the Registrar should occur promptly after determination of no concerns of foul play requiring further investigation by the OCC/OFPS; completion of a formal report (beyond the information listed above) is not required.
  - The Registrar will assume control of the site and the human remains with a confirmatory email citing the assigned Burial Site Investigation (BSI) number.

Where there are no concerns of foul play requiring further investigation by the OCC/OFPS, police must secure the scene until the landowner is advised of the statutory requirement that the landowner preserve the burial site until the disposition is decided by the Registrar. **It is essential that the FA, together with the attending coroner, and with RSC support, or in the absence of a coroner on scene, the attending police officer, communicates to the landowner that the landowner must take immediate steps to preserve and protect the site, skeletal remains and any artifacts until a disposition is made under the FBCSA, if they have not already done so.**

#### 4804.6.3.1 Closing the case

Completion of the case in QuinC upon referral to the Registrar includes:

- Uploading documentation of the referral to the Registrar (i.e., email thread ending in Registrar confirming assumed control over the referred burial site) in QuinC > Documents
- Recording Manner of Death as **Skel/Arch/Animal Remains**

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- Entering a narrative outlining the circumstances of discovery, investigation steps and discussions and findings and outcome
- Closing the case in QuinC

Once the official referral of the burial site is made to the Registrar, the Registrar has statutory authority over the site and the responsibility to direct next steps. Any additional work done by the FA and/or the coroner or meetings between the FA and coroner with external parties should be at the Registrar's direction and include the Registrar for case continuity.

**NOTE:** When a burial site is found on federal reserve lands or other federal lands, the Registrar may be notified by the police, coroner or an Indigenous community directly. If notified, the Registrar will determine next steps, including whether to apply the FBCSA.

#### **4804.7 IMPORTANT CONTACTS**

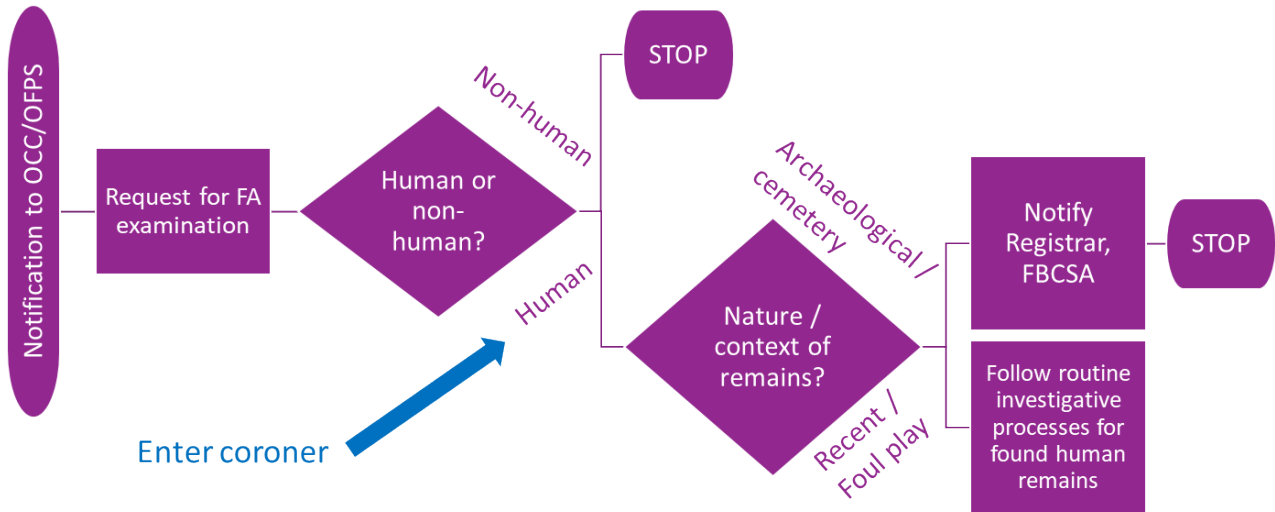
<b>Provincial Dispatch Unit</b> Toronto, ON	416-314-4100 1-855-299-4100
<b>Registrar</b> <i>Funeral, Burial and Cremation Services Act</i>	<a href="mailto:FBCSARegistrar@ontario.ca">FBCSARegistrar@ontario.ca</a> 416-212-7499
<b>Registrar</b> Bereavement Authority of Ontario	<a href="mailto:Registrar@TheBAO.ca">Registrar@TheBAO.ca</a> 647-483-2645

#### **4804.8 ORIGINAL AUTHORIZATION**

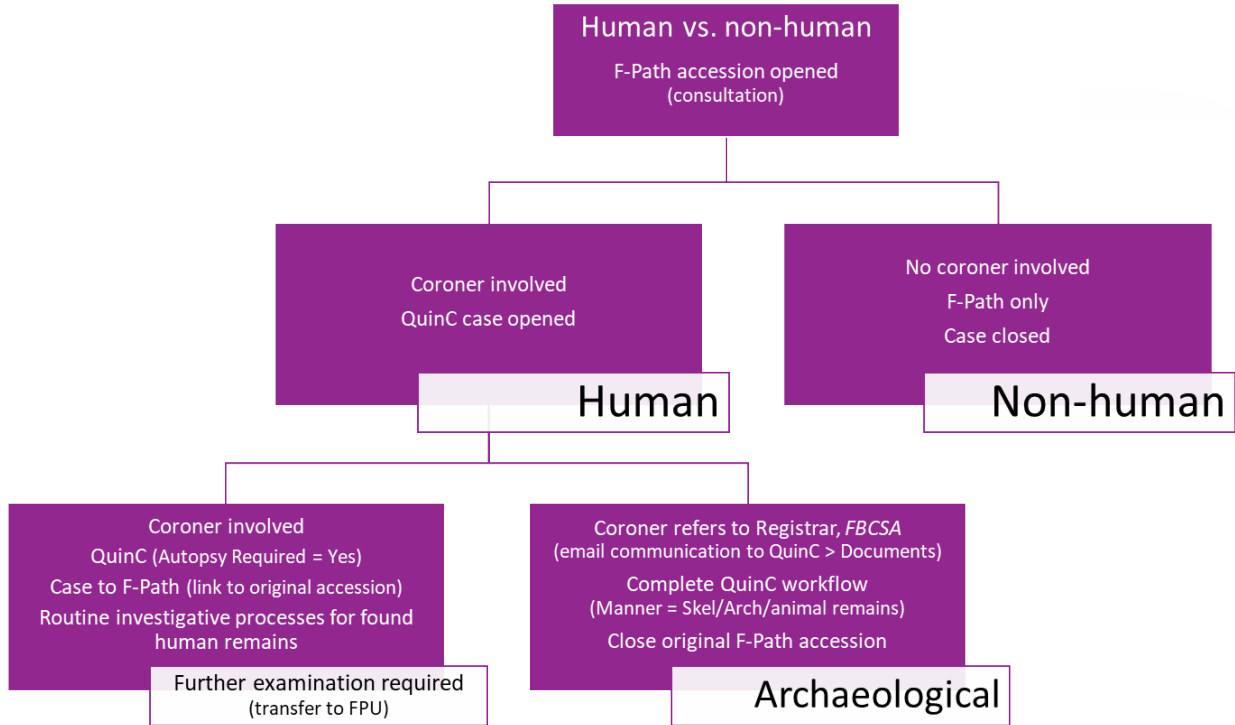
Prepared by:	Gillian Currie René Hepburn	Executive Advisor/Registrar Manager, Repatriation
Reviewed by:	Ian Hember	Manager/Registrar, Consumer Services Operations Division, MPBSD
Reviewed by:	Michael Pickup	Deputy Chief Forensic Pathologist
Authorized by:	Dirk Huyer & Michael Pollanen	Chief Coroner & Chief Forensic Pathologist

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### Appendix A: Workflow for found skeletal remains (apparently not recent)



## Appendix B: Workflow





**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **2023 Police Use of Force Race-Based Data  
Technical Report and Open Data**

<b>DATE OF ISSUE:</b>	<b>August 2, 2024</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>24-0052</b>
<b>PRIORITY:</b>	<b>Normal</b>

I am writing to advise that the Ministry of the Solicitor General will be releasing its 2023 Police Use of Force Race-Based Data Technical Report this afternoon along with the corresponding datasets. This public report will include police service level data.

The data and report are published to satisfy requirements set out in the *Anti-Racism Act, 2017* and the Data Standards for the Identification and Monitoring of Systemic Racism. The report will be published on the Ontario Data Catalogue in English and French. Data used in the report will also be made available in machine-readable format on the data catalogue.

An embargoed copy of the technical report is attached. The embargo is in force until August 2, 2024, and materials cannot be shared until the embargo has ended. Data analysts or leads in your respective services will continue to be engaged as this and other data analytics work advances.

Please contact Chris Johns, Assistant Deputy Minister, Data Insights and Strategic Initiatives Division, at [Christopher.Johns@ontario.ca](mailto:Christopher.Johns@ontario.ca) with any questions you may have regarding the release of the data and technical report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Weatherill', written in a cursive style.

Ken Weatherill  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

# **Police Use of Force Race- Based Data Technical Report, 2023**

*Ministry of the Solicitor General*

# Police Use of Force Race-Based Data Technical Report, 2023

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Under the Anti-Racism Act, 2017 (ARA), and its associated regulation and guidance, the Ministry of the Solicitor General is required to collect and analyze race-based data on instances of police use of force.

This report provides a background on the data collection and reporting; a description of the data collection tool (Use of Force Report); an overview of the data cleaning, and analytic methods; a review of the scope and limitations of the data collected; and descriptive analyses.

Analyses were done using the data extracted from the provincially mandated Use of Force Reports for incidents that occurred between January 1 and December 31, 2023.

According to Statistics Canada, police in Ontario receive approximately four million calls for services a year. Based on these figures, over 99 per cent of these calls are resolved without the use of force.

The data for 2023 are available in the [Ontario Data Catalogue](#).

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# **Section 1: Overview of Use of Force in Ontario**



## 1.1 Legislative Background

### 1.1.1 Ontario's *Anti-Racism Act, 2017*

The Government of Ontario continually strives to address racial inequities in its policies, decisions, programs, and services. An important aspect of identifying and addressing racial inequity is the collection and analysis of robust, standardized, and comprehensive data that can be used to inform actions and monitor progress on this topic.

The *Anti-Racism Act, 2017* (ARA) provides a statutory framework that includes the legislative authority to mandate the collection of race and identity-based data, regulatory requirements relating to collection of race-based data, and the rules and standards to follow when collecting, analyzing, and reporting on this data.

Ontario Regulation 267/18<sup>1</sup> under the ARA (referred to as the ARA Regulation for the remainder of this technical report), sets out the information that various Public Sector Organizations (PSOs) are required or authorized to collect, as well as the date on which they may or must begin collecting the information.

### 1.1.2 Ontario's Anti-Racism Data Standards (ARDS)

Section 6 of the ARA requires the minister responsible for Anti-Racism to establish data standards for the collection, use, and management of information. Any PSO regulated under the ARA must follow the *Data Standards for the Identification and Monitoring of Systemic Racism*. This document is also referred to as Ontario's Anti-Racism Data Standards (ARDS)<sup>2</sup> and sets out standards for PSOs in identifying and monitoring racial disparities and disproportionalities. The ARDS are intended to ensure that PSOs generate reliable information to support evidence-based decision-making and promote accountability.

The ARDS include 43 standards that govern how PSOs manage the information, including the personal information, that they are required or authorized to collect under the ARA.<sup>3</sup> The ARDS speak to the collection and use of personal information; de-identification and disclosure of information; the retention, security, and secure disposal of personal information; the analysis of the data collected; and the publication and reporting of a) the data collected, and b) the results of the analyses conducted.

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<sup>1</sup> [Link to O. Reg. 267/18: GENERAL](#)

<sup>2</sup> [Link to the Data Standards for the Identification and Monitoring of Systemic Racism](#)

<sup>3</sup> Not all 43 ARDS apply to every regulated collection data, for example, there are six ARDS on the collection of Participant Observer Information (POI) that only apply if the PSO is collecting POI.

ARDS 36 (Public Reporting of Results) requires PSOs to produce regular and timely reporting on the results of analyses, descriptions of benchmarks and/or reference groups used in the analyses, thresholds to identify notable differences between groups, and information about how the data were collected and the data quality (the accuracy, validity, and completeness of the data collected).

This technical report is presented for the purpose of complying with ARDS 36 to the greatest extent possible given the data available to the Ministry of the Solicitor General. The technical report includes descriptive analyses of data from police Use of Force Reports received by the Ministry and an assessment of the quality and limits of the existing data, including limitations on the use of benchmarks, reference groups, and thresholds.

### **1.1.3 Use of Force Data Collection**

Item 6 of the table in the ARA Regulation 267/18 requires the Ministry of the Solicitor General to collect and analyze, “as provided by police forces, the race of individuals as perceived by members of the police forces in respect of whom a use of force report is prepared by a member of the police force and any other information set out in the report, other than the name of the individual, that the police force is legally required to provide to the Ministry of the Solicitor General.”<sup>4</sup>

The Ministry has used three versions of the Use of Force Report since 2020, described below. The numbering of the versions in this technical report are for clarity and do not correspond to what may be printed on the report itself.

To collect the data required by Item 6, in 2019 the Ministry updated the original Use of Force Report<sup>5</sup> (Version 0) that had been in place since 1992. This updated report (Version 1.0) included a new data field to capture a police service member’s perception of the race of the person(s) upon whom the member used force and a report was required to be completed. Ontario police services began using Version 1.0 on January 1, 2020. Training was also provided to police service members via a guidebook and online materials. Version 1.0 was used by police services until December 31, 2022.

Version 2.0 was implemented on January 1, 2023. Version 2.0 was designed to improve the utility of the report as a data collection tool and address many of the data limitations of Version 1.0, while not adding undue burden to reporting officers. A technical update – Version 2.1 – was implemented in April 2023 to fix an issue that resulted in some information on conducted energy weapon (CEW) cycles not being saved. The data used

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<sup>4</sup> See the table in s. 2 of the Regulation: [O. Reg. 267/18: GENERAL \(ontario.ca\)](#)

<sup>5</sup> See Appendix A.

in this technical report were all derived from Version 2.0 and 2.1 of the Use of Force Report. Because of the changes between Version 1.0 and Version 2.0 (summarized below) and regulatory changes, many findings cannot be compared between the 2020-2022 data and 2023 data.

Version Number	Dates	Details
0	1992 – 2019	Original Use of Force Report. Race-based data was not included and there was no requirement for Ontario to report publicly on use of force.
1.0	Jan 1 2020 – Dec 31 2022	Data fields were added to Version 0 of the report to collect perceived race of up to three individuals upon whom force was used. Ontario became required by law to analyze and publicly report on the data.
2.0	Jan 1 2023 – Mar 31 2023	Significant redesign of the Use of Force Report, including: <ul style="list-style-type: none"> <li>• collecting location, perception of age and gender, and other variables;</li> <li>• improvements in automated data validations; and</li> <li>• ability to collect perceived race for up to 99 individuals per report.</li> </ul>
2.1	Apr 1 2023 – present	Technical update to Version 2.0 to a) correctly transfer select data fields on CEW discharge cycles, and b) add front-end validation to the date field.

## 1.2 Use of Force Background

On a daily basis, police officers may face situations where they use force to ensure their own safety or that of the communities they serve.

The parameters governing the use of force by police officers are contained in the *Criminal Code*, other federal and provincial legislation and regulations, the common law, and the *Charter of Rights and Freedoms*. The broad principles governing the use of force by police are summarized in Appendix B. In Ontario, the provincial statute that governed police use of force in 2023 was the Ontario *Police Services Act*<sup>6</sup> (PSA) and its

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<sup>6</sup> [Link to Police Services Act, R.S.O. 1990, c. P.15](#)

Equipment and Use of Force Regulation (R.R.O. 1990, Regulation 926).<sup>7, 8</sup> Throughout, this may be referred to as the Use of Force Regulation.

In November 2022, the Ministry amended the Use of Force Regulation to clarify and enhance reporting requirements for use of force incidents. These amendments were intended to perform a number of functions. This includes clarifying areas that had been subject to differing interpretation (e.g., “an injury requiring medical attention”) as well as bring requirements in line with current best practices (e.g., reporting on display of a CEW to achieve compliance). Amendments also address reporting on the use of police dogs and horses, confirm exceptions to reporting (e.g., when a handgun is drawn for an administrative purpose or surrendered for an investigation) and establish clear requirements for reporting by teams (e.g., when a common type of force is used by multiple members). Lastly, the changes prescribe annual reviews of use of force trends within each police service and require each Police Services Board or the Solicitor General (in the case of the Ontario Provincial Police) to publish its annual report online.

The Ministry had also maintained a Use of Force Guideline for all police services governed by the *Police Services Act* (PSA) to provide additional guidance regarding police use of force training, the use of firearms and other weapons, and the reporting of officers’ use of force. This guideline was in use for all of 2023.

### **1.2.1 Ontario’s Use of Force Framework**

Ontario’s 2004 Use of Force Model showed response options that may be appropriate based on the situation in question. The model was based on the National Use of Force Framework.

On July 7, 2023, Ontario’s Use of Force Model was replaced with the Ontario Public-Police Interactions Training Aid (OPPITA). Like the model, the training aid outlines the general principles that govern police interactions with the public, including the use of force on those occasions when an application of force may be necessary. As interactions are fluid, officers continuously assess the situation to choose the most reasonable option according to the situation and the behaviour of the persons involved. Officers consider whether the individual is being cooperative; passively or actively resistant; assaultive; or behaving in a way that poses a risk of serious bodily harm or death to the officers or members of the public. The model is not prescriptive, does not dictate decisions or actions of a police officer, and does not change the applicable law.

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<sup>7</sup> [Link to R.R.O. 1990, Reg. 926: EQUIPMENT AND USE OF FORCE](#)

<sup>8</sup> For further clarity, on April 1, 2024, the *Community Safety and Policing Act, 2019* (CSPA) replaced the PSA. The relevant regulation under the CSPA is the Use of Force and Weapons Regulation. However, all the use of force incidents included in this technical report occurred while the PSA was in force.

An officer assesses a situation, a person's behaviour, and other factors to decide if force is necessary and, if so, which force option to use from a range of options. At the lowest risk/threat level, the presence of an officer or officers may serve to adequately control a situation and change the behaviour of the person(s) involved without using force. At the highest risk/threat level, an officer may choose to use lethal force when there is risk of serious bodily harm or death for members of the public, officers, or individuals involved that cannot be resolved with any other non-force or force option. There is a range of other force options, including physical control and intermediate weapons, between the lowest risk/threat and highest risk/threat levels.

De-escalation may lead to a lower amount of force being used. It may even prevent the need for force. Increased force may be appropriate when the situation becomes more serious and the threat increases to members of the public, officers, or the persons involved. Employing de-escalation strategies to achieve peaceful resolutions is a fundamental goal during police interactions with the public.

### **1.2.2 Officer Training and Certification**

In Ontario, use of force and firearms training for officers is mandated in legislation. In 2023, this was the Equipment and Use of Force Regulation (R.R.O. 1990, Regulation 926) under the PSA.

All new Ontario police recruits complete foundational training through the Basic Constable Training (BCT) program, that includes training on de-escalation and the use of force. A member of a police service must not use force on another person unless the member has successfully completed training on use of force (s. 14.2(1)). There were two notable changes to the training in 2023: the addition of an online mental health crisis response module and a communication-based virtual reality session. These additions extended the BCT program by six days.

In addition, police officers are required to take annual use of force training, which is provided by their police service by qualified instructors who are accredited through the Ontario Police College. This training must include legal requirements, the exercise of judgement, safety, theories relating to the use of force, and practical proficiency. This content is typically delivered via classroom presentation, online courses, and scenario-based training activities.

Officers must complete a firearms training course before they are allowed to carry a firearm. Officers must complete training every twelve months to continue to carry a firearm (s.14.2(2)).<sup>9</sup>

Additionally, the Ministry's Use of Force Guideline, which was in use throughout 2023, recommended specific training on communication, physical control, impact weapons (e.g., baton), aerosol weapons (e.g., pepper spray), conducted energy weapons (CEWs), and firearms. This ongoing training is to ensure that an officer can assess a situation quickly and effectively to determine the appropriate response, and to evaluate whether a physical method is required to subdue an individual to bring them into custody, or to prevent injury to the individual, the officer, or a member of the public.

### **1.3 The 2023 Use of Force Report**

The Ontario Use of Force Report is an administrative form first implemented in 1992 (Version 0) through the Equipment and Use of Force Regulation (R.R.O. 1990, Regulation 926) under the *Police Services Act*. The Use of Force Report captures information about police use of force incidents. This includes the type of force used, whether an individual was perceived to be carrying a weapon, and the reason force was applied.<sup>10</sup> The purpose of Version 0 was to collect data on use of force incidents to inform police policy and training.

The perceived race of individuals upon whom force was used was added to the Use of Force Report on January 1, 2020, as required by the ARA Regulation.

This was to allow race-based analysis to identify potential instances of disproportionalities and disparities in police use of force. The data generated from this version had several limitations. These limitations significantly affected what analyses could be performed and what conclusions could be supported by the data.

The Use of Force Report was further updated and Version 2.0 rolled out on January 1, 2023. These updates improved available data quality and analytical capabilities.

#### **1.3.1 When Force Must be Reported**

The Ministry of the Solicitor General analyzed data from police Use of Force Reports collected under the Equipment and Use of Force Regulation (R.R.O. 1990, Regulation 26) for incidents between January 1 and December 31, 2023.

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<sup>9</sup> Chiefs of Police can grant limited extensions to complete the mandatory training (s.14.3(2) and 14.3(3)).

<sup>10</sup> A copy of the Use of Force Report (Version 2.1) used for data collection is available in the Ontario Data Catalogue with the data used to prepare this report.

The Equipment and Use of Force Regulation (R.R.O. 1990, Regulation 926) was revised as of January 1, 2023. The circumstances under which force must be reported were changed, including requiring officers to report additional types of CEW use and including a checkbox for CEWs, rather than entering it as an “Other” type of force. As a result of this change, incidents that were not previously provincially reportable became reportable in 2023. This enhanced reporting was expected to result in a higher number of reports being submitted in 2023, relative to previous years. Such an increase in the total number of reports should not be interpreted as necessarily indicating an increase in these type of force incidents.

In 2023, members of police services were required under s. 14.5(1) to complete a Use of Force Report whenever a police service member drew a handgun in the presence of a member of the public; pointed a firearm at a person; discharged a firearm; or used a weapon on another person. It was also reportable if an officer drew and displayed a conducted energy weapon (CEW; i.e., TASER) to a person with the intention of achieving compliance, pointed a CEW at a person, or discharged a CEW. Force was also reportable if the force was used on another person, including through the use of a horse or a dog, that resulted in an injury requiring the services of a physician, nurse or paramedic, and the member was aware that the injury required such services before the member went off duty.<sup>11</sup> Full details about when force must be reported and exceptions to reporting requirements are available in the Use of Force Regulation.

### **1.3.2 Addition of Race-Based Data Collection**

To meet the requirements of Item 6 of ARA Regulation 267/18, the Use of Force Report includes the following question to capture the police service member’s perception of the race of the individual upon whom force was applied and a report was required to be completed.

*What race category best describes the subject(s)? (select only one per subject)<sup>12</sup>*

1. *Black*
2. *East/Southeast Asian*
3. *Indigenous (First Nations, Métis, Inuit)*
4. *Latino*

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<sup>11</sup> When a Use of Force Report is required to be submitted under this regulation, these are referred to as “provincially reportable” uses of force.

<sup>12</sup> The language of the question on the Use of Force Report deviates slightly from the language in ARDS 40, which is “What race category best describes this individual” (select only one).” This small change was made to use language consistent with the Use of Force Report (subject vs individual) and because respondents can report perceived race for up to three individuals, however, only one race category can be chosen per individual as per the ARDS.

5. *Middle Eastern*
6. *South Asian*
7. *White*

In accordance with ARDS 40, police service members are required to select which of the seven racial categories best describes the individual. Collection of race-based data in this manner, collecting one person's perception of the race of another person, is an example of Participant Observer Information (POI).<sup>13</sup>

This question is mandatory and reporting officers can only select one of the race categories provided. Under the ARDS, it is not permitted to include on the report a "don't know," "prefer not to answer," or open text response option. If an individual is perceived to be of mixed race, the officer must choose the race category that, in their view, the individual most resembles. Officers are instructed not to ask the individual to provide their self-identified race.

### **1.3.3 Team Reports**

In some circumstances, an officer was permitted to submit a Use of Force Report on behalf of a team. In the 2020-2022 technical report, team reports were primarily received from tactical/hostage rescue or emergency response teams.<sup>14, 15</sup>

A regulatory change that came into force on January 1, 2023, updated the reporting requirements related to team reports.

Under s. 14.6(1), the supervisor of a containment team, tactical unit or hostage rescue team, or an officer designated by the supervisor, could submit a report on behalf of the team, if, during an operational deployment of the team's emergency response functions and while acting under the command of the supervisor:

1. A member drew a handgun in the presence of a member of the public.
2. A member pointed a firearm at a person.
3. A member drew and displayed a conducted energy weapon to a person with the intention of achieving compliance.

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<sup>13</sup> See Standards 38 to 43 of ARDS for more information on POI.

<sup>14</sup> For a description of police public order units and emergency response services, see section 18 "Public Order Maintenance" and section 21 "Emergency Response Services under the Reg. 3/99: ADEQUACY AND EFFECTIVENESS OF POLICE SERVICES of the Police Services Act [Link to O. Reg. 3/99: ADEQUACY AND EFFECTIVENESS OF POLICE SERVICES](#)

<sup>15</sup> Police Services may refer to their tactical-or emergency response teams by different names. The teams captured in this category include teams referred to as: Tactical, Tactical Rescue Unit, Tactical Containment Team, Emergency Task Unit, Emergency Services Unit, Emergency Response Team, Tactical and Rescue, Tactical Services Unit, Tactical Support Unit, Emergency Task Force, Emergency Response Unit, or Tactical Emergency Services Unit.



4. A member pointed a conducted energy weapon at a person.

If any member of the team used a force response that required a report to be submitted, other than the ones listed above, they were required to submit an Individual Report (s. 14.6(2)).

The requirements for team reporting for a public order unit were slightly different. Under s. 14.6(4), a supervisor of a public order unit, or an officer designated by the supervisor, could submit a Team Report if, during an operational deployment of the unit for public order maintenance and while acting under the command of the supervisor, one or more members did any of the following:

1. A member applied force resulting in injury requiring the services of a physician, nurse or paramedic.
2. A member pointed a firearm deployed with less lethal projectiles at a person.
3. A member discharged a firearm deployed with less lethal projectiles at a person.
4. A member drew and displayed a conducted energy weapon to a person with the intention of achieving compliance.
5. A member pointed a conducted energy weapon at a person.

Similar to the other team types, if any member of the team used a force response that required a report to be submitted, other than the ones listed above, they were required to submit an Individual Report (s. 14.6(5)).

Finally, s. 14.7 allowed officers to complete a Team Report if two or more officers were acting in co-ordination in response to a single event under specific circumstances, even if the officers did not belong to a dedicated, specialized team. This was an option under s. 14.7 of the regulation if:

1. An officer drew a handgun in the presence of a member of the public.
2. An officer pointed a firearm at a person.
3. An officer drew and displayed a conducted energy weapon to a person with the intention of achieving compliance.
4. An officer pointed a conducted energy weapon at a person.

However, s. 14.7(2) required that if an officer used a type of force other than the four listed above, they must complete an Individual Report.

This section (s. 14.7) allowed team reporting in many situations that would not necessarily have resulted in a Team Report previously. As such, direct comparisons with data collected using older versions of the Use of Force Report cannot be made.

Under the updated regulation from January 1, 2023, team reports could be submitted by specialized teams, who were acting in coordination in response to a single event. In all cases, if any team member used reportable force other than the types of force noted in sections 14.6(1), 14.6(4), or 14.7(2), that officer was required to submit an Individual Report.

### **1.3.4 Reporting Police Services**

As of January 1, 2020, all municipal police services and the Ontario Provincial Police were required to submit Use of Force Reports to the Ministry pursuant to the Equipment and Use of Force Regulation (s. 14.5 (4)). Race-based data are collected pursuant to Item 6 in the ARA Regulation 267/18 table.

First Nation police services were not required to complete or submit Use of Force Reports to the Ministry under the PSA.

In 2023, Ontario had 53 police services (43 municipal police services, nine First Nation police services, and one provincial police service).

# Section 2: Data Limitations

## 2.1. Use of Administrative Data for Research

The data analyzed in this technical report are derived from Use of Force Reports that were designed and implemented for administrative purposes. Although there was a full redesign to improve data collection, the Use of Force Report remains an administrative form. Administrative data is data that organizations use to conduct their regular operations.

Administrative data is frequently used for research, but there are often unique challenges related to the design, structure, and content of the information in datasets derived from administrative systems.<sup>16</sup> Unlike data specifically collected for research purposes, administrative datasets may not include all the information needed to answer research questions of interest or to develop or test theory. In addition, administrative datasets often require substantially more data management for cleaning, organizing, restructuring, and recoding to prepare the data for use in research compared to research datasets. A great deal of time and effort may be required to ensure that analysts understand how the information was generated and determine the appropriate uses for the data and its applicability for answering research questions of interest.

When using administrative data for research purposes, it is often necessary to link different administrative datasets together to create a comprehensive research dataset. This adds to the complexity and opens new opportunities for more fulsome and meaningful analysis. For police use of force analysis, individual police services can link data from Use of Force Reports to information in their Records Management Systems (RMS). The Ministry of the Solicitor General does not have access to information in police services' RMS, meaning that some research questions cannot be explored by the Ministry.

One benefit of administrative data is that it can be an efficient data collection method that often provides data about all – or nearly all – relevant individuals or events. In contrast, social science research typically involves collecting data from a sample of people and then generalizing the results from the sample to a larger population. This generalization involves the use of inferential statistics to assess whether findings in the sample data are generalizable to the population of interest (e.g., whether results of an opinion poll conducted with 1,500 Ontarians can be used to make inferences about the opinions of all Ontarians). This inferential step is typically not necessary with administrative data because it usually includes information about the whole population. This is the case with the Use of Force Report data. Analysis was conducted on all Use

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<sup>16</sup> These challenges are discussed in greater detail by Connelly, Playford, Gayle, and Dibben (2016): [The role of administrative data in the big data revolution in social science research - ScienceDirect](#)

of Force Reports received by the Ministry, not a sampling, therefore, inferential analysis is not required for this technical report's analyses.

## **2.2 Lack of Standardization**

One challenge with using data collected from an administrative form, such as the Use of Force Report, is that individuals completing the form may have different understandings of what the question is asking and how to respond.

There is a provincial guide on how to complete the Use of Force Report, which was updated when the revised report was released. However, the guide does not necessarily provide explanations for all response options contained in the report. Individual police services may provide complementary guides and supports to reporting officers, but this is not standardized across Ontario at this time.

The result of this lack of provincial standardization for areas such as police calls for service codes, definitions<sup>17</sup> and response options can cause data quality challenges and additional time requirements when analyzing data collected from multiple police services. This does not affect individual police services' ability to analyze their own data.

## **2.3 Data Not Collected in the Use of Force Report**

Use of force incidents can be complex, with many factors contributing to the decisions made by everyone involved. The validity of the conclusions is heavily influenced by the completeness of the available data. If key information is not included, only tentative conclusions can be supported. A few key variables that were not collected on the current version of the Use of Force Report would significantly improve understanding of use of force incidents. Examples of these are outlined in this section.

### **2.3.1 Officer Experience and Demographics**

In the 2023 dataset, there is little information about the officers who used force. Rank category (i.e., constable, non-commissioned officer, commissioned officer) and years of service were collected, but other information could be useful.

### **2.3.2 Information About an Individual**

One significant improvement compared to previous years is that the Use of Force Reports used in 2023 included structured questions where officers can indicate what factors influenced their response to an individual. This includes the individual's

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<sup>17</sup> For example, the impact of a lack of standardization for call type data on ability to understand counts or trends or conduct comparisons across services or regions.

behaviour, the nature of the call, past history with the individual, as well as their physical size, strength, and abilities.

One key factor not included is whether the individual appeared to be experiencing mental health distress and/or intoxication from drugs or alcohol. Collecting additional incident contextual information would permit a better understanding of how officers respond to varying situations.

### **2.3.3 Personally Identifiable Information**

The Use of Force Reports do not include any information that could be used to identify any individuals upon whom force was used. As a result, it is not possible to determine if any individual is described on more than one report related to a single incident, or in multiple incidents in a year. There are two key drawbacks.

First, it is not possible with these data to determine the number of unique individuals upon whom police used force in 2023. An incident that included two reports, each describing force used on two individuals, could have involved two, three, or four unique individuals. Regardless, the dataset includes four observations of individuals. As well, if an individual has multiple encounters with police that involve force that person will be described at least once for each incident. Because of this, the count of observations of individuals will necessarily overcount the number of actual individuals upon whom force was used.

Second, without the ability to identify when multiple observations of the same individual are provided, any individual-level analysis comes with major caveats. Any results of analysis based on the observation of an individual (rather than the report or the incident) could be directly related to perceived race. Alternately, it could be due to individuals of some perceived race categories being more likely to be involved in incidents with a greater number of officers, leading to those individuals being perceived more frequently in the dataset. This factor could also lead to inflated use of force incidents with the same individual being represented multiple times.

### **2.3.4 Number of Subject Individuals Involved in the Incident**

On each Use of Force Report, officers are required to indicate the number of individuals upon whom reportable force was used. Any other individuals present would not be counted anywhere on the report. For example, if officers arrived on scene to find a group of nine individuals and only used force on one, any reports would only provide information about the one individual. The other eight individuals who were present would not necessarily be noted on the report. Including a total number of individuals involved in the incident would provide necessary additional context to the officer's report.

## **2.4 Report Design Impacts on Data Quality**

Based on analysis of the data as well as feedback from police services, there are some variables that could be changed to enhance the quality and usefulness of the data.

### **2.4.1 Incident Number and Police Service Division**

The Ministry began receiving incident numbers on Version 2.0 of the Use of Force Report on January 1, 2023. These incident numbers are generated by the police services' Records Management System (RMS) to link all occurrence or other reports related to the call for service. Each service has its own format for incident numbers.

On the Use of Force Report, officers are to enter the incident number in an open-text field. This field has no restrictions on the types of characters that can be included or guidance on the structure of the data to be entered. This led to discrepancies in the formatting of incident numbers within police services, which hampers the ability to link reports for the same use of force incident. For example, if the RMS generates 2023-57209 as an incident number, officers may enter 23-57209, 2023/57209, 202357209, or other variations. Although best efforts were made to resolve discrepancies in incident numbers, it is possible that some links were missed or unable to be confirmed.

### **2.4.2 Incident Type**

For 2023, officers were instructed to select one incident type from a drop-down list of 22 options that best described the final disposition of the incident. There was no option to provide a response other than the ones on the list. This is an update the previous form, where officers could select multiple incident types for any given encounter as well as provide a written description.

Officers were instructed to use their best judgment for the type of incident. There are no province-wide standardized instructions on how to select an option when multiple options could be accurate. This makes it difficult to know how many of a particular incident type resulted in a use of force incident.

An additional challenge is the type of incident at disposition may not be the type of incident that officers were called to and may have influenced their response options. An incident could begin as a traffic stop or disturbance and end as an active attacker or violent crime incident. Conversely, the initial call for service could be reported to officers as a weapons call, causing them to arrive on scene with handguns drawn; however, after arriving officers determined the "weapon" was a spray paint can for graffiti and the final disposition may be coded as "property crime."

A possible enhancement could be to collect data on what type of incident officers believed they were entering and what type of incident it turned out to be in the end.

### **2.4.3 Location**

Location data were not analyzed in this technical report due to the variety of response options that require standardizing to enable use in analysis. Officers have five open-text options for entering location data: GPS coordinates, address, postal code, closest intersection, and other. Only the postal code field includes data validations. Some locations, particularly in urban centres, could be identified in multiple ways. For example, the Eaton Centre Mall in downtown Toronto could be entered as: 220 Yonge St.; M5B 2H1; Yonge and Dundas, Yonge and Shuter, or Yonge and Queen; or 43.654434, -79.380852.

As well, incidents may take place in more than one location, even though the report currently can only capture one location. In these incidents, it is not clear how officers decided which location to report.

### **2.4.4 Rank Category**

Results from the previous report showed the vast majority of Use of Force Reports were submitted by Constables and Special Constables. Constables also made up a substantial proportion of officers in Ontario. Currently, it is not possible to compare different classes of Constable (i.e., 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>) or to look separately at Special Constables, whose duties and equipment are different than other Constables.

## **2.4.5 Injuries to Individuals or Officers from the Use of Physical Force**

### **2.4.5.1 Treatment of Injuries**

The questions on the Use of Force Report related to treatment of injuries sustained during physical force could be improved by clarifying who provided the treatment. Under the Use of Force Regulation, physical force is only provincially reportable if it resulted in injuries requiring the services of a physician, nurse, or paramedic.

Currently the treatment response options included: No; First Aid; Medical Attention by Personnel at Scene; Admission to Medical Facility; Medical Attention at Facility; Don't Know; and Other. Any report that included admission or attention at a medical facility was clearly a reportable incident under the Use of Force Regulation. However, for the other response options, the incident was only reportable if services were provided by a physician, nurse, or paramedic. First aid or medical attention provided by officers would not require a report to the Ministry. The current version of the report does not allow officers to indicate who provided attention or treatment.



The result is that it may not be possible for the Ministry to exclude reports from non-provincially reportable incidents. Police services may require officers to complete reports for non-provincially reportable incidents to inform their own decisions about service-level operations and training.

#### **2.4.5.2 Lack of Clarity on when Injuries to Individuals Should be Reported**

A second challenge with the data on injuries is that there may be confusion on when injuries should and should not be reported. Officers should only include physical injuries that were caused by their own use of force, not injuries caused anyone else. This does not mean that the injury was inconsequential or unimportant, however the intention of the report is to capture injuries caused specifically by the reporting officer's use of force.

Based on data available, it appears that some reports noted injuries caused either by other officers or by the individuals themselves.

As well, many of the "Don't Know" responses for subject individual injuries were related to incidents where officers were attempting to capture a driver who was impaired or driving a stolen vehicle.

#### **2.4.5.3 Lack of Clarity on when Injuries to Officers Should be Reported**

The instructions guide does clarify that officers should only report injuries that they themselves sustained as a result of using force. They are not meant to include injuries to other officers. However, the wording on the report itself about officer injuries does not make this clear. The section is called "Officer Involved Injuries" and the question on whether there were injuries was "Were physical injuries sustained because of the force applied?" Officers may be also recording injuries to their colleagues, based on the wording on the Use of Force Report even though they are not meant to do so.

#### **2.4.5.4 Injuries to Officers Caused by the Force Applied on Team Reports**

On Individual Reports, officers are required to indicate whether they were injured as a result of using force and what kind of medical attention was required, if any. These questions were not included on Team Reports. Consequently, any figures on officer injuries are likely to be an undercount. Including these details on Team Reports could be explored.

### **2.5 Limited Analysis Options without an Appropriate Benchmark Population**

ARDS 29 requires organizations to compute racial disproportionality and/or disparity indices. Whenever possible, the Ministry calculated the indices that are required by the

ARDS. However, it is not always possible to do so, primarily because an appropriate benchmark population is not available. Most notably, the Ministry still cannot calculate racial disproportionality for police use of force that accounts for how often members of different racial groups come into contact with police.

Measuring disproportionality requires a benchmark population to compare observed data against. ARDS 30 requires PSOs to choose the benchmark<sup>18</sup> population appropriate to their sector and research context for disproportionality analyses. The benchmark must be the most relevant population for the outcome of interest from the best available datasets and must be useful for interpreting year-over-year trends.

In research, a “population” is the group *that is of interest* or about which the research intends to draw conclusions. This is different from the colloquial meaning of “population,” which usually refers to the people living in a geographical region. For example, the appropriate population for a study on the experiences of Canadian cancer patients would be people in Canada diagnosed with cancer, rather than everyone living in Canada.

The appropriate research benchmark population is determined by the questions the research is intending to answer. For this technical report, the principal research question is whether there are differences in police use of force depending on the perceived race of the individual upon whom force was used. Consequently, the most relevant benchmark population would be individuals who interacted with police.

Selecting the most appropriate benchmark population is crucial. The benchmark population chosen will affect whether disproportionality is detected at all, and the size and direction of any racial disproportionality identified.

For example, if analysis indicates that 10 per cent of use of force incidents involved people perceived as Indigenous, the interpretation of the finding will be different depending on whether Indigenous people are five per cent of the benchmark population (indicating overrepresentation) or 25 per cent of the benchmark population (indicating underrepresentation).

It is relatively common for researchers to use resident population data from the Census as a benchmark population for calculating disproportionalities, including in policing research. Although this approach is frequently used and provides valuable insights there are considerable drawbacks that make this resident benchmark population less suitable for measuring disproportionality in the specific event of police use of force.

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<sup>18</sup> ARDS provides the following definition of a benchmark: “A benchmark is a point of reference, or standard, against which things can be compared, assessed, or measured.”

Using resident population to calculate disproportionality in police use of force requires that all residents in an area be equally likely to encounter police. There is literature from Ontario and other jurisdictions showing that members of some racial groups come into contact with police more often than members of other racial groups. This applies to self-identified and perceived race. The result of these drawbacks is a substantial concern with the ability of resident population to provide an accurate and reliable measure of disproportionality in police use of force.

Using resident population as the benchmark to measure disproportionality does not distinguish between racial disproportionality in police use of force specifically and racial disproportionality resulting from high frequency-policing generally. This distinction is important if the intent is to understand if any disproportionalities seen in police use of force are related to the incidents themselves, rather than broader factors related to high-frequency policing. As a result, using resident population as a benchmark, can overcount disproportionality in use of force for some racial groups (e.g., high-police contact groups) and undercount or erroneously indicate no disproportionality for other racial groups (e.g., low-police contact groups).

A hypothetical scenario illustrates this challenge. The residents of the community in question are 50% “race A” and 20% “race B.” Encounters with police there are not evenly distributed across the two racial categories; 30% of police encounters occur with members of “race A” and 40% of encounters occur with members of “race B.” In the instances where officers use reportable force, 30% of the incidents involve members of “race A” and 40% involve members of “race B.” A comparison between use of force and resident population indicates disproportionalities of 0.6 (underrepresentation) for “race A” and 2.0 (overrepresentation) for “race B.” However, when use of force is compared to the rates of police encounters, the disproportionality for each group is 1.0 (no disproportionality). If comparing to resident population, it appears there are disproportionalities in police use of force for the two racial groups. However, when accounting for rates of police encounters, the use of reportable force is not more frequent for one group than the other.

As the example above illustrates, the most relevant benchmark for exploring disproportionality that is attributable specifically to police use of force is the population of people who have experienced police contact or enforcement.<sup>19</sup> An “encounters” dataset with race-based information would enable the use of multiple benchmarks in analysis. This would allow analysis to understand potential disproportionalities in police contact generally and use of force specifically, rather than confounding

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<sup>19</sup> Conceptually, this is similar to an analysis of a service or program using those who are eligible as the benchmark population, rather than all individuals in the catchment area.

disproportionality in use of force and contact with police. At this time, the Ministry does not have access to data that could be used to construct a police enforcement benchmark population.

Another significant challenge with using resident population as a benchmark is that it is not known whether the event involved residents of the community. Using resident population cannot account for individuals who live in one community but spend time in other areas. For example, individuals may commute from one area to another for work; may stay in or pass through areas on vacation;<sup>20</sup> may be apprehended along provincial highway corridors;<sup>21</sup> or may be engaging in criminal activity or hiding in a location far away from their primary residence. Comparing use of force on non-residents to a resident benchmark population to measure disproportionalities can result in both false positives (saying there is disproportionality when there is not) and false negatives (saying there is no disproportionality when in fact there is disproportionality).<sup>22</sup>

As a result of the lack of a proper relevant benchmark population, this technical report does not include calculations of disproportionality indices of police use of force relative to police contact.

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<sup>20</sup> There are rural Ontario towns that experience a large influx of non-residents during the summer season. In that case, the Census population of the town's year-round residents does not represent the people present during the summer. If most use of force events occurred during the summer season and involved non-residents, using the Census population of year-round residents as the benchmark population would lead to an inaccurate measure of disproportionality.

<sup>21</sup> This is particularly relevant for investigations of drug and human trafficking, vehicle theft rings, and organized crime. The police interaction along highways that included use of force may take place hundreds or even thousands of kilometres away from where individuals live or work.

<sup>22</sup> In some use of force-related research, the research question may be best examined using resident population as the benchmark and comparing a non-resident's race to the racial makeup of the surrounding community. Research focused on exploring race-out-of-place theory would require both benchmarks. Comparisons between the individuals involved in use of force events – residents and non-residents – to the racial breakdown of the community in which the event took place can be used to test for race-out-of-place theories of systemic discrimination. Again, it is vital to select the most appropriate benchmark population to answer the specific research questions of interest.

# Section 3: Use of Force Datasets

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### 3.1 Overview

The 2023 provincial dataset was created from data extracted from Use of Force Reports for incidents that occurred between January 1, 2023, and December 31, 2023, and were received by the Ministry of the Solicitor General by July 26, 2024.<sup>23</sup>

The Use of Force Report was an Adobe Acrobat Portable Document Format (PDF) fillable form used by most police services<sup>24</sup> to record information related to provincially reportable use of force incidents.<sup>25</sup> These forms were then emailed to the Ministry through a secure file transfer process. The data extracted from these forms were cleaned, reorganized, restructured, and recoded as required to create datasets usable for analyses. Any reports that did not meet the provincially reportable criteria were not included in this technical report.<sup>26</sup>

A revised Use of Force Report was implemented on January 1, 2023 (Version 2.0).<sup>27</sup> This Version 2.0 Report is a substantial change in data and structure from the previous version.<sup>28</sup>

Between January 1 and March 31, 2023, the responses to one sub-question in the Version 2.0 Report were not being stored and thus were not retrievable for analysis due to a technical issue. If an officer indicated discharging a conducted energy weapon (CEW) in Cartridge/Probe mode, their response to the question on the number of CEW

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<sup>23</sup> Police services are required under the ARA Regulation to submit their Use of Force Reports to the Ministry. An All Chiefs Memo (23-0086) was sent on December 19, 2023 to ensure all police services were aware of this obligation and inform them that all reports were due to the Ministry by February 29, 2024. A reminder was sent in late January 2024. The Ministry followed up in March 2024 and April 2024 with all police services to confirm that the number of reports received matched the number of reports the services were required to transmit. From March to mid-July, all police services had the opportunity to correct any submitted reports and/or add reports that had not been provided.

<sup>24</sup> Some police services have developed applications that their members use to enter the use of force incident information. This data is sent to the Ministry in XML format. The data collected in these applications are meant to be identical to the data collected on the PDF form.

<sup>25</sup> Some police services instruct their members to also use the provincial Use of Force Report to record information on use of force incidents required by their local police service but not required under the PSA. If these reports were sent to the Ministry, they were deleted from the dataset. As a result, numbers reported by the Ministry may not match numbers reported by police services.

<sup>26</sup> On the Use of Force Report, there is no way to specify what type of force caused any injuries. For example, if a report described use of a baton, which caused an injury, and the use of physical control, which did not cause a physical injury, only the baton use would be reportable under the Regulation. Where it is clear that physical control did not cause an injury, or caused an injury that did not require medical treatment, that force type category was removed from analysis.

<sup>27</sup> As noted previously, the numbering of the versions in this technical report are for clarity and do not correspond to what may be printed on the report itself.

<sup>28</sup> Due to technical issues, a small number of 2023 reports (three reports) were submitted using the outdated Version 1.0 form. Police services were asked to resubmit reports using the Version 2.0 or 2.1 form whenever possible, though it cannot be determined if they did so. These three reports using the Version 1.0 form were excluded from analysis because the data were not comparable.

cycles was not saved. Version 2.1 of the Use of Force Report was released to resolve this issue, effective April 1, 2023.<sup>29</sup>

Due to substantial changes between Version 1.0 and 2.0 of the Use of Force Report, changes in the data collected by the Ministry, as well as changes to the Use of Force Regulation, it is not possible to directly compare provincial data from 2023 to provincial data from previous years.

Additional details on the data variables can be found in the data dictionary in the Ontario Data Catalogue.

### **3.1.1 Out of Scope Reports**

In total, 10,935 provincially-reportable Use of Force Reports were submitted to the Ministry for the 2023 dataset from across all 44 in-scope police services. There were 1,603 reports not used in the race-based analyses as these did not involve force on people. The final 2023 dataset used for these analyses is composed of data from 9,332 reports required under the provincial Use of Force Regulation.

#### **3.1.1.1 Reports Involving Only Animals or Accidental Firearm Discharges**

The focus of the ARA analysis is on identifying racial disparities and inequalities between people. Officers are required to submit all provincially mandated reports to the Ministry. Some of these reports are not relevant to analysis on racial differences in use of force. Use of Force Reports involving only animals (e.g., humanely destroying an injured animal)<sup>30</sup> or the accidental discharge of firearms were excluded from this analysis. These incidents do not meaningfully add to analyses focused on racial disparity or disproportionality.

For 2023, the Ministry received 1,258 reports involving only animals. These were excluded from analysis; however, they are available in the Ontario Data Catalogue.

The Ministry did not receive any reports of unintentional firearm discharges in operational settings. The Ministry received one report of an unintentional CEW discharge. This report was not relevant to race-based data analysis, so it was excluded from analyses; however, data from the report is available in the Ontario Data Catalogue.

#### **3.1.1.2 Reports that Did Not Involve Interaction with Individuals**

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<sup>29</sup> Between April and approximately July 2023, some reports were submitted using Version 2.0, in error.

<sup>30</sup> This applies whether the officer was responding to a call for an animal or to another type of call that turned out to only involve an animal.

Officers are required to submit a Use of Force Report any time they draw a handgun in the presence of a member of the public, even if the subject individual(s) fled without the officer being able to observe, identify, or interact with them. For example, officers receive a call that armed individuals are present inside a residence. Prior to entering the residence, the officers draw their handguns in the presence of members of the public standing outside the residence. In this case, a Use of Force Report is required. If the armed individuals fled before police arrived, there would have been no interaction between the armed individuals and the officers; however, a Use of Force Report would still be required as the officers' handguns were out in the presence of members of the public. In this scenario, the officer would choose "No interaction with the subject" on the Use of Force Report.

Although it is important to track these types of force incidents for policy and training purposes, as the risk for the use of lethal force is heightened whenever firearms are used, these reports are excluded from these analyses. This is a change from the methods in the 2020-2022 Technical Report that used data from Version 1.0 of the Use of Force Report. On the Use of Force Report Version 2.0 and 2.1, if an officer selects the checkbox indicating no interaction with subject, they will not provide any data on individuals upon whom force was used. On the Version 1.0 Report (used between 2020-2022), officers were instructed to make their best guess about the likely race of the individual based on cues available to them at the time.

Although not included in the analyses of this technical report, the data from these 345 reports are available in the Ontario Data Catalogue.

## 3.2 Datasets

The data collected by the Ministry were organized into four connected normalized<sup>31</sup> datasets, which were used for analysis in this technical report.<sup>32</sup> This structure is for organizing the data and eliminating redundancy. The Main Records dataset includes the data elements that apply to the event as a whole (e.g., date and time, location). Each Use of Force Report is included in this dataset as one row. The other three datasets include data about more specific data elements, which may or may not apply to each record in the Main Records dataset. These three specific datasets correspond to data

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<sup>31</sup> Database normalization is a design principle for organizing data in a consistent way, avoiding redundancy and complexity, eliminating duplicates, and maintaining the integrity of the database. In a normalized database, the data are divided into several data tables that are linked together, typically using primary keys, foreign keys, and composite keys. In contrast, a denormalized dataset exists in a single flat table, which may include substantial redundancy.

<sup>32</sup> Part B of the Report collects personal information of officers who complete or review the form, or who were involved in the incident. These are the only questions on the Use of Force Report that are not collected by the Ministry and are not included in the datasets.



about 1) the individuals upon whom force was used, 2) the weapons these individuals were perceived to have, and 3) probe cycle records for police use of CEWs.

Across all four datasets, there are a total of 207 columns for analysis. These include all the data that was collected by the Ministry, except for 29 columns that were suppressed for privacy.

This section first describes the structure of questions on the Use of Force Report (Version 2.0 and 2.1) and how it shaped the four datasets for analysis. It then describes each dataset in further detail.

### **3.2.1 Structure of Questions in the Use of Force Report**

The Use of Force Report (Version 2.0 and 2.1) is an interactive form. When first opened, it contains 26 questions, and additional questions are shown based on the responses provided. This is to reduce the time required by officers to complete the reports. For example, if an officer checks a box to indicate using physical control techniques, they will be shown additional mandatory questions to capture details about the physical force (e.g., grounding, joint locks, and strikes). If the officer does not check the box for physical control techniques, the additional detailed questions will not be shown. The only question that is never mandatory is the narrative.<sup>33</sup>

The Use of Force Report contains single-response, multiple-response, restricted-input, and open-text questions. These question types are stored as follows in the datasets:

- For single-response questions, officers must choose only one response from a set of response options. These may be choosing one of a set of checkboxes or selecting one option from a drop-down menu. In the datasets, each single-response question is represented in a single column.
- For multiple-response questions, officers can select as many of the available responses as apply.<sup>34</sup> Each possible response to the question is assigned its own column in the dataset, which indicates whether that response was selected. For example, officers can report more than one reason why they used force. Each of the possible responses (e.g., effect arrest, prevent escape, protect self) has its own column in the dataset.

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<sup>33</sup> The instruction guide informs officers that the narrative section must be completed if there is no accompanying occurrence report.

<sup>34</sup> This is the general rule for multiple-response questions, although additional restrictions may apply in the combination of responses accepted based on logical sense. For example, Treatment of Subject Injuries is one multiple-response question but does not allow the officer to specify other treatment response options if they selected that no treatment was required.

- For restricted-input questions, data quality checks were added to the form requiring officers to type their response in a specific format. For example, officers must provide a numeric response (e.g., “7”) for their length of service in years. Non-numeric characters (e.g., “seven”) will be rejected. Any dates must be provided in YYYY/MM/DD format. In the datasets, each restricted-input question is represented in a single column.
- For open-text questions, officers can type a response with no restrictions on the type of information. Many of these are questions where there is an “Other” response option with a text space allowing the officer to provide additional information. In the datasets, each open-text question is represented in a single column.

### 3.2.2 Main Records Dataset

The Main Records dataset is made up of one entry for each Use of Force Report received by the Ministry. Included are the variables that are relevant to all reports. These include data related to time, date, location, police service, incident type, etc. It also includes a unique identifier (i.e., primary key) for each Use of Force Report.

The Main Records dataset contains 9,332 rows, representing 9,332 reports that were received by the Ministry.

At the end, there were 81 total variables in the Main Records dataset, of which 64 are available in the Ontario Data Catalogue because 17 were suppressed.

### 3.2.3 Individual Records Dataset

If an officer specifies that the incident involved one or more individuals upon whom force was used,<sup>35</sup> there are up to 53 additional questions that may be shown to capture information about each of those individuals. An officer would only be shown questions that may be relevant to the reporting of the incident. For example, if an officer specified that de-escalation techniques were used on a subject, they will be asked to specify the type of de-escalation technique(s) used. They must also specify whether de-escalation assisted in controlling the behaviour of the subject. However, if no de-escalation techniques were used, the officer must specify the reason(s) why de-escalation was not used. These questions must be answered for each individual upon whom the officer used force.

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<sup>35</sup> Although all the incidents analyzed in this technical report involve at least one individual upon whom force was used, there are other reports (e.g., dispatching an animal) that do not involve force on an individual. These reports are included in the datasets in the Ontario Data Catalogue.

There are two key sets of variables in this dataset. First, the dataset contains officers' perceptions of the individual upon whom they used force. This includes perceptions of race, age, and gender; whether there was any difficulty perceiving the race of the individual; and the distance between the officer and individual.

Second, this dataset includes variables about the use of force on the individual. This includes the type of force used on the individual, the reason(s) force was used; factors that influenced the officer's response, including whether the individual was perceived or believed to have access to weapons. Subsequently the data set includes use of de-escalation, whether officers' responses were effective at gaining compliance with an individual, whether the individual was injured or required treatment and lastly whether the officer issued the Police Challenge, if relevant.

The Individual Records dataset contains 12,805 rows, representing 12,805 officer perceptions of individuals. Note that an individual could be perceived more than once, for example by two or more officers reporting on the same incident. Each row cannot be assumed to reflect a unique individual.

### **3.2.4 Weapon Records Dataset**

The Weapon Records dataset includes information about any weapons that individuals are perceived or believed to have access to. On the report, officers complete information about weapons for each individual upon whom force was used. For each perceived weapon, up to three questions were asked. Each row of the Weapon Records dataset contains information related to a perceived weapon. The dataset includes variables about what type of weapon (e.g., handgun, edged weapon) was perceived or believed to be present and the location of these weapons.

The section on perceived weapons is presented on the report for each individual upon whom force was used. As a result, it is possible that one weapon may be listed several times, once for each relevant individual. For example, if two individuals are standing right next to a firearm on a table, the firearm is within reach for both. An officer may include the firearm as a perceived weapon for both individuals, though they may also include it only once. The instructional guide does not provide direction on this.

If the officer did not perceive any weapons nor believe any weapons were present, there would be no rows in the Weapon Records dataset associated with the information on the Main Records or Individual Records datasets.

The Weapon Records dataset includes 8,711 rows, representing 8,711 weapons that were perceived or were believed by officers to be present.

### **3.2.5 Cartridge/Probe Cycle Records Dataset**

The Cartridge/Probe Cycle Records dataset contains information about the cartridges used by officers for CEWs in cartridge/probe mode. For cartridge/probe mode, the Use of Force Report allows officers to enter information for multiple cartridges. In the other two deployment modes (drive/push stun and three-point contact), officers can only enter information about a single cartridge; details about these other two modes are captured in the Individual Records dataset. Note that officers can report using a CEW in more than one mode.

The Cartridge/Probe Cycle Records dataset includes 1,136 rows, representing 1,136 cartridges used by officers during use of force incidents.

# Section 4: Analysis and Results

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## 4.1 Key Concepts for Analysis

This section outlines select findings from the analysis of the 2023 Use of Force Reports received by the Ministry of the Solicitor General. A few points and concepts to assist in interpreting the results are outlined first.

### 4.1.1 Participant-Observer Information

The Use of Force Report collected the reporting officer's perception of the individual's race, age range, and gender. This is also known as Participant Observer Information (POI), addressed in ARDS 40. The ARDS provides the race categories that must be included on the Use of Force Report. Police were instructed not to ask an individual to provide their self-identified race. Although the ARDS note that age and gender may also be important to collect, there is no prescribed language for those questionnaire items.

For each question, officers could only choose one response option. Instructions to officers specified that this should be the perception they had at the time of the force incident. If the officer later learned that an individual self-identified differently than the officer's perception, they should still report their perception. These perceptions may not match how the person self-identifies. As well, multiple officers involved in the same use of force incident may have perceived the same person as a different race category, age range, or gender.

These questions were mandatory on the Use of Force Report, even if officers experienced challenges in perceiving the individual's race, age range, or gender. For example, an individual may have been wearing a mask or disguise. If the incident location was dark or poorly lit, or if the scene was chaotic or evolving rapidly, it may have been particularly challenging to perceive the individual's race, gender, or age. It may not have been possible for the officer to see well enough to perceive the individual, their clothing or accoutrements, hear their voice, or note any other attributes that may have led the officer to perceive a particular racial group, approximate age, or gender. Other aspects of the incident, such as weapon focus,<sup>36</sup> may also have hampered perception of a person's appearance or attributes. Despite this, officers were required to provide their best guess. There was a question on the report that allowed officers to indicate they had difficulty perceiving the individual's race.

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<sup>36</sup> The Weapon Focus Effect refers to the tendency of individuals to focus their attention on a weapon that is present. The result is less attention focused on the appearance of the person holding the weapon and the individual providing less detail about that person when they are later asked for a description.

## 4.1.2 Unit of Analysis: Report, Incident, and Observation

The ideal unit of analysis depends on the specific research question being analyzed. For the analyses conducted in this technical report, different units of analysis were used depending on the specific analyses conducted. These were primarily the: use of force incident, use of force report, and individual observations. Whenever results are reported, the unit of analysis is noted in that section.

Standard 27 of the ARDS provides guidance on the primary units of analysis for race-based analysis, namely the disaggregated categories of perceived race. In other words, the unit of analysis for perceived race includes each of the race categories, where possible, rather than combining race categories.

### 4.1.2.1 Analysis by Incident

One significant change from previous years' provincial reporting is that it is now possible for the Ministry to link Use of Force Reports associated with the same force incident.<sup>37</sup>

For the purpose of this technical report, a use of force incident is defined as an event, or continuous series of events, known or believed to have involved at least some of the same subject individual(s). This definition may not match how police services define an incident, in general, or a use of force incident specifically.

The Ministry can now report on the number of unique use of force incidents as well as the number of Use of Force Reports connected with each incident.

The capability to analyze at the incident level addresses several gaps from the previous technical report, in particular:

- Generating a count of the total number of provincially reportable use of force incidents that occurred
- Improving data quality by identifying and removing duplicates
- Reducing the risk of overcounts, which may affect results and conclusions. For example, if a police service generated a total of 50 reports for 2023, and 15 were all related to a single use of force incident, analyzing based on report would result in that one incident having a disproportionate influence on results. For example, it could appear that force occurs most frequently at a particular time of

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<sup>37</sup> This is because the Ministry began receiving incident numbers as of January 1, 2023. Each police service has its own format for incident numbers, which are generated by their records management system. Reporting officers included these in an open-text variable on the report. Discrepancies in how the incident number was provided within police services (e.g., 2023-123456, 23-123456, 23/123456) introduced some challenges in linking reports. Although best efforts were made to resolve the discrepancies, it is possible that some links were missed.

day or time of the year, or involve people perceived to be members of a specific race category, because of one large incident.

#### **4.1.2.2 Linking Reports to Identify Incidents**

Linking reports that pertain to the same incident is done primarily through incident or occurrence numbers generated by police services. Other information may also be used, such as matching reports with the same date and approximate time, location, as well as noting when a report from one police service indicates that officers were assisting another police service. As such, the number of incidents reported by police services may not match the number of incidents reported here.

For enforcement actions where more than one police service responds, it may be possible to link the reports as well, even though there will be different incident numbers. This could involve members of several police services responding to one event and using force. It could involve several police services responding to a series of events involving the same individual(s) that make up a single incident.

It is also possible that several police services were responding to an incident, but only members from some of those services used reportable force. One example is an incident where members of one police service are providing coverage for an incident, with handguns drawn (reportable), and members of another police service apprehend the individual without using force (non-reportable). In this case, although one service was assisting another service, there would only be reports from one police service.

In the case of large joint operations among police services, for example simultaneous execution of high-risk warrants across Ontario, each warrant execution where force was used, whether by different teams of the same service or simultaneously by different police services as part of a coordinated operation, were treated as separate incidents because there was no overlap in location, individuals or officers involved.

Finally, if there are multiple force events involving the same individual(s), over time and involving different police services, these would be treated as one incident. For example, the series of events begins in Scarborough and ends in Milton two hours later. Although the different police services involved may not assign the same incident number for these reports, and the call or incident type, location, and time of day may be different for each reportable force, for the purpose of analysis these reports would be considered belonging to single incident that were a continuous series of events known to involve – or believed to have involved – the same subject individual(s).

In the 2023 dataset, there were 6,269 use of force incidents that generated 9,332 reports.



### **4.1.3 Scope of Technical Report**

This technical report focuses on providing a detailed description of how the data were collected and cleaned, an assessment of data quality, and descriptive statistics of key variables in the datasets. The focus of this technical report is to provide an overview of topics of interest and the dynamics that may be involved in use of force incidents.

## **4.2 Perceptions of the Individuals upon Whom Force was Used**

This section presents analysis about the observations officers made about individuals upon whom force was used. In these analyses, officers' observations about individuals involved in the same use of force incident are often aggregated to categorize the incident by perceived race, age, and gender. Examples below describe aggregation for perceived race; the aggregation principles were the same for perceived age and gender.

For incidents with only one officer's Use of Force Report describing force used on one individual, the perceived race for that individual represents the incident. In other words, if the one individual was perceived as "race A," the incident was classified as an incident involving individuals perceived as "race A."

For incidents with multiple reports and/or individuals, if every perceived race response across all reports matched, the incident was aggregated as that race category. For example, if an incident had three reports each involving multiple individuals and every race perception was "race A," the incident was classified as an incident involving individuals perceived as "race A."

For the remaining incidents (approximately 9.5 per cent), where perceived race did not match across Use of Force Reports and/or observations, two approaches to aggregating were applied to these incidents.

In one approach, the incidents that involved perceptions of more than one race category were coded as "Multiple Races." This could be one officer perceiving several individuals as belonging to different racial groups. It could also be multiple officers perceiving the same individual as different race categories. The "Multiple Races" category was created for the purposes of analysis; it was not a checkbox option on the Use of Force Report.

One advantage of creating and using a "Multiple Races" category in analyses is that the total use of force incidents for each racial category adds to 100 per cent. One drawback to this approach is that the "Multiple Races" category is of limited use for analyses about racial differences.

The second aggregation approach addresses this limitation by including all race categories perceived by officers involved in an incident, in the counts for these incident race categories. An incident is aggregated to more than one race category if there is more than one perceived race involved. For example, if one report indicated that an officer perceived one individual as “race A” and a second individual as “race B,” the incident would be aggregated to both “race A” and “race B” categories. This enables reporting of all incidents that involved at least one individual perceived as belonging to a particular racial category; there is no “Multiple Races” category in this method of aggregation.

This second approach is most consistent with the requirements in the ARDS to report results at the disaggregated race categories. As a result, it is the most frequently used aggregation for many of the race-based analysis in this technical report. The “Multiple Races” category is used when appropriate for a particular analysis.

It is important to keep in mind that observations of individuals in these force incidents do not necessarily represent unique individuals. Multiple officers perceiving the same individual will each provide observations. As such, the number of individual observations is higher than the number of actual individuals described in the Use of Force Reports.

One notable caveat for all analyses involving perceived race, gender, or age is that it is not possible to parse out the potential effects of police contact rates on the rate of police use of force due to the current lack of an appropriate benchmark population. Any race, age, or gender use of force disproportionalities derived by comparing proportion of groups within the use of force dataset to their proportions in the general population, could be due to differences in rates of police use of force with members of that group. Alternatively, they could be due to differences in the number of times individuals of different groups come into contact with police.<sup>38</sup> In other words, it cannot be assumed that any differences observed reflect differences in rates of police use of force, rather than differences in rates of interactions with police. Disproportionality calculated using Ontario resident populations may be overcounted for high-contact groups and undercounted for low-contact groups. This limitation does not apply to disparity indices calculated comparing groups within the use of force dataset.

#### **4.2.1 Race and Difficulty Perceiving Race**

On the Use of Force Report, reporting officers selected one of seven race categories to describe the perceived race of each individual upon whom they used force. There was

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<sup>38</sup> Which could itself be due to broader factors driving higher police contact for certain groups compared to other groups, including over policing, poverty, profiling by proxy, etc.

no “I don’t know” option. This reflected the requirements of the ARDS. There was also no option for “Mixed Race” or opportunity for officers to select multiple race categories for an individual. Even if an officer knew the individual identified themselves as two races, they were to select the category that they believed the person most resembled.

As well, officers reported whether they had any difficulties perceiving the race of any individual.

What race category best describes this individual? (select only one)

Black  East / Southeast Asian  Indigenous  Latino  Middle Eastern  South Asian  White

Did you have any difficulties perceiving the race of the subject?  Yes Specify  No

Figure 1; Perceived Race Question

#### 4.2.1.1 Race

Overall, use of force incidents most frequently involved individuals who were perceived as White, Black, or Indigenous, in that order. The proportion of incidents involving at least one individual perceived as being a member of the applicable race category were:

- Black: 1,408 incidents (22.5 per cent)
- East/Southeast Asian: 393 incidents (6.3 per cent)
- Indigenous: 533 incidents (8.5 per cent)
- Latino: 164 incidents (2.6 per cent)
- Middle Eastern: 429 incidents (6.8 per cent)
- South Asian: 220 incidents (3.5 per cent)
- White: 3,792 incidents (60.5 per cent)

The number of incidents for any one race category indicates that at least one officer perceived at least one subject individual to be a member of that race category. For the majority of incidents, 90.5 per cent (5,675), all individuals involved were perceived to be of the same race by all officers involved. In 9.5 per cent (594) of incidents, the individuals involved were perceived as belonging to different race categories. This may have involved unique individuals or the same individual perceived differently by multiple officers. Because these incidents were included in the count of all relevant race categories, the total is over 100 per cent.<sup>39</sup>

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<sup>39</sup> There were no notable differences in the ranking of perceived race categories by incident based on how the incidents were aggregated.

The total number of incidents in the dataset was 6,269. Percentages for race category are derived using the total number of incidents, 6,269, because the correct denominator is the total number of incidents reported.

#### 4.2.1.2 Difficulty Perceiving Race

The Use of Force Report Version 2.0 and Version 2.1 used in 2023 allowed officers to indicate, for each individual, whether they had difficulty perceiving that individual's race. If they selected yes, there was an open-text field to specify the difficulty. Officers were not asked whether they had difficulty perceiving the individual's age or gender.

For most observations of individuals (94.7 per cent, 12,125 of 12,805 individual observations),<sup>40</sup> officers reported no difficulty perceiving the individual's race.

In the small number of observations of individuals (5.3 per cent, 680 of 12,805 individual observations) where officers did report difficulty perceiving an individual's race, officers noted several reasons.

These reasons could be grouped into two main categories: difficulty discerning race and not having a clear view of the individual. Difficulty discerning race could occur with individuals who had a light complexion or who were perceived as racially ambiguous. This would lead to difficulty choosing the best race category of those available on the report. Difficulty seeing the individual involved several factors. These included cars with tinted windows making it difficult to see the individuals inside; the individual wearing clothing, a hat, and/or face coverings; individuals hiding behind an object; the distance between the individual and officer; the individual having their back to the officer; and darkness or poor lighting. Officers were instructed to provide their best estimation of the race of the individual in these types of situations, consistent with the guidance in Standard 40 of the ARDS.

There were differences between the perceived races, with the greatest proportion of difficulty for individuals perceived as Latino (15.3 per cent) and the lowest for individuals perceived as White (2.7 per cent).

- Black: 199 observations (6.9 per cent)
- East/Southeast Asian: 51 observations (6.5 per cent)
- Indigenous: 90 observations (10.5 per cent)
- Latino: 44 observations (15.3 per cent)
- Middle Eastern: 95 observations (10.2 per cent)

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<sup>40</sup> To determine whether officers reported having more or less difficulty in perceiving individuals of different racial categories, data were examined using an officer's observation of each individual they used force on as the unit of analysis. This is the most relevant unit of analysis in this context because difficulty perceiving race was reported for each individual observation and the analytical lens is examining officer difficulty in perceiving race. In other contexts, data may be aggregated to the report or incident as unit of analysis. In this context, aggregating this same data to the incident level, the results are 6.6% (412 incidents) involved at least one person who at least one officer had difficulty perceiving their race.

- South Asian: 20 observations (4.5 per cent)
- White: 181 observations (2.7 per cent)

Caution is warranted when interpreting these results at the observation level. One incident with several subject individuals and several officers making observations will have a disproportionate impact on the results. This is particularly the case with race categories that had a small number of incidents.

#### 4.2.2 Age

Reporting officers selected one of eight age range categories to describe the perceived age of each individual upon whom they used force. They could only select one option for each individual.

What age category best describes this individual? (select only one)

Under 12     12-17     18-24     25-34     35-44     45-54     55-64     65 and older

*Figure 2; Perceived Age Report Question*

The proportion of incidents involving at least one individual perceived as being a member of the applicable age category were:<sup>41</sup>

- Under 12: 22 incidents, 0.4 per cent
- 12-17: 475 incidents, 7.6 per cent
- 18-24: 1,288 incidents, 20.5 per cent
- 25-34: 2,685 incidents, 42.8 per cent
- 35-44: 1,835 incidents, 29.3 per cent
- 45-54: 803 incidents, 12.8 per cent
- 55-64: 420 incidents, 6.7 per cent
- 65 and older: 99 incidents, 1.6 per cent

As with perceived race, officers reporting perceptions of the same individual may provide different responses (e.g., when one officer indicates an individual is 18-24 and another indicates 25-34).

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<sup>41</sup> Totals add to more than 100 per cent as one incident could involve individuals of different age groups.

### 4.2.3 Gender

Officers were required to report their perception of the gender of each individual upon whom they used force. The options were: Male, Female, Trans/non-binary/other.<sup>42</sup> Officers could only select one option per individual.

What gender category best describes this individual? (select only one)  Male  Female  Trans/non-binary/other

Figure 3; Perceived Gender Report Question

Most incidents (92.2 per cent) involved at least one individual perceived as male (5,781). In 80.7 (5,061) per cent of incidents, all individuals were perceived as male. A smaller proportion of incidents involved at least one individual perceived as female (1,181, 18.8 per cent) or at least one individual perceived as trans/non-binary/other (30, 0.5 per cent).<sup>43</sup>

As with perceived race and age, officers reporting perceptions of the same individual may provide different responses. Also, similar to age, the disproportionality compared to the resident population may be due to officers being more likely to use force on individuals perceived as male and/or these individuals being more likely to come into contact with police.

### 4.3 The Police Services

Officers were required to indicate their own police service when completing the report. For officers who selected Municipal Police Service, a drop-down menu of municipal police services in Ontario was provided. For officers who selected Ontario Provincial Police (OPP), a drop-down menu of OPP regions was provided; the options were Central Region, East Region, General Headquarters, Highway Safety Division, North East Region, North West Region, and West Region.

The Use of Force Report included an option for a reporting officer from an “Other Agency,” but the Ministry did not receive any Use of Force Reports from agencies other than the 44 in-scope police services.

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<sup>42</sup> Due to the structure of the response options, it was not possible to explore differences between individuals perceived as trans women, trans men, or non-binary. In addition, the number of reports that included individuals perceived as trans, non-binary, or another gender identity (N=37 subject observation reports) was too small to support any meaningful analysis of this question.

<sup>43</sup> Some incidents (722, 11.5 per cent) included perceptions of different genders; these were counted in each applicable category, (i.e., incidents with at least one person perceived as male, female, or trans/non-binary/other).

Select Police Service\* (select only one)

- Municipal Police Service   ▶ Division/District/Other (Appendix A) \_\_\_\_\_
- Ontario Provincial Police   ▶ Detachment (Appendix B) \_\_\_\_\_
- Other Agency               ▶ Specify \_\_\_\_\_

Figure 4; Select Police Service Report Question

All 44 police services in scope provided at least one Use of Force Report in 2023. All 44 provided at least one report involving individuals (i.e., other than for dispatching an injured animal or for accidental discharge of a firearm).

The number of reports submitted to the Ministry by a particular service, including reports related to injured animals or without interaction with an individual, ranged from two to 2,984. As described in section 3.1.1 of this technical report, some Use of Force Reports were excluded from the race-based data analysis herein. The number of reports per service used in the race-based analysis in this technical report ranged from two for to 2,092. Data from all reports, those included and excluded from analyses in this technical report, are available in the Ontario Data Catalogue.

The proportion of force incidents involving people perceived as a particular race varied greatly across Ontario police services. Many factors likely influenced this variability. One important factor was likely the racial makeup of the population who reside in the police service catchment area, which varies significantly across the province. As previously noted, one limitation of the existing provincial data is the lack of an appropriate police contact benchmark. However, even if police contact benchmark data existed at the provincial level, use of force should still be investigated at the police service level as well, given the high variability in local resident populations and likely high variability in police contact rates across Ontario communities.

Analyzing use of force incidents by police service adheres to the principle of primary units of analysis and disaggregation in the ARDS Standard 27. This also helps protect against Simpson's paradox, a statistical phenomenon where results at one level of analysis reverse or disappear when combined at another level. For example, overrepresentation of a particular racial group at a local level may not be identified when combined with data from other locations in a provincial dataset. This racial group may even appear underrepresented at the provincial level. Conversely, the apparent overrepresentation of a group at the provincial level may originate from a small number of police services with a high number of residents and police contacts with people of that racial category. In that case, the group may appear overrepresented in the provincial dataset but would not in fact be overrepresented in use of force in most police services.

Some key differences across police services in the proportion of incidents involving individuals perceived as particular races were:

- Four smaller, rural police services only reported Use of Force incidents involving people perceived as White.
- Fourteen services only had reports where the individuals were perceived as two of the seven racial categories.
- Most incidents involving individuals perceived as South Asian (69 per cent, 151 incidents) were from Peel (76 incidents, 16 per cent of Peel's total incidents) and Toronto (75 incidents, 6 per cent of Toronto's total incidents). Most police services (66 per cent, 29 services) did not have any use of force incidents involving individuals perceived as South Asian.
- Most incidents involving people perceived as Latino (73 per cent, 120 incidents) were generated by four police services: Toronto, Peel Region, OPP, and Waterloo Region.
- Twelve police services had zero use of force incidents including individuals perceived as Black. In contrast, individuals perceived as Black were involved in 40.4 per cent of incidents reported by Toronto Police Service.
- Eleven police services had no use of force incidents involving individuals perceived as Indigenous. In contrast, individuals perceived as Indigenous were involved in 60.5 per cent of incidents submitted by Thunder Bay Police Service.

As noted above, these findings should be contextualized by considering the appropriate benchmark population for that geographical location. This will typically be a benchmark of police contact, but this is not currently available.

#### **4.4 The Officers**

This section describes data related to the officers involved in use of force who submitted Individual Reports. As noted in Section 1, the analysis conducted for this technical report does not examine specific use of force incidents to determine the appropriateness of the force that was used. The intent of the analyses was to identify and examine any general patterns that may be relevant to identifying systemic issues, which can assist future policy or programming reviews. Areas of research related to police officer characteristics and use of force include officer training and years of experience, as well as the demographic attributes of the officer and police services.



The type, breadth, and amount of training Canadian officers and recruits receive has increased in the previous few decades, including in Ontario.<sup>44</sup> In particular, there has been increased emphasis on de-escalation training. Some research has found a lower risk of use of force, including lethal force, when responding officers have had substantial training in crisis intervention or de-escalation; other research has noted additional data is required to demonstrate empirically the efficacy of this training.<sup>45</sup>

Data from the Use of Force Report Versions 2.0/2.1 can be used, in some limited ways, to investigate some of these theorised use of force correlates. Officer rank category, length of service, assignment type, and attire were captured on Individual Reports. There were no fields to capture officers' race, gender, or extra training. Results in this section are based on the number of Individual Reports submitted; a single officer may be involved in more than one use of force incident and thus submit more than one report. For this reason, results do not represent unique officers.

#### 4.4.1 Number of Officers Applying Force

##### Report Type \*

<input type="checkbox"/> Individual	▶ Total years of service as a police officer	Rank category (select one) (Appendix C)
<input type="checkbox"/> Team	▶ Type of Team (select one) (Appendix D)	How many officers were part of the team response, including yourself?

##### Type of Assignment \*

Attire: <input type="checkbox"/> Non-Uniform	<input type="checkbox"/> Uniform	Assignment Type (select one) (Appendix E)	Type of Incident * (select one) (Appendix F)
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Figure 5; Report Type and Type of Assignment Report Questions

For 2023, there were 7,735 Individual Use of Force Reports received by the Ministry.<sup>46</sup> It is not known how many unique officers submitted reports.

<sup>44</sup> Palermo, T. (2018). Ontario police college: Then and now. *Blue Line*.

Public Safety Canada (2013). Economies of policing: Summary report of the police education and learning summit.

Shiple, P. (2019). The professionalization of police training in Canada. *Blue Line*.

<sup>45</sup> For example:

Engel, R.S., Corsaro, N., Isaza, G.T., & McManus, H.D. (2022). Assessing the impact of de-escalation training on police behavior: Reducing police use of force in the Louisville, KY Metro Police Department. *Criminology & Public Policy*.

Lavoie, J., Alvarez, N., Baker, V., & Kohl, J. (2023). Training police to de-escalate mental health crisis situations: Comparing virtual reality and live-action scenario-based approaches. *Policing: A Journal of Policy and Practice*.

White, M.D., Orosco, C., & Watts, S. (2023). Can police de-escalation training reduce use of force and citizen injury without compromising officer safety? *Journal of Experimental Criminology*.

<sup>46</sup> 9,332 reports were received and included in the analysis for this technical report, 1,597 of those were "Team Report" and 7,735 were "Individual Reports". The data collected about officers involved was different for Individual and Team Reports. This section focuses on the data collected about officers from the 7,735 Individual officer reports.

In Ontario in 2023, there were 28,569 sworn police service members, from Constables to police Chiefs (though this figure includes First Nation Police Services, even though they were not legally required to complete Use of Force Reports). Every officer must complete refresher training on use of force annually, regardless of whether they were involved in a use of force incident.

#### 4.4.1.1 Number of Other Officers

Officers were required to specify the number of other officers engaged with the individual when they applied force. The response had to be an integer between “0” and “99”; a response of “5” would be accepted, whereas a response of “five” would not.

This refers to the number of other officers who physically or verbally engaged with the individual at the time force was applied. Here, “engaged” could indicate, for example, officers attempting to de-escalate the situation, issuing verbal commands, or restraining the individual; indicating that other officers were engaged with the individual does not mean that any of the other officers used force. The count should not include other officers who were present on scene at the time but were not engaged with the individuals. For example, officers who were directing traffic, collecting evidence, taking statements, or assisting victims would not be included in these counts.

The count does not include the reporting officer themselves; if no other officers were involved during the use of force, the reporting officer should indicate “0.” Indicating that other officers were engaged with the individual does not mean that any of the other officers used force.

##### **Persons Present at Time Force Applied \***

Total number of subjects on whom you used reportable force?  Specify # \_\_\_\_\_

No interaction with subject  None (animal only)

Approximately how many other officers were engaged with the subject at the time you applied force? Specify

*Figure 6; Persons Present at Time Force Applied Report Question*

Overall, the number of other officers involved when force reported through an Individual Report, ranged from 0 (only the reporting officer) to 29 other officers.

## 4.4.2 Officer Rank Category

For Individual Reports, officers indicated their rank category: Commissioned Officer; Non-Commissioned Officer; and Constable (1<sup>st</sup> to 4<sup>th</sup> class)/Special Constable/Other.<sup>47</sup> Commissioned officers are senior officers such as an Inspector or Chief of Police. Non-commissioned officers have ranks that are higher than Constables, but lower than Commissioned officers, such as Sergeants.<sup>48</sup>

For 2023, the majority of Individual Reports were completed by Constables (7,287, 94.2 per cent). Comparatively fewer were completed by Commissioned (41, 0.5 per cent) or Non-Commissioned (407, 5.3 per cent) officers.

The percentage of reports from Constables is notably higher than the per cent of Ontario officers holding those ranks (approximately 75 per cent). Different ranks of officers work in different environments with different responsibilities. In most cases, constables and/or sergeants have the most interaction with members of the public. Commissioned Officers are likely to have significantly fewer interactions with members of the public that may lead to use of force than do frontline officers.

Because of how the response options are currently structured, there is not sufficient variability in the data to explore any correlations between rank and other variables.

## 4.4.3 Officer Length of Service

Length of service was collected on Individual Reports as an open-text variable and tracked in years of service completed. An individual who had been a police officer for four and a half years should have indicated four years of service completed. Built-in data validation required a response that was a number between “0” and “60.”

If an officer was involved in more than one use of force incident in 2023, their length of service would be counted once for each report submitted.

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<sup>47</sup> The ranks that municipal police services may have were outlined in subsections 8 (1), (2), and (3) of the general regulation under the *Police Services Act* (PSA) (O. Reg. 268/10). OPP ranks are broadly similar; under the PSA, the ranks of police officers in the OPP were established by the Commissioner.

<sup>48</sup> For municipal police services, Commissioned officers include the ranks of Inspector, Staff Inspector, Superintendent, Staff Superintendent, Deputy Chief, and Chief. Non-commissioned officers include the ranks of Sergeant / Detective and Staff Sergeant / Detective Sergeant. In the OPP, Commissioned officers include the ranks of Inspector, Superintendent, Chief Superintendent, Deputy Commissioner, and Commissioner. Non-commissioned officers include the ranks of Sergeant / Detective Sergeant, Staff Sergeant / Detective Staff Sergeant, and Sergeant Major.

Responses in 2023 ranged from 0 (for less than one year service) to 38 years of service. Approximately half (49.7 per cent) of Individual Use of Force Reports were reported by officers with fewer than five years of service.

Care is needed when interpreting how length of service may be related to use of force. A more complete analysis would compare these results with the distribution of service lengths for all police officers in Ontario; however, the Ministry does not currently have access to the data required to conduct this comparison. A complete analysis would also include data on how years of service may correlate with contact with the public or propensity to be in situations that are the most likely to result in force being required. This would include, for example, performing frontline general patrol duties, the likelihood of working certain shift schedules or to be assigned to certain neighbourhoods or given particular assignment types.

#### 4.4.4 Assignment Type

Individual officers reported the type of assignment they were on during the use of force incident. They chose one response from a drop-down list. There was an option to select “Other” and provide a written response. Very few “Other” responses were received, so these were not recoded into existing or new response option categories.

##### E. Assignment Type

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- Administrative (e.g., station duty)	- Drugs	- Off duty
- Canine	- Guns and Gangs, ROPE, other specialized units	- Patrol (e.g., general, foot, bicycle, ATV, snowmobile)
- Community liaison, school resource	- Hostage rescue	- Paid duty
- Community oriented/directed response	- Investigations (CIB, Major Crime)	- Prisoner transportation/care/control
- Containment	- Marine	- Public order
- Court appearance	- Mental Health Response Unit/ Mobile Crisis Response Team	- Tactical
- Court security	- Mounted	- Traffic
		- Other Specify

Figure 7; Assignment Type Report Question

The majority of Individual Reports were patrol (83 per cent, 6,417). Each of the other assignment type categories were noted in fewer than 3.5 per cent of reports.

It is possible that an officer’s assignment did not match the type of assignment during a use of force incident. For example, an officer who was assigned to a specialized assignment (e.g., Marine, Tactical) may be deployed to other types of incidents when additional personnel are required. As such, it is possible, for example, that an officer who reported Marine as their assignment type was assisting other officers during a force incident unrelated to that Marine assignment.

#### 4.4.5 Attire

Officer attire at the time of the use of force was captured for all Use of Force Reports. Reporting officers had to select either “Non-Uniform” or “Uniform”. Generally, all ranks except for detectives wear some kind of uniform, unless on special assignment. Detectives typically wear civilian clothes.

Officers in uniform and in civilian clothing are likely to be performing different types of public safety activities. In addition, a key difference between the two types of attire is the equipment officers will have. Officers in the standard uniform have standard equipment and duty belt. Officers with specialized assignments may have specific uniforms and equipment. The equipment that officers in civilian clothing have varies widely depending on their specific duties. Some detectives wear an adapted duty belt that includes different force options from frontline members and others will carry a small pistol and keep other items in a bag. Mobile surveillance teams may have additional equipment in vehicles, while officers on foot will have limited access to additional equipment.

Officers’ attire may also affect how members of the public interact with police and how they experience this interaction. There could be qualitative differences in how individuals react to and perceive an interaction with a detective in a suit, an officer with the standard uniform, or an officer wearing or carrying more extensive protective gear (e.g., helmet, shields) and/or possessing additional types of weapons.

In 2023, the vast majority of officers reported being in uniform during the incident (7,286, 94 per cent), though it is not clear what type of uniform they were wearing. The remaining six per cent were mostly officers involved in investigations or specialized units such as Guns and Gangs or Repeat Offender Parole Enforcement (ROPE).

Given nearly all officers were in uniform, it is not possible to identify differences in the use of force between officers in uniform or not in uniform.

#### 4.4.6 Attempts to Gain Compliance

For each individual upon whom the reporting officer used force, police indicated whether they issued directions to the individual to comply. These could be instructions to stop or change threatening behaviour, or how to avoid and/or end the application of force. The directions may be short, loud, easily understood phrases to tell an individual what the officer wants them to do (e.g., “stop resisting,” “get back,” and “get on the ground”). If the officer issued directions, they also indicated whether the individual complied.

Did you issue directions to the subject to comply? \*  Yes  No    If yes, did the subject comply?  Yes  No

Figure 8; Instructions to Comply Report Question

The dataset includes only incidents in which reportable force was used; incidents in which individuals complied with orders and force was not used would not generate a Use of Force Report.

Reporting officers gave directions to comply to 83 per cent of individuals observed.<sup>49</sup> There are many reasons an officer may not direct an individual to comply. For example, another officer was already providing direction; the reporting officer was providing coverage and not directly interacting with the individual; there was imminent threat; or the individual complied immediately, before direction could be given.

In 80 per cent of incidents, every observed individual whom officers directed to comply, did so. In 13 per cent of incidents, none of the observed individuals were directed to comply, and the other seven per cent of incidents, some – but not all – observed individuals were directed to comply. In this latter group, it is possible that another officer was directing that individual to comply.

The majority of police services (73 per cent, 32 police services) indicated that they provided directions to comply to at least 90 per cent of observed individuals. For all police services, the proportion of observed individuals directed to comply ranged from 48 per cent (OPP) to 100 per cent (nine police services).

There were differences in directions to comply based on perceived race:

- Black: 88.4 per cent (2,532 observations)
- East/Southeast Asian: 83.7 per cent (660 observations)
- Indigenous: 70.7 per cent (608 observations)
- Latino: 84.0 per cent (242 observations)
- Middle Eastern: 84.6 per cent (785 observations)
- South Asian: 91.0 per cent (404 observations)
- White: 81.7 per cent (5,422 observations)

None of the disparities exceeded the 20 per cent threshold, though the disparities for individuals perceived as Indigenous or as South Asian may be worth noting:

- Black: 1.08
- East/Southeast Asian: 1.02
- Indigenous: 0.86
- Latino: 1.03
- Middle Eastern: 1.03

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<sup>49</sup> As noted in Section 2.3.3, these may not be unique individuals.

- South Asian: 1.11

Observed differences may be related to perceived race or could be due to differences across services. For example, the four police services with the highest number of individuals perceived as Indigenous also had lower rates of directing individuals to comply. Further analysis would be required to identify the cause(s) of any differences for perceived race.

Most individuals were perceived by the officer to have complied with the directions given (70 per cent).

- Black: 72.0 per cent (1,824 observations)
- East/Southeast Asian: 74.4 per cent (491 observations)
- Indigenous: 60.7 per cent (369 observations)
- Latino: 66.5 per cent (161 observations)
- Middle Eastern: 76.9 per cent (604 observations)
- South Asian: 72.0 per cent (291 observations)
- White: 68.6 per cent (3,721 observations)

Disparities were as follows:

- Black: 1.05
- East/Southeast Asian: 1.08
- Indigenous: 0.88
- Latino: 0.97
- Middle Eastern: 1.12
- South Asian: 1.05

There are many factors which may have influenced officers' perceptions that an individual complied. It could how officers perceived behaviour or how individuals behaved. Differences in individuals' behaviour could also be influenced by systemic factors related to race, such as a history with police or factors associated with particular call types. Further data analysis would be required to determine if these types of factors explained variations in perceived compliance.

Overall, the rates of direction to comply and perceived compliance were similar across most perceived racial categories, with two exceptions. First, people perceived as South Asian were the most likely to be directed to comply, however this may be a result of the police services responding having higher rates of directing individuals to comply overall. In contrast, people perceived as Indigenous were the least likely to be directed to comply, and when directed, they were the least likely to be perceived to comply.

## 4.5 The Force Used

For each individual upon whom they used force, officers were required to report on the type of force used, why force was used, and whether the force was effective in controlling the individual's behaviour. As well, officers indicated whether de-escalation was used or attempted.

### 4.5.1 Distance from Individuals When Deciding to Use Force

Officers were required to indicate the distance between themselves and each individual at the time they decided to use force. Three response options were available: less than three metres; three to seven metres; and greater than seven metres. Officers could only choose one option for each individual upon whom they used force.

Distance between you and the subject (at the time decision was made to use force)

Less than 3 metres (approx. 10 feet)  3 to 7 metres (approx. 10 to 23 feet)  Greater than 7 metres (more than 23 feet)

*Figure 9; Distance Between You and Subject Report Question*

The distance between the officer and individuals when the decision to use force is made may impact the type of force used, its effectiveness, and the potential for injuries. There may be a difference in the level of risk, with smaller distances between the officer and individual potentially being riskier. For example, there is substantially greater risk to officers when an individual with a baseball bat is five feet away than when they are 20 feet away, while an individual with a firearm presents a substantial risk at even fairly long distances.

The force options that may be used will often depend on the distance between the officer and the individual. Physical control and intermediate weapons like batons are only useable when the officer is within a few feet of an individual. Conducted energy weapons (CEWs) and aerosols (i.e., pepper spray) also have an ideal range for use. In cartridge / probe mode, CEWs are most effective at temporarily immobilizing an individual when the two probes make contact with different muscle groups. This is unlikely to occur at very short distances. However, at further distances, there is a substantial risk that one or both probes will miss or not make effective contact with the individual. Similarly, aerosols may also affect an officer or others when the individual is too close and may not affect the individual if they are far away.

For one incident, the distance may vary for different officers and for different individuals. An officer might be less than three metres from one individual and three to seven metres from a second individual when deciding to use force. Another officer responding to the same incident may be greater than seven metres away from everyone when



determining that force is required. This may also be used strategically, with the officers able to provide different types of coverage for the incident at varying distances.

When considering the results, it is important to remember that officers are meant to be reporting the distance at the moment they decided to use force. This should not be interpreted as the closest or furthest distance between the officer and the individual during the use of force incident. An officer may determine that force is required as an individual is running towards the officer from a distance of seven metres while actual force may then be applied at less than three metres.

The 9,332 reports (Individual Reports and Team Reports) included 12,805 subject individual observations.<sup>50</sup> The majority of the time, officers decided to use force when they were within three metres of an individual (46 per cent, 5,880 observations) or three to seven metres from an individual (39 per cent, 5,050 observations). The decision to use force was less frequently made when the officer was more than seven metres from the individual (15 per cent, 1,875 observations).

There were no notable variations in the distance based on perceived race.<sup>51</sup>

#### **4.5.2 Type of Force Category**

Officers are expected to be continually assessing situations and choosing the most reasonable option according to the persons involved and the context of the situation. Interactions between police and individuals are fluid. As the interaction evolves, officers' choice of response options may change. As such, officers may use multiple force types in a single incident. This Use of Force Report does not indicate the order in which different force options were used.

Five categories of force type are captured on the Use of Force Report:

1. Physical Control
2. Intermediate Weapon (e.g., pepper spray, baton, CEW)
3. Less Lethal Firearm
4. Other (e.g., canine, horse, weapon of opportunity)
5. Firearm

When an officer selected one or more of these force categories, additional questions were presented to collect detail about the specific force types used. The image below

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<sup>50</sup> A reminder that this does not indicate that there were 12,805 individuals upon whom force was used.

<sup>51</sup> Other exploratory analyses were conducted to identify whether there was any relationship between distance at the time the officer decided to use force and other variables. There were no results of note related to the number of observations made in the incident, number of officers involved, or the type of force used.

shows all possible questions that officers may complete, depending on the selected force categories and force types. Officers were required to select all force type categories and specific force types they used.

For each force type and officer response, officers also reported whether this assisted in controlling the individual's behaviour. As well, if officers reported pointing or discharging a firearm in their response, they indicated whether they issued the Police Challenge. If they did, they were asked whether the individual complied. If they did not issue the Police Challenge, they were asked why not.

**Type of Force Used \***

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Physical Control (select all that apply)  Escort techniques  Grounding  Joint Locks  Pinning  
 Pressure Points  Strikes  Other Specify \_\_\_\_\_

Did this assist in controlling the subject's behaviour?  Yes  No

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Intermediate Weapon (e.g., pepper spray, baton, CEW - check all that apply)

OC (pepper spray) Did this assist in controlling the subject's behaviour?  Yes  No  
 Baton  Hard (e.g. strikes)  Soft (e.g. prying) Did this assist in controlling the subject's behaviour?  Yes  No  
 Conducted energy weapon (CEW)  Drawn and Displayed with the intention of achieving compliance  Pointed  
 Discharged ▶  Cartridge / probe  Drive / push stun  3-point contact  
 Cycles  Single cycle (5 seconds)  Extended cycle (more than 5 seconds)  Multiple cycles  
 Did this assist in controlling the subject's behaviour?  Yes  No

---

If CEW did not assist in controlling the subject's behaviour, specify why (select all that apply)

Cartridge Malfunction  Disconnect  Insufficient Probe Spread  Operator Error  Probe Miss  
 Weapon Malfunction  Other Specify \_\_\_\_\_

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Less Lethal Firearm (select all that apply)

Shotgun (e.g. bean bag round):  Pointed  Discharged

Figure 10; Type of Force Used Report Question

Did this assist in controlling the subject's behaviour?  Yes  No

Extended Range Impact Weapon:  Pointed  Discharged

Did this assist in controlling the subject's behaviour?  Yes  No

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Other (e.g., canine, horse, weapon of opportunity)

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Specify \_\_\_\_\_ Did this assist in controlling the subject's behaviour?  Yes  No

---

Firearm (select all that apply)

Handgun  Drawn  Pointed  Discharged Did this assist in controlling the subject's behaviour?  Yes  No

Rifle  Pointed  Discharged Did this assist in controlling the subject's behaviour?  Yes  No

Shotgun (Lethal)  Pointed  Discharged Did this assist in controlling the subject's behaviour?  Yes  No

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Did you issue the Police Challenge?  Yes  No Did the subject comply?  Yes  No

If did not issue challenge, specify:  Not viable  Issued by another officer  Other Specify \_\_\_\_\_

Figure 11; Type of Force Used Question

Definitions of the five force type categories are as follows:

1. **Physical Control** includes any empty-handed techniques used to physically control an individual's actions and does not involve the use of a weapon. A Use of Force Report involving exclusively Physical Control is only required if an individual sustained an injury that required the services of a physician, nurse, or paramedic. There were seven types of Physical Control that officers could select (e.g., Grounding, Joint Locks, Strikes).<sup>52</sup>
2. **Intermediate Weapons** involves the use of weapons not intended to cause serious injury or death, such as pepper spray, baton, or CEW.
  - **Aerosol Weapons** are inflammatory agents typically delivered via spray and designed to temporarily impair an individual, often by inducing a burning sensation of the skin and painful tearing and swelling of the eyes.
  - **Batons** are roughly cylindrical clubs carried as weapons. In Ontario, police are issued fixed-length or expandable batons.
    - **Soft Application** involves using the baton to pry an individual loose (e.g., using a baton to pry an individual's arms off an object or out from under their body).
    - **Hard Application** involves using the baton to strike major muscle groups to cause compliance with the objective of changing the subject's intent and behaviour (e.g., striking an individual's upper leg to stop them from kicking).
  - **Conducted Energy Weapons (CEWs)** deliver a series of electrical pulses intended to temporarily immobilize and allow apprehension of subjects.

<sup>52</sup> One note: this requirement applies only if the officer is aware of the injuries and the necessity for this treatment prior to the end of the shift when the force incident occurred.

There are three ways a CEW can be used, all of which require a Use of Force Report to be completed: drawn and displayed (including showing a warning arc); pointed; and discharged. If the CEW is discharged, there are three ways in which it may have been used. Officers are required to indicate whether the CEW was used for a single five-second cycle, a single cycle that lasted over five seconds, or for multiple cycles.

- **Cartridge / Probe Mode:** Officers fire the CEW's metal probes to penetrate an individual's clothing or skin to deliver an electric current to attempt to achieve neuromuscular incapacitation. Reports are required even if the probes do not strike the individual.
  - **Drive / Push Stun Mode:** Officers use the CEW to make direct contact with the individual, without the use of probes, to deliver electrical energy, which causes pain and only localized muscular disruption.
  - **3-Point Contact:** Drive stun mode in conjunction with probe(s) to complete the circuit.
3. **Less Lethal Firearms** are firearms that fire bean bags or other types of less lethal projectiles. These fall into two general categories:
- **Shotgun** refers to a lethal firearm that has been adapted or repurposed for use with less lethal projectiles (e.g., sock rounds, bean bag rounds).
  - **Extended Range Impact Weapons** are a dedicated less lethal launcher that deploys less lethal impact and chemical munitions.
4. **Other Weapons** include canines, horses, weapons of opportunity (i.e., any object found on the scene that can be used as a weapon), or other types of weapons not specifically referenced on the report. Weapons of opportunity may be used by police when none of the approved options are available or appropriate.
5. **Firearms** are defined in the *Criminal Code* (and referenced in the Use of Force Regulation) as a barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person. This includes any frame or receiver of such a barrelled weapon and anything that can be adapted for use as a firearm.<sup>53</sup> Three types of firearms may have been used by officers: **Handgun**,<sup>54</sup> **Rifle**, and **Shotgun (Lethal)**. An officer

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<sup>53</sup> This definition also applies to "Less Lethal Firearms." For greater clarity, under the Equipment and Use of Force Regulation under the *Police Services Act*, the definition of "firearm" explicitly excludes CEWs. Other jurisdictions may classify CEWs as firearms.

<sup>54</sup> A handgun is defined as a firearm that is designed, altered or intended to be aimed and fired by the action of one hand. Under the Regulation, officers were required to complete a Use of Force Report if they unholstered their handgun in front of a member of the public, regardless of whether they discharged or pointed their handgun.

could report using more than one type of firearm. For each firearm type the officer selected, they must indicate how the firearm was used:

- **Discharged** means that the firearm was fired, whether it was fired at a person or not.
- **Pointed** means that the barrel of the firearm was directed towards an individual.
- **Drawn** (applies only to handgun) means that the handgun was removed from its holster.

#### 4.5.2.1 Aggregation

This technical report analyzes only the five broad categories of force types on the Use of Force Report: Physical Control, Intermediate Weapon, Physical Control, Intermediate Weapons, Less Lethal Firearm, Other Weapon, and Firearm. Analysis on the specific types of force within these broader categories was not conducted.

The categories of force type used were aggregated to the incident level to provide an overview of use of force incidents. An officer might have used multiple force type categories during an incident, on one individual or on different individuals, and an incident might have had multiple officers using different force type categories. Each force category used during an incident was counted once for that incident, regardless of how many times or by how many officers that force category was used during the incident.

For example, if Officer A drew a handgun and used physical control that caused an injury, and Officer B drew a handgun and used a baton, the force type categories for the incident would be firearm, physical control, and intermediate weapon. Because officers could use force types from more than one force type category in the same incident, the per cent of incidents that included force types from the five categories could add to more than 100 per cent.

With the exception of the firearm force type, the use rate of the subtypes of force within each type of force category were not analyzed by racial category in this technical report, though the data are available in the Ontario Data Catalogue. This means, for example, an incident in which an officer used an intermediate weapon could have involved the use of a baton, CEW, and/or aerosol weapon. Analysis was not conducted to determine if the use rates differed for the subcategories of force for a CEW vs baton; this incident would have been coded as “intermediate force type category.”

As well, the analysis considered only the categories of force. It did not account for the number of applications of force. If one officer used more than one of the intermediate weapons, that was counted as an incident involving at least one intermediate weapon. Similarly, if different officers used different intermediate weapons, the incident was

counted as an incident involving at least one intermediate weapon. For example, both of the following incidents would be counted in the analysis as involving at least one use of intermediate weapons. First, a single officer used a CEW and an aerosol weapon. Second, one officer used a CEW and another officer used a baton.

Further, if officers used one type of weapon multiple times, or in different ways, that was only counted once. This could include an officer using a baton, attempting de-escalation, then using the baton a second time. It could involve an officer using hard application and soft application of a baton. It could include one officer pointing a handgun and another officer discharging a rifle. For each, the category of force (i.e., intermediate weapon, firearm) would be noted.

As described in section 4.2, perceptions of race were also aggregated to the incident level. The counts for race category are the number of incidents that included at least one individual perceived as being part of that category. In approximately 9.5 per cent of incidents, there were two or more race categories perceived across reports and/or observations.

When calculating the force type used by incident, a modification was made to the method used to count the number of incidents involving a person perceived as being part of a racial category. When examining force used, the incident was counted only if the relevant force type was used against a person perceived as that racial category. For example, if an incident involved one person perceived as “race A” and one person perceived as “race B,” and a firearm was pointed at both individuals, then the incident would be included in the counts of incidents related to both race categories. If the firearm was only pointed at the person perceived to be “race A,” then the incident would only be included in the counts of incidents related to “race A.”

#### **4.5.2.2 Overall Counts of Force Type Categories**

Of the 6,269<sup>55</sup> incidents, almost two thirds (64 per cent, 4,001 incidents) had only one of the five categories of force type applied by officers; less than one third (29 per cent, 1,831 incidents) had two of the five categories of force type applied by officers; and a smaller share (seven per cent, 436 incidents) had three or more of the five categories of force type applied by officers.

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<sup>55</sup> One incident was missing data on force type; thus, total adds to 6,268.

For each of the five categories of force type, the proportion of incidents that had at least one officer use at least one instance of force from the category on an individual were as follows:<sup>56</sup>

- Physical control: 26.2 per cent (1,645 incidents)
- Intermediate weapons: 50.6 per cent (3,169 incidents)
- Less lethal firearms: 4.0 per cent (252 incidents)
- Other weapons: 3.0 per cent (186 incidents)
- Firearms: 60.1 per cent (3,767 incidents)
  - This includes handgun drawn, firearm pointed, and firearm discharged

#### **4.5.2.3 Calculating the Disparity Index for Force Category**

Standard 29 of the ARDS requires PSOs to compute racial disproportionality and/or disparity indices for each unit of analysis. This technical report calculated disparity to identify possible differences in the category of force that was used between perceived racial groups.<sup>57</sup>

A racial disparity index is a measure of group differences in outcomes by comparing the outcomes for one racial group with those of another. A disparity index of 1.0 indicates no difference in outcomes between Group A and the reference or comparison Group B. An index less than 1.0 indicates that Group A had a lower likelihood of experiencing the particular outcome, and an index over 1.0 indicates a higher likelihood.

A notable deviation from 1.0 is required before it is reasonable to conclude that a disparity has been found. There is no established standard for determining whether a racial disparity in police use of force deviates enough to indicate a notable difference. The ARDS instructs PSOs to consider their own specific context to determine the threshold that indicates a noteworthy disparity. Assorted researchers in various fields including policing (e.g., traffic stops, police use of force) have used a range of thresholds, such as 20 per cent (i.e., index below 0.8 or above 1.2) or the 'four-fifths rule' (80 per cent of the ratio of the reference group, i.e., an index less than 0.8 or above

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<sup>56</sup> The total number of incidents in the dataset was 6,269, with data on force type was 6,268. When counting each incident in each of the five force type categories used, the total count of force type categories applied during use of force incidents adds up to 9,019, as any incident may be counted in more than one force type category. Percentages are derived using the total number of incidents.

<sup>57</sup> "If the desired equity outcome is that individuals are receiving the same treatment or outcomes within a given program, service, or function, regardless of their race, then a racial disparity index is the appropriate measure to use to identify and track any potential racial inequalities."

1.25) to identify notable disparities.<sup>58</sup> These thresholds have been used as guidance in this technical report to highlight where disparity might be notable.

Finally, disparity analysis requires a reference group for comparison. The reference group provides the contrast needed for meaningful interpretations of group differences in outcomes within the dataset. Often, the appropriate reference group is the group least likely to experience systemic barriers or disadvantages in Ontario. Standard 31 of the ARDS notes that the White category will typically be the most appropriate reference group within the justice sector.

For more detail on how the indices are calculated, thresholds, and reference groups, refer to Standards 29 to 32 of the ARDS.

In this section, disparity indices were calculated to determine if one perceived racial group had a higher risk of a particular force category being used compared to use of force incidents involving individuals perceived as White. It is important to note that many factors may influence the likelihood of officers using particular categories of force. These include: the number of subject individuals, the number of other officers, whether individuals were believed or perceived to possess weapons, the type of incident officers were called to, the behaviour of the individuals during the incident, and whether any individuals appeared to be in crisis or intoxicated. Disparity indices compare the risk or likelihood of an outcome between the different racial groups and the reference group. Other analytic approaches, such as multi-level modeling, would be required to statistically control for these other factors that may influence the categories of force that were used. Re-calculating disparity indices accounting for these additional factors may alter the disparity index results.

#### **4.5.2.4 Physical Control**

Physical control was the third most common type of force officers reported using, with 26.2 per cent of incidents (1,645) involving physical control. The most common types of physical control were grounding (997 incidents), pinning (540 incidents), and escort techniques (462 incidents).

As per the Use of Force Regulation, the use of physical control techniques was only reportable if it resulted in injuries requiring the services of a physician, nurse, or paramedic. As such, any physical control that did not cause injuries requiring attention from these individuals were excluded. The exclusion could be for an entire incident, if physical force not requiring medical attention was the only force type used. The

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<sup>58</sup> See also the 2020 report from the UK Government's Race Disparity Unit, [Research and Analysis: Using Relative Likelihoods to Compare Ethnic Disparities](#).



exclusion could be at the report level; if one officer only used physical force not requiring medical attention, that specific report would be excluded from the incident. Or the exclusion could be for the physical control elements on a specific report. For example, if a report included physical control that did not cause injuries, and the pointing of a firearm, the firearm force type would be included, the physical control would be excluded.

The percentage of force incidents that involved police use of physical control varied between 22 and 27 per cent across perceived race categories:

- Black: 26.2 per cent (369 incidents)
- East/Southeast Asian: 23.9 per cent (94 incidents)
- Indigenous: 22.9 per cent (122 incidents)
- Latino: 23.2 per cent (38 incidents)
- Middle Eastern: 27.0 per cent (116 incidents)
- South Asian: 22.3 per cent (49 incidents)
- White: 24.5 per cent (928 incidents)

The disparity index, calculated using the perceived race of White as the comparison group, was as follows:

- Black: 1.07
- East/Southeast Asian: 0.98
- Indigenous: 0.94
- Latino: 0.95
- Middle Eastern: 1.10
- South Asian: 0.91

When compared to White, none of the disparity indices for the six racial groups surpassed the 20 per cent threshold.

#### **4.5.2.5 Intermediate Weapon**

Intermediate weapons was the second most common category of force officers reported using, with 50.5 per cent of incidents (3,169) involving intermediate weapons. The vast majority of these incidents involved the use of CEWs (3,050 incidents, 96.2 per cent of incidents with intermediate weapons). There were three uses of a CEW that were provincially reportable: drawn and displayed (1,916 incidents, 62.8 per cent of CEW incidents), pointed (1,832 incidents, 60.1 per cent of CEW incidents), and discharged

(1,024 incidents, 33.6 per cent of CEW incidents).<sup>59</sup> Aerosol weapons (116 incidents) and batons (75 incidents) were not frequently used. There was variability in how frequently intermediate weapons were used in incidents associated with the different perceived race categories:

- Black: 39.5 per cent (556 incidents)
- East/Southeast Asian: 37.9 per cent (149 incidents)
- Indigenous: 54.4 per cent (290 incidents)
- Latino: 38.4 per cent (63 incidents)
- Middle Eastern: 32.9 per cent (141 incidents)
- South Asian: 30.9 per cent (68 incidents)
- White: 52.7 per cent (1,998 incidents)

The disparity index, calculated using the perceived race of White as the comparison group, was as follows:

- Black: 0.75
- East/Southeast Asian: 0.72
- Indigenous: 1.03
- Latino: 0.73
- Middle Eastern: 0.62
- South Asian: 0.59

Incidents with at least one individual perceived as Indigenous had a disparity index greater than 1.0 compared to incidents with at least one individual perceived as White. The remaining five racial groups had a disparity index lower than 1.0.

#### **4.5.2.6 Less Lethal Firearm**

Less Lethal Firearms are those that fire bean bags or other types of less lethal projectiles. These were not used by police very often (4.0 per cent, 252 incidents).

There was some variability in how frequently less lethal weapons were used in incidents associated with the different perceived race categories:

- Black: 2.4 per cent (34 incidents)
- East/Southeast Asian: 3.1 per cent (12 incidents)
- Indigenous: 5.3 per cent (28 incidents)
- Latino: 3.7 per cent (6 incidents)

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<sup>59</sup> Note that when an officer discharges a CEW, they will necessarily have had to point the CEW as well. They may also have drawn and displayed the CEW to achieve compliance. As such, the percentages add to well over 100.

- Middle Eastern: 3.5 per cent (15 incidents)
- South Asian: 1.8 per cent (4 incidents)
- White: 4.3 per cent (162 incidents)

The disparity index, calculated using the perceived race of White as the comparison group, was as follows:

- Black: 0.57
- East/Southeast Asian: 0.71
- Indigenous: 1.23
- Latino: 0.86
- Middle Eastern: 0.82
- South Asian: 0.43

When analyzing by incidents involving people of a perceived race, the small number of incidents involving this force type category warrant caution when interpreting results. With this caution in mind, results suggest that when compared to the use of less lethal firearms in incidents involving people perceived as White, there is a higher likelihood of less lethal firearms being used in incidents involving people perceived as Indigenous and a lower likelihood in incidents involving people perceived as Black.

#### **4.5.2.7 Other Weapon**

Very few incidents involved the use of an “Other” weapon by police (3.0 per cent, 186 incidents).

When “Other” weapon was used it was most frequently a police canine (133 incidents) followed by police shield (eight incidents), chemical munitions (eight incidents), and police vehicle (three incidents).

When analyzing by incidents involving people of a perceived race, the small number of incidents involving this force type category (ten or fewer incidents for four of the perceived racial categories) discourage the calculation of a disparity index and warrant caution when interpreting results. Percentages of incidents involving force from this category ranged from one to four per cent for all perceived races.

- Black: 2.9 per cent (41 incidents)
- East/Southeast Asian: 2.3 per cent (9 incidents)
- Indigenous: 2.6 per cent (14 incidents)
- Latino: 3.7 per cent (6 incidents)
- Middle Eastern: 1.6 per cent (7 incidents)
- South Asian: 2.7 per cent (6 incidents)
- White: 2.9 per cent (110 incidents)

#### 4.5.2.8 Firearm

Firearms were the most commonly used category of force (60.0 per cent, 3,767 incidents). Firearms mean a handgun, rifle, or shotgun firing lethal projectiles. When firearms were used, this was frequently drawing a handgun from its holster in the presence of a member of the public (2,294 incidents, 60.9 per cent of incidents where a firearm was used) or pointing a firearm (3,274 incidents, 86.9 per cent of incidents where a firearm was used). Incidents that included discharging a firearm were rare (50 incidents, 1.3% of incidents where a firearm was used).<sup>60</sup>

There was variability in how frequently firearms were used in incidents associated with the different perceived race categories:

- Black: 71.1 per cent (1,001 incidents)
- East/Southeast Asian: 70.0 per cent (275 incidents)
- Indigenous: 54.6 per cent (291 incidents)
- Latino: 63.4 per cent (104 incidents)
- Middle Eastern: 73.9 per cent (317 incidents)
- South Asian: 75.5 per cent (166 incidents)
- White: 57.4 per cent (2,178 incidents)

The disparity index, calculated using the perceived race of White as the comparison group, was as follows:

- Black: 1.24
- East/Southeast Asian: 1.22
- Indigenous: 0.95
- Latino: 1.10
- Middle Eastern: 1.29
- South Asian: 1.31

Five of the six racial groups had a disparity index greater than 1.0 compared to incidents with at least one individual perceived as White. Individuals perceived as Indigenous had a disparity index lower than 1.0, meaning incidents with at least one individual perceived as Indigenous were less likely to involve the use of a firearm as a force category by police, compared to incidents with at least one individual perceived as White.

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<sup>60</sup> For the use of firearms, cases add up to 100 per cent, as an incident was only counted once based on the most serious force type. For example, if an incident involved both firearm pointed and firearm discharged it was only counted in the firearm discharged category.

Using the 20 per cent threshold to indicate disparity of potential note, incidents with at least one individual perceived as Black, East/Southeast Asian, Middle Eastern, or South Asian were over 20 per cent more likely to involve the use of a firearm as a force category by police compared to incidents with at least one individual perceived as White.

This means that incidents involving at least one individual perceived as Black were 1.24 times more likely to involve a firearm used on an individual perceived as Black, compared to the rates firearms were used on individuals perceived as White in incidents involving individuals perceived as White. Similar patterns were found when individuals perceived as Middle Eastern (1.29 times more likely) or South Asian (1.31 times more likely) were compared to individuals perceived as White. Finally, incidents involving at least one individual perceived as Indigenous were slightly less likely to involve a firearm used on an individual perceived as Indigenous, compared to individuals perceived as White in incidents involving individuals perceived as White.

Disparity indices were not calculated for the incidents that included at least one firearm being discharged because there were too few incidents to generate reliable indices. Simple counts of the number of incidents are included below,<sup>61</sup> though these should be used with caution because of the small number of incidents that involved the discharge of firearms.

- Black: 8 incidents
- East/Southeast Asian: 4 incidents
- Indigenous: 2 incidents
- Latino: 3 incidents
- Middle Eastern: 2 incidents
- South Asian: 1 incident
- White: 34 incidents

Particularly relevant for understanding disparities in firearm force type would be the officer perception of an individual's access to a weapon. Further analyses examining to what extent these disparity indices remain when factoring in perceived weapons of the people involved as well additional contextual variables is recommended.

## 4.6 Outcomes of Force

Officers are required to indicate whether their use of force resulted in physical injuries to subject individuals and/or to themselves. Instructions noted that any injuries an officer

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<sup>61</sup> There were 50 incidents involving firearm discharge force type. Because an incident could include an officer discharging a firearm at more than one person, the totals for each race category add to 54.

reported must be as a direct result of their use of force. They were not to report injuries caused by other events, including force applied by other officers or from individuals purposefully or accidentally injuring themselves. These fields were mandatory for each subject upon whom force was used and for each individual officer who submitted a report. Officer injuries were not collected on officers who were part of a Team Report.

**Person(s) Injured** \* Were physical injuries sustained because of the use of force applied?

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Subject:  Yes     No     Fatal     Don't Know (e.g., subject fled/escaped)

Officer:  Yes     No

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Was treatment required? (select all that apply)

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Subject:  No     First aid     Medical attention by personnel at scene     Admission to medical facility

Medical attention at facility     Don't Know     Other Specify

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Officer:  No     First aid     Medical attention by personnel at scene     Admission to medical facility

Medical attention at facility     Don't Know     Other Specify

Figure 12; Persons Injured Report Question

There is no requirement to report non-physical injuries on the report.

#### 4.6.1 Injuries to Individuals upon Whom Force was Used

For each individual upon whom they used force, officers were required to report whether physical injuries occurred as a result of their use of force. The options were “Yes,” “No,” “Fatal,” and “Don’t Know.” If officers were not aware of whether there were injuries by the end of the shift during which the force event occurred, they could select “Don’t Know.” The figures could be an undercount of the number of injuries to individuals because officers may be unaware of injuries at the time they are completing the Use of Force Report.

If an officer used only physical force, a canine, or horse, and the resulting injury did not require the services of a physician, nurse, or paramedic, there was no requirement to submit a Use of Force Report. Injuries from physical force were only required to be reported if the injuries required medical treatment. Any injuries caused by the use of weapons (e.g., baton) were always required to be reported, regardless of whether medical attention was required.

If the officer reported that there were reportable injuries to individuals, they were required to note, for each individual, what treatment was provided. For this question, officers were to select all options that applied. As such, the percentages of incidents that required the different types of treatment will add to over 100 per cent.

In 90.6 per cent (5,677) of use of force incidents, none of the individuals upon whom force was used sustained reportable physical injuries as a result of the force applied.

There were no racial disparities identified for incidents in which there were no physical injuries.

In 8.8 per cent (551) of incidents, there were non-fatal physical injuries to at least one individual involved.

In 0.1 per cent (seven) of incidents, the injury to at least one individual was fatal.

In 0.6 per cent (37) of incidents, the injury status was unknown for all or at least one individual involved (and any additional individuals involved in the same incident were not injured).

#### **4.6.1.1 Non-Fatal Physical Injuries**

The percentage of use of force incidents that resulted in non-fatal physical injuries varied by perceived race, ranging from four per cent for Middle Eastern to 14 per cent for Latino:

- Black: 6.8 per cent (96 incidents)
- East/Southeast Asian: 6.4 per cent (25 incidents)
- Indigenous: 8.3 per cent (44 incidents)
- Latino: 14.0 per cent (23 incidents)
- Middle Eastern: 4.2 per cent (18 incidents)
- South Asian: 7.7 per cent (17 incidents)
- White: 8.9 per cent (339 incidents)

The disparity index, calculated using the perceived race of White as the comparison group, was as follows:

- Black: 0.76
- East/Southeast Asian: 0.71
- Indigenous: 0.92
- Latino: 1.57
- Middle Eastern: 0.47
- South Asian: 0.86

Use of force incidents involving at least one individual perceived as Latino were 1.57 times more likely to have resulted in non-fatal physical injuries compared to incidents involving at least one individual perceived as White.

#### **4.6.1.2 Fatal Injuries**

In total, there were seven individuals who were fatally injured as a result of police use of force. Each fatality occurred in a separate incident.

In all seven incidents, there was a single individual, armed with a weapon, who was threatening to harm either themselves or others, or was acting in a threatening manner. For four of the seven incidents, officers perceived the individual to be experiencing a mental health crisis at the time of the incident; for two incidents, officers reported the individual was expressing suicidal ideation. In two of the seven incidents, the individual had murdered or attempted to murder at least one other person prior to the encounter.

In five of seven incidents, police attempted de-escalation (including communication, distancing, time, repositioning, etc.) prior to engaging in lethal force. In the other two, officers indicated that de-escalation was not attempted because the individual presented an imminent threat.

All seven individuals who died were perceived as males between the ages of 25 and 64. Five individuals were perceived as White, one was perceived as Latino, and one was perceived as Indigenous. With such a small number of incidents, it is not possible to make any conclusions about how perceived race may or may not be related to fatalities from use of force.

#### **4.6.1.3 Injury Status Unknown**

At the time they completed the Use of Force Report, officers might not have known whether their use of force resulted in injuries for the individuals upon whom they used force. Officers were required to report injuries they were aware of before the end of the shift when the force incident occurred. Some situations may make it more difficult for officers to know if the individuals sustained any injuries. For example, when the officer did not detain the individual or the person fled the scene, the officer might not have known if the individual sustained injuries. If the only type of force used was drawing a handgun or pointing a weapon at the individual with the intention of achieving compliance, officers might have been confident that no injuries occurred as a result of their use of force, even if the individual fled the scene. The likelihood of uncertainty is higher for other types of force, such as physical control and the use or discharge of a weapon.

In 37 incidents (0.6 per cent of incidents), it was unknown whether one or more of the individuals involved sustained a physical injury. These incidents may have included individuals who were known to have no physical injuries, but for at least one individual involved their injury status was unknown and so the incident as a whole was coded as injury status unknown.

These 37 incidents were more likely to involve multiple subjects and multiple officer Use of Force Reports compared to the pattern for overall incidents.



Due to the small number of incidents involved (37 total) which result in very small numbers when analyzed by perceived race, race-based analysis is not conducted on these incidents.

#### **4.6.2 Injuries to Officers**

The Individual Use of Force Report also tracks physical injuries to officers because of their own use of force. The response options are “Yes” or “No”. These questions were not included on the PDF Team Report, so the analysis in this section includes only Individual Reports. If the officer was injured, they were required to report if they received treatment.

One example of injury caused by using force is an officer using physical control techniques and being punched by the individual. It is not fully clear how officers interpreted the requirement that the injury should be “because of the force applied” as noted on the Use of Force Report. For example, if the reporting officer discharges a firearm at an individual, then the individual fires back and strikes the officer, it is up to the officer to determine whether the injury was as a result of their own use of force.

Injuries to officers during the incident that were not caused by their use of force are not captured on the Use of Force Report. For example, in 2023, there were use of force incidents in which officers involved were seriously injured during the incident, however their injuries were not captured as the injured officers themselves were not required to complete Use of Force Reports. As such, the figures here are an undercount of the number of officers injured during use of force incidents.

The Use of Force Report tracks only physical injuries.

The majority of Individual Use of Force Reports (97.5 per cent) did not result in any physical injuries to the reporting officers.

Because each officer submits their own Individual Report, it is possible to determine the number of reporting<sup>62</sup> officers (for Individual Reports) who were physically injured in an incident. Across all Individual Reports, 195 (2.5 per cent) officers reported having sustained physical injuries.

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<sup>62</sup> These are not unique counts of officers, since a single officer might have been injured in multiple use of force incidents; due to the absence of identifying information about the officers, it could not be determined if any officers were injured during more than one incident in 2023.

# **Section 5:**

# **Conclusions**

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Police in Ontario receive approximately four million calls for services a year, over 99 per cent are resolved without the use of force. Use of force by police remains an issue of substantial public interest.

The Ministry has made significant strides, including recognition from the Ontario Ombudsman for its effort to educate and reduce, where possible, instances of force across the province.

Under the *Anti-Racism Act* (ARA) and the ARA Regulation, the mandated Use of Force Reports have included questions about the officer's perception of the race of individuals on whom they used force that required a report.

Updates the Ministry made to the Use of Force Report enabled the Ministry to enhance its data analysis. Overall, use of force incidents most frequently involved individuals who were perceived as White, Black, or Indigenous, in that order. The disparity analysis showed differences in officers' use of firearms between perceived race groups.

However, the disparity scores presented in this technical report were computed using use of force incident data that did not account for other factors which may have influenced the use of force incident and resulting disparity scores. For example, the racial disparity results do not provide an explanation for observed differences; any disparities do not necessarily imply racial discrimination or racial bias by police. Multivariate analysis that included the important contextual factors would address this limitation. For example, multi-level modeling could factor in the effect of an officer perceiving that an individual possessed a weapon when exploring any relationship between perceived race and the use of force. The disparity results would likely change if such contextual factors were included. This could include disparities becoming smaller or disappearing, reversing, or becoming larger.

Further improvements could expand the ability to identify areas of concern, demonstrate successes, and provide a more comprehensive analysis of use of force incidents and any influence of perceived race. Of particular interest is collecting additional information to explore whether incidents involved individuals in crisis or under the influence of drugs or alcohol; the role that officer training and experience may have; and any relationship with officer demographics, such as race and gender. The lack of an appropriate benchmark population also remains a key limitation. Without this benchmark, the Ministry cannot calculate racial disproportionality on police use of force that accounts for the frequency of police contact. Disproportionality, which is an indicator of whether the representation of racial groups is higher or lower than their proportion in the benchmark population, is a useful measure for police use of force. Disproportionality would indicate whether individuals perceived as members of particular racial groups are involved in

use of force incidents at a higher rate than would be expected based on the proportion of police contacts with individuals from those groups.

The results presented herein are an overview of the data, rather than a record of every analysis that could be computed using the data.

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# Section 6: Appendices

## 6.1 Appendix A: Ontario Use of Force Report 2023

[Link to Use of Force Form](#)

## 6.2 Appendix B: Summary of the Principles Governing the Use of Force by Police

Police officers face situations where they may use force in carrying out their duties, and to ensure their own safety and that of the community. The parameters governing the use of force by police officers are contained in the *Criminal Code*, other federal and provincial legislation and regulations, the common law, and the *Charter of Rights and Freedoms*. The broad principles governing the use of force by police may be summarized, as follows:

1. **THE USE OF FORCE BY POLICE MUST BE AUTHORIZED BY STATUTE OR THE COMMON LAW:** Police officers may use force in the execution of duty only if permitted by statute or the common law. More particularly, the statutory or common law authority on which an officer relies when using force must apply to the particular duty that the officer is carrying out. Unless an officer possesses such authority in any particular case, the use of force by the officer may be unlawful, and, accordingly, the officer could be liable for assault or other related offences, as may be applicable.
2. **THE USE OF FORCE BY POLICE IS GOVERNED BY THE PRINCIPLES OF NECESSITY, PROPORTIONALITY, & REASONABLENESS:** Even when the use of force may be authorized to carry out a particular type of duty, a police officer does not possess an unrestricted right to use force. The lawful use of force by police is constrained by the principles of necessity, proportionality, and reasonableness. That is, an officer may use force only if the harm sought to be prevented could not be prevented by less violent means, and that the injury or harm done by, or which might reasonably be anticipated from the force used, is not disproportionate to the injury or harm it is intended to prevent. Section 25(1) of the *Criminal Code* provides a police officer with justification to use force in accordance with these principles.

Section 25(3) of the Criminal Code specifically addresses the use of lethal force by police, in accordance with the same principles. The section specifies that an officer is not justified in using lethal force (that is, force that is intended or is likely to cause death or grievous bodily harm) unless they believe on reasonable grounds that such force is necessary to avoid the death or grievous bodily harm of themselves or a person under their protection.

3. THE MEANING OF “EXCESSIVE FORCE”: An officer’s use of force may be excessive if the officer did not have the authority to use force, or otherwise if it violates the principles of proportionality, necessity, and/or reasonableness. Under s. 26 of the Criminal Code, a police officer who uses force is “criminally responsible for any excess ...” It bears emphasis that under the principle of “necessity”, an officer may not use force if there are reasonable non-violent tactical options available to the officer, by which their lawful objective would likely be accomplished.
4. THE IMPORTANCE OF DE-ESCALATION AS A TACTICAL OPTION: “De-escalation” is a term that refers to non-use-of-force tactical options that a police officer may use when confronting a violent or non-compliant individual. (This term is also sometimes used to refer to use-of-force options designed to obtain compliance on the part of a subject, but to avoid confusion the term should be restricted to non-use-of-force options: See “National Consensus Policy and Discussion Paper on Use of Force” (2020), International Association of Chiefs of Police et. al.). De-escalation techniques have the purpose of resolving or stabilizing a volatile situation without the use of force, or with a reduction in the amount of force that would otherwise be needed. De-escalation seeks to slow the dynamics of an encounter, thereby gaining time to allow for the arrival of further resources and tactical options which may further minimize or eliminate the need to use force. Generally speaking, de-escalation seeks to pacify a non-compliant individual by means of building personal rapport with the police officer.

Whether de-escalation may be effective or even feasible in any particular case will depend on an assessment of the circumstances at hand. Police are trained to assess, plan and act, based on existing circumstances, but also to reassess and adapt as circumstances evolve. Key considerations include, for example, the tactical options immediately available to police; whether further tactical options will be arriving at the scene; and the nature and degree of risk posed by the non-compliant individual. A situation may begin with de-escalation being a reasonable tactical option, but it can reverse in an instant.

In situations where it is feasible, de-escalation may be particularly effective in dealing with individuals who are in a state of crisis or suffering from an apparent mental illness. De-escalation may also be particularly effective when dealing with members of Indigenous and Black communities, as well as members of other marginalized or racialized communities; but the importance of de-escalation is not restricted to members of those communities.

There is no legal duty that requires an officer to employ de-escalation techniques in every case. However, an officer may not use force if there are non-violent tactical options available to the officer, by which the officer's lawful objective can reasonably and likely be accomplished. Accordingly, in circumstances where an officer uses force when de-escalation is an objectively reasonable alternative, such use of force may be excessive.

5. THE SCOPE OF AN OFFICER'S DISCRETION IN USING FORCE: Police officers possess a measure of reasonable discretion in determining whether force is required, and if so, to what degree. Police engage in dangerous work, and, on occasion, must act quickly in emergencies. Assessments regarding the use of force need not be based on a "standard of perfection", nor calibrated with the precision of a "jeweller's scales". Moreover, an officer is not required to use only the least amount of force which might achieve their objective. However, the use of force which objectively violates the principles of proportionality, necessity, and/or reasonableness, in light of the circumstances known to the officer at the time, may leave the officer liable for excessive force.



## **6.3 Appendix C: Disproportionality & Disparity Equations**

See pages 47 to 48 of the ARDS

[Link to Data Standards for the Identification and Monitoring of Systemic Racism](#)

[Link to Standard 29. Racial Disproportionality and Disparity Indices](#)

## **6.4 Appendix D: Glossary of Terms**

See pages 67 to 73 of the ARDS

[Link to Data Standards for the Identification and Monitoring of Systemic Racism](#)

[Link to ARDS Glossary](#)



**Tribunals Ontario**  
Ontario Civilian Police Commission

15 Grosvenor Street, Ground Floor  
Toronto, ON M7A 2G6  
Email: [OCPCRegistrar@ontario.ca](mailto:OCPCRegistrar@ontario.ca)

**Tribunaux décisionnels Ontario**  
La Commission civile de l'Ontario sur la police

15, rue Grosvenor, rez-de-chaussée  
Toronto (Ontario) M7A 2G6  
Email: [OCPCRegistrar@ontario.ca](mailto:OCPCRegistrar@ontario.ca)

**ITEM:12.2**

July 2, 2024

Chair Drew Dilkens  
Windsor Police Services Board

***Delivered via email: [mayoro@cityofwindsor.ca](mailto:mayoro@cityofwindsor.ca)***

Dear Chair Dilkens:

**Re: Deputy Chief Jason Crowley**

By letter, dated March 3, 2023, you, on behalf of the Windsor Police Services Board ("Board"), advised the Ontario Civilian Police Commission ("Commission") of certain alleged conduct relating to the then Acting Deputy Chief of Police, Jason Crowley ("D/C Crowley").

The Board requested the Commission, pursuant to section 77(4) of the *Police Services Act* ("Act"), to assign the "chief of police of another police force to cause the matter to be investigated".

The Commission approached both the Commissioner of the Ontario Provincial Police and the Chief of the Peel Regional Police Service to see whether they were in a position to take on this assignment. Both declined because of "previous direct involvement" in this matter.

In light of this, the Commission determined, on its own motion, to conduct a Preliminary Review of this matter, under section 25 of the *Act*. It so advised the Board by letter dated October 19, 2023.

After an extensive and exhaustive Preliminary Review, certain facts were clear:

1. In the early morning hours of January 7, 2023, D/C Crowley was clocked by LIDAR doing 111 km/h in a posted 70 km/h zone. This fits the definition of Stunt Driving under the *Act*.
2. Constable Aaron Naklie, the Windsor Police Service officer who made the traffic stop, knew that the driver of the vehicle was his Acting Deputy Chief.
3. For the reasons set out in detail in the Investigative Report, a slightly redacted copy of which is attached hereto as Exhibit 1, Constable Naklie exercised his discretion and did not lay any Charges against D/C Crowley.



**Tribunals Ontario**  
Ontario Civilian Police Commission

15 Grosvenor Street, Ground Floor  
Toronto, ON M7A 2G6  
Email: [OCPCRegistrar@ontario.ca](mailto:OCPCRegistrar@ontario.ca)

**Tribunaux décisionnels Ontario**  
La Commission civile de l'Ontario sur la police

15, rue Grosvenor, rez-de-chaussée  
Toronto (Ontario) M7A 2G6  
Email: [OCPCRegistrar@ontario.ca](mailto:OCPCRegistrar@ontario.ca)

4. He, also, did not request the surrender of D/C Crowley's driver's licence, nor did he detain his motor vehicle, despite the apparent clear wording of section 172 of the *Act*. In a subsequent Professional Standards investigation, conducted by Inspector Ken Cribley, it was found that this response "does not appear to align with the provisions" of the *Act*.

5. D/C Crowley was, subsequently, charged with Stunt Driving. For reasons set out in the Investigative Report, there was no request that he surrender his driver's licence. His vehicle was not detained.

6. D/C Crowley, subsequently, pled guilty to Speeding, under section 128 of the *Act*, at a speed of 111 km/h in a 70 km/h zone. He was fined in an amount calculated in accordance with section 128 of the *Act*.

The investigation found that all parties acted in good faith in accordance with their understanding of the law. However, it is clear that there were several misunderstandings about what actions have to be taken, which actions are discretionary, and which are mandatory.

The Commission, therefore, recommends that some additional training be provided, preferably in co-operation with the Prosecutor's office.

The Commission wishes to thank all parties for their co-operation with the investigation.

The Commission will close its file.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sean Weir".

Sean Weir, KC  
Executive Chair, Tribunals Ontario  
Chair, Ontario Civilian Police Commission

cc. Chief Jason Bellaire  
cc. Inspector Ken Cribley  
cc. Constable Aaron Naklie

# ITEM: 13.1



August 22, 2024

TO: Windsor Police Service Board  
FROM: Administrative Director  
RE: BOARD POLICIES

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Attached for the Board's review are new policies that are required under the new *Community Safety and Policing Act, 2019 (CSPA)*. Section 38(1) requires that: A police service board shall establish policies respecting,

- (a) The administration of the police service.
- (b) The provision of adequate and effective policing in accordance with the needs of the population of the area for which it has policing responsibility.
- (c) Disclosure by the chief of police of personal information about individuals.
- (d) Disclosure of secondary activities under section 89 and decisions under that section.
- (e) The handling of discipline within the police service.
- (f) Subject to subsection (4), the indemnification of members of the police service for legal costs. No policy is required as pursuant to subsection (4) of the CSPA, the police service board is not required to establish a policy described in clause (1)(f) if it is required to indemnify members of the police service in accordance with an agreement under Part XIII (Collective Agreement). This provision is included in the WPA Collective Agreement).
- (g) Any other prescribed matters.

And further Section 38(2) - Other policies - states: In addition to the policies required by subsection (1), a police service board may establish policies respecting any other matters related to the police service or the provision of policing.

The following policies required under the CSPA, Section 38(1) are before the Board for your review:

- (1) Adequate and Effective Policing
- (2) Administration of Police Service
- (3) The Disclosure by the Chief of Police of Personal information About Individuals
- (4) The Administration of the Disclosure of Secondary Activities to the Chief of Police
- (5) Discipline of Members
- (6) Internal Complaints and Disclosure of Complaints against the Chief of Police and the Deputy Chief of Police
- (7) Administration of Public Complaints – Police Officer
- (8) Institutional and Police Service Members Conflicts of Interest

Also included on today's agenda are new and existing policies that have been updated to reflect the name and sections of the new CSPA and/or Adequacy Regulations. These include:

- (a) Chief of Police Performance Evaluation System (UPDATED)
- (b) Electronic Monitoring of Employees (UPDATED)
- (c) Board Members Code of Conduct, Complaints and Other Governance Responsibilities of Board Members (NEW)
- (d) Respecting the Right to Disconnect from Work (UPDATED)
- (e) Equal Opportunity, Discrimination and Workplace Harassment Prevention (UPDATED)
- (f) Human Resources Policy (UPDATED)
- (g) Windsor Police Service Board Administrative Framework (UPDATED)
- (h) Process for Selecting Chief and Deputy Chiefs (UPDATED)
- (i) Management of Police Records (UPDATED)
- (j) Police Response to Persons in Crisis – Mental Illness/Neurodevelopmental Disability (UPDATED)
- (k) Management of Windsor Police Service Board Records (UPDATED)
- (l) Use of Board Issued Equipment and Technology (UPDATED)

Additional policies, as they are prepared or updated, will be included on future WPSB agendas.



**WINDSOR POLICE SERVICE BOARD  
POLICY**

Policy Name: <b>Adequate and Effective Policing</b>		Policy Number: <b>P-001</b>
Responsible Manager: <b>Administrative Director</b>	Review Schedule: <b>As CSPA amended</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>NEW</b>	Reporting: <b>Chief Annual Report to Board – Section 5</b>	Next Review Date:

**1. PREAMBLE:**

- 1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND AS O. Reg. 392/23: Adequacy and Effective Policing (General) (“the Adequacy Regulation”) prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND AS the Board deems it expedient to enact this Policy to ensure that the delivery of policing services by the Windsor Police Service complies with the said Act, and Regulations.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

**2. DEFINITIONS:**

- 2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;
- 2.2 “Board” means the Windsor Police Service Board;
- 2.3 “Chief” means the Windsor Police Service;
- 2.4 “Member” means a member of the Windsor Police Service;

2.5 “Ministry” means the Ministry of the Solicitor General;

2.6 “Municipality” means the City of Windsor; and

2.7 “Service” means the Windsor Police Service.

### **3. POLICY:**

3.1 The Board is dedicated to upholding a standard of excellence in the delivery of policing services by the Windsor Police Service. By implementing robust processes and mechanisms for adherence, review, and continuous enhancement, we strive to achieve improved policing outcomes and foster a safer community. The Board is committed to ensuring that all provisions outlined in Ontario Regulation 392/23 - Adequate and Effective Policing (General) are adhered to, to promote accountability, enhance public confidence, provide superior policing, and to meet the evolving needs of our community.

### **4. DIRECTION TO THE CHIEF:**

4.1 The Chief of Police shall ensure that the Service complies with all provisions of Ontario Regulation 392/23: Adequate and Effective Policing (General), and will establish, communicate, and operate within the scope of the procedures in the areas described below. These procedures shall be reviewed and updated consistently and regularly to ensure that they are effective and efficient, reflect current best practices and incorporate improvements where it is determined that changes are required.

(a) Crime prevention, including:

- i. community-based crime prevention initiatives that seek to address the root causes of crime and involve stakeholders, consistent with the Strategic Plan and the policing needs of the community.

(b) Law enforcement, including:

- i. community patrol that addresses when and where directed patrol is considered necessary or appropriate, based on the policing needs of the community;
- ii. traffic direction and enforcement, including traffic patrol;
- iii. situations when more than one police officer must respond to an occurrence or call for service;
- iv. internal task forces;
- v. joint forces operations;
- vi. undercover operations;
- vii. criminal intelligence, addressing the collection, use, disclosure, retention, disposal, correction and dissemination of, and access to, criminal intelligence information, as well as related audit procedures;
- viii. crime, call for service and public disorder analyses;
- ix. informants and agents;

- x. witness protection and security;
- xi. police response to persons who are in crisis, regardless of whether those persons appear to have a mental illness or a neurodevelopmental disability;
- xii. search of the person;
- xiii. search of premises;
- xiv. arrest;
- xv. bail and violent crime;
- xvi. detainee care and control;
- xvii. detainee transportation;
- xviii. property and evidence control;
- xix. investigative supports;
- xx. the provision of law enforcement in respect of all navigable bodies and courses of water within the Service's area of responsibility.

(c) Maintaining the public peace, including:

- i. functions, responsibilities and reporting relationships of a public order unit and its members, including in relation to the role of a public order commander and, if any, to a police liaison team;
- ii. the deployment of a public order unit for planned and unplanned public order incidents, and debriefing following deployment, including the preparation of a summary and analysis of the outcome and recommendations for improvement;
- iii. police action in respect of labour disputes;
- iv. police action in respect of protests, demonstrations, and occupations.

(d) Emergency response, including:

- i. the functions and deployment of any tactical unit, hostage rescue team, incident commander, crisis negotiator, explosives disposal, and containment team;
- ii. preliminary perimeter control and containment;
- iii. extreme incidents that are consistent with the Extreme Incident Response Plan;
- iv. the functions and provisions of any mobile mental health and addictions crisis team;
- v. explosive forced entry and explosive disposal;
- vi. responses to a chemical, biological, radiological, nuclear or explosive incident;
- vii. emergency ground search, rescue and recovery;
- viii. emergency waterways search, rescue and recovery, including underwater search and recovery;
- ix. canine units.



(e) Providing assistance to victims of crime, including

- i. referrals to, as appropriate in the circumstances, emergency services, health care professionals, victim support agencies, social service agencies and other appropriate governmental, non-governmental or community organizations;
- ii. responsibilities of members of the Police Service in providing assistance to victims

(f) Additional policing functions, including:

- i. communications and dispatch services
- ii. supervision in accordance with Ontario Regulation 392/23.

4.2. The Chief of Police shall prepare an emergency plan for the Service setting out the roles and responsibilities of the Service during an emergency and the procedures to be followed during an emergency. In developing the emergency plan, the Chief of Police shall consult with the City of Windsor and any other applicable emergency service providers.

4.3 The Chief of Police shall ensure that members of the Service, or persons performing a policing function under the direction of a member, are capable of performing the functions assigned to them.

4.4 The Chief of Police shall ensure that the equipment and other resources provided to members of the Service for the purpose of providing a policing function shall include at least the equipment and resources set out in Schedule 1 of the Adequate and Effective Policing (General) Regulation.

4.5 (a) The Chief of Police shall develop an Operational Plan for the following incidents:

- i. an incident that requires multiple members of a Chief of Police's Service to provide emergency response or maintain the public peace policing functions outside of the Service's area of policing responsibility; and
- ii. the provision of policing functions by the Service in relation to the incident is anticipated to continuously last, or has already continuously lasted, longer than the duration of a normal shift for the involved members of the Service.

(b) The Operational Plan shall have regard to the collective agreements with members, and address, without limitation, breaks and meals for members of the Police Service who are deployed in relation to the incident.

(c) The Chief of Police shall comply with the requirements in the Operational Plan.

4.6 The Chief of Police shall implement a quality assurance process relating to the provision of adequate and effective policing in accordance with the Act and Regulations and any Board policies in respect of quality assurance.

4.7 The Chief of Police shall ensure that members have the necessary training, knowledge, skills, and abilities to perform the duties required by the Act and its Regulations.

**5. REPORTING REQUIREMENTS :**

5.1 The Chief of Police shall provide the Board with an annual report on crime analysis, call analysis and public disorder analysis data, and of information on crime trends, and shall ensure that the report is published on the Internet.

**6. IMPLEMENTATION**

6.1 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED THIS 29th day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Director

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Date:



**WINDSOR POLICE SERVICE BOARD  
POLICY**

Policy Name: <b>Disclosure of Personal Information About Individuals</b>		Policy Number: <b>P-002</b>
Responsible Manager: <b>Administrative Director</b>	Review Schedule: <b>As required under the CSPA</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>NEW</b>	Reporting: <b>Chief to WPSB the need arises (Section 5)</b>	Next Review Date:

**1. PREAMBLE:**

1.1 AS subsection 37 (1) of the *Community Safety and Policing Act*, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the *CSPA* provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS subsection 80 (1) of the *CSPA* provides that a chief of police, or a person designated by him or her for the purpose of this subsection, may disclose personal information about an individual in accordance with the regulations;

1.4 AND AS O. Reg. 412/23: establishes to whom and in what circumstances personal information may be disclosed by a chief of police or a designate for the purposes of subsection (80) (1) of the Act;;

1.5 AND AS the Board has deemed it appropriate that it establish a policy that provides clear criteria and conditions for the disclosure of personal information;

## **THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

### **2. DEFINITIONS:**

2.1 “Act” or “CSPA” means the *Community Safety and Policing Act*, 2019, S.O. 2019, c. 1, Sched. 1, and amendments.

2.3 “Board” means the Windsor Police Service Board.

2.4 “Chief” means the Chief of the Windsor Police Service;

2.5 “Designate” means a member of the Windsor Police Service designated by the Chief of Police.

2.7 “Service” means the Windsor Police Service.

### **3. POLICY:**

3.1 The Board recognizes that when releasing personal information about an individual, numerous factors must be carefully considered within the parameters of legislative frameworks that seek to respect the balance between the right to privacy and the public interest.

### **4 DIRECTION TO THE CHIEF:**

#### **4.1 PROCEDURES**

4.1.1 The Chief of Police shall develop processes and procedures consistent with subsection 80 of the *CSPA* and with relevant regulation O. Reg. 412/23 Disclosure of Personal Information.

4.1.2 The Chief of Police or a designate shall consider the availability of resources and information, what is reasonable in the circumstances of the case, what is consistent with the law and public interest, what is necessary to ensure that the resolution of criminal proceedings is not delayed, and whether the disclosure is for one or more of the following purposes:

- (a) Protection of the public.
- (b) Protection of victims of crime.
- (c) Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them.
- (d) Law enforcement.
- (e) Correctional purposes.
- (f) Administration of justice, including the conduct of civil proceedings.
- (g) Enforcement of and compliance with any federal or provincial Act, regulation or government program.
- (h) Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual.

4.2 The Chief of Police or a designate may disclose any personal information about any person if:

- (a) The individual has been convicted or found guilty of an offence under any federal or provincial Act.
- (b) The Chief of Police or designate reasonably believes that the individual poses a significant risk to other persons or to property; and
- (c) The Chief of Police or designate reasonably believes that the disclosure of the personal information is necessary to reduce the risk described in clause (b).

4.3 The Chief of Police or designate may disclose to any person the following personal information about an individual who has been charged with, convicted of, or found guilty of an offence under any federal or provincial Act:

- (a) The individual's name, age, date of birth, and address.
- (b) The offence in question and, if the individual has been convicted or found guilty of the offence, any sentence imposed.
- (c) The outcome of all judicial proceedings relevant to the offence.
- (d) The procedural stage of the criminal justice process to which the prosecution of the offence has progressed and the status of the individual in that process as it relates to the individual's location or custody, including whether the individual is in custody, or the terms, if any, upon which the individual has been released from custody.
- (e) The date of the release or impending release of the individual from custody for the offence, including any release on parole or temporary absence.

4.4 If requested by a victim of crime, any of the following information about an individual who is accused of committing the offence in question may be disclosed by the Chief of Police or designate, to the victim:

- (a) The progress of investigations that relate to the offence.
- (b) The charges laid with respect to the offence or, if no charges were laid, the reasons why no charges were laid.
- (c) The dates and places of all proceedings that relate to the prosecution of the offence.
- (d) The outcome of all proceedings, including the outcome of any proceedings on appeal.
- (e) Any pretrial arrangements that are made that relate to a plea that may be entered at the trial by the individual.
- (f) The interim release and, in the event of conviction, the sentencing of the individual.
- (g) If the individual is convicted of the offence, any application for release or any impending release of the individual, including release in accordance with a program of temporary absence, on parole or an unescorted temporary absence.

- (h) If the individual is charged with or convicted of the offence, any escape from custody of the individual.
- (i) If the individual is found unfit to stand trial or is found not criminally responsible on account of mental disorder:
  - (1) Any disposition provided for under the *Criminal Code* (Canada) that is made in respect of the individual, and
  - (2) Any hearing held with respect to the individual by the Review Board established or designated for Ontario under the *Criminal Code* (Canada).

4.5 Subject to sections 8(2) and 8(3) of Ontario Regulation 412/23, the Chief of Police or designate may disclose personal information about an individual who is under investigation for having committed an offence under any federal or provincial Act, or is charged with, convicted of, or found guilty of such an offence to:

- (a) Any police service in Canada.
- (b) Any correctional or parole authority in Canada.
- (c) Any person or agency engaged in the protection of the public or the administration of justice; or
- (d) Any person or agency engaged in the enforcement of, or compliance with, any federal or provincial Act, regulation, or government program.

**5. REPORT TO THE BOARD**

5.1 The Chief shall report to the Board any matters of significance to the public interest as the need arises.

**6. IMPLEMENTATION**

6.1 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

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Norma Coleman, Administrative Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



**WINDSOR POLICE SERVICE BOARD  
POLICY**

Policy Name: <b>The Administration of the Disclosure of Secondary Activities to the Chief of Police</b>		Policy Number: <b>P-003</b>
Responsible Manager: <b>Administrative Director</b>	Review Schedule: <b>As required by CSPA/Regulations</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>NEW</b>	Reporting: <b>Chief – Annual Reports – Section 4</b>	Next Review Date:

**1. PREAMBLE:**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (1) (d) of the CSPA provides a Police Service Board shall establish policies respecting disclosure of secondary activities under Section 89 and decisions under that section;

1.3 AND AS subsection 39 (1) (h) provides that a Police Service Board shall monitor the Chief of Police’s decisions regarding the restrictions on secondary activities set out in Section 89 and review the reports from the Chief of Police on those decisions;

1.4 AND AS the Board deems it expedient to pass a Policy to establish guidelines relating to secondary activities to the Chief of Police.

***NOW THEREFORE THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:***

**2. DEFINITIONS:**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of Police of the Windsor Police Service;

2.4 “Member” means a Member of the Windsor Service as defined in the CSPA;

2.5 “Secondary Activities” means off-duty employment/activities other than the duties performed for the Service;

2.6 “Service” means the Windsor Police Service.

**3. DIRECTION TO THE CHIEF:**

3.1 The Chief shall develop and implement a procedure requiring full disclosure of the details on any secondary activity in which a Member is engaged.

3.2 When a Member has disclosed full particulars of an activity to the Chief, the Chief shall first determine whether the provisions of Section 89 of the CSPA prohibits the activity.

3.3 Where the Chief determines the activity is prohibited by subsection 89 (1) of the CSPA, the Member shall not be permitted to engage in that activity.

3.4 The Chief shall take such steps as are necessary to determine that his or her decision has been complied with.

**4. REPORT TO THE BOARD:**

4.1 The Chief shall submit to the Board annual reports on disclosures and decisions made pursuant to Section 89 of the CSPA and the provisions of this Policy, which shall appear on the public agenda.

4.2 The annual report shall be divided into two sections entitled “Uniform” and “Civilian” and shall contain the following information:

- (a) the total number of applications or disclosures of secondary activities made to the Chief of Police;
- (b) the nature or type of each of the secondary activities applied for or disclosed;
- (c) the total number of secondary activities approved by the Chief of Police;
- (d) the nature or type of each of the secondary activities approved by the Chief of Police;
- (e) the total number of secondary activities denied by the Chief of Police;
- (f) the nature or type of each of the secondary activities denied by the Chief of Police;
- (g) the reasons for each of the denials referred to in subparagraph (f) above;
- (h) the total number of applications or disclosures of secondary activities presently pending.

**5. IMPLEMENTATION :**

5.1 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_





**WINDSOR POLICE SERVICE BOARD  
POLICY**

Policy Name: <b>Handling of Discipline within the Police Service</b>		Policy Number: <b>HR-007</b>
Responsible Manager: <b>Administrative Director</b>	Review Schedule: <b>As required by CSPA</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>NEW</b>	Reporting: <b>Chief twice yearly – Section 5</b>	Next Review Date:

**1. PREAMBLE :**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS Part XII – Discipline and Termination provides for the disciplinary process and measures for a police officer who is a member of a police service;

1.3 AND AS Ontario Regulation 407/23 sets out the Code of Conduct with which each police officer must comply (Appendix “A”);

1.4 AND AS Subsection 38 (e) of the CSPA requires a police service board to establish a policy respecting the handling of discipline within the police service;

***THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:***

**2. DEFINITIONS:**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of Police of the Windsor Police Service;

2.4 “Service” means the Windsor Police Service.

2.5 “Member” means a member of the Windsor Police Service

**3. POLICY:**

3.1 The Board recognizes that public trust and confidence in the Windsor Police Service are essential to effective policing.

3.2 The Board recognizes that to achieve and maintain a high level of trust and confidence by the citizens of the City of Windsor, the Windsor Police Service must be held accountable, and be perceived to be held accountable, when engaging in conduct that is contrary to the values and high ethical standards that the Service strives to uphold.

3.3 The handling of discipline within the Service by the Chief of Police must be demonstrative of the Windsor Police Service’s commitment to the safety and well-being of the community.

**4. DIRECTIONS TO THE CHIEF:**

4.1 The Chief of Police shall establish written procedures for:

- 1) The assessment of the work performance of members of the police service
- 2) The imposition of disciplinary measures on members of the police service

4.2 The Chief of Police shall make the procedures available to the members of the police service and any police associations representing those members

4.3 The Chief of Police shall be guided by consideration of the following principles in the imposition of disciplinary measures of sworn and civilian members:

- 1) The public interest
- 2) Fairness to the Member
- 3) Consistency
- 4) Efficiency

4.4 The Chief shall carry out all disciplinary processes and procedures in accordance with legislated requirements.

**5. REPORT TO THE BOARD:**

5.1 The Chief of Police shall prepare a report to the Board twice yearly containing the following information:

- (1) The type of misconduct or unsatisfactory work performance that occurred, referencing Ontario Regulation 407/23 – Code of Conduct for Police Officers.
- (2) The number and type of disciplinary measures imposed.
- (3) The number of times a disciplinary measure was imposed:
  - i) without a hearing
  - ii) following a hearing under section 201 of the CSPA

iii) following a hearing under section 202 of the CSPA

(4) For disciplinary measures involving suspension or forfeiture of hours/days:

i) the average number of days or hours, and

ii) the total number of days or hours

(5) The Division and/or Unit to which the Member was assigned when the misconduct occurred

(6) A comparison to the data from the previous reporting period.

**6. IMPLEMENTATION:**

6.1 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

Date: \_\_\_\_\_

\_\_\_\_\_  
Norma Coleman, Administrative Director

Date: \_\_\_\_\_

**Attachment (1)**



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>INTERNAL COMPLAINTS AND DISCLOSURE OF COMPLAINTS AGAINST THE CHIEF OF POLICE OR THE DEPUTY CHIEF OF POLICE</b>		Policy Number: <b>HR-008</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>As required by the CSPA</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>NEW</b>	Reporting: <b>As per Section 5 of policy</b>	Next Review Date:

### 1. PREAMBLE

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (1) (a) of the CSPA provides that a Police Service Board shall establish policies respecting, inter alia, the administration of the police service;

1.3 AND AS Section 183 (2) of the said CSPA provides that every Police Service Board shall establish written procedures regarding the disclosure of misconduct that is alleged to have been engaged in by the Chief of Police or Deputy Chief of Police of the Police Service;

1.4 AND AS the CSPA provides that Board members will comply with the O. Reg. 407/23: Code of Conduct for Police Officers;

1.5 AND AS the Board deems it expedient to enact this policy to ensure that the response to internal complaints against the Chief of Police or Deputy Chief of Police adheres to the principles set out in the Act, the Regulations and the Code of Conduct.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

## 2. DEFINITIONS

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of Police of the Windsor Police Service;

2.4 “Code of Conduct” means O. Reg. 407/23: Code of Conduct for Police Officers;

2.5 “Deputy Chief” means the Deputy Chief of Police of the Windsor Police Service;

2.6 “Former Member” means a former employee of the Windsor Police Service;

2.7 “Inspector General” means the person appointed to that position by the Lieutenant Governor in Council;

2.8 “Internal Complaint” means a complaint about the conduct of a police officer that is not directed at or otherwise directly affects a member of the public and that, if proven, constitutes misconduct as defined in Section 195 of the CSPA;

2.9 “Member” means a Member of the Windsor Police Service;

2.10 “Ministry” means the Ministry of the Solicitor General;

2.11 “Misconduct” means misconduct as defined in Section 195 of the CSPA.

## 3. POLICY

3.1 The Board recognizes the critical importance of addressing complaints against the Windsor Police Service’s senior leaders with utmost fairness and consistency.

3.2 The Board commits itself to ensuring the presence of thorough, confidential, and respectful processes to handle allegations of misconduct concerning a Chief of Police or Deputy Chief of Police, and it is therefore the policy of the Board that such internal complaints be dealt with in a professional and thorough manner in accordance with Act, the Code of Conduct, and as directed in this Policy.

3.3 This Policy outlines the procedures to be followed in the event that a Member or Former Member of the Service wishes to disclose alleged misconduct by the Chief of Police or a Deputy Chief of Police. It is imperative to note that any form of reprisal stemming from making such a disclosure or seeking advice on the process will not be tolerated and will be met with severe repercussions.

#### **4. INTERNAL COMPLAINTS PROCESS FOR CHIEF OR DEPUTY CHIEF**

4.1 It is the policy of the Board that:

4.2 A Member or Former Member of the Service may make a disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police. The identity of persons involved in the disclosure will be protected unless to do so would be contrary to the interests of fairness.

4.3 The Member or Former Member shall report allegations of misconduct against the Chief of Police or a Deputy Chief of Police to the Board.

4.4 The complaint shall be in writing, addressed to the Board Chair, and submitted to the Board office. The complaint should include as much detail as possible, including dates, witness names, and any relevant supporting documents.

4.5 The Board Chair shall review the complaint and consider whether the Board must address the matter urgently. The Chair shall ensure that legal counsel is consulted in determining how to address the alleged misconduct, including whether the interests of fairness require the disclosure of the identity of those involved in the complaint, and whether the Board should investigate or refer it to a person who is not a Member of the Service in accordance with subsection 198 (7) of the CSPA.

4.6 Alternatively, the Member or Former Member may disclose misconduct to the Inspector General if,

(a) the Member or Former Member has reason to believe that it would not be appropriate to disclose the misconduct in accordance with this policy; or

(b) the Member or Former Member has already disclosed the misconduct in accordance with this policy and has concerns that the matter is not being dealt with appropriately.

4.7 The Board Chair, Board Members and Board employees shall take all necessary steps to protect the identity of persons involved in the complaint process. If it is necessary to disclose the identity of any individual involved in the process to ensure fairness, the disclosure will only be made after consultation with the individuals whose identities would be disclosed and only to the extent necessary to achieve fairness.

4.8 Any correspondence, including electronic correspondence, concerning the alleged misconduct shall be clearly labelled “confidential”.

4.9 No person shall take a reprisal against a Member because they have:

(a) sought advice about making a disclosure about misconduct in accordance with this Policy or under Part XI of the CSPA;

(b) made a disclosure about misconduct in accordance with this Policy or under Part XI of the CSPA;

(c) co-operated in an investigation or other process related to a disclosure of misconduct made in accordance with this Policy or under Part XI of the CSPA;

(d) sought enforcement of this Policy or Part XI of the CSPA.

4.10 For the purpose of this Policy, a reprisal is any measure taken against a member of a Police Service that adversely affects their employment or appointment and includes but is not limited to:

(a) terminating or threatening to terminate the person's employment or appointment;

(b) disciplining or suspending or threatening to discipline or suspend the person;

(c) imposing or threatening to impose a penalty related to the employment or appointment of the person; or

(d) intimidating or coercing the person in relation to his or her employment or appointment.

## 5. **BOARD REPORTING AND DISCLOSURE**

5.1 The Board shall inform the public of any material information related to the application of this Policy, while maintaining the confidentiality necessary to protect the integrity of complaint processes and the identity of those who may be involved in the processes.

## 6. **IMPLEMENTATION**

6.1 Any Policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>nd</sup> day of August, 2024.

THE WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date

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Date



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>Chief of Police Performance Evaluation System</b>		Policy Number: <b>HR-003</b>
Responsible Manager: <b>Administrative Director</b>	Review Schedule: <b>Every 3 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>HR – 03</b>	Reporting:	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE :

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 37 (1) (d) of the CSPA provides that a Police Service Board shall recruit and appoint the Chief of Police and Deputy Chief of Police, and determine their remuneration and working conditions taking their submissions into account;

1.3 AND AS subsection 37 (1) (f) and (g) of the CSPA provides that a Police Service Board shall monitor the Chief of Police's performance and conduct a review of the Chief of Police's performance at least annually in accordance with the regulations made by the Minister, if any;

1.4 AND AS the Board deems it expedient to pass a policy to establish process for the Chief of Police Performance Evaluation System to provide a framework for discussing and monitoring the Chief's performance against expected job outputs and the achievement of results;

1.5 AND AS the Board expects the Chief of Police to achieve significant results each year, and in so doing, to improve the quality of policing to the citizens served by the Windsor Police Service;

***THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:***



## **2. DEFINITIONS:**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of Police of the Windsor Police Service;

2.4 “Service” means the Windsor Police Service.

## **3. POLICY:**

3.1 The Board recognizes that reviewing the performance of its Chief of Police is an important governance responsibility legislated by the Act, and that it is integral to the Board's strategic planning process and good governance of the Police Service.

3.2 The Board is committed to establishing and participating in a Performance Evaluation System for its Chief of Police that promotes individual excellence and increases mutual understanding and communication between the Board and the Chief of Police.

3.3 Ideally, the formal assessment will ensure open communication is maintained and the wellbeing of the Police Service is fostered through mutual trust and planning. Furthermore, the Board expects the Chief to achieve significant results each year, and in doing so, to improve the quality of policing services to the citizens of the City of Windsor.

3.4 Additionally, less formal but progressive periodic discussions should be maintained with the Chief throughout the annual review period to keep abreast of his/her performance and provide an opportunity for mutual input.

3.5 The goals of the Performance Evaluation System are to provide the Board with a formal opportunity to assess the results achieved by the Chief of Police in implementing the Board's Strategic Plan and specific objectives set at the beginning of each annual review period.

## **4. GENERAL PRINCIPLES:**

4.1 A Performance Evaluation System is an annual requirement intended to support and reinforce the achievement of the strategic priorities, goals and objectives outlined in the Board's Strategic Plan and general expectations that the Board has of its Chief of Police.

4.2 The Performance Evaluation System consists of four components:

- (a) The Position Description for the Chief of Police;
- (b) A Performance Plan that sets out the objectives and expected accomplishments for the year under review;
- (c) A Performance Evaluation Rationale and Instructions document; and
- (d) A Performance Evaluation Questionnaire.

## 5. PERFORMANCE MANAGEMENT PROCESS: (Appendix "A")

### 5.1 Setting Annual Objectives

5.1.1 Annually in December, the Chief of Police sets objectives for the upcoming year. Objectives are required to align with the Windsor Police Service's Strategic Plan, principles, and goals.

5.1.2 Each objective includes a concise description, milestone deliverables throughout the year, a measure of success for each milestone, and a timeframe for each milestone to be completed.

5.1.3 Objectives are input directly in the performance tool.

### 5.2 Approval of Objectives (January)

5.2.1 Board reviews, discusses, and finalizes the Chief of Police's annual objectives.

5.2.2 Board Chair and the Chief of Police sign-off on the objectives.

### 5.3 Self-Assessment (February)

5.3.1 Chief of Police completes self-assessment on the previous year's objectives.

5.3.2 An assessment is completed for each objective and is completed utilizing the performance tool.

5.3.3 For each objective/assessment the Chief includes the following information:

- a) A proposed rating.
- b) Rationale for the rating.
- c) Additional evidentiary documents, reports, or analysis to support the self-assessment.

5.3.4 In preparation for the Chief's annual performance review, the Board refreshes itself on the tools and processes involved to assist in executing the evaluation:

- a) Competency dictionary.
- b) Competency indicators.
- c) Annual performance evaluation guidelines.
- d) Setting and evaluating S.M.A.R.T. objectives guidelines.
- e) Performance management program process PowerPoint.

### 5.4 Annual Performance Review (February)

5.4.1 The Board reviews the Chief of Police's self-assessment and supporting evidentiary material for each individual objective.

5.4.2 The Board either accepts the Chief of Police's self-assessed rating or applies a different rating with rationale.

5.4.3 The final rating for each objective that is input into the tool under the Chief of Police or Board Year-End Assessment, feeds directly into the rating and sign-off sheet within the tool.

5.4.4 The rating and sign-off calculates the final total rating.

## 5.5 Individual Development Plan (March)

5.5.1 Following the Chief's Performance Review, the next optional step can be to develop an Individual Development Plan (IDP) if requested by the Board.

5.5.2 The IDP is structured to highlight areas of strength and improvement for the Chief of Police relative to the competencies.

5.5.3 The Chief of Police sets competency development objectives.

5.5.4 The tool provides a mid-term and full-term review.

5.5.5 Depending when (and/if) the IDP is completed and after the Chief of Police has had their performance evaluation with the Board, the mid and full-term review points could vary throughout the year.

5.5.6 The IDP is not meant to be an annual tool but a progressive tool for both parties to continually review and assess the Chief of Police's progression.

## 5.6 Mid-Year Performance Review (June-July)

5.6.1 The mid-year review is intended to highlight any areas in which the Chief of Police is not meeting or experiencing challenges meeting his/her objectives.

5.6.2 The form requests that the Chief of Police lists:

- (a) The challenges and barriers they faced;
- (b) Mitigation efforts to remove the risk of completion;
- (c) Expected time to be back on track;
- (d) Any resource requirements needed to support the successful completion of the objective.

5.6.3 The Chief of Police initiates the review and sets up a time to discuss with the Board following which both parties sign-off on the review.

## 6. IMPLEMENTATION:

6.1 Policy HR-03, and all other policies, sections of policies inconsistent with this policy are repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

Date: \_\_\_\_\_

\_\_\_\_\_  
Norma Coleman, Administrative Director

Date: \_\_\_\_\_

**Attachment (1)**



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>ELECTRONIC MONITORING OF EMPLOYEES</b>		Policy Number: <b>HR-005</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>3 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>Directive Number: HR- 05</b>	Reporting: <b>Chief annual report to the Board as per Section 6</b>	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE

1.1 AS subsection 37(1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS Parts VII.01. and XI.1 of the Employment Standards Act, 2000 (the ESA), requires all employers in Ontario to have a written policy for all employees with respect to the electronic monitoring of all employees covered by the ESA;

1.4 AND AS in recognition of the distinct statutory and common law duties of Police Officers employed by the Board, this Policy applies only to Civilian Members to whom Parts VII.0.1 and XI.1 of the Employment Standards Act, 2000 (the ESA) apply;

1.5 AND AS Section 89 (3) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, provides that a Chief of Police shall administer the Police Service and oversee its operation in accordance with the Board’s policies and strategic plan;

1.6 AND AS it is the responsibility of the Chief of Police to develop the necessary procedures to ensure compliance with Board policies and effective operations of the police service.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

## **2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments.

2.2 “Board” means the Windsor Police Service Board.

2.3 “Chief of Police” or “Chief” means the Chief of the Windsor Police Service.

2.4 “Computer Monitoring” is the practice of collecting user activity data on employer-owned computers, tablets, connected officer devices, networks, and other IT infrastructure. This data includes, but is not limited to, web browsing history, files downloaded, data input, network traffic, log-ons to corporate systems, interactions with data, peripheral device usage (mouse, keyboard, monitor, etc.), and information about the employee’s computer.

2.5 “Electronic Access Controls (EACs)” is the technology used to provide and deny physical or virtual access to a physical or virtual space. This includes, but is not limited to, the microchip included within security proximity/ID access cards, which also keeps records of access times and locations.

2.6 “Electronic Monitoring” is a general term referring to all forms of employee monitoring that is done electronically on devices or other electronic equipment issued by the employer.

2.7 “Employer” refers to the Board and/or the Service, as applicable.

2.8 “Administrative Director” means the Administrative Director of the Windsor Police Service Board.

2.9 “Global Positioning System (GPS)” is a network of satellites and receiving devices used to determine the location of something on Earth. This technology can be enabled within equipment such as vehicles (Automated Vehicle Location System - AVLS), connected officer devices, and portable radios, to determine the location of equipment, both at present, and historically. AVLS also documents current and historical speed of vehicles in which it is enabled.

2.10 “Service” means the Windsor Police Service.

2.11 “Video/Audio Surveillance/Monitoring Equipment” is surveillance or otherwise monitoring by means of a camera or other recording device that monitors or records visual images and/or captures audio of activities recorded on employer-owned electronic devices. This includes, but is not limited to, on-site surveillance cameras, and in-car camera systems.

## **3. POLICY**

3.1 It is the policy of the Board to support the Civilian Members of the Windsor Police Service and Board Staff (collectively, “Member” or “Members”) in modernizing employer requirements to provide transparency about the electronic monitoring of employees where appropriate.

3.2 The purpose of this policy is to describe how and in what circumstances the employer may electronically monitor employees, and to outline the purposes for which information obtained through electronic monitoring may be used.

## **4. GUIDING PRINCIPLES**

### **4.1 EXPECTATION OF PRIVACY IN THE WORKPLACE**

4.1.1 Monitoring employee usage of employer-owned workplace technology devices is an essential component of enforcing procedures, maintaining a respectful work environment, and ensuring that Information Technology (IT) assets that are owned and managed by the employer are used safely and appropriately. This includes an employee's personal device when operated on a remote desktop connection as a service platform. The employer monitors workplace technology devices to ensure IT resources are used in accordance with relevant Board policies, guidelines, and Service procedures/general orders. For that reason, employees must not expect privacy when using employer systems. While all personal information collected by the employer will be used appropriately in accordance with Board policies and Service procedures, all activities that take place via employer owned electronic assets should be considered monitored.

## **5 DIRECTION TO THE CHIEF**

### **5.1 PROCEDURES**

5.1.1 The Chief shall develop and maintain a Directive that contains processes and written procedures that meet the requirements of Parts VII.01.01 and XI.1 of the Employment Standards Act, 2000, which outlines whether the Service electronically monitors employees, and if so:

- a) Provides a description of how and in what circumstances the Service may electronically monitor employees.
- b) The purposes for which information obtained through electronic monitoring may be used by the Service.
- c) Such other information as may be prescribed.

5.1.2 All employees acknowledge that there is no expectation of privacy when using employer systems and devices, including but not limited to, employer-owned computers, tablets, networks, and other IT infrastructure.

5.1.3 The employer is authorized to electronically monitor employees using video/audio surveillance/monitoring equipment, computer monitoring, telephone monitoring, electronic access controls, and global positioning systems, for the purposes outlined in the Service's procedures/general orders.

### **5.2 COMMUNICATION OF POLICY AND RELATED INFORMATION**

5.2.1 The Chief, in regard to Civilian Members of the Windsor Police Service, and the Administrative Director, in regard to employees of the Windsor Police Service Board, will ensure that:

- a) All new employees are provided with a copy of this Policy and Service procedures/general orders within 30 days of a Member's hire date;
- b) All existing Members are provided with a copy of this Policy and Service procedures/general orders, and any amended versions, within 30 days of approval or amendment; and

c) All temporary Members are provided with a copy of this Policy and Service procedures/general orders, and any amended version, within 24 hours from the start of their assignment.

### 5.3 EMPLOYER RECORD KEEPING REQUIREMENTS

5.3.1 The Chief shall ensure that a copy of every written policy or procedure on the electronic monitoring of employees that was required by the ESA is retained for three years after the policy is no longer in effect.

## 6. REPORT TO THE BOARD

6.1 The Chief of Police shall provide the Board with a written report on an annual basis in respect of the electronic monitoring of employees. The report shall include:

- a) A summary of the written procedures concerning the electronic monitoring of employees.
- b) Confirmation of Service compliance with the said procedures.

## 7. IMPLEMENTATION

7.1 Policy Directive HR – 05 and any other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date





**WINDSOR POLICE SERVICE BOARD**

**POLICY**

Policy Name: <b>BOARD MEMBERS CODE OF CONDUCT, COMPLAINTS AND OTHER GOVERNANCE RESPONSIBILITIES OF BOARD MEMBERS</b>		Policy Number: <b>G-003</b>
Responsible Manager: <b>Administrative Director, WPSB</b>	Review Schedule <b>As required under the Act</b>	Effective Date: <b>September 2, 2024</b>
Repeals: <b>NEW</b>	Reporting:	Next Review Date:

**1. PREAMBLE**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched.1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS Section 106 of the said CSPA provides for complaints against a board member to be reviewed and investigated by the Inspector General or an Inspector appointed by the Inspector General;

1.3 AND AS the CSPA provides that Board members will comply with the O. Reg. 408/23: Code of Conduct for Police Service Board Members (Appendix “A”) and the Municipal Conflict of Interest Act, R.S.O. 1990, as amended 2007 (Appendix “B”);

1.4 AND AS Section 17 of the said Code of Conduct – O. Reg. 408/23 provides that a member of a police service board shall disclose any conduct of another member of the police service board that the member reasonably believes constitutes misconduct to the Chair of the Board, or, if the misconduct involves the Chair, to the Inspector General;

1.5 AND AS the Board deems it expedient to enact this Policy to ensure that the response to complaints by the Board adheres to the principles set out in the said Act, the Code of Conduct, and to the provisions Municipal Conflict of Interest Act, R.S.O. 1990, ch. M50 and amendments thereto, to avoid conflict of interest with respect to their governance responsibilities;

## **THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

### **2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Board Member” means a member of the Windsor Police Service Board;

2.4 “Code of Conduct” means O. Reg. 408/23: Code of Conduct for Police Service Board Members;

2.5 “Administrative Director” means the Administrative Director of the Board;

2.6 “Inspector General” means the person appointed to that position by the Lieutenant Governor in Council;

2.7 “Ministry” means the Ministry of the Solicitor General.

### **3. POLICY**

3.1 The Board commits itself and its members to ethical, professional and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

3.2 The Board recognizes and adheres to the principle that fair, open, prompt, thorough and efficient response to Board Member Conduct Complaints is a cornerstone to establishing and maintaining a positive community-police relationship, and it is therefore the policy of the Board that such complaints be dealt with in a professional and thorough manner in accordance with the Act, the Code of Conduct, and as directed in this Policy.

3.3 Board Members will comply with the Code of Conduct, and the Municipal Conflict of Interest Act, as attached hereto and ensure their conduct adheres to the requirements contained therein.

#### **4. COMPLAINTS PROCESS FOR BOARD MEMBER CONDUCT**

4.1 It is the policy of the Board that:

4.2 All complaints received from persons who are not members of the Board will be forwarded promptly to the Inspector General, and the person making the complaint shall be notified.

4.3 All complaints of conduct reasonably believed to be misconduct made to the Chair under section 17 of the Code of Conduct shall be promptly forwarded to the Inspector General as required by section 17 of the Code of Conduct.

4.4 All complaints of conduct reasonably believed to be misconduct by a member of the board shall be promptly forwarded to the Inspector General.

4.5 All complaints referenced in 4.3 and 4.4 above shall be promptly disclosed to the full Board for information but not for discussion or debate, unless in the opinion of the Chair or Board member making the complaint, after receiving legal advice, such disclosure would compromise the investigation of the complaint by the Inspector General. In the event the complaint is not disclosed to the full Board pursuant to this section, the Board member reporting the matter to the Inspector General shall advise him/her accordingly and notice to the Board member who is the subject of the complaint shall be made as and when the Inspector General deems such notice to be appropriate.

4.6 If the complaint alleges a breach of the pecuniary conflict of interest under the Municipal Conflict of Interest Act, the complaint shall be returned to the Complainant with an explanation that such complaints are outside of the jurisdiction of the Board, and must be dealt with under that Act.

4.6 Board Members shall direct communications with respect to Board Member activities/issues through the Board Chair or Administrative Director, and neither shall comment on any aspect of the complaint covered by this policy, including an acknowledgement that the complaint has been made, until the conclusion of the investigation.

#### **5. IMPLEMENTATION**

5.1 Any policies, sections of policies of the Board inconsistent with the provisions of this policy are hereby repealed effective August 29, 2024.

5.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Attachments (2)**



## WINDSOR POLICE SERVICE BOARD POLICY

Police Name: <b>RESPECTING RIGHT TO DISCONNECT FROM WORK</b>		Policy Number: <b>HR-004</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>3 years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>Policy HR-04 May 19, 2022</b>	Reporting: <b>Chief annual report to the Board as per Section (6)</b>	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS an amendment was made to the Employment Standards Act, 2000 (the ESA), specifically Bill 27, the Working for Workers Act, 2021 which introduced a new requirement for employers in Ontario to have a written policy on disconnecting from work for all employees covered by the ESA;

1.4 AND AS subsection 3 (5) 10 of the ESA provides that the ESA does not apply to Police Officers;

1.5 AND AS it is the responsibility of the Chief of Police of the Windsor Police Service to administer the policing services of the City of Windsor in accordance with the policies, priorities and objectives established by the Windsor Police Service Board;

1.6 AND AS it is the responsibility of the Chief of Police to develop the necessary procedures to ensure compliance with Board policies and effective operations of the police service.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

## **2. DEFINITIONS:**

For the purpose of this By-law, the following definitions apply:

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments thereto.

2.2 “Board” means the Windsor Police Service Board.

2.3 “Chief of Police” or “Chief” means the Chief of the Windsor Police Service.

2.4 “Service” means the Windsor Police Service.

2.5 “Scheduled Hours of Work” means the schedule or start and end time for a unit/division as set out by senior management, based on operational requirements and in accordance with a Member’s terms and conditions of employment, applicable collective agreements and/or their minimum statutory entitlements under the ESA.

2.6 “Disconnecting from Work” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

## **3. POLICY:**

3.1 The Board values the health and well-being of its employees. Disconnecting from work as appropriate is vital to a person’s well-being and helps employees achieve health and sustainable work-life integration. Disconnecting from work as appropriate also enables employees to work more productively during their assigned working hours and reduces the likelihood of employee exhaustion.

3.2 This Policy is required to be compliant with an amendment to the Employment Standards Act, 2000 (the ESA), specifically Bill 27, the Working for Workers Act, 2021, which introduced a new requirement for employers in Ontario to have a written policy on disconnecting from work for all employees covered by the ESA.

3.3 In recognition of the distinct statutory and common law duties of Police Officers employed by the Board, this Policy applies only to Civilian Members to whom Part VII.0.1 of the Employment Standards Act, 2000 (the ESA) applies.

3.4 It is the policy of the Board to support the Civilian Members of the Windsor Police Service and Board Staff (collectively, “Member” or “Members”) in disconnecting from work outside of their normal working hours where appropriate.

3.5 The purpose of this policy is to set out the parameters of disconnecting from work for Civilian Members and Board Staff in accordance with the ESA, the collective agreements in force between the Board and the Windsor Police Association and the Windsor Police Senior Officers’ Association, and any other terms and conditions of employment with the Board.

#### **4. GUIDING PRINCIPLES:**

4.1 The Board commits to promote and support efforts to maintain the health and well-being of Members through the provision of relevant programs, information and/or training with respect to Disconnecting from Work when appropriate.

4.2 A Member's ability to disconnect from work depends on the Board's or Service's operational needs, and the Board's legal responsibility for the provision of adequate and effective policing, as well as the duties and obligations of a Member's position, subject to the terms and conditions of the Member's employment with the Board, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.3 This Policy does not preclude any Member from contacting another Member outside of what may be considered normal working hours or standard business hours, subject to any rights or entitlement the receiving Member may have under the terms and conditions of their employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.4 The Board recognizes that there are situations when it is necessary for Members to perform work or communicate with another Member outside their Scheduled Hours of Work, including but not limited to, the following circumstances:

- a) Where emergency or exigent circumstances arise, with or without notice
- b) To assist or fill in at short notice for a Member;
- c) Where the nature of a Member's duties require work and/or work-related communications outside of their Scheduled Hours of Work;
- d) Unforeseeable business or operational reasons;
- e) A Member's request or agreement to work certain hours or have flexible working hours;
- and
- f) Other unusual circumstances which are inherent to a Member's position.

4.5 This Policy does not afford Members a "right to disconnect" or a "greater right or benefit" beyond what is contained within the terms and conditions of their employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.6 The Board, Service and Service Members will work together to assist Members in disconnecting from work outside of their Scheduled Hours of Work as appropriate and in accordance with this Policy.

#### **4.7 HANDHELD AND WORK DEVICES:**

The Service may provide some Members with handheld devices, such as mobile phone, laptop, tablet, or other device as determined by Service procedures. Possession of these devices does not mean that a Member is expected to make themselves consistently available for work or work-related communications outside normal working hours, subject to the Service's operational needs and the duties of a Member's position and subject to any rights or entitlements the Member may have under their terms and conditions of employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

#### 4.8 EMAIL AND AUTOMATIC REPLIES

Members' Scheduled Hours of Work differ within the Service: As a result, some Members may attend to work-related communications outside of other Members' Scheduled Hours of Work. Where this is the case, the sender will consider the timing of their communications and understand that the recipient is generally not expected to respond until their return to work at the earliest, subject to the circumstances detailed above. Members should activate an automatic e-mail response whenever taking vacation or leave from work. The automatic response will be sent to all incoming email communications and should advise the sender that the recipient is absent from work, the start date and end date of the recipient's absence and provide alternate contact information.

### 5. DIRECTION TO THE CHIEF:

#### 5.1 PROCEDURES

5.1.1 The Chief shall develop and maintain processes and written procedures to ensure that Management and Service Members are able to disconnect from the workplace at appropriate times and in accordance with this Policy and any further direction/recommendations by the Ministry of the Solicitor General through its All Chiefs Memorandums on this new requirement in the ESA for a 'right to disconnect' policy.

5.1.2 The said procedures shall ensure that Management takes all reasonable steps to assist Service Members under their management to disconnect from the workplace outside of their normal working hours as appropriate and in accordance with this Policy.

#### 5.2 COMMUNICATION OF POLICY AND RELATED INFORMATION

5.2.1 The Chief shall ensure that:

- a) All new Members are provided with a copy of this Policy and Service procedures within 30 days of a Member's hire date;
- b) All existing Members are provided with a copy of this Policy and Service procedures, and any amended versions, within 30 days of approval or amendment;
- and
- c) All Members are provided with information regarding their Standard Hours of Work given the nature of their work, and any other information required to assist Members with complying with this Policy and Service procedures.

5.2.2 Promote efforts to maintain the health and well-being of Members through the provision of relevant programs, information and/or training with respect to Disconnecting from Work when appropriate, in line with the Guiding Principles of this Policy.

5.2.3 The Chief shall ensure that any programs, information and/or training related to Disconnecting from Work include:

- a) Clearly articulated Scheduled Hours of Work for all Members, including parameters and expectations for contact outside of their Scheduled Hours of Work;
- b) Clear and specific obligations for the Service, its Management, its Members to ensure that everyone will work together in order to Disconnect with Work where



possible and appropriate, in accordance with the Guiding Principles of this Policy;  
and

c) Tools, supports and resources to assist Management and Members in Disconnecting from Work at appropriate times, including through the use of available technology (i.e. out of office messaging on Service-issued phones and computers).

### 5.3 EMPLOYER RECORD KEEPING REQUIREMENTS

5.3.1 The Chief shall ensure that a copy of every written policy or procedure on disconnecting from work that was required by the ESA is retained for three years after the policy is no longer in effect.

## 6. **REPORT TO THE BOARD:**

6.1 The Chief of Police shall provide the Board with a written report on an annual basis in respect of disconnecting from work. The report shall include:

- a) a summary of the written procedures concerning the right to disconnect from work; and
- b) confirmation of Service compliance with the said procedures.

## 7. **IMPLEMENTATION**

7.1 Policy Number HR-04, and all other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Assistant

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**WINDSOR POLICE SERVICE BOARD  
POLICY**

Policy Name: <b>Equal Opportunity; Discrimination and Workplace Harassment Prevention</b>		Policy Number: <b>HR-006</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>Every 3 years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>HR-01, May 19, 2022</b>	Reporting: <b>Chief Report to Board as outlined in Section 5.2 Annual Reporting Requirements</b>	Next Review Date: <b>September 2027</b>

**1. PREAMBLE:**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS Part A1-003 of the Policing Standards Manual (2000) (Appendix "A"), contains guidelines directing the Board, the Chief and members relative to Equal Opportunity; Discrimination and Workplace Harassment Prevention;

1.4 AND AS sections 88, 201 (2) (c) and 202 (2) (c) of the CSPA, sets out obligations of Police Service Boards and Police Services relative to accommodation of needs of disabled members of Police Services in accordance with the Ontario Human Rights Code;

1.5 AND AS under subsection 24(2) of the Ontario Human Rights Code employers are required to provide accommodation, unless to provide accommodation would cause undue hardship to the employer, considering the costs, outside sources of funding, if any, and health and safety requirements, if any;

1.6 AND AS the Accessibility for Ontarians with Disabilities Act (AODA) sets out obligations to ensure the development, implementation, and enforcement of accessibility standards in

order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures, and premises on or before January 1, 2025.

## **THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

### **2. DEFINITIONS:**

2.1 "Act" or "CSPA" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 "Code" means Ontario Human Rights Code;

2.3 "Board" means the Windsor Police Service Board;

2.4 "Chief" means the Chief of the Windsor Police Service;

2.5 "Member" means a member of the Windsor Police Service;

2.6 "Ministry" means the Ministry of the Solicitor General;

2.7 "Service" means the Windsor Police Service;

2.8 "Workplace" means any and all locations where business or social activities of the police service are conducted, including external training facilities such as the Ontario Police College and other locations where members may be assigned during periods of secondment; and

2.9 "Workplace Harassment" means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Workplace harassment may be, but is not limited to, an action or behaviour related to prohibited grounds or discrimination under the Ontario Human Rights Code.

### **3. POLICY:**

3.1 The objective of equal opportunity in the workplace, and discrimination and harassment prevention, is to ensure that the best qualified and motivated persons are selected for employment, promotion, preferred assignments, and career enhancement through lateral transfer.

3.2 This objective is to be achieved by ensuring that no discriminatory barriers exist in the workplace, that no discriminatory or harassing practices or behaviours exist in the workplace, and that the human rights of employees and potential employees are upheld and respecting in both rule and in practice.

3.3 The Board is committed to providing a work environment, which encourages mutual respect and preserves personal dignity. It affirms that all members have the right to work in an environment that is free from discrimination, including harassment.

3.4 The Board observes and upholds the Ontario Human Rights Code which states: "Every person has the right to equal treatment with respect to employment without discrimination

because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability (Section 5(1)). Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability (Section 5(2)). Every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee (Section 7(2)). Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcomed (Section 7(3)(a))" and will ensure reasonable measures are instituted and maintained so no member is subject to discrimination, including harassment.

3.5 The Board states that all Members, and any individuals representing the Police Service either on a paid or voluntary basis, are responsible for respecting the dignity and rights of their colleagues and co-workers, and for upholding the provisions guaranteeing those rights pursuant to the Code.

3.6 The Board states it will not tolerate or condone conduct which can be construed as unlawful discrimination, including harassment pursuant to the Code, and directs that an internal complaint procedure be established, as provided for by the Code, to ensure appropriate and expeditious resolution of a complaint where possible.

#### **4. DIRECTIONS TO THE CHIEF:**

##### **4.1 PROCEDURES**

4.1.1 The Chief shall develop procedures and processes relating to equal opportunity; discrimination and workplace harassment prevention that:

- i. ensure that successful applicants be chosen from a diverse applicant pool, reflective of the community served, and that all applicants have equal opportunity for employment with this police service;
- ii. provide all officers with the opportunity to improve their skills, knowledge and abilities through career development and training initiatives such as continuing education, performance appraisals, promotional process and transfers;
- iii. encourage personal and professional growth of its Members through the timely and constructive performance evaluation and the provision of directed continuous learning opportunities;
- iv. provide the fullest possible services in a prompt, fair and equitable manner to all segments of the public, without discrimination on the basis of race, ancestry, place of origin, colour or ethnic origin;

- v. extend fair and equal treatment under the law to every community and individual within its jurisdiction, without discrimination on the basis of race, ancestry, place of origin, colour or ethnic origin;
- vi. actively engage in the prevention of workplace discrimination and harassment through the development, delivery and maintenance of educational programs for all members of the police service;
- vii. recognize the emotional impact of such discrimination and harassment on individuals and react appropriately in investigating such complaints, including providing assistance through the Members' Assistance Program which offers confidential victim support and counselling to both members experiencing workplace discrimination and to members who may be the subject of a complaint;
- viii. undertake to educate its members on unlawful discrimination and harassment; and
- ix. maintain a discrimination-free workplace for all of its members to ensure that the police service is bias-free, and that it reflects the diversity of the community.

#### 4.1.2 SPECIFIC OBJECTIVES

It is the policy of the Board that the Chief shall ensure that:

- i. all Members clearly understand that conduct, which can be construed as unlawful discrimination, including harassment pursuant to the Code is not tolerated and is considered grounds for disciplinary measures consistent with the CSPA ;
- ii. policies, police procedures and practices, in every area of operation and administration, such as recruitment, selection, hiring, career development and promotion, are free of discriminatory elements;
- iii. personnel at all levels, both uniformed and civilian:
  - (a) understand discrimination in all its forms (overt, covert, systemic) and have the skills to ensure that it is not manifest in their behaviour or any systems they manage;
  - (b) understand, are sensitive, and can work positively with colleagues and co-workers within the police service;
- iv. mechanisms for addressing discrimination and harassment complaints within the workplace are established, are known, and are accessible to police service personnel; and

v. all Police Service Members are informed about this policy and its implementation.

#### 4.2 TRAINING

4.2.1 The Chief shall ensure that Members involved with employment practices of the police service have the requisite knowledge, skills, and abilities to perform this function.

4.2.2 The Chief shall ensure that all Members receive training on diversity and human rights.

4.2.3 The Chief shall ensure that as part of the training on diversity and human rights, the Police Service's policies, and procedures in relation to reporting and addressing workplace discrimination and harassment are reviewed by all Members.

### 5. **REPORT TO THE BOARD:**

#### 5.1 REPORTING REQUIREMENTS - EXCEPTION BASED REPORTING

The Chief shall make a written report to the Board immediately following any employment practices in which:

- a. the procedures with respect to equal opportunity; discrimination and workplace harassment prevention were not followed; and
- b. in any other circumstance where, in the opinion of the Chief, there is a significant issue or potential liability to the Board or the Service

#### 5.2 ANNUAL REPORTING REQUIREMENTS

The Chief shall provide the Board with an annual statistical report. The report shall contain:

- a. a summary of the written procedures relating to equal opportunity; discrimination and workplace harassment prevention;
- b. the status of Service compliance with the said procedures;
- c. confirmation that Members have been trained in accordance with section 4.2;
- d. the number and nature of harassment complaints received during the preceding 12 months and the disposition of such complaints;
- e. an annual statistical report on the Equal Opportunity Plan results;
- f. an analysis of the grievance activity relating to equal opportunity, discrimination, and workplace harassment, during the preceding calendar year which includes the status of grievances, resolutions (outcomes), and identifies any observable trends.

**6. IMPLEMENTATION:**

6.1 All other policies, sections of policies inconsistent with this policy are repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED THIS 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date

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Date

Attachment (1)



## WINDSOR POLICE SERVICE BOARD POLICY

Police Name: <b>Human Resources Policy</b>		Policy Number: <b>HR-001</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>3 years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>Policy HR-01 May 19, 2022</b>	Reporting:	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS the Board is committed to establishing policies that respect effective human resource planning.

### ***THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:***

### 2. DEFINITIONS:

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments thereto.

2.2 “Board” means the Windsor Police Service Board.

2.3 “Chief of Police” or “Chief” means the Chief of the Windsor Police Service.

2.4 “Service” means the Windsor Police Service.



**3. POLICY:**

With respect to human resource governance, the Board shall establish the following internal processes;

3.1 Annually elect a Human Resources Committee in accordance with the Board Procedural By-Law;

3.2 Annually review and recommend compensation for the Chief of Police and Deputy Chiefs;

3.2 Annually review the performance of the Board's Administrative Director;

3.3 Annually review the performance evaluation process for the Chief of Police and Board Administrative Director, and recommend changes if necessary;

3.4 Review and approve all strength increases and strength decreases of the Windsor Police Service;

3.5 Acknowledge all retirements of the Windsor Police Service during public session Board meetings;

3.6 Communicate on a regular basis with representatives of other large Police Service Boards in the Province to stay abreast of trends and strategies in collective bargaining;

3.7 Create internal directives as needed related to the oversight and governance of the Windsor Police Service in the area of Human Resources.

**4. DIRECTION TO THE CHIEF:**

4.1 The Chief of Police shall ensure that human resource reporting is timely and accurate. In addition, the Chief of Police shall ensure compliance with all human resource related legislation and reporting requirements.

**5. IMPLEMENTATION:**

5.1 Policy HR-01 and any other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

5.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Assistant

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**WINDSOR POLICE SERVICE BOARD  
POLICY**

Policy Name: <b>WINDSOR POLICE SERVICE BOARD ADMINISTRATIVE FRAMEWORK</b>		Policy Number: <b>G-001</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>3 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>ADMIN-01, May 19, 2022</b>	Reporting:	Next Review Date: <b>September 2027</b>

**1. PREAMBLE**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS O. Reg. 392/23: Adequate and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;

1.4 AND AS O. Reg. 408/23 made under the CSPA Code of Conduct for Police Service Board Members (Appendix “A”) sets out the code of conduct with which every member of a police service board must comply and the Municipal Conflict of Interest Act, R.S.O. 1990, as amended 2007 (Appendix “B”);

1.5 AND AS the Board has deemed it appropriate and consistent with the principles set out in Section 1 of the CSPA, with its objectives and priorities determined pursuant to Sections 38 of the CSPA that the Board have a policy on the administrative framework for the Windsor Police Service Board;

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

## **2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of the Windsor Police Service;

2. “Service” means the Windsor Police Service.

## **3. POLICY**

It is the policy of the Board that Board Members:

- 3.1 Govern lawfully in accordance with the Procedural By-law, policies and related legislation.
- 3.2 The Board will serve the public interest and provide governance and oversight on the intended outcomes of policing in the jurisdiction for which they are responsible.
- 3.3 Board deliberations and decisions will be forward-looking, while having regard for the past and present.
- 3.4 Board deliberations and decisions will be strategic, informed by statistical results and trends, and consider stakeholder views where necessary.
- 3.5 Board decisions will be collective rather than individual decisions.
- 3.6 Members of the Board will familiarize themselves and comply with Ontario Regulation 408/23 – Code of Conduct for Police Service Board Members and the Municipal Conflict of Interest Act, R.W.O. 1990 as amended, 2007.
- 3.7 During their first year of appointment the new member is required to attend:
  - a) any training sessions provided or required by the Ministry of the Solicitor General or other Ministry;
  - b) any orientation sessions for new members provided by the Chief of Police, Board Administrative Director and/or Board Solicitor.
- 3.8 The Board shall be a member of the Ontario Association of Police Service Boards (OAPSB) and Board members are encouraged to participate in their educational opportunities and activities.
- 3.9 The Board shall be represented by at least one member at each of the following:
  - a) Meetings of OAPSB Zone 6 boards

b) Annual OAPSB conferences

c) Meetings of Ontario Large Boards (“Big 12”)

3.10 The Board will establish policies consistent with the provisions under the Community Safety and Policing Act and regulations to ensure Adequate and Effective Policing

3.11 The Chair of the Board is delegated to act as head of the institution for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1989.

3.12 The procedural requirements of the Board are outlined in the Board’s procedural by-law and further this by-law shall be reviewed as per the schedule outlined in this Administrative Policy. The by-law shall be followed by the Board in all matters related to Board procedures.

3.13 The Board’s procedural by-law shall be reviewed every three (3) years.

#### 4. REPORTING REQUIREMENTS:

4.1 The Board shall ensure that the Windsor Police Service continues to provide exceptional results at appropriate costs, while avoiding or mitigating unacceptable actions, situations and consequences by receiving, discussing, and assessing Windsor Police Service reports, and by addressing any gaps by directing adjustments and/or revising strategic plan or policy expectations.

#### 4. DIRECTION TO THE CHIEF

4.1 The Chief of Police is responsible for administering the police service and overseeing its operation in accordance with the objectives, priorities and policies established by the Board.

4.2 The Chief shall ensure that the administration of the police service is in compliance with the CSPA, its regulations, provincially mandated reporting requirements, and applicable Board Policies.

4.3 The Chief of Police shall ensure that administrative reporting to the Board is timely, accurate and relevant.

4.4 A mandatory reporting document for the Board shall be maintained and reviewed.

#### 7. IMPLEMENTATION

7.1 Board Policy ADMIN-01, May 19, 2022 and any policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1,2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Director

Date \_\_\_\_\_

Date \_\_\_\_\_

Attachments (2)



## WINDSOR POLICE SERVICE BOARD

### POLICY

Name of Policy: <b>Administration of Public Complaints System – Police Officers</b>		Policy Number: <b>P-004</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>As required under the CSPA</b>	Effective Date: <b>September 1, 2024</b>
Repeal: <b>NEW</b>	Reporting: <b>Chief to WPSB as per Section 6 (6.1,6.2,6.3)</b>	Next Review Date:

#### 1. PREAMBLE

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS Parts X, XI and XII of the CSPA set out in detail the requirements of the Board, the Chief and the Complaints Director regarding public complaints made against police officers, including Chiefs of Police and Deputy Chiefs of Police, including procedures for addressing those complaints;

1.4 AND AS O. Reg. 406/23: Discipline requires that a Chief of Police shall establish procedures for the investigation of misconduct, including reports to the Complaints Director of conduct the Chief reasonably suspects constitutes misconduct;

1.5 AND AS O. Reg. 404/23: Adjudication Hearings prescribes procedures for discipline hearings conducted under Sections 201, 202 and 210 of the CSPA;

1.6 AND AS the Board deems it expedient to enact this policy to ensure that the response to public complaints by the Board and the Service adheres to the principles set out in Parts X, XI and XII of the CSPA, O. Reg. 406/23: Discipline, O. Reg Regulation 404/23 Adjudication Hearings, directives, and guidelines received from the Law Enforcement Complaints Agency (LECA) and this Policy;

***THE WINDSORPOLICE SERVICE BOARD ADOPTS AS FOLLOWS:***

## **2. DEFINITIONS:**

- 2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;
- 2.2 “Board” means the Windsor Police Service Board;
- 2.3 “Chief” means the Chief of the Windsor Police Service;
- 2.4 “Complaints Director” means the person appointed by the Lieutenant Governor in Council under Section 131 of the CSPA as the head of LECA;
- 2.5 “Deputy” means the Deputy Chief of Police of the Windsor Police Service;
- 2.6 “Administrative Director” means the Administrative Director of the Board;
- 2.7 “LECA” means the Law Enforcement Complaints Agency established under Section 130 of the CSPA, which has replaced the Office of the Independent Police Review Director;
- 2.8 “Member” means a member of the Windsor Police Service;
- 2.9 “Police Officer” is defined in accordance with the CSPA;
- 2.10 “Professional Standards Unit” means the Unit within the Service designated by the Chief to deal with discipline matters, including Public Complaints, and to liaise with LECA; and;
- 2.11 “Service” means the Windsor Police Service.

## **3. POLICY:**

3.1 The Board recognizes and adheres to the principle that fair, open, prompt, thorough and efficient response to Public Complaints is a cornerstone to establishing and maintaining a positive community-police relationship, and it is therefore the policy of the Board that such complaints be dealt with in a professional and thorough manner in accordance with Parts X, XI and XII of the CSPA, O. Reg. 406/23: Discipline, O. Reg 404/23 Adjudication Hearings, directives and guidelines received from the Law Enforcement Complaints Agency (LECA), and procedures established by the Chief as directed in this Policy.

## **4. DIRECTION TO THE CHIEF – PUBLIC COMPLAINTS**

- 4.1.1 The Chief shall develop and maintain a procedure to ensure that complaints are processed in accordance with the provisions of Part X, XI and XII of the CSPA, and shall provide a copy of the said procedure to the Board.
- 4.1.2 The Chief shall maintain a Professional Standards Unit, adequately staffed and trained, to liaise with the LECA, to receive, investigate and where appropriate, prosecute or assist in the prosecution of Public Complaints against police officers in accordance with Part X, XI and XII of the Act and Regulations 406/23 and 404/23.

4.1.3 If a Board Member or the Chief receives a report from a person or body responsible for receiving complaints about police officers in another province about the conduct of an Ontario police officer, the Board Member or Chief shall give the report to the Complaints Director in accordance with Section 156 of the CSPA.

4.2 The Chief shall ensure that said procedure referred to in Article 4.1 above includes the following provisions:

4.2.1 That Public Complaint process information, including Public Complaint forms provided by the LECA, be posted and made available in each District in an area accessible to the public;

4.2.2 That Public Complaints received by any member of the Service be forwarded immediately to the Chief to be dealt with in accordance with Part X of the CSPA;

4.2.3 That when the Service is accepting a complaint it will ensure that notice of the complaint is not provided to the respondent officer or any other officer until the Complaints Director makes a direction in accordance with its powers under Section 157 (3) of the CSPA;

4.3 That adequate training is provided to all Members of the Service in respect of the complaints procedures of the Service and Parts X, XI and XII of the CSPA and Ontario Regulations 406/23 and 404/23.

4.4 That the Chief and the Professional Standards Unit's Inspector or their designee cooperate and follow the direction of the Complaints Director in respect of all Public Complaints, including but not limited to providing the Complaints Director with information to assist in screening or assigning the complaint to investigation, investigating the complaint, reporting on the investigation, and prosecuting or assisting the Complaints Director in the prosecution of the complaint when appropriate;

4.5 That the procedures developed by the Chief include a mechanism to provide assistance for Public Complainants who may not be literate, or who may not be fluent in English;

4.6 That all notices to the Complainant, the police officer who is the subject of the Complaint, the Compliant Director and the Board be given as required by the CSPA.

## **5. CONDUCT COMPLAINTS AGAINST THE CHIEF OR DEPUTY CHIEF:**

5.1 Conduct Complaints about the Chief or Deputy Chief shall be referred to the Complaints Director immediately upon receipt by the Board.

5.2 The Board shall comply with the provisions of the CSPA and comply with direction given by the Complaints Director.



## **6. REPORTING REQUIREMENTS:**

### **6.1 CONDUCT COMPLAINTS OF A SERIOUS NATURE**

6.1.1 The Chief shall make a confidential written report in respect of any Conduct Complaint which involves allegations of criminal misconduct by a police officer, or which involves allegations of misconduct described in Part X, XI or XII of the CSPA or Regulation 407/23: Code of Conduct, either of which are of such a serious nature that, if proven, are likely to call into question the reputation or integrity of the Service, or which involve the public interest.

6.1.2 The Chief shall not make this confidential written report to the Board without the prior consent of the Complaint Director.

6.1.3 The said reports shall contain information as to the nature of the conduct alleged, the action being taken regarding the complaint, and any other information which the Chief feels is relevant but shall not include the name of the police officer who is the subject of the report.

### **6.2 BOARD REPORTS**

6.2.1 The Chief shall make quarterly written reports to the Board on the administration of the Public Complaints process.

6.2.2 The reports, as provided in 6.2.1 above, shall include comparative data for the same period in the immediately preceding calendar year.

6.2.3 The report shall provide cumulative year-to-date information on Public Complaints as provided in 6.3 below.

6.2.4 The Chief shall include the relevant Complaints information in the Annual Report of the Service.

6.3 The reports shall include the following information in respect of conduct complaints, except for those complaints against the Chief or the Deputy Chief:

6.3.1 the total number of conduct complaints made;

6.3.2 the number of referrals to the Complaint Director;

6.3.3 the number of conduct complaints determined to be unsubstantiated after investigation, or not acted upon pursuant to Section 158 of the CSPA;

6.3.4 the number of hearings and findings from the hearings held pursuant to Sections 201 and 202 of the CSPA;

6.3.5 the number of complaints dealt with informally pursuant to Section 169 of the CSPA, together with a summary of the nature of the complaints dealt with informally and the informal resolutions achieved;

6.3.6 the number of complaints resolved or dealt with pursuant to Section 215;

6.3.7 a summary of the penalties imposed pursuant to Sections 200, 201 and 202 of the CSPA;

6.3.8 the number of outstanding complaints as at the end of the reporting period; and

6.3.9 the time to complete each complaints process from the date the complaint is received to the date it is disposed of.

**7. IMPLEMENTATION**

7.1 All policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1, 2024

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date:

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Date:

# ITEM 13.1.14



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>Process of Selecting Chief and Deputy Chiefs</b>		Policy Number: <b>HR-002</b>
Responsible Manager: <b>Administrative Director</b>	Review Schedule: <b>3 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>HR – 02, July 22, 2021</b>	Reporting:	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE:

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS O. Reg. 392/23: Adequacy and Effective Policing (General) (“the Adequacy Regulation”) prescribes standards for adequacy and effectiveness of police services;

1.4 AND AS subsection 37 (1)(d) provides that a police service board shall recruit and appoint the chief of police and any deputy chief of police and determine their remuneration and working conditions, taking their submissions into account;

1.4 AND AS the Board deems it expedient to enact this Policy to ensure that the process of selecting the chief of police and any deputy chief of police is fair, transparent, equitable and consistent;

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

## **2. DEFINITIONS:**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of Police of the Windsor Police Service;

2.4 “Deputy” means the Deputy Chief of the Windsor Police Service;

2.74 “Service” means the Windsor Police Service.

## **3. POLICY:**

3.1 The Board is committed to ensuring the effective management of the Windsor Police Service by its leadership.

3.2 The Board is committed to ensuring that the recruitment and appointment process for the Chief of Police and any Deputy Chief of Police is fair and transparent.

3.3 The Board is committed to ensuring that there is a good working relationship between the Board and the Chief of Police and any Deputy Chief of Police.

3.4 The Board expects the Chief of Police and any Deputy Chief to serve as role models for Service Members, demonstrating the values and principles of the Service.

3.5 The Board will place emphasis on Chief or Deputy’s ability to represent the Service’s values, to communicate effectively with Service Members, Board Members and the public, as well as on their professional excellence.

3.6 The Board is committed to recruiting and selecting individuals for the Chief of Police and Deputy Chief of Police positions who are the most qualified based on an assessment of their demonstrated skill, competence, experience, training, education and ability to meet the job requirements.

3.6.1 Other important criteria in the selection process includes: candidates who share the philosophy, vision, mission and mandate of the Service. Candidates for these positions may be from current Windsor Police Service members or from an outside Service.

3.7 The Board provides equitable treatment and accommodation to ensure barrier-free employment in accordance with the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act. Any candidate may request accommodation related to the protected grounds at any stage of the hiring process – application, assessment, and placement.

## 4. PROCEDURE:

### 4.1 RECRUITMENT

4.1.1 The Board shall determine the method of recruitment - full recruitment, internal recruitment or by appointment - by which a vacancy of Chief of Police or Deputy is to be filled.

4.1.2 The Board will ensure that the recruitment process is consistent with the Board's Equity, Diversity and Inclusion Plan, to ensure that the selection of candidates is free from bias or prejudice on the grounds of race, sex, place of origin, sexual orientation, age, disability and socio-economic status, and to ensure that the candidates selected will uphold the values expressed in the plan.

4.2 The Board may choose, at its discretion, to undertake a recruitment based on the priorities and needs of the Service as determined by the Board in one of the following ways:

4.2.1 A full recruitment and selection process which is both internal and external in nature.

4.2.2 Limit the advertisement of the position to candidates within the Windsor Police Service only.

4.2.3 Outright appointment of a candidate to the position.

4.3 If the Board decides to undertake an appointment process, the Board should ensure persons to be appointed:

4.3.1 Meet each essential qualification of the position as determined by relevant legislation, past and current position requirements and all relevant policy.

4.3.2 Meet any operational requirements and/or current organizational needs.

4.4 Should the Board decide to undertake a full competitive recruitment and selection process, the following procedures will be followed:

4.4.1 The Board will establish the requirements for the positions of Chief of Police and Deputy Chief of Police by which the position posting shall be created and candidates will be assessed. These will include:

a) A list of essential qualifications and experience necessary for consideration for the role of Chief of Police or Deputy Chief of Police.

b) A list of competencies that shall be used to screen candidates, develop interview questions and assess candidates.

4.4.2 Recruitment for the position of Chief of Police or Deputy Chief of Police will be posted internally within the Windsor Police Service and externally on various online job boards and appropriate publications.

4.4.3 All candidates, whether internal or external, will be treated in the same manner and proceed through the same objective process.

4.4.4 The Board will determine the composition of the Selection Committee. The Board may also engage an external recruitment service to support any step in the recruitment and selection process.

4.4.5 The role of the Selection Committee will be to develop the job posting based on the skills, experience and competencies established by the Board. They will screen candidates, develop interview questions, interview and assess candidates, and conduct reference checks of identified candidates.

4.4.6 All individuals of the Selection Committee will be instructed on the importance of recognizing biases, the purpose and components of the objective recruitment process, and the structured screening and interview process.

4.4.7 The Board may engage a third-party to consult the public with respect to the qualities and characteristics of a new Chief of Police or Deputy Chief of Police to assist in the development of the job posting and subsequent interview questions.

#### 4.5 APPLICANT SCREENING

4.5.1 Applicants will be screened based on the selection criteria outlined in the job posting. Those that meet the criteria will be invited to continue in the recruitment process including in-person interviews.

4.5.2 Individuals selected for interviews will be required to submit a completed Attestation Form which will ensure a full review of the work history and identify any areas for further review.

#### 4.6 INTERVIEW PROCESS

4.6.1 Structured interviews will be conducted by the Selection Committee using predetermined interview questions for all candidates. The goal of this objective assessment is to confirm experience and education, other complementary skills, and overall values that align with the Windsor Police Service based on the competencies and qualifications contained in the position posting.

4.6.2 There will be a mixture of behavioural and situational interview questions that will be designed to determine the candidate's suitability to assume a leadership role within the Service. The same questions will be used for each candidate interviewing for the same position.

4.6.3 The candidate's Attestation Form will be reviewed with them as part of the interview process. Any areas of concern will be identified and may generate additional questions. These questions will be compliant with the Human Rights Code and other relevant legislation.

4.6.4 If required, a second interview may be scheduled with short-listed candidates. This interview may be informed with behavioural assessments previously conducted with short-listed candidates.

#### 4.7 REFERENCE CHECKS

4.7.1 Confidential reference checking will be conducted and may include a candidate's current commanding officer, former commanding officer, colleagues or subordinates. The identification of references will be done in a manner that does not adversely impact the candidate's current employment. A candidate may also be requested to provide recent performance evaluations, commendations, or records of discipline as part of the overall assessment of their suitability for the position.

#### 4.8 SELECTION

4.8.1 Upon completion of the recruitment, interview and reference check process, the Selection Committee will make a recommendation to the Board. The final decision rests with the Board. An offer of employment will be drafted by the City of Windsor Legal and Human Resources Departments and will be presented to the candidate(s).

### 5. IMPLEMENTATION

5.1 Policy HR-02, July 22, 2021 and any other policies, sections of policies of the Board inconsistent with this Policy are repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED THIS 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date:

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Date:



**WINDSOR POLICE SERVICE BOARD**  
**POLICY**

Policy Name: <b>MANAGEMENT OF POLICE RECORDS</b>		Policy Number: <b>G - 004</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>5 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>AR-AI007, October 26, 2006</b>	Reporting: <b>Chief annual report to the Board as per Section 5</b>	Next Review Date: <b>September 2029</b>

**1. PREAMBLE**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS subsection 1 (1) of the Municipal Act, R.S.O. 2001 c.25 (“the Municipal Act”) defines “Local Board” as a Police Service Board;

1.4 AND AS Section 254 of the Municipal Act states that a Local Board that has ownership and control of its records has an obligation to retain and preserve the records in a secure and accessible manner;

1.5 AND AS Section 255 of the Municipal Act regulates the circumstances under which a Local Board may destroy records;

1.6 AND AS Section 18 of O. Reg. 395/23: Investigations prescribes reporting requirements for reportable investigations as defined in the Regulation;

1.7 AND AS Section 20 of the said O. Reg. 395/23 requires a Chief of Police to establish procedures for the management of information relating to investigations;



1.8 AND AS Part AI-007 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix “A”, contains guidelines directing the Board, the Chief and members relative to the management of police records.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

**2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of the Windsor Police Service;

2.4 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General

2.5 “Member” means a member of the Windsor Police Service;

2.6 “Ministry” means the Ministry of the Solicitor General;

2.7 “Personal Information” means recorded information about an identifiable individual, as prescribed by the Municipal Freedom of Information and Protection of Privacy Act;

2.8 “Record” means a document, made or received in the normal course of business and kept for operational or administrative purposes and includes:

(a) correspondence – a memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and

(b) subject to the regulations of the Municipal Freedom of Information and Protection of Privacy Act, any records that is capable of being produced from a machine-readable record under the control of the police service by the means of computer hardware and software or any other information storage equipment and technical expertise normally used by the police service.

2.9 “Service” means the Windsor Police Service;

2.10 “ViCLAS” means the Violent Crime Linkage Analysis System.

**3. POLICY**

3.1 The Board recognizes that appropriate management of police records are crucial to policing, and it is therefore the policy of the Board that such management of police records be dealt with in a professional and thorough manner and in accordance with procedures established by the Chief as directed in this Policy.

#### **4. DIRECTION TO THE CHIEF**

##### **4.1 PROCEDURES**

4.1.1 The Chief shall establish written procedures and processes for the collection, security, retention, use, disclosure, and destruction of police records in accordance with Appendix A.

4.1.2 The Chief shall ensure that said procedure above complies with the Municipal Freedom of Information and Protection of Privacy Act.

4.1.3 The Chief shall ensure that all records are protected from unauthorized access, alteration, or removal and inadvertent destruction or damage by Members of the Police Service and the public.

4.1.4 The Chief shall ensure that the procedures referred to in Section 4.1.1 comply with the Ministry's designated Ontario Major Case Management Manual for police records management.

4.1.5 The Chief shall ensure that the procedures referred to in Section 4.1.1 includes procedures that are consistent with the provisions in the CPIC Policy Manual and the CPIC User Manual and the Ministry's policy relating to CPIC records.

4.1.6 The Chief shall ensure that the procedures referred to in Section 4.1.1 includes procedures that are consistent with the provisions in Section 18 of O.Reg.395/23, the CPIC Policy Manual and the CPIC User Manual and the Ministry's policy relating to collecting, retention and destruction of ViCLAS records.

##### **4.2 DESTRUCTION OF POLICE RECORDS**

4.2.1 The Chief shall ensure that no Member destroys any record except in accordance with the procedure developed in accordance with Section 4.1.1.

4.2.2 The Chief shall ensure that, when records are destroyed in compliance with the said procedure, a listing is maintained indicating the classification and dates of the records being destroyed, the date of destruction, and the signature of the Member destroying the record.

4.2.3 The Chief shall designate a Member(s) as persons responsible for overseeing destruction of records in accordance with the procedure outlined in Section 4.1.1.

4.2.4 The Chief shall ensure that records are destroyed in a manner, which ensures that the records are no longer legible or usable.

### 4.3 TRAINING

4.3.1 The Chief shall ensure that Members involved in the collection, security, retention, use, disclosure, and destruction of police records, have the requisite knowledge, skills, and abilities to perform these functions.

## 5. REPORT TO THE BOARD

5.1 The Chief shall make an annual written report to the Board on or before August 30th of each year in respect of management of police records. The report shall include:

- (a) a summary of the written procedures concerning management of police records;
- (b) confirmation of Service compliance with said procedures;
- (c) a listing of records retained beyond the retention period pursuant to Section 4.1.1, together with the reason therefore; and
- (d) confirmation that the appropriate records have been destroyed in accordance with the Policy.

## 6. IMPLEMENTATION

6.1 Windsor Police Service Board Policy – Adequacy O.Reg. 3/99, and any other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

**Attachments (1)**



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>POLICE RESPONSE TO PERSONS IN CRISIS – MENTAL ILLNESS – NEURODEVELOPMENTAL DISABILITY</b>		Policy Number: <b>P-005</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>3 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: Number: <b>AR-LE013, March 23, 2000</b>	Reporting: <b>Chief annual report to the Board as per Section 5</b>	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS subsection 39 (1) of the CSPA requires the Board’s Strategic Plan include quantitative and qualitative performance objectives and indicators of outcomes relating to, inter alia, interactions with persons who appear to have a mental health condition;

1.4 AND AS subsection 6 (1) 4. viii O. Reg. 392/23: Adequate and Effective Policing (General) requires the Chief of Police to establish written procedures respecting police response to persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability,

1.5 AND AS subsection 39 (1) 4 of the CSPA requires that the Strategic Plan of the Police Service Board address, inter alia, police interactions with persons who appear to have a mental illness or a neurodevelopmental disability;

1.6 AND AS Part LE-013 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix “A”, contains guidelines directing the Chief and the police

service relative to police response to persons who are emotionally disturbed or who have a mental illness or a developmental disability.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

**2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of the Windsor Police Service;

2.4 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General;

2.5 “Member” means a member of the Windsor Police Service;

2.6 “Service” means the Windsor Police Service.

**3. POLICY**

3.1 It is the policy of this Board that investigations involving persons who are in crisis, including those persons appear to have a mental illness or a neurodevelopmental disability be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this Policy.

3.2 The Board is committed to working in partnership with community mental health agencies to provide prompt coordinated service delivery.

3.3 The Board is committed to working with community agencies, persons with mental illnesses and their families to reduce the stigma of mental illness and to share the responsibility for improving the quality of life for persons who suffer from mental illnesses and disorders.

**4. DIRECTION TO THE CHIEF**

**4.1 PROCEDURES**

4.1.1 The Chief shall develop and maintain written procedures that address the police response to persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability.

4.1.2 The procedures referred to in Section 4.1.1 shall be in accordance with Appendix “A” and subsection 6 (1) 4. viii of O. Reg. O. Reg. 392/23: Adequate and Effective Policing (General).

## 4.2 COMMUNITY PARTNERSHIP

4.2.1 The Chief shall, where possible, work with appropriate community members and agencies, healthcare providers, government agencies, municipal officials, other criminal justice agencies, and the local Crown Attorney to address Service issues relating to persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability.

## 4.3 TRAINING

4.3.1 The Chief shall ensure that all Members have the requisite knowledge, skills, and abilities to deal with persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability.

4.3.2 The Chief shall ensure that the Service's skills development and learning plan addresses training of Members, on:

(a) local protocols;

(b) conflict resolution and use of force in situations involving persons who are in crisis, including those persons appear to have a mental illness or a neurodevelopmental disability; and

(c) the provisions of the Mental Health Act.

## 5. REPORT TO THE BOARD

5.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of police response to persons who are in crisis, including those persons appear to have a mental illness or a neurodevelopmental disability. The report shall include:

(a) a summary of the written procedures concerning police response to persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability;

(b) the status of Service compliance with the said procedures;

(c) a summary of the training given to Members with respect to police response to persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability;

(d) a summary of issues raised and/or discussed with community partners relating to police response to persons who are in crisis, including those persons who appear to have a mental illness or a neurodevelopmental disability.

## 6. IMPLEMENTATION

6.1 Windsor Police Service Board Policy – Adequacy O.REG. 3/99 Number AR-LE013, March 23, 2000, and any other policy, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August, 2024.

THE WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date

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Date

**Attachment (1)**

# ITEM: 13.1.17



## WINDSOR POLICE SERVICE BOARD

### POLICY

Policy Name: <b>MANAGEMENT OF WINDSOR POLICE SERVICE BOARD RECORDS</b>		Policy Number: <b>G – 005</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>5 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>ADMIN – 02, May 19, 2022</b>	Reporting:	Next Review Date: <b>September 2029</b>

#### 1. PREAMBLE

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS subsection 1 (1) of the Municipal Act, R.S.O. 2001 c.25 (“the Municipal Act”) defines “Local Board” as a Police Service Board;

1.4 AND AS Section 254 of the Municipal Act states that a Local Board that has ownership and control of its records has an obligation to retain and preserve the records in a secure and accessible manner;

1.5 AND AS Section 255 of the Municipal Act regulates the circumstances under which a Local Board may destroy records;

1.6 AND AS Part AI-007 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix “A”, contains guidelines directing the Board, the Chief and members relative to the management of police records.

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**



## **2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of the Windsor Police Service;

2.4 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General

2.5 “Member” means a member of the Windsor Police Service;

2.6 “Ministry” means the Ministry of the Solicitor General;

2.7 “Personal Information” means recorded information about an identifiable individual, as prescribed by the Municipal Freedom of Information and Protection of Privacy Act;

2.8 “Record” means a document, made or received in the normal course of business and kept for operational or administrative purposes and includes:

(a) correspondence – a memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film, microfilm, sound recording, videotape, machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof; and

(b) subject to the regulations of the Municipal Freedom of Information and Protection of Privacy Act, any records that is capable of being produced from a machine-readable record under the control of the police service by the means of computer hardware and software or any other information storage equipment and technical expertise normally used by the police service.

2.9 “Service” means the Windsor Police Service;

## **3. POLICY**

3.1 It is the policy of the Board to manage, preserve, and dispose of its records in accordance with the requirements of applicable legislation governing the collection, security, retention, use, disclosure and destruction of records and administrative procedures.

3.2 Records management procedures shall comply with all applicable legislation which includes the Municipal Act, 2001 and the Municipal Freedom of Information and Protection of Privacy Act.

3.3 Records management procedures shall comply with administrative requirements of the Windsor Police Service and the Police Service Guidelines outlined by the Ontario Ministry of the Solicitor General in the Policing Standards Manual (2000), as they may be updated from time to time.

3.4 Records management procedures shall address the classification and security of Board records.

#### **4. RESPONSIBILITY FOR RECORDS**

4.1 The Administrative Director is the custodian of current records and shall assume overall responsibility for the records management system.

4.2 Every person in possession of private records shall be responsible for their proper use, storage, and destruction.

#### **5. STORAGE OF BOARD RECORDS**

5.1 Current active records shall be retained in the Board office at 150 Goyeau Street, unless otherwise determined by the Board, and under the custody and control of the Administrative Director or designate of the Board.

5.2 Historical records shall be archived through the Office of the Clerk and retained in a secure area within the City of Windsor offices and at its off-site storage site.

#### **6. DOCUMENT MANAGEMENT**

6.1 Board agendas, minutes and other documents are created and managed electronically.

6.2 The Administrative Director shall ensure the efficient management of electronic records by maintaining an accurate and up-to-date document repository to facilitate quick document retrieval.

#### **7. DISCLOSURE OF BOARD RECORDS**

7.1 Board should disclose records in accordance with the Freedom of Information and Protection of Privacy Act.

#### **8. RECORDS RETENTION SCHEDULE**

8.1 The records retention schedule specifies the type of record and its retention period. This schedule will be adopted in consultation with the Windsor Police Service and the City of Windsor.

#### **9. IMPLEMENTATION**

9.1 ADMIN – 02, May 19, 2022, and any other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed.

6.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Assistant

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Date

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Date

**Attachments (1)**

# ITEM: 13.1.18



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>USE OF BOARD ISSUED EQUIPMENT AND TECHNOLOGY</b>		Policy Number: <b>GOV - 006</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>5 Years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>ADMIN – 03, May 19, 2022</b>	Reporting:	Next Review Date: <b>September 2029</b>

### 1. PREAMBLE

1.1 AS subsection 37 (1) of the Community Safety and Policing Act 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS Section 46 of the CSPA provides that a Police Service Board shall establish its own rules and procedures in performing its duties under this Act and the regulations;

1.3 AND AS the CSPA provides that Board members will comply with O. Reg. 408/23: Code of Conduct for Police Service Board Members;

1.4 AND AS the Board deems it expedient to adopt this policy and guidelines for the use of Board issued equipment and technology.

### **THE WINDSOR POLICE SERVICE BOARD ENACTS AS FOLLOWS:**

### 2. DEFINITIONS

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Board Member” means a member of the Windsor Police Service Board;

2.4 “Devices” means portable Board issued technology provided for the use of the Board members and includes all data processing and communications hardware and software including computers, tablet devices, peripherals, keyboards, cases, covers, styluses or any other equipment necessary for optimal use of electronic devices or tools;

2.5 “Administrative Director” means the Administrative Director of the Board;

2.6 “Identification Cards” means Board issued identification cards that indicate affiliation as a member of the Windsor Police Service Board;

2.7 “Malware” means a category of malicious code that includes viruses, worms and Trojan horses;

2.8 “Mobile Applications” or “Apps” means a computer program designed to run on smartphones, tablet computers, and other mobile devices;

2.9 “Phishing” means the activity of defrauding an online account holder of financial or personal account information by posing as a legitimate company;

2.10 “Security Access Cards” means Service issued security cards that permit Board members access to Service facilities equipped with electronic door control mechanisms and perimeter control gates;

2.11 “Service” means the Windsor Police Service;

2.12 “Technology” means a tool that supports and promotes efficient and effective services through electronic data (text, graphics, images, voice and video) capture, manipulation, retrieval and transmission; and

2.13 “Virus” means a piece of code capable of copying itself and typically has detrimental effects, such as corrupting a system or destroying data.

### **3. BOARD POLICY GUIDELINES**

3.1 The Board supports using technology and related devices to increase the productivity of Board Members and the Board office while conducting Board business.

3.2 Board issued equipment is the property of the Board and this is a policy relating to the acceptable use of Board devices.

3.3 Devices shall be primarily used for conducting Board business and shall follow the appropriate internet usage guidelines as outlined in this Policy.

3.4 Board and Service issued property and devices shall be returned to the Administrative Director at the end of a Member’s term. This includes all technology, back-ups, cases/keyboards, chargers, keyboard chargers, identification and security access cards.

3.5 Devices shall be assessed on return for upgrade, replacement or disposal. If deemed to be in fair condition, they will be redistributed to new Board members or disposed of appropriately.

#### **4. INTERNET USAGE**

4.1 Use of a device constitutes acceptance of this policy and confirms the understanding that the device is to be primarily used for business purposes.

4.2 Information contributed to or retrieved from these devices must be protected against disclosure to unauthorized agencies or persons.

4.3 Before releasing information, ensure that the requestor is an authorized person, if uncertain verify with Board staff.

4.4 Board equipment and technology will not be used for any activity from which the user will benefit financially, for any purpose that might be considered offensive, or violate Board policy.

#### **5. USAGE AND SECURITY OF DEVICES**

5.1 Board Members are responsible for the security of the device and its software. Board Members are required to keep their devices updated through software updates to ensure all security patches are current.

5.2 Board Members are responsible for the security of devices by being cognizant of phishing, malware, viruses, and/or avoiding websites which might compromise the software on their devices, being mindful of the following:

(i) Do not click on pop-up screens, spam, advertisements or suspicious links that come from unrecognized senders. These may try to cause you to act quickly through threats of security breaches, unauthorized account usage, etc.

(ii) Do not download files or open attachments from unknown senders on the device.

(iii) Do not communicate personal information, such as usernames, ID's, passwords, or credit card information through a link in an email even if it appears to be authentic.

(iv) Do not share your usernames, ID's, and/or passwords as this can be used to compromise your account.

5.3 Board Members shall report any suspicion of viruses or phishing to the Administrative Director as soon as possible.

5.4 Board Members are asked to report damaged or lost devices to the Administrative Director as soon as possible.

5.5 Nothing should be accepted or sent through Bluetooth or other wireless sharing devices unless the third party is known and is the intended sender/recipient.

5.6 Lock the device when not in use. This can be done by closing the case, which locks automatically or by pressing the lock button or lock command on the device.

**6. COSTING AND DOWNLOADING APPLICATIONS**

6.1 Costs associated with downloading of applications are the responsibility of the Board member unless it is related to Board business.

**7. IMPLEMENTATION**

7.1 ADMIN – 03, May 19, 2022, and all other policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29, 2024.

7.2 This Policy shall come into force on September 1, 2024.

ADOPTED AND PASSED this 29th day of August, 2024.

THE WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date

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Date



## WINDSOR POLICE SERVICE BOARD POLICY

Policy Name: <b>Institutional and Police Service Member Conflicts of Interest</b>		Policy Number: <b>G - 007</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>Every 3 years</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>NEW</b>	Reporting: <b>Chief to report as per Section 5</b>	Next Review Date: <b>September 2027</b>

### 1. PREAMBLE:

- 1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA") provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND AS subsection 89 (1) of the CSPA requires that a Member shall not engage in any secondary activity which places them in a conflict of interest;
- 1.4 AND AS Section 220 of the CSPA requires that certain Members be removed from Police Association membership if their continued membership would result in a conflict of interest in collective bargaining matters;
- 1.5 AND AS subsection 11 (1) of O. Reg. 401/23: Conflicts of Interest requires a Chief of Police to establish written procedures respecting actual conflicts of interest and personal conflicts in the provision of policing functions;



1.6 AND AS subsection 12 (1) of the said O. Reg 401/23: Conflicts of Interest and clause 38 (1) (g) of the CSPA require that the Board establish a policy respecting the avoidance of actual institutional conflicts and personal conflicts in the provision of policing functions;

1.7 AND AS the said O. Reg 401/23: Conflicts of Interest prescribes definitions of conflicts of interest, investigations, including referral of investigations to other police services, impartiality of investigations, reporting and actions to be taken;

1.8 AND AS the Board moves to adopt this Policy to ensure the avoidance of actual institutional conflicts and personal conflicts in the provision of policing functions.

***The WINDSOR POLICE SERVICE BOARD ENACTS AS FOLLOWS:***

**2. DEFINITIONS:**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments thereto; 510-2024 2024.05.23

2.2 “Actual Institutional Conflict” has the same meaning as set out in Section 1 of O. Reg. 401/23: Conflicts of Interest;

2.3 “Board” means the Windsor Police Service Board;

2.4 “Chief” means the Chief of the Windsor Police Service;

2.5 “Member” means a member of the Windsor Police Service;

2.6 “O. Reg. 401/23” means Ontario Regulation 401/23: Conflicts of Interest;

2.7 “Personal Conflict” has the same meaning as set out in section 1 of O. Reg. 410/23;

2.8 “Service” means the Windsor Police Service.

**3. BOARD POLICY:**

3.1 The Board recognizes and adheres to the principle that fair, open, impartial, and thorough delivery of policing services is a cornerstone to establishing and promoting trust in the Service and the Board, and that it is imperative that in the delivery of those policing services, Members cannot be constrained in any way by conflicts of interest. It is therefore the policy of this Board that there must be strict adherence to the provisions of O. Reg. 401/23.

**4. DIRECTIONS TO CHIEF:**

**4.1 PROCEDURES**

4.1.1 The Chief of Police shall establish written procedures respecting actual institutional conflicts and personal conflicts in the provision of policing functions by the Service.

The procedures shall:

- (a) provide for steps that must be taken to avoid or address potential institutional conflicts, actual institutional conflicts and personal conflicts;
- (b) identify a supervisor to whom a Member of the Service is required to report potential institutional conflicts, actual institutional conflicts and personal conflicts and, if the matter to be reported relates to the Member's own supervisor, an alternative supervisor;
- (c) identify the Members of the Service who are authorized to determine whether a personal conflict has arisen or is likely to arise;
- (d) ensure the impartiality of investigations by the Service under this Regulation; and
- (e) address how the Service will conduct investigations referred to it by the Chief of Police of another police service.

If the Chief of Police is referred a conflict of interest investigation by another police service, the Chief shall either:

- (1) cause the matter to be investigated in accordance with the applicable conflict procedure; or
- (2) take steps to ensure that the matter is referred to a different police service to conduct the investigation.

## 4.2 PERSONAL CONFLICTS

4.2.1 If it is determined, in accordance with the conflict procedures, that a personal conflict respecting a Member of the Service has arisen or is likely to arise with respect to a policing function that the Member is providing, the Chief of Police shall,

- (a) require a different Member of the Police Service to provide the policing function or refer the matter to the Chief of Police of a different Police Service; or
- (b) if the Chief of Police or Deputy Chief of Police is the Member of the Police Service in respect of whom a personal conflict has arisen or is likely to arise, refer the matter to the Chief of Police of a different Police Service.

4.2.2 The Chief of Police shall record the steps the Chief of Police takes under this section, in the form approved by the Minister.

4.2.3 If the Chief of Police or Deputy Chief of Police is the Member of the Police Service in respect of whom a personal conflict has arisen or is likely to arise, the

record shall include either a statement that the Chief of Police complied with the conflict procedures and this policy, or a statement that the Chief of Police did not comply and an explanation for the non-compliance. The record shall be submitted by the Chief of Police to the Inspector General and the Board.

#### 4.3 INSTITUTIONAL CONFLICTS

4.3.1 If the Chief of Police determines that a potential institutional conflict respecting a Member of the Service has arisen or is likely to arise, the Chief of Police shall determine whether an informed and reasonable person would believe that a Member of the Service who must act or make a decision in the situation could do so impartially. In making this determination, the Chief of Police shall consider all relevant factors, including:

- (a) whether any of the Members of the Service who are required to act or make a decision are likely to be in a reporting relationship to or know a person who is or would be under investigation in respect of the criminal conduct;
- (b) whether the Service has procedures for consulting with the Crown Attorney regarding the conduct of the investigation of the criminal conduct, and has undertaken to consult with the Crown on the investigation; and
- (c) any other relevant factor, including the importance of the perception of fairness and impartiality during all investigations to maintaining the community's trust.

4.3.2 The Chief of Police is not required to make the determination above with respect to the following:

- (a) an incident reported to the SIU Director under Section 16 of the Special Investigations Unit Act, 2019 or the SIU Director causes the incident to be investigated under Section 15 of that Act; or
- (b) the potential institutional conflict has arisen or is likely to arise in an area for which the Board does not have policing responsibility and is the subject of an investigation by a different police service.

4.3.3 If the Chief of Police determines that an actual institutional conflict of interest exists, the Chief of Police shall refer the investigation to the Chief of Police of a different police service.

4.3.4 Where the investigation is referred to or continued by the Chief of Police of a different police service, the Chief of Police shall continue to take all steps necessary to ensure that an effective investigation is conducted, until the assumption of responsibility for the investigation by the Chief of Police of the other police service, if applicable.

4.3.5 If the Chief of Police determines that a potential institutional conflict is not an actual institutional conflict and does not meet the prescribed conditions under Section 7 (2) of Ontario Regulation 401/23: Conflicts of Interest, the Chief shall either:

- (a) cause the matter to be investigated in accordance with the Service's conflict procedures; or,
- (b) refer the matter to the Chief of Police of a different police service for investigation.

In exercising their discretion to retain or refer to an investigation, the Chief of Police shall have regard to the costs of an external investigation and whether such costs are merited in all of the circumstances. Should the Chief of Police retain the matter for investigation, notification shall be provided to the Inspector General in the prescribed form including a summary of the steps taken under the applicable conflict procedure.

4.3.6 If the Chief of Police or a Deputy Chief of Police is the Member of the Police Service in respect of whom the actual institutional conflict or potential institutional conflict has arisen or is likely to arise, the Chief of Police shall notify the Inspector General, in the form approved by the Minister, and shall notify the Board, in writing. The Chief of Police shall also record all the steps the Chief of Police takes regarding actual institutional conflicts or potential institutional conflicts that qualify under this section.

4.3.7 The Chief of Police shall inform the Board of every actual institutional conflict and of every potential institutional conflict that is determined to not be an actual institutional conflict. If the Chief of Police retains an investigation that is determined to not be an institutional conflict, the Chief of Police shall explain the rationale for retaining the investigation to the Board and the Inspector General.

## **5. REPORTS**

5.1 The Chief shall report to the Board as required under Sections 4.2.3, 4.3.6 and 4.3.7 of this Policy.

5.2 The Chief shall provide an annual report to the Board, such report to include the following information:

- 5.2.1 the number of conflict of interest investigations undertaken by the Service during the preceding year;
- 5.2.2 the number of conflict of interest investigations referred to other police services during the preceding year;
- 5.2.3 the number of investigations resulting in findings of conflicts of interest during the preceding year, and a brief explanation of the nature of the conflicts so determined; and
- 5.2.4 the action taken in response to findings of conflicts of interest.

## 6. IMPLEMENTATION

6.1 This Policy shall come into force on the date September 1, 2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024.

THE WINDSOR POLICE SERVICE BOARD

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Drew Dilkens, Chair

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Norma Coleman, Administrative Director

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Date

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Date



**WINDSOR POLICE SERVICE BOARD**  
**POLICY**

Policy Name: <b>ADMINISTRATION OF POLICE SERVICE</b>		Policy Number: <b>G-002</b>
Responsible Manager: <b>Administrative Director WPSB</b>	Review Schedule: <b>As required under the CSPA and Regulations</b>	Effective Date: <b>September 1, 2024</b>
Repeals: <b>New</b>	Reporting:	Next Review Date:

**1. PREAMBLE**

1.1 AS subsection 37 (1) of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

1.2 AND AS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;

1.3 AND AS O. Reg. 392/23: Adequate and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;

1.4 AND AS the Board has deemed it appropriate and consistent with the principles set out in Section 1 of the CSPA, with its objectives and priorities determined pursuant to Sections 38 of the CSPA that the Board have a policy on the administration of the police service;

**THE WINDSOR POLICE SERVICE BOARD ADOPTS AS FOLLOWS:**

## **2. DEFINITIONS**

2.1 “Act” or “CSPA” means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, and amendments;

2.2 “Board” means the Windsor Police Service Board;

2.3 “Chief” means the Chief of the Windsor Police Service;

2.4 “Member” means a member of the Windsor Police Service;

2.5 “Service” means the Windsor Police Service.

## **3. POLICY**

3.1 Under the CSPA, police service boards are entrusted with the governance and oversight of policing within their municipalities.

3.2 The Board is committed to developing evidence-based, community-centred, and equitable policies to govern the Windsor Police Service to foster increased trust between the Windsor Police Service and the community.

3.3 Sections 37-39 of the CSPA define the role and duties of the Board. The primary role of the Board is to ensure that adequate and effective policing is provided within the City of Windsor. Legislated responsibilities as set out in Section 37 of the Act include:

- 1) ensure the provision of adequate and effective policing;
- 2) ensure that any police facilities used by the Board comply with any prescribed standards;
- 3) prepare and adopt a diversity plan to ensure that the members of the police service reflect the diversity of the area subsection 37 (1);
- 4) employ members of the police service;
- 5) appoint members of the police service as police officers;
- 6) recruit and appoint the Chief of Police and any Deputy Chief of Police and determine their remuneration and working conditions, taking their submissions into account;
- 7) monitor the Chief of Police’s performance;
- 8) conduct a review of the Chief of Police’s performance at least annually in accordance with the regulations made by the Minister, if any;
- 9) monitor the Chief of Police’s handling of discipline within the police service;
- 10) monitor the Chief of Police’s decisions regarding the restrictions on secondary activities set out in Section 89 and review the reports from the Chief of Police on those decisions;
- 11) perform such other duties as are assigned to it by or under this or any other Act, including any prescribed duties.

The Board negotiates collective agreements and approves the capital and operating budgets.

3.4 The Board commits to fulfilling this responsibility by ensuring that policing actions and consequences are consistent with community needs, values, and expectations. The Board is committed to ensuring that the principles of integrity and accountability govern the oversight and management practices of the Board and the Windsor Police Service.

**4. DIRECTION TO THE CHIEF**

4.1 The Chief of Police is responsible for administering the police service and overseeing its operation in accordance with the objectives, priorities and policies established by the Board.

4.2 The Chief is to ensure the administration of the police service is in compliance with the CSPA, its regulations, and applicable Board Policies.

**7. IMPLEMENTATION**

7.1 All policies, sections of policies of the Board inconsistent with the provisions of this Policy are hereby repealed effective August 29,2024.

7.2 This Policy shall come into force on September 1,2024.

ADOPTED AND PASSED this 29<sup>th</sup> day of August 2024

WINDSOR POLICE SERVICE BOARD

\_\_\_\_\_  
Drew Dilkens, Chair

\_\_\_\_\_  
Norma Coleman, Administrative Director

Date \_\_\_\_\_

Date \_\_\_\_\_





# WORKPLACE CENSUS REPORT

STRENGTH IN NUMBERS | 2023





# 2023 WORKPLACE CENSUS



**Jason Bellaire**  
Chief of Police  
Windsor Police Service

## 2023 WINDSOR POLICE SERVICE WORKPLACE CENSUS

On behalf of the Windsor Police Service, I am pleased to share the findings of the 2023 Windsor Police Service Workplace Census. This is the first census completed at WPS since 2018.

This Census was conducted to examine the demographic makeup of our Service, share this information with the community, and help us become more responsive to the unique needs of all members. Data was collected over a three-month period from both sworn officers and civilian professionals.

The findings in this report highlight some progress we have made towards equity, diversity, and inclusion in our Service. At the same time, the report identifies areas for further improvement. Equity, diversity, and inclusion are key priorities for our organization – and to serve the diverse communities of Windsor and Amherstburg, we must reflect that diversity within our own ranks.

While the findings in this report are helpful, measuring equity, diversity, and inclusion in our Service goes beyond numbers. Our EDI Advisory Committee and Senior Leadership Team are committed to building an environment where each member feels respected and valued as an individual. Lastly, we are committed to helping our members navigate differences with empathy and understanding.

I would like to thank all members who participated in this census, and all those who are making our police service more equitable, diverse, and inclusive.

### Data Limitation

By conducting an anonymous survey, none of the data can be connected to a respondent. Respondents also had the option not to provide demographic data. It is further important to note that the possibilities of inaccurate or imprecise responses may impact the accuracy of this report.





# The Methodology >>

The 2023 Workplace Census conducted by the Windsor Police Service (WPS) commenced with considerable planning and promotion efforts aimed at informing and engaging all members of the organization.

Each member received a personalized email invitation containing a secure link to an online survey platform, SurveyMonkey. This platform ensured anonymity, as all responses were treated with the utmost confidentiality. Email address information was automatically stripped from response data, guaranteeing respondent privacy. Access to individualized responses was restricted solely to the Windsor Police Service Survey Administrator.

Data collection occurred over a defined period, spanning from November 20th to December 29th, 2023. The objective was to achieve a 100% response rate from all active WPS employees. "Active employees" included as those present during the census collection period, excluding individuals on short-term or long-term leave.

To maintain respondent anonymity, the survey questionnaire was meticulously structured. Questions pertaining to personal identifiers such as position or work unit were intentionally omitted. Analysis was conducted solely on a question-by-question basis, to reduce the risk that individuals could be identified from this information. In contrast to previous census methodologies, which involved the use of secure drop boxes distributed across WPS facilities, the 2023 Census leveraged online survey technology for efficient and convenient data collection.

The methodology used for the 2023 Census deviates from previous census approaches, particularly regarding data collection methods and the duration of the census period. These adjustments were made to enhance participation and ensure the confidentiality of respondents in alignment with contemporary standards and technological advancements.

## WPS / Stats Canada Comparison Data

The questionnaire utilized in the 2023 Windsor Police Service employee census used wording similar to the 2018 Windsor Police Employee census, incorporating many identical questions, to allow for comparison with previous WPS census results. However, queries pertaining to race and identity were adjusted to ensure alignment with the guidelines established by the Ontario government's 2017 Anti-Racism Act and its accompanying regulations.

All questions were strategically selected to enable comparative analysis between the demographic profiles of the Windsor Police Service in 2018 and 2023, where possible. By aligning with established frameworks and utilizing baseline data from previous surveys, the census aimed to identify and track trends within the Service's demographics. Moreover, questions were selected to facilitate comparisons with the broader Windsor community, providing valuable insights into the alignment or divergence of demographic trends between the Service and the local population.

Data is presented in graphical and tabular format in the order in which each question appeared in the census. All 24 questions for the workplace census are included, in addition to a number of supplementary analysis and comparisons. The number of respondents who chose "I prefer not to answer" are reported on a couple of the questions. For all tables and graphs, sums may not equal 100% due to rounding.

## Response Rates

The census was released to 669 employees, which represented 469 sworn employees and 200 were civilian employees. All emails of the Windsor Police Service members were provided by at the time of hire.

On average 79.0% of sworn and 91.1% civilian members provided responses to each or most of the questions. All members who completed the census had the option of answering "I prefer not to answer" to any of the questions in the census.



## Participation Rates

**100%** of all eligible civilian employees returned a Census  
On average **91% of civilian members provided responses** to each or most of the questions.

**99.8%** of all eligible sworn employees returned a Census  
On average **79% of sworn members provided responses** to each or most of the questions.

## Demographics >>

- In the 2023 WPS Census 67.3% of all Windsor Police Service employees were between the ages of 24-44 years old. A total of 21 people indicated they were under 24 years old which represents 4.1% of the workforce.
  - The largest age groups for both civilian and sworn are those aged 25-34 yrs. (Civilian 37.1% and Sworn 36.7%)
- 47.1% of all Windsor Police Service employees identify as Roman Catholic. In total 22 different religions were identified as the employee's religion.
  - 27.6% of all Windsor Police Service employees identify as Agnostic, Atheist or having no religion.
- The top three racial identities most commonly reported were White (82.6%), Middle Eastern/Arab (5.9%) and Black (3.2%)
- 5.3% of Windsor Police sworn member identify as either First Nations, Metis or Inuit.
- Of the total respondents, 33.6% indicated female as their gender identity and 66.1% indicated male.
  - 81.6% of sworn employees indicated male and 17.8% indicated female as their gender identity.
  - 65.9% civilian member indicated female and 34.1% indicated male as their gender identity.
- Of the total respondents, 98.5% indicated being cisgender, 0.6% indicated being transgendered and 0.9% indicated being non-binary.
- Of the respondents who indicated the sexual orientation with which they identify, the most frequent response was heterosexual 94.5%, while another 5.5% identify as LGBTQ2S (Lesbian, Gay, Bisexual, Queer, and Two Spirited).
- 98.5% of all Windsor Police Service employees gender identity matches the sex assigned at birth while 1.4% of employees indicate their gender identity as either non-binary or transgender.
- 5.2% of all Windsor Police Service employees classify themselves as having a disability as defined by the Ontario Human Rights Code.
- 93.2% of all Windsor Police Service employees were born in Canada.
  - Of those respondents not born in Canada, the top reported international countries were Iraq, United States, Lebanon and Poland.
- There were 24 different languages in which respondents reported they were able to communicate fluently. The top three most reported languages other than English were French (12.5%), Arabic (3.9%) and Italian (2.0%).





# 2023 KEY FINDINGS



## Workforce

**73.8%**

of the civilian respondents have a

**pay grade between 4-11.**

**81.4%**

of the sworn respondents hold

**the rank of Constable.**

**63%**

of the civilian respondents indicate having

**9 yrs or less of service.**

**Unpacking the Data:**

- » 46.2% have 1 month- 4 years of service.
- » 4.9% of civilian members have 30 years + of service.

**44.9%**

of all sworn respondents indicate having

**9 yrs or less of service.**

**Unpacking the Data:**

- » 27.4% have 1 month- 4 years of service.
- » 1.3% of sworn members have 30 years + of service

**13.1%**

of the total respondents plan on

**retiring in 5 yrs or less.**

**54.3%**

of the total respondents plan on

**retiring in 16+ yrs.**

**Unpacking the Data:**

- » 12.1% of civilian members plan on retiring in the next 5 years while 62.6% plan on retiring in 16+ years.
- » 13.6% of sworn members plan on retiring in the next 5 years while 50.3% plan on retiring in 16+ years.



## Education



**90.6%**

of the Windsor Police Service employees that responded possess a University degree or College certificate or diploma.

**35.2% OF THE TOTAL RESPONDENTS**

**graduated from the Social and Behavioural Sciences and law field studies.** The next two highest field of studies were personal protective and transportation services (19.1%) and health, parks, recreation and fitness studies (10.3%).

**23.6%**

of all respondents indicated they attended school, college GEGEP or university in the last 9 months.

## Unpaid Work Activities- Professional and Personal Volunteer Activity



**8.0%**

of the total respondents spend 10 or more hours a month doing **activities related** to the Windsor Police Service.

**18.0%**

of the total respondents spend 10 or more hours a month doing **activities not related** to the Windsor Police Service.

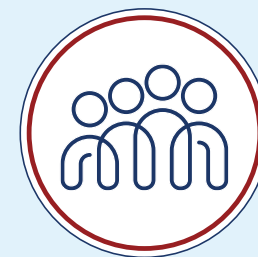
**202**

**employees volunteer their time to activities/ services related** to the Windsor Police Service.

**288**

**employees volunteer their time to activities/ services not related** to the Windsor Police Service.

## Family, Children and Other Dependents



**72.5%**

of the Windsor Police Service employees that responded are **legally married or in a common-law** relationship.

**6.3%**

of the Windsor Police Service employees that responded **are married to a Windsor Police Service employee.** At the time of hire, 2.1% of all employees were married to a Windsor Police Service Employee.

**62.2%**

of the Windsor Police Service employees that responded **provide dependent care for one or more people.**

**4.0%**

of the total respondents **provide dependent care for 5 or more.**

**59.4%** of all dependents are children.

**37.6%** of all Windsor Police Service employees **do not provide dependent care of a person.**





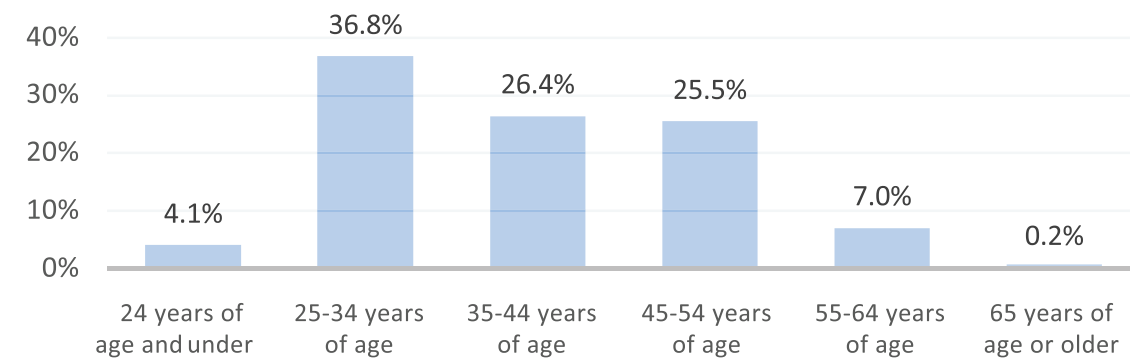
# WHO WE ARE

## WINDSOR POLICE SERVICE 2023 CENSUS

This report presents a visual analysis of our employee census data, including key comparisons with the 2018 Census. Graphs have been included to offer a comprehensive view of our workforce demographics including our members' racial backgrounds, languages spoken, religious affiliation, disabilities, length of service, education, and retirement expectancy; the graphs further highlight significant new hires among sworn female members and racialized employees.

### AGE OF EMPLOYEES

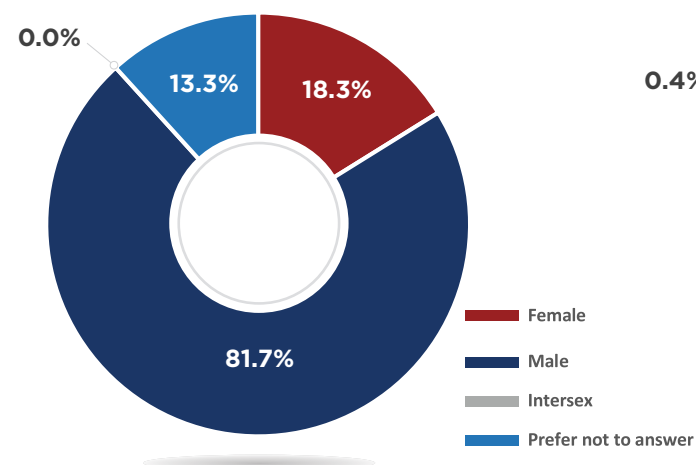
- The 2023 WPS Census reported that 67.3% of all Windsor Police Service employees were between the ages of 24-44 years old. A total of 21 people indicated they were under 24 years old which represents 4.1% of the workforce.
- The largest age groups for both civilian and sworn are those aged 25-34 years. *(Civilian 37.1% and Sworn 36.7%)*



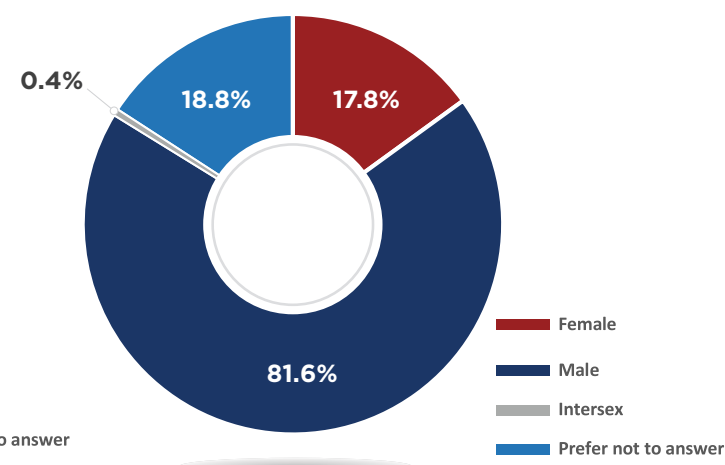
### SWORN GENDER IDENTITY

- In the 2023 Census, there was an increase of 5.5% of sworn employees preferring not to answer their gender identity.

2018 CENSUS SWORN GENDER IDENTITY

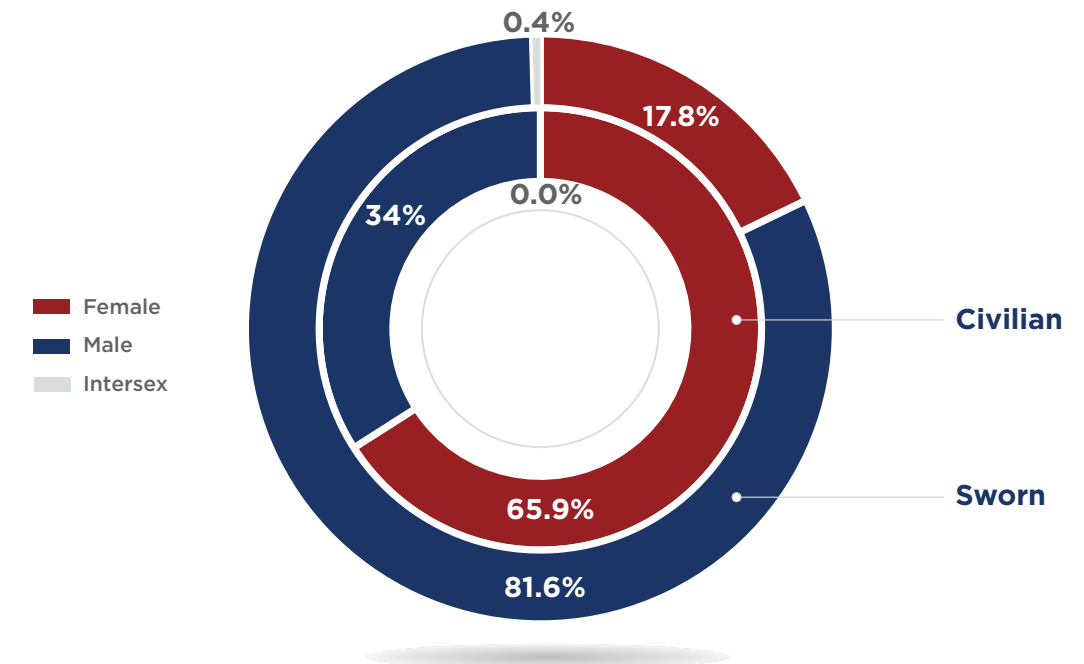


2023 CENSUS SWORN GENDER IDENTITY



### GENDER IDENTITY

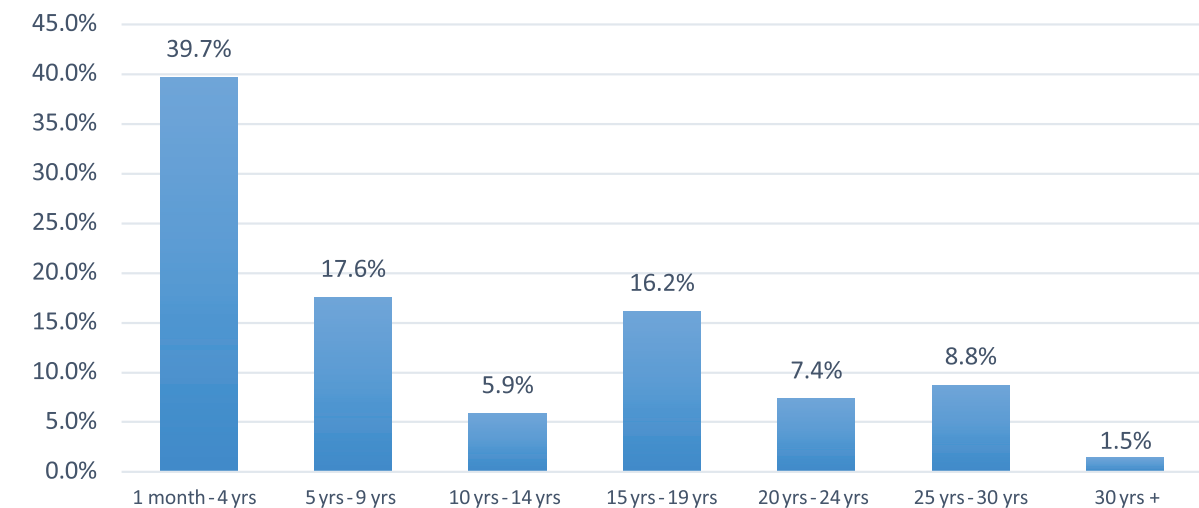
- Of the total respondents, 33.6% indicated female and 66.1% indicate male as their gender identity.
- 81.6% of sworn employees indicated male and 17.8% indicated female as their gender identity.
- 65.9% civilian member indicated female and 34% indicated male as their gender identity.



### Additional Graphs Comparison

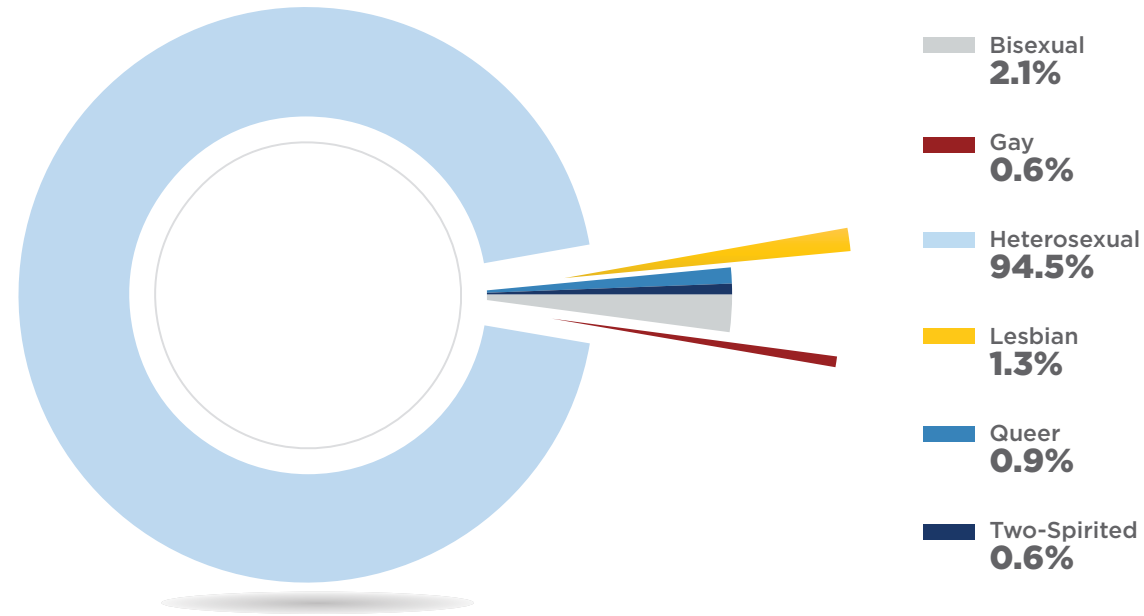
#### SWORN FEMALE MEMBERS

- 81.6% of responding sworn employees indicated male and 17.8% indicated female as their assigned sex at birth. This total remains unchanged when compared to 2018 WPS Census.
- 39.7% of responding female sworn members report being hired in the last 4 years.



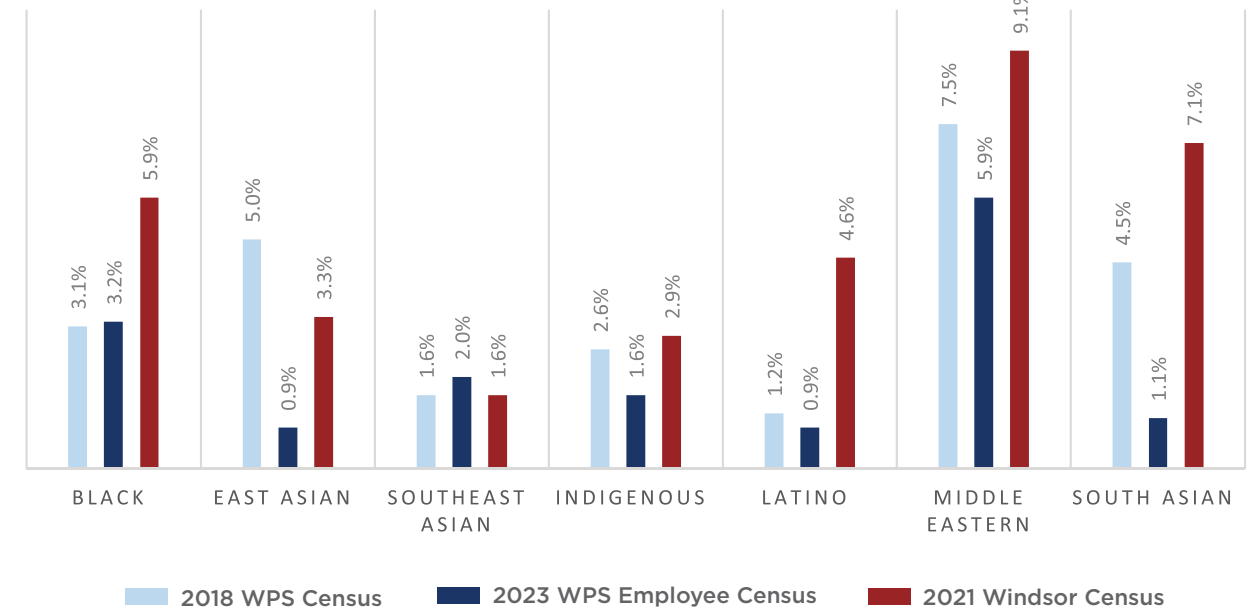
## SEXUAL ORIENTATION

- 98.5% of all employees' gender identity matches their sex assigned at birth. 0.9% of responding employees indicated gender was non-binary and 0.6% indicated being transgender.
- Of the respondents who indicated the sexual orientation with which they identify, the most frequent response was heterosexual 94.5%, while another 5.5% identify as LGBTQ2S (Lesbian, Gay, Bisexual, Queer, and Two Spirited).



## MEMBERS RACIALIZED IDENTITIES

- The top three racial identities most commonly reported were White (82.6%), Middle Eastern/Arab (5.9%) and Black (3.2%)

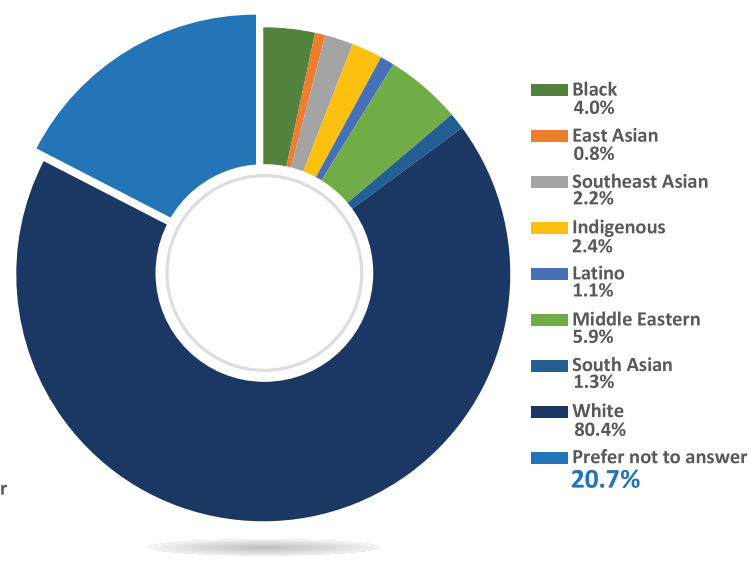
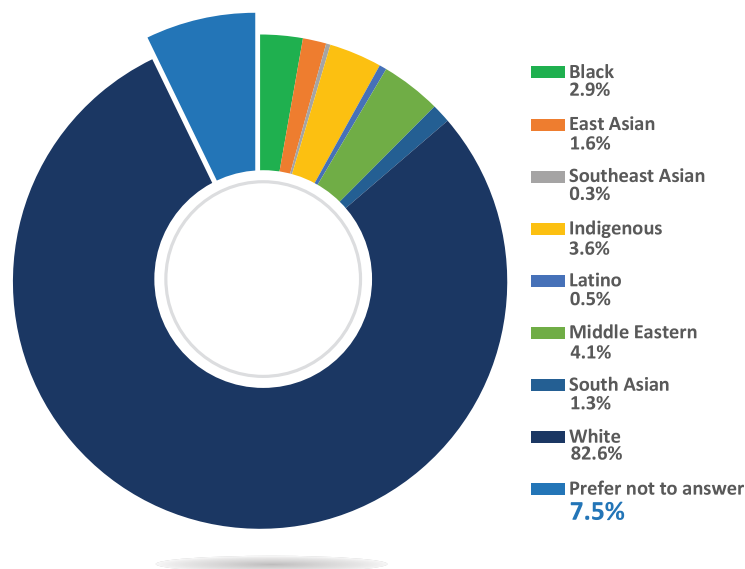


## SWORN RACIAL IDENTITY

- In 2023, 20.7% of sworn employees indicated they prefer not to answer when asked about their racial identity. When comparing to the 2018 Census, this reflects a 13.2% increase in 2023 of the number of sworn employees who prefer not to provide their racial identity.

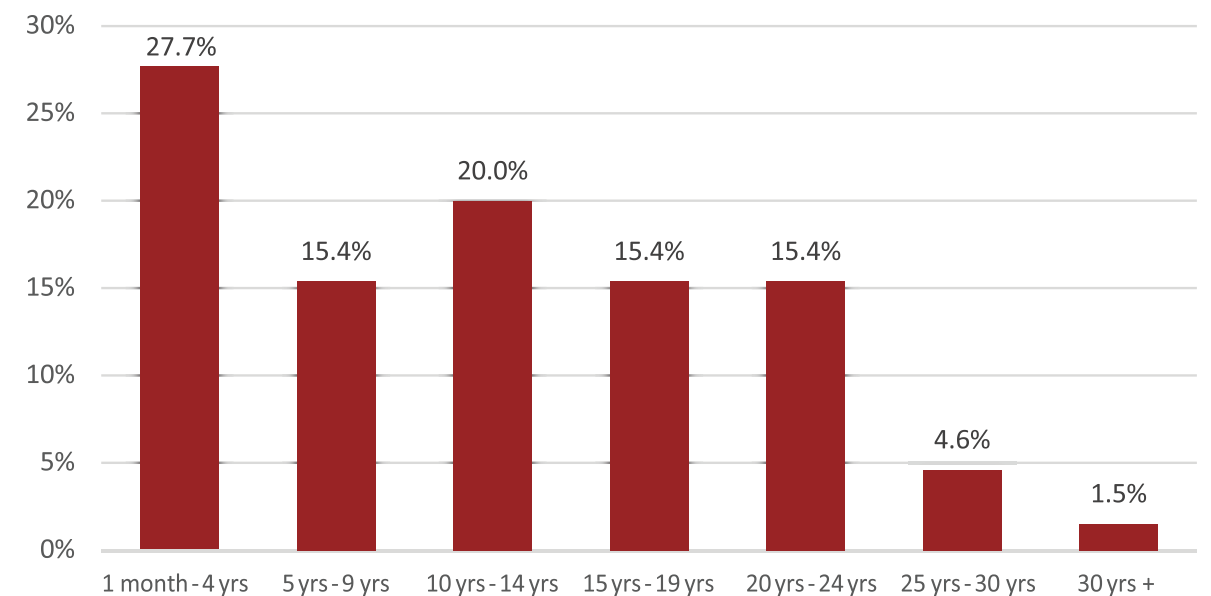
2018 CENSUS SWORN RACIAL IDENTITY

2023 CENSUS SWORN RACIAL IDENTITY



## RACIALIZED RESPONDENTS

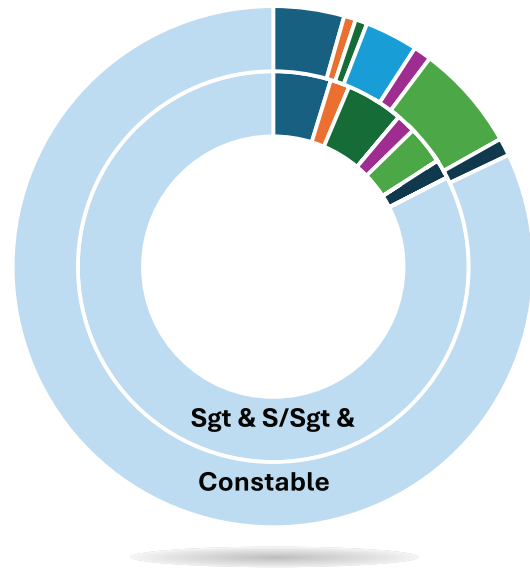
- 5.3% of Windsor Police sworn member identify as either First Nations, Metis or Inuit.
- 27.7% of racialized respondents indicated being hired in the past 4 years.



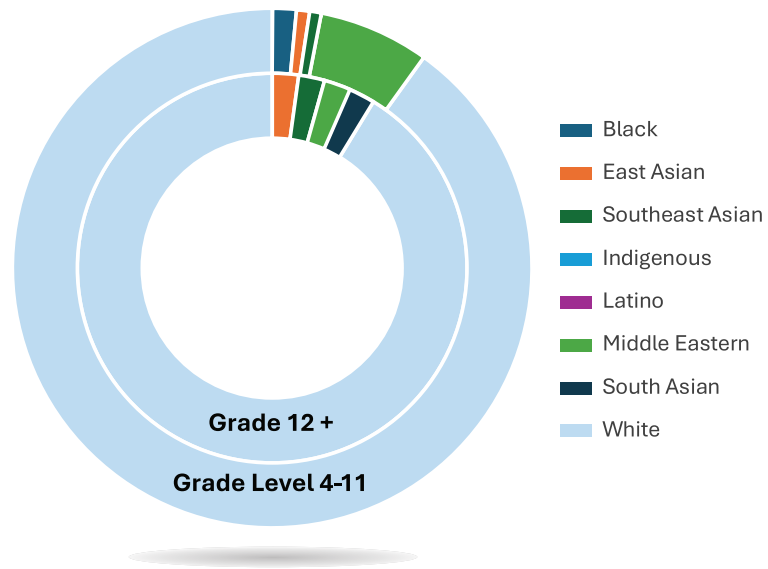
## RACIAL BACKGROUND

- 92.9% of all Windsor Police Service employees were born in Canada.
- Of those respondents not born in Canada, the top reported international countries were Iraq, United States, Lebanon and Poland.

### SWORN RACIAL BACKGROUND



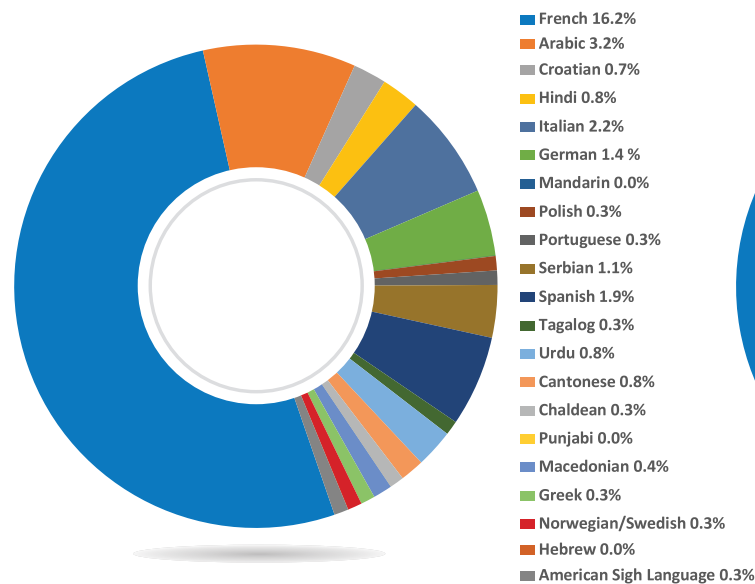
### CIVILIAN RACIAL BACKGROUND



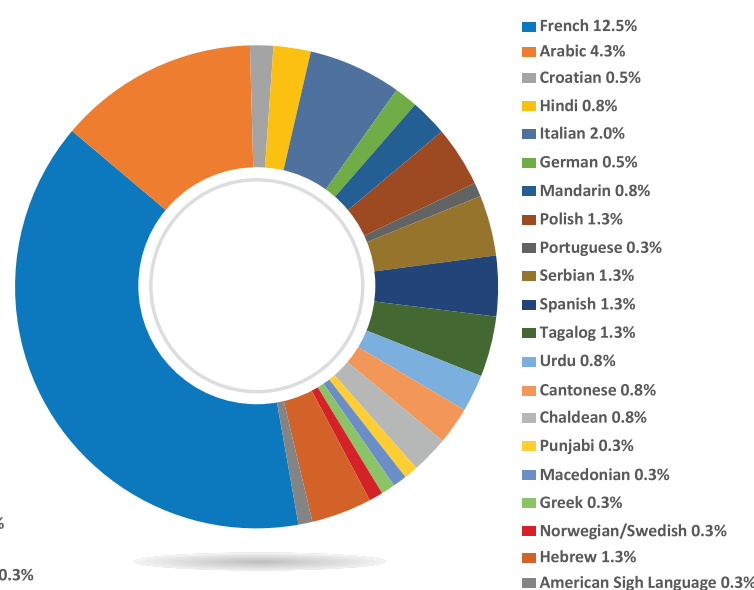
## OTHER LANGUAGE (S) SPOKEN

- There were 24 different languages in which respondents reported they were able to communicate fluently. The top three most reported languages other than English were French (10.6%), Arabic (3.9%) and Italian (2.0%).
- In 2023, the languages of Mandarin, Punjabi and Hebrew were new additions to the total number of spoken languages by sworn members.

### 2018 CENSUS SWORN SPOKEN LANGUAGES

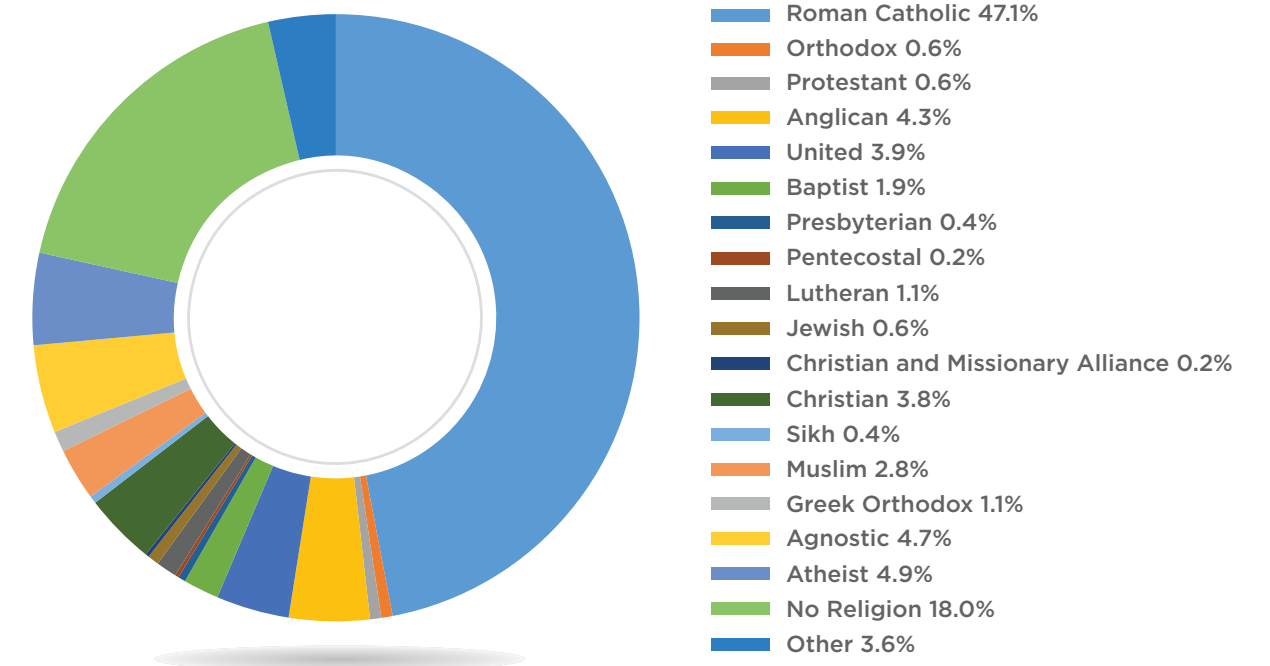


### 2023 CENSUS SWORN SPOKEN LANGUAGES



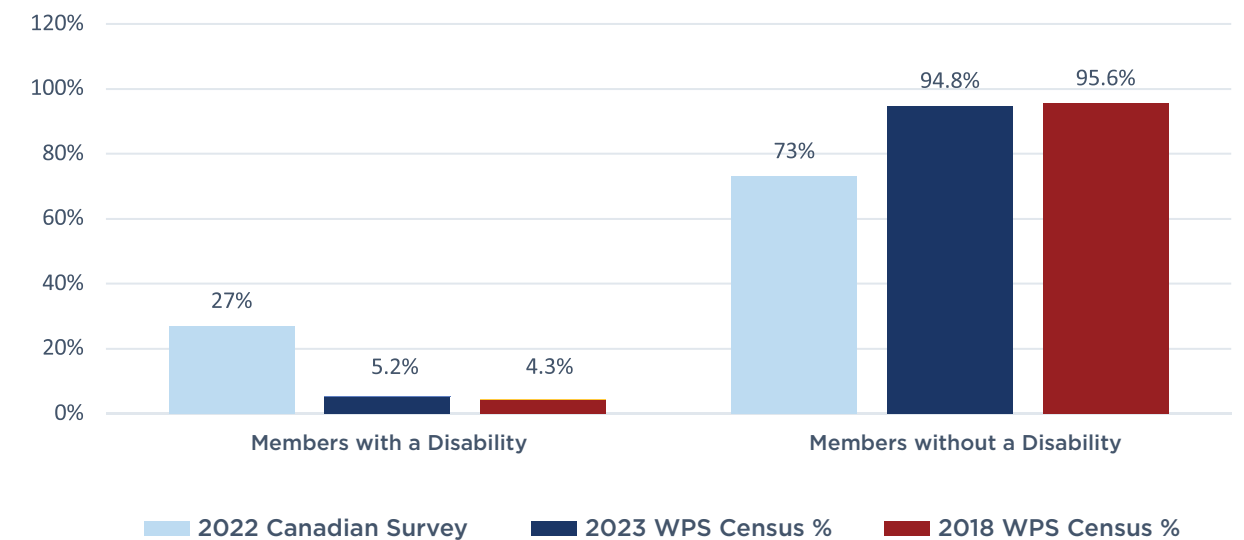
## RELIGION

- 47.1% of all Windsor Police Service employees identify as Roman Catholic. In total 22 different religions were identified as the employee's religion.
- 27.6% of all Windsor Police Service employees identify as Agnostic, Atheist or having no religion.



## DISABILITY COMPARISON

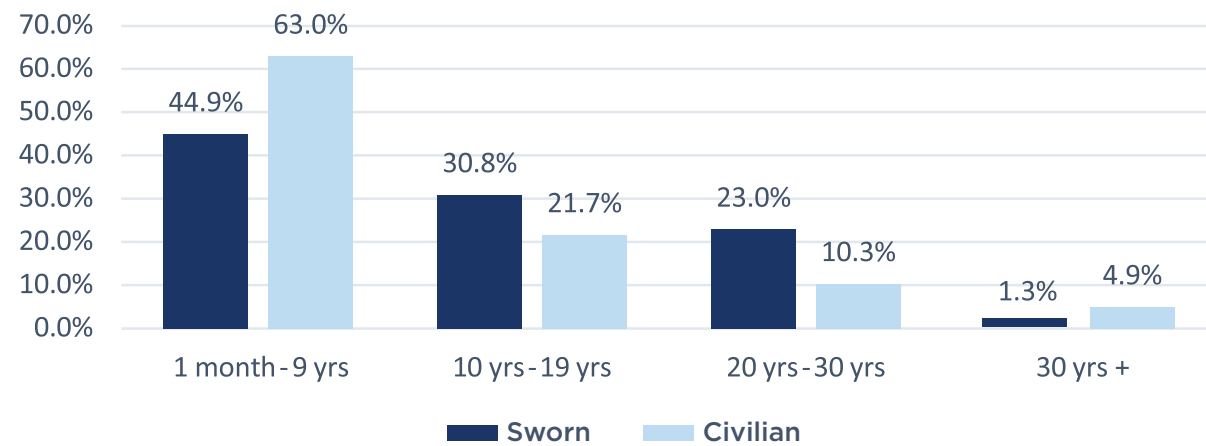
- 5.2% of all Windsor Police Service employees classify themselves as having a disability as defined by the Ontario Human Rights Code.



## WORKFORCE

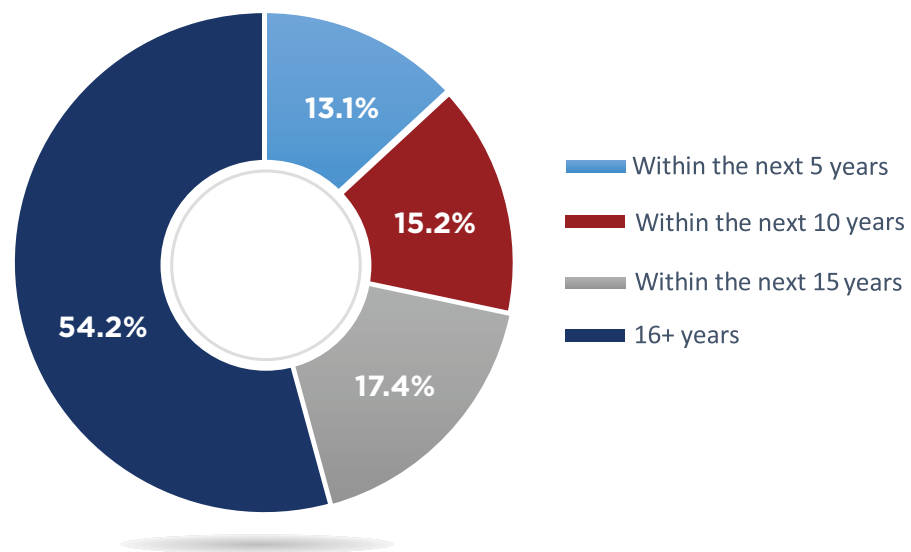
- 73.8% of the civilian respondents have a pay grade level of between 4-11.
- 81.4% of the sworn respondents hold the rank of Constable.
- 63% of the civilian respondents indicate having 9 years or less of service.
  - **Unpacking the Data:** 46.2% have 1 month - 4 years of service.
  - 4.9% of civilian members have 30 years + of service.
- 44.9% of all sworn respondents indicate having 9 years or less of service.
  - **Unpacking the Data:** 27.4% have 1 month- 4 years of service.
  - 1.3% of sworn members have 30 years + of service.

### LENGTH OF SERVICE



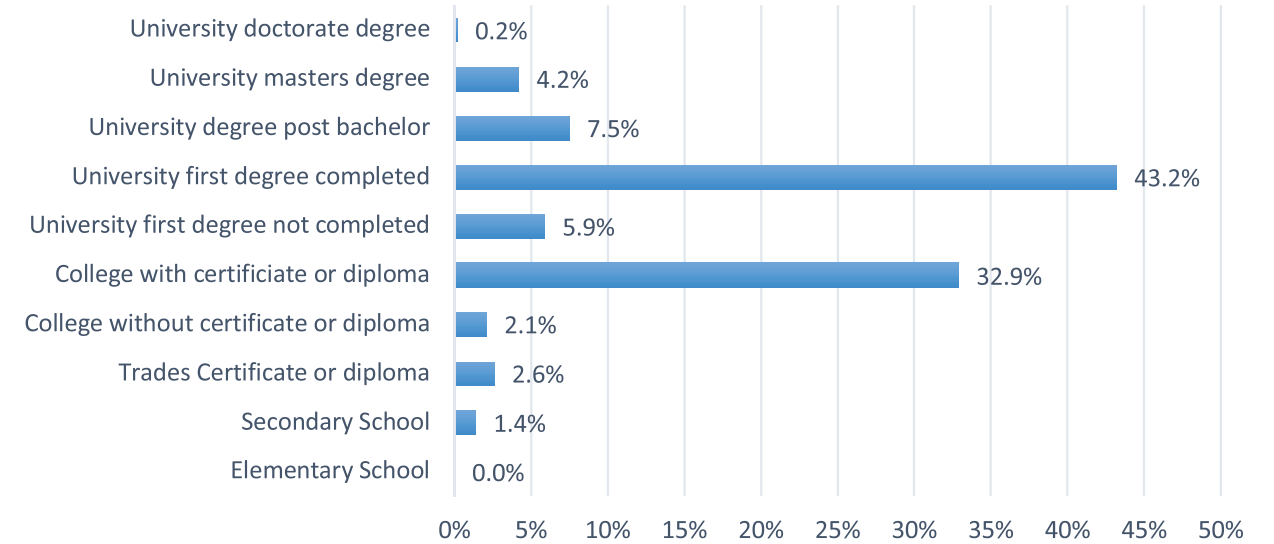
## MEMBER RETIREMENT EXPECTANCY

- 13.1% of the total respondents plan on retiring 5 years or less while 54.3% plan on retiring in 16+ years.
  - Unpacking the Data:**
  - 12.1% of civilian members plan on retiring in the next 5 years while 62.6% plan on retiring in 16+ years.
  - 13.6% of sworn members plan on retiring in the next 5 years while 50.3% plan on retiring in 16+ years.



## EDUCATION

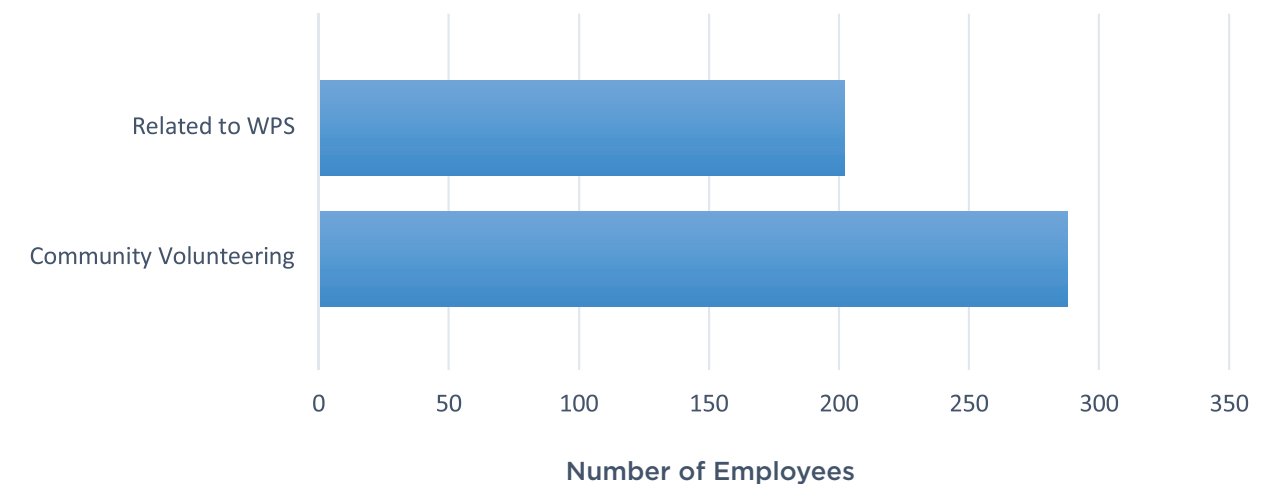
- 90.6% of all Windsor Police Service employees possess a University degree or College certificate or diploma.
- 35.2% of all respondents graduated from the Social and Behavioural Sciences and law field studies. The next two highest field of studies were personal protective and transportation services (19.1%) and health, parks, recreation and fitness studies (10.3%). 35.2% graduated from Social, Behavioural Sciences and Law.
- 23.6% of all respondents indicated they attended school, college GEGEP or university in the last 9 months.



## UNPAID WORK ACTIVITIES - Professional & Personal Volunteer Activity

- 8.0% of the total respondents spend 10 or more hours a month doing activities related to the Windsor Police Service.
- 18.0% of the total respondents spend 10 or more hours a month doing activities not related to the Windsor Police Service.
- 202 employees volunteer their time to activities/services related to the Windsor Police Service.
- 288 employees volunteer their time to activities/services not related to the Windsor Police Service.

### WPS EMPLOYEES VOLUNTEER WORK

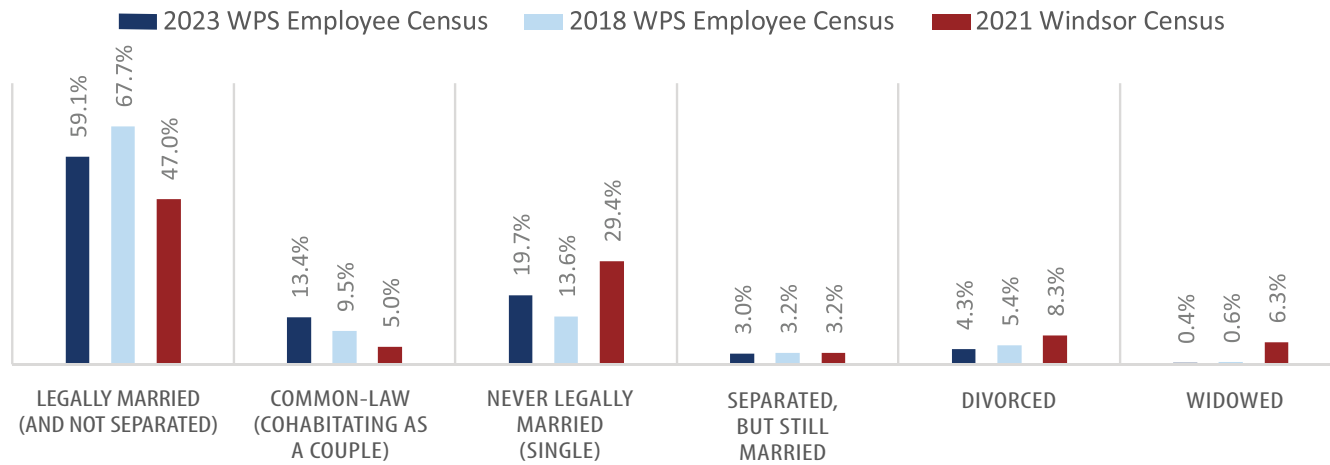




# FAMILY, CHILDREN & OTHER DEPENDENTS

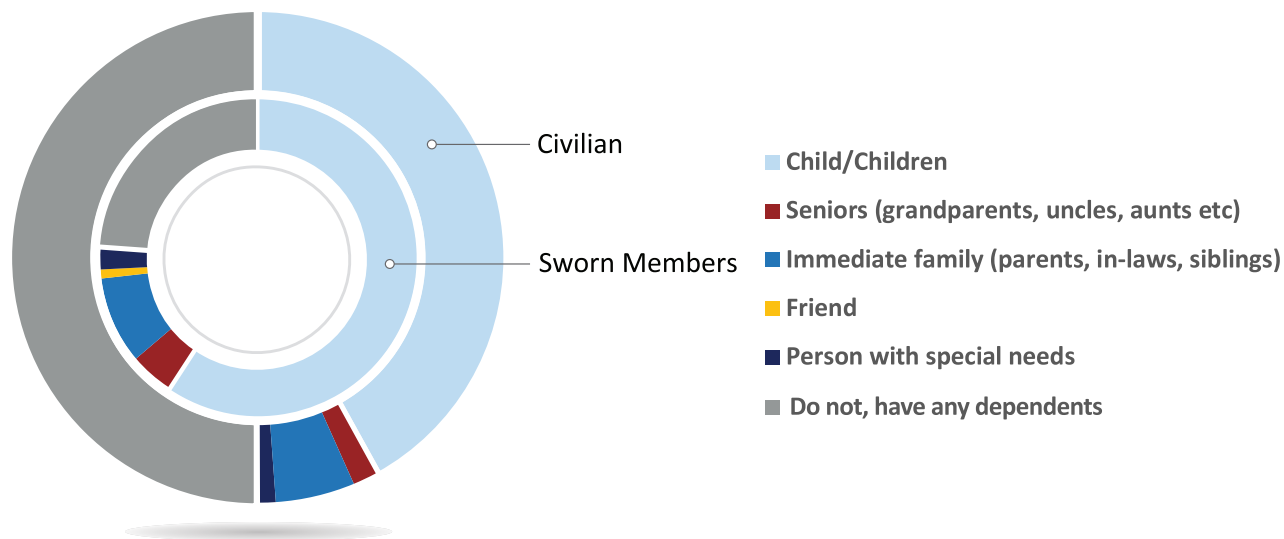
- 72.5% of all Windsor Police Service employees are legally married or in a common-law relationship.
- 6.3% of all Windsor Police Service employees are married to a Windsor Police Service employee. At the time of hire, 2.1% of all employees were married to a Windsor Police Service Employee.

## RELATIONSHIP STATUS



- 62.2% of all Windsor Police Service employees provide dependent care for one or more people.
- Children account for 59.4% of all dependents.
- 2.0% of the total respondents provide dependent care for 5 or more.
- 37.6% of all Windsor Police Service employees do not provide dependent care of a person.

## DEPENDENTS



## WINDSOR POLICE SERVICE HEADQUARTERS

150 Goyeau Street  
 P.O. Box 60  
 Windsor, ON N9A 6J5  
 Tel: 519.255.6700  
 Email: info@windsorpolice.on.ca

### REPORT PREPARED BY:

**Sgt Yvonne Ouimet**  
 Equity, Diversity & Inclusion Coordinator  
 in conjunction with the Windsor Police  
 Human Resources Department.



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