



## **STAFF REPORT ACTION REQUIRED**

### **2015 TTC TRANSIT ENFORCEMENT ANNUAL REPORT TO THE TORONTO TRANSIT COMMISSION AND THE TORONTO POLICE SERVICES BOARD**

<b>Date:</b>	Wednesday, March 23, 2016
<b>To:</b>	TTC Board
<b>From:</b>	Andy Byford, Chief Executive Officer

#### **Summary**

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Section 8.9 of the Special Constable Agreement between the Toronto Police Services Board and the Toronto Transit Commission requires the TTC to provide to the Board an annual report with statistical information including information regarding enforcement activities, training, use of force activities, supervision, complaints, and other issues of concern to the parties and such further categories of information as may be requested by the Board or the Chief of Police, from time to time.

The attached report was prepared in accordance with instructions outlined in the agreement and is consistent with the standardized format as directed by the Toronto Police Services Board. This format is also utilized by the University of Toronto Campus Community Police (Special Constables) and Toronto Community Housing Corporation Special Constables for the purposes of their annual reporting.

The report will be on the May 19, 2016 meeting agenda of the Toronto Police Services Board, subject to the TTC Board receiving this report at its meeting of March 23, 2016.

The report is responsive to the Toronto Police Services Board's requirements and also includes highlights of the reporting year.

#### **Recommendations**

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It is recommended that the TTC Board;

- 1) Receive the attached report to the Toronto Police Services Board in accordance with Section 8.9 of the Special Constable Agreement between the Toronto Police Services Board and the Toronto Transit Commission and;

- 2) Forward the attached report to the Toronto Police Services Board in accordance with Section 8.9 of the Special Constable Agreement between the Toronto Police Services Board and the Toronto Transit Commission.

## **Financial Impact**

This report has no financial impact beyond what has been approved in the current year's budget.

## **Background**

The TTC is a local passenger transportation commission operating within the Greater Toronto Area. The TTC is a branch of the City of Toronto and operates a transit system pursuant to the provisions of the *City of Toronto Act, 2006* (COTA), S.O. 2006, c. 11, Schedule A, as amended.

The TTC has established a Transit Enforcement Unit in order to protect the integrity of the transit system, perform security functions with respect to TTC properties and assets and to ensure that the transit system remains a safe and reliable form of transportation.

In July of 1987, at the request of the TTC and with the approval of the then Solicitor General, members responsible for safety and security on the transit system were appointed as Provincial Offences Officers for the purposes of enforcing provisions of TTC Bylaw #1 and the Trespass to Property Act. These officers provided a visible presence, responded to calls for service, and carried out activities to preserve the peace, protect the safety of TTC customers and employees and protect TTC assets.

The Toronto Police Services Board is responsible for the provision of adequate and effective police services in the City of Toronto pursuant to the provisions of Part III of the *Police Services Act*, R.S.O. 1990 Chap. P-15.

In June of 1997, at the request of the TTC and with the approval of the then Provincial Solicitor General, the Toronto Police Services Board designated certain employees of the TTC responsible for providing safety and security services to the transit system, as Special Constables. These Transit Special Constables were conferred with limited law enforcement powers and authorities in accordance with Section 53 of the *Police Services Act*. This designation was governed by a contractual agreement between the Toronto Police Services Board and the TTC. These enhanced authorities were designed to increase the level of effectiveness and efficiency in delivering security and limited law enforcement services in cases where it was neither possible nor practical for a police officer to respond in a timely manner.

Since that time, the TTC and the Toronto Police Service have partnered to deliver policing and security services to the TTC's employees and patrons.

In 2009, the Service created a Transit Patrol Unit to take a more proactive role in policing the subway system. The TPU became operational in May of that year. From the unit's inception, the TPU provided direction and assistance to the TTC Special Constables. Moving forward towards a new model of transit policing and security, the Special Constable Services Department (now known as the Transit Enforcement Unit) began to formulate a strategy to refocus efforts and resources on the core responsibilities of the department, namely revenue protection, fare enforcement and the enforcement of TTC Bylaw #1.

In February 2011, the aforementioned agreement relating to Special Constables between the Toronto Police Services Board and the TTC was suspended pending a new model of transit policing and security.

On May 15, 2014, a new Special Constable Agreement was reached with the Toronto Police Services Board to designate the newly rebranded Transit Enforcement Special Constables as Special Constables restoring limited powers and authorities under selected federal and provincial statutes. These restored authorities were conferred to support the enforcement of TTC By-law No.1 and to increase the level of effectiveness and efficiency in delivering security and limited law enforcement services in cases where it was neither possible nor practical for a police officer to respond in a timely manner.

Since February 2011, the TTC has undergone many changes with respect to its transit enforcement function in order to address previous concerns raised by the Board and Service. In September 2011, the TTC reorganized the Transit Enforcement Unit (previously known as Transit Enforcement and Security Services) to streamline the reporting structure, better align business functions and ensure greater accountability. The changes were made, in part, to support the TTC in meeting all its new roles and responsibilities as part of the new model for transit policing and security.

Transit Enforcement Special Constables carry out the duties of a sworn Special Constable/Peace Officer, agent/occupier of the TTC, in accordance with the Criminal Code of Canada, the TTC's Special Constable Agreement with the Toronto Police Services Board and the rules and regulations governing their special constable appointment, TTC and departmental policies and standards of the department's Code of Conduct.

Transit Enforcement Special Constables are also designated as Provincial Offences Officers for the purpose of enforcement of TTC Bylaw #1-a bylaw regulating the use of the Toronto Transit Commission, and specified provincial statutes including the Trespass to Property Act, and Liquor License Act. Transit Enforcement Special Constables have also been conferred with limited police officer designation for specified sections of the Trespass to Property Act, Liquor License Act and Mental Health Act.

## **Accessibility/Equity Matters**

Transit Enforcement Special Constables are trained to a very high level with a view to a community based and customer service focus. Transit Enforcement Special Constables

receive initial and in service training on their duties and responsibilities under the Accessibility for Ontarians with Disabilities Act and the Ontario Human Rights Code specifically, and a broad range of training to effectively serve our customers and the community at large being sensitive to the needs of persons living with a mental illness, and recognizing the diversity of the city we serve.

## **Analysis**

Within the transit policing and security framework, the TTC is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

Transit Enforcement Special Constables focused much of their activities on the TTC's corporate interests and business needs including: customer service, fare enforcement, bylaw enforcement, asset protection and addressing customer and employee safety and security needs.

Transit Enforcement Special Constables responded to 12,946 calls for service in 2015. 89.46% (11,581) of these calls for service were subway related. 9.15% (1,184) of these calls for service were surface related (bus and streetcar). 1.4% of these calls for service were SRT related.

Transit Enforcement Special Constables executed a total of 216 arrests/apprehensions pursuant to the Criminal Code of Canada, Trespass To Property Act, Liquor License Act and Mental Health Act.

In 2015 there were 9 incidents where use of force options beyond physical control and compliant handcuffing was reported by Transit Enforcement Special Constables. Six of these incidents resulted in empty hand techniques being utilized to arrest non-compliant suspects. There were two incidents where officers deployed OC (pepper) foam. On both occasions, officers were attempting to arrest assaultive suspects. There was one incident where an officer deployed a baton strike. On this occasion the officer was attempting to arrest an assaultive suspect.

Transit Enforcement Special Constables submitted a total of 990 Records of Arrest and General Occurrence reports to the Toronto Police Service for incidents originating on TTC property and vehicles.

Transit Enforcement Special Constables submitted a total of 1032 miscellaneous internal reports for incidents originating on TTC property and vehicles where Toronto Police submitted the police report.

Transit Enforcement Special Constables processed a total of 533 pieces of property into their property vault in relation to incidents originating on TTC property and vehicles.

In 2015, there was one public complaint received regarding the conduct of a Transit Enforcement Special Constable. The investigation into this complaint resulted in an

informal resolution. Pursuant to the agreement between the Toronto Police Services Board and the TTC, the Transit Enforcement Unit maintains a comprehensive Public Complaints policy. Public complaints relating to the conduct of Transit Enforcement Special Constables may be filed in the following manner: at a Toronto Police Service Division, to the TTC directly, in person at 1900 Yonge Street, Toronto, by telephone at 416-393-3111, by email or fax, by mail, by completing a general TTC complaint form, or on the TTC website at [www.ttc.ca](http://www.ttc.ca).

All public complaints relating to conduct of Transit Enforcement Special Constables are forwarded to the Toronto Police Service's Professional Standards Unit for assessment. The Toronto Police Service classifies each complaint as either serious (e.g. criminal allegation) or less serious (e.g. minor breach of discipline).

Serious public complaints are investigated by the Toronto Police Service. Less serious public complaints are investigated by the TTC's Unit Complaints Co-ordinator. Assigned to the TTC Human Resources Department, the TTC Unit Complaints Co-ordinator is trained by the Toronto Police Service.

Adjudication and appropriate penalties are the responsibility of the Head-Transit Enforcement. Complainants are advised of the findings of all investigations and are advised of the right to request a review of the adjudication by the City of Toronto Ombudsman's office. All investigations are conducted in accordance with TTC Transit Enforcement Unit policy and procedures.

## **Comments**

Transit Enforcement Special Constables work in a close partnership with Toronto Police to provide a high level of visibility, enhanced safety and security for the TTC's employees and customers, and protection of TTC assets.

Transit Enforcement Special Constables are provided with a very high level of training and issued with the necessary options and protective equipment to perform their respective duties efficiently and safely with minimal disruption to transit operations.

In Quarter 2 of 2015, the Chief Special Constable and senior members of the Unit met with the City of Toronto Ombudsman and other members of TTC Management to discuss a model for enhanced Mental Health Training to be delivered to members of the Transit Enforcement Unit and other TTC employees across the property. Participants met with representatives of The 519 and the Inner City Family Health Team who agreed to assist in facilitating an enhancement to the existing training programs.

Much of the unit's focus in Quarter 3 was dedicated to supporting safe and efficient transit operations during the Pan Am and Para Pan Am Games. As part of the departmental Pan Am and Para Pan Am Games Operational Plan, Transit Enforcement Special Constables conducted Enhanced Rapid Response patrols in partnership with the Toronto Police Service Transit Patrol Unit in an effort to quickly expedite the resumption

of subway disruptions during the games. This program was met with great success and discussions are ongoing with the police service to implement a similar model for other large events in the city. Senior members of the Transit Enforcement Unit staffed the TTC desk at the Toronto Police Major Incident Command Centre for the duration of the games. This level of interagency cooperation and communication proved to be invaluable in many instances throughout the games from both an operational, public safety, and emergency response perspective for such a large scale event.

Transit Enforcement Special Constables continue to exercise their respective powers and authorities in a responsible manner to ensure the safe, orderly and efficient movement of our customers across the transit system.

Six core values have been established as follows which form the basis of the TTC Enforcement Unit's Code of Conduct:

- A. **Leadership** – A Transit Enforcement Member shall lead through a positive attitude to motivate, inspire and influence others towards a common goal;
- B. **Professionalism** – A Transit Enforcement Member shall be professional by demonstrating fairness and respect toward all members of the community;
- C. **Integrity** – A Transit Enforcement Member shall at all times be honourable, trustworthy and strive to do what is right;
- D. **Teamwork** – A Transit Enforcement Member shall work together within their department, with the TTC, with TTC employees and with members of various communities to achieve departmental goals;
- E. **Accountability** – A Transit Enforcement Member shall accept responsibility for his or her actions and be accountable for those actions within the TTC and the communities he or she serves; and
- F. **Reliability** – A Transit Enforcement Member shall be conscientious, responsible and dependable in his or her dealings with other TTC employee and the communities he or she serves.

The Transit Enforcement Unit is committed to working in partnership with TTC employees and the community to support the TTC's vision of a transit system that makes Toronto proud. The Transit Enforcement Unit is responsible for protecting the integrity of the transit system and performing law enforcement and security functions with respect to TTC properties and assets in order to ensure that they are protected and the transit system remains a safe and reliable form of transportation.

## **Contacts**

Mark Cousins  
Head-Transit Enforcement  
[mark.cousins@ttc.ca](mailto:mark.cousins@ttc.ca)  
416-393-3055

Michael Killingsworth  
Staff Sergeant-Training and Administration-Transit Enforcement  
[michael.killingsworth@ttc.ca](mailto:michael.killingsworth@ttc.ca)  
416-393-7836

## **Attachment**

- Annual Report

**TORONTO TRANSIT COMMISSION  
TRANSIT ENFORCEMENT UNIT**

**1900 YONGE STREET, 6<sup>TH</sup> FLOOR  
TORONTO, ONTARIO. M4S 1Z2**



**2015 ANNUAL REPORT  
to the  
TORONTO POLICE SERVICES BOARD**

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## **EXECUTIVE SUMMARY**

### **2015 TRANSIT ENFORCEMENT SPECIAL CONSTABLE ANNUAL REPORT Toronto Transit Commission**

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Within the transit policing and security framework, the Toronto Transit Commission (TTC) is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

Transit Enforcement Officers focused much of their activities on the TTC's corporate interests and business needs including: customer service, fare enforcement, bylaw enforcement, asset protection and addressing customer and employee safety and security needs.

With the execution of a new Special Constable Agreement between the TTC and the Toronto Police Services Board on May 15, 2014, Transit Enforcement Officers exercise the powers and authorities granted by the Board in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system. Transit Enforcement Officers provide a consistent standard of service accountable to both the TTC and the Toronto Police Services Board.

The activities of Transit Enforcement Officers remain consistent with the Ministry of Community Safety and Correctional Services guidelines and enable the TTC to more effectively serve the special interests of the organization, and also the public interest in preservation of order, protecting property, and providing limited law enforcement.

The 2015 TTC Transit Enforcement Unit Annual Report provides the Toronto Transit Commission and the Toronto Police Services Board with information on the TTC's Special Constable Program and more specifically: the structure of the department, effective supervision, current staffing, ongoing training, uniform standards and distinction, the use of the authorities granted by the Toronto Police Services Board, governance, occurrence reporting as well as a summary of public complaints. The report concludes with some highlights of the reporting year.

## **BACKGROUND**

The TTC is a local passenger transportation commission operating within the Greater Toronto Area. The TTC is a branch of the City of Toronto and operates a transit system pursuant to the provisions of the City of Toronto Act, 2006, S.O. 2006, c. 11, Schedule A, as amended (the "COTA").

The TTC has authority to enact bylaws regulating the use of its transit system and has enacted Bylaw No. 1 – a bylaw regulating the use of the Toronto Transit Commission local passenger transportation system.

The TTC has established a Transit Enforcement Unit (the TEU) in order to protect the integrity of the transit system, perform security functions with respect to TTC properties and assets and to ensure that the transit system remains a safe and reliable form of transportation.

Final 2015 ridership numbers were not available at the time of this report however in 2014 there were over 540 million rides provided by the TTC throughout the City of Toronto.

In July of 1987, at the request of the TTC and with the approval of the then Solicitor General, members responsible for safety and security on the transit system were appointed as Provincial Offences Officers for the purposes of enforcing provisions of TTC Bylaw #1 and the Trespass to Property Act. These officers provided a visible presence, response to calls for service, and carried out activities to preserve the peace, protect the safety of TTC customers and employees and protect TTC assets.

The Toronto Police Services Board is responsible for the provision of adequate and effective police services in the City of Toronto pursuant to the provisions of Part III of the Police Services Act, R.S.O. 1990 Chap. P-15, (the "PSA").

In June of 1997, at the request of the TTC and with the approval of the then Provincial Solicitor General, the Toronto Police Services Board designated certain employees of the TTC responsible for providing safety and security services to the transit system, as Special Constables. These Transit Special Constables were conferred with limited law enforcement powers and authorities in accordance with Section 53 of the Police Services Act. This designation was governed by a contractual agreement between the Board and the TTC. These enhanced authorities were designed to increase the level of effectiveness and efficiency in delivering security and limited law enforcement services in cases where it was neither possible nor practical for a police officer to respond in a timely manner.

Since that time the TTC and the Toronto Police Service relied on a partnership to deliver policing and security services to the TTC's employees and patrons.

In 2009, the Toronto Police Service created a Transit Patrol Unit (TPU) to take a more proactive role in policing the subway system. The TPU became operational in May of that year. From the unit's inception, the TPU provided direction and assistance to the TTC Special Constables. Moving forward towards the new model of transit policing and security, the Special Constable Services Department (now known as the Transit Enforcement Unit) began to formulate a strategy

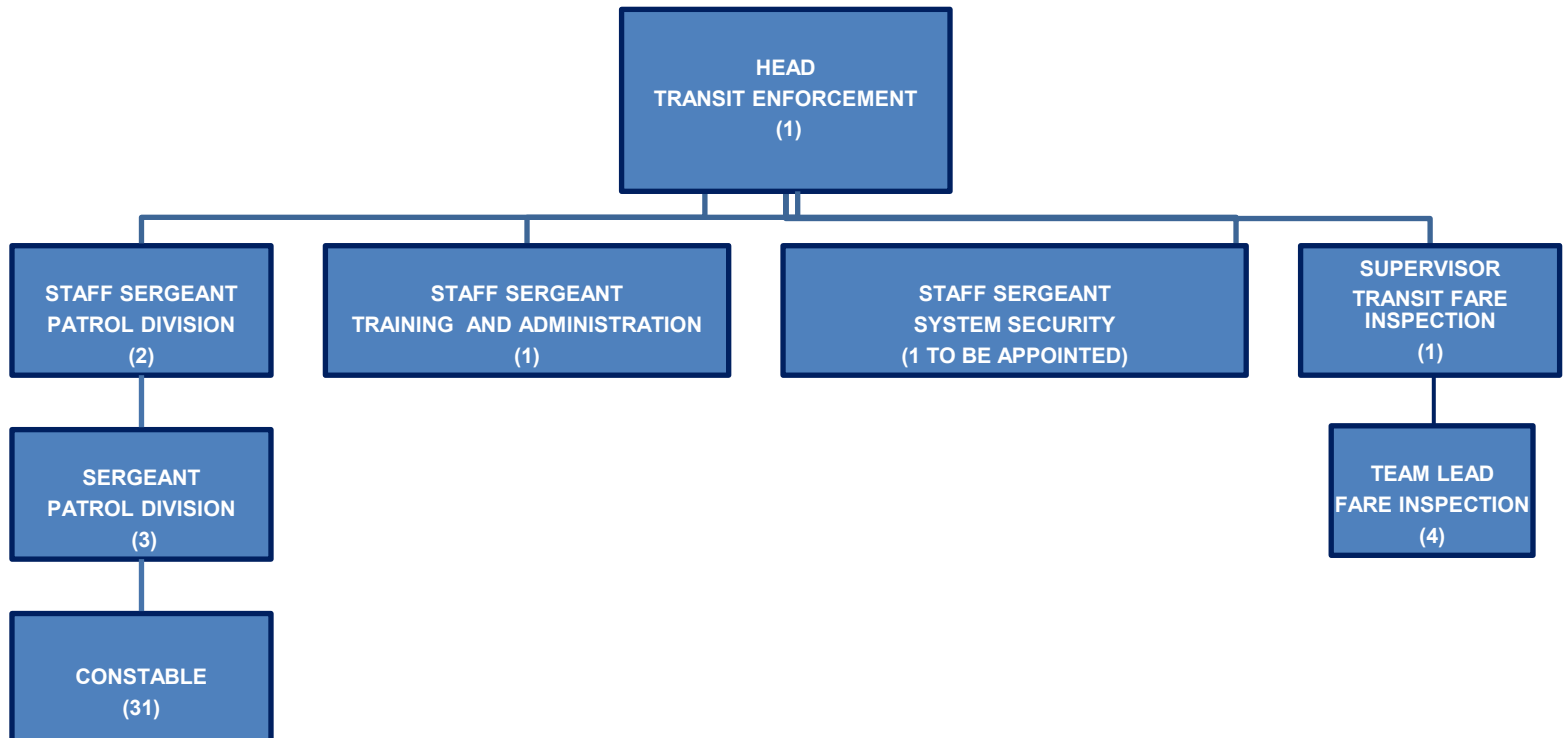
to refocus efforts and resources on the core responsibilities of the department, namely revenue protection, fare enforcement and the enforcement of TTC Bylaw #1.

In February 2011, the aforementioned agreement relating to Special Constables between the Toronto Police Services Board and the TTC was suspended pending a new model of transit policing and security.

On May 15, 2014, a new Special Constable Agreement was executed with the Toronto Police Services Board to designate the newly rebranded Transit Enforcement Officers as Special Constables restoring limited powers and authorities under selected federal and provincial statutes. These restored authorities were conferred to support the enforcement of TTC By-law No.1 and to increase the level of effectiveness and efficiency in delivering security and limited law enforcement services in cases where it was neither possible nor practical for a police officer to respond in a timely manner.

## SUPERVISION

General supervision of members of the Transit Enforcement Unit is under the authority of the Head-Transit Enforcement who holds the rank of Chief Special Constable. The Chief Special Constable has delegated this authority through the organizational chart below. This organizational chart reflects the actual workforce appointed or to be appointed as Special Constables as of December 31, 2015.



## **APPOINTMENTS**

A new Special Constable Agreement was executed between the TTC and the Toronto Police Services Board on May 15, 2014. This initiated the application process for all existing Transit Enforcement Officers to transition back to a Special Constable appointment. In close partnership with the Toronto Police Service Special Constable Liaison office and Employment Unit, the required, in-depth officer background investigations commenced. All eligible members were appointed and sworn during the 2015 reporting year.

<b>Total Applications</b>	<b>New Appointments</b>	<b>Total Special Constables (as at December 31<sup>st</sup>, 2015)</b>
48	48	43

## **DEPARTURES**

<b>Number of Terminations</b>	<b>Number of Suspensions</b>	<b>Number of Resignations</b>	<b>Number of Retirements</b>
1	0	4	0

## **TRAINING**

All TTC Special Constable training is reviewed and approved by the Toronto Police Service on an annual basis.

Pursuant to the Special Constable Agreement between the TTC and the Toronto Police Services Board, the Transit Enforcement Unit has an obligation to train Special Constables in the following areas:

- Arrest Authorities
- Arrest/Search Incident to Arrest
- Canadian Police Information Centre (CPIC) Use
- Case Preparation Provincial Offences
- Communicable Diseases
- Community Mobilization/Community Policing
- Controlled Drugs and Substances Act
- Crime Scene Management
- Criminal Offences
- Diversity Awareness and Human Rights Issues
- Emotionally Disturbed Persons/Mental Health Act
- Ethics and Professionalism in Policing
- Field Interviewing/Taking Statements
- First Aid/CPR
- Introduction to Law
- Liquor Licence Act
- Memorandum Books/Note-Taking
- Occurrence/Report Writing/Field Information Report
- Provincial Offences Act

- Search and Seizure Authorities
- Sex Offences
- TTC Transit Enforcement Officer Status – Roles & Responsibilities
- Testimony/Criminal/Provincial Justice System/Rules of Evidence
- Trespass to Property Act
- Use of Force Legislation and Reporting
- Vehicle Operations
- Young Persons and the Law

This training is delivered to Ontario Police Standards primarily in an Instructor led, lecture format complimented by Practical Skills training and Dynamic Simulations in the actual work environment in areas pertaining to Use of Force, Booking, Courtroom Procedures and Evidence Handling.

The Special Constable Recruit training program is 53 training days for a total of 424 hours and includes mandatory TTC training outside the requirements of the Special Constable Agreement such as Subway Rulebook Training, Defensive Driving and Suicide Intervention Awareness.

The Special Constable Annual Recertification Training program is 3 days for a total of 24 hours and includes mandatory Defensive Tactics and Use of Force training. The training is developed and delivered with a view to de-escalation and includes a legislative update and holistic, reality based simulations in the actual transit environment.

Transit Enforcement Officers are trained to a level to take an investigation to its completion. This could include arrest, apprehension (in the case of the Mental Health Act), release, transport to a police division, or unconditional release within the parameters of the Special Constable Agreement.

### **Mandatory Training**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
Annual Use of Force and Legislative Update Block Training	The Control Institute	3 days (24 hours)	48



## Additional In Service Training

Course / Topic	Delivered By	Duration	Number trained
Subway Rulebook Recertification	Toronto Transit Commission	1 day	48
*Ethics E-Learning	Toronto Transit Commission	1 hour	10
*Freedom of Information	Toronto Transit Commission	1 hour	10
*Privacy Protection	Toronto Transit Commission	1 hour	10

\* denotes Supervisory/Management level training only

## EQUIPMENT

Pursuant to the Agreement with the Board, Transit Enforcement Officers are issued with the following equipment:

- Uniform
- One wallet badge, appropriate wallet and agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One container of oleoresin capsicum foam with appropriate carrying case
- One expandable baton with appropriate carrying case
- One approved memo book
- One flashlight with appropriate carrying case
- One Provincial Offences Notice book and appropriate hard cover
- One TTC Transit Enforcement Unit Policies, Procedures and Rules Manual

# **REPORTING AND STATISTICS**

## **CALLS FOR SERVICE**

<b>Mode</b>	<b>Number</b>	<b>% of Total</b>
Scarborough R/T	181	1.4
Subway	11,581	89.46
Surface	1,184	9.15
<b>Total</b>	<b>12,946</b>	

## **CRIME AND ORDER MANAGEMENT ARREST/APPREHENSION TOTALS**

<b>Authority</b>	<b>Total Arrested/ Charged/ Apprehended</b>	<b>POT/ Form 9</b>	<b>Unconditional Release</b>	<b>Transported to Mental Health Facility</b>	<b>TPS Continued Arrest/ Apprehension</b>
CDSA	2				2
Criminal Code	113	4	1		108
Liquor License Act	18				18
POA- Breach of Probation	24	23			1
Trespass To Property Act	42	4	1		37
Mental Health Act	41			30	11

## **REPORTING**

<b>General Occurrences and Records of Arrest Submitted by TEU</b>	<b>No.</b>
Arson Damage To Property C.C. 434	1
Assault C.C. 266	239
Assault - Aggravated C.C. 268	1
Assault Bodily Harm C.C. 267(1)(B)	1
Assault Peace Officer C.C. 270(1)(a)	6
Assault With Weapon C.C. 267 (A)	10
Attempt Fraud C.C. 380(1)	2
Attempt Robbery C.C. 344 (B)	1
Bench Warrant C.C. 597 (2)	3
Break And Enter With Intent C.C. 348(1)(A) Attempt	1
Carrying Concealed Weapon C.C. 90	1
Cause A Disturbance 175(1)	18

Criminal Harassment C.C. 264 (1), (2)	9
Disobeying Court Order C.C. 127	1
Fail To Comply Probation P.O.A. SEC. 75	24
Fail To Comply Probation C.C. 733.1	2
Fail to Comply Recognition C.C. 145(3)	1
Forgery C.C. 366	1
Fraud C.C. 380(1)	25
Fraud C.C. 380(1) (Attempt)	1
Fraud Transportation 393(3)	4
Harassing Telephone Call C.C. 372(3)	1
Indecent Acts C.C. 173(1)	16
L.L.A. 31(2) Having liquor in open container	2
L.L.A. 31(4) Intoxicated in a Public Place	16
Mental Health Act Sec. 17	36
Mischief C.C. 430 (1)	188
Mischief Not Exceeding \$5,000 C.C. 430 (4)	15
Mischief Over \$5,000 C.C. 430 (3)	2
Obstruct Peace Officer C.C.129(a)	3
Personal Injury	1
Possession For The Purposes Of Trafficking C.D.S.A. 5(2)	1
Possession of Coin-Operated Device Breaking Instrument C.C. 352	3
Possession of Marihuana Under 30 Grams C.D.S. 4(1)	1
Possession of Offensive Weapon Dangerous To The Public Peace C.C. 87	1
Possession Of Property Obtained By Crime C.C. 354 (1)	3
Possession Of Weapon For Dangerous Purpose C.C. 88	2
Robbery C.C. 344 (B)	5
Sexual Assault C.C.271	6
Suspicious Circumstances	36
Suspicious Person	16
T.P.A. Fail To Leave When Directed	13
T.P.A. Engage in Prohibited Activity on Premises	20
T.P.A. Enter Premises When Entry Prohibited	10
T.T.C. # 1-2.1 Refuse to Pay Fare	2
T.T.C. # 1-2.2(b) Travel with altered fare media	6
T.T.C. # 1-2.3(a) Invalid Fare Media	1
T.T.C. # 1-2.3(b) Fail to Comply with Conditions of Use of Fare Media	2
T.T.C. # 1-3.13(a) Fail to Comply with Posted Sign	9
T.T.C. # 1-3.13(b) Fail to Comply with Painted Markings	1
T.T.C. # 1-3.16(b) Solicit on TTC Property	27

T.T.C. # 1-3.19(b) Lying Down on TTC Property	1
T.T.C. # 1-3.25 Cause A Disturbance on TTC Property	5
T.T.C. # 1-3.25(b) Improper Language on TTC Property	1
T.T.C. # 1-3.25(e) Fight on TTC Property	1
T.T.C. # 1-3.25(f) Interfere with Ordinary Enjoyment of Transit System	6
T.T.C. # 1-3.32 Smoke on TTC Property	1
T.T.C. # 1-3.33(a) Possession of Weapon on TTC property	1
T.T.C. # 1-3.4 Entering Upon Subway Tracks	1
T.T.C. # 1-3.5 Project Body beyond Platform Edge	1
T.T.C. # 3.25 Cause a disturbance on TTC property.	1
Theft Under \$5000.00 C.C. 334(B)	87
Uttering Forged Document C.C. 368(1)	2
Uttering Threats C.C. 264.1 (1)	61
Uttering Threats To Cause Death Or Bodily Harm C.C. 264.1 (1)(A)	22
Voyeurism C.C. 162 (1)(a)	2
<b>Total</b>	<b>990</b>

<b>Other Incident Reports (Transit Enforcement And TTC Divisional Supervisory Reports Where TPS Submitted Police Report)</b>	<b>No.</b>
Administer Noxious Substance	1
Aggravated Assault - Patron	2
Armed Robbery Patron	1
Arson	4
Assault Bodily Harm - Operator	1
Assault Bodily Harm - Patron	13
Assault Bodily Harm - Route Supervisor	1
Assault Police Officer	3
Attempt Fraud	1
Attempt Purse Snatch	1
Attempt Robbery Patron	5
Attempt Theft	1
Attempt Theft From Patron	1
Attempt Theft From TTC	2
Bomb Threat No Bomb Found	6
Carry Concealed Weapon	6
Cause Disturbance	37
Common Assault - Collector	3
Common Assault - Misc. Employee	1

Common Assault - Operator	123
Common Assault - Patron	148
Common Assault - Route Supervisor	3
Common Assault - TFI	2
Counterfeit Money Passed	1
Fail To Comply	2
Fraud	145
Fraudulent Use Of Credit Card	5
Harassing By Telephone Calls	5
Harassment (Criminal)	2
Indecent Exposure	14
Mischief	209
Personate Peace Officer	1
Pickpocket Under \$5000	2
Poss. Instrmts Break Into Coin Op Device	1
Poss. Of Cocaine	1
Possession Controlled Drugs	1
Possession Of Narcotic	1
Possession Offensive Weapon	13
Purse Snatch	2
Robbery Patron	4
Robbery Patron - Mugging	7
Robbery Patron - Swarming	9
Robbery Tenant	1
Robbery TTC	6
Sexual Assault	63
Theft From Emp Under \$5000	13
Theft From Tenant Und \$5000	2
Theft From TTC Under \$5000	28
Theft From Patron Under \$5000	17
Theft From Purse Under \$5000	5
Theft From Tenant Over	1
Theft From TTC Over \$5000	1
Theft Under \$5000	16
Threatening	82
Voyeurism	6
<b>Total</b>	<b>1,032</b>

## **PROPERTY**

The Transit Enforcement Unit is responsible for keeping all evidence and property seized in connection with their duties except in the following circumstances:

- Where Toronto Police request the evidence be turned over to them
- Where an accused is held in Toronto Police custody
- All drugs seized/found
- All firearms seized/found

All property and evidence seized from persons that is not turned over to the Toronto Police Service is stored, preserved and disposed of in a manner consistent with Toronto Police Service standards and procedures for the storage and disposition of property.

In 2015, Transit Enforcement Unit processed 533 pieces of property into their property vault.

## **PUBLIC COMPLAINTS**

Pursuant to the agreement between the Toronto Police Services Board the TTC, the Transit Enforcement Unit maintains a comprehensive Public Complaints policy. Public complaints relating to the conduct of Transit Enforcement Officers may be filed in the following manner: at a Toronto Police Service Division, to the TTC directly, in person at 1900 Yonge Street, Toronto, by telephone at 416-393-3111, by email or fax, by mail, by completing a general TTC complaint form, or on the TTC website at www.ttc.ca.

All public complaints relating to conduct of Transit Enforcement Officers are forwarded to the Toronto Police Service’s Professional Standards Unit for assessment. The Toronto Police Service classifies each complaint as either serious (e.g. criminal allegation) or less serious (e.g. minor breach of discipline).

Serious public complaints are investigated by the Toronto Police Service. Less serious public complaints are investigated by the TTC’s Unit Complaints Co-ordinator. Assigned to the TTC Human Resources Department, the TTC Unit Complaints Co-ordinator is trained by the Toronto Police Service.

Adjudication and appropriate penalties are the responsibility of the Head-Transit Enforcement (Chief Special Constable). Complainants are advised of the findings of all investigations and are advised of the right to request a review of the adjudication by the City of Toronto Ombudsman’s office. All investigations are conducted in accordance with TTC Transit Enforcement Unit policy and procedures.

The investigation findings categories are:

**Unsubstantiated:** No evidence exists to support the allegation. Evidence exists, and if believed would not constitute misconduct. The identification of the officer involved cannot be established.

**Substantiated:** Complaint found to be supported by statements or evidence.

**Informal Resolution:** Mediation and successful conclusion of a less serious complaint.

**Pending:** Investigation not yet completed.

Total Number of Complaints	Investigated by TTC	Investigated by Toronto Police	Number Resolved	Number Outstanding
1	1	0	1	0

Conduct Non-Criminal	Criminal Allegation
1	0

Unsubstantiated	Substantiated	Informal Resolution	Pending	Withdrawn
0	0	1	0	0

## USE OF FORCE REPORTING

In 2015 there were 9 incidents where use of force options beyond physical control and compliant handcuffing was reported by Toronto Transit Commission Special Constables. Six of these incidents resulted in empty hand techniques being utilized to arrest non-compliant suspects.

There were two incidents where Officers deployed OC foam. On both occasions, officers were attempting to arrest assaultive suspects.

There was one incident where an Officer deployed a baton strike. On this occasion the officer was attempting to arrest an assaultive suspect.

The following chart further summarizes the category of offence involved in each type of force application:

Type of Force Utilized	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA)
Expandable Baton	1	1	1	0
OC Foam	2	2	2	0
Empty Hand Techniques	6	7*	5	1
<b>Total</b>	9	10		

\* Two U of F reports submitted. One each by individual officers for same incident



## **INJURY REPORTING**

### **Suspects**

A total of 18 Injury Reports were submitted by Transit Enforcement Officers in 2015.

Prior to Arrest:

10 of these reports were submitted in relation to pre-existing conditions or injuries presented by the accused prior to the arrest such as visible cuts and abrasions and in one case a pre-existing wrist injury. 2 of the 10 incidents resulted in the accused being treated at scene by Toronto EMS. 2 of these 10 incidents resulted in the accused being transported to hospital by Toronto EMS for treatment of minor cuts and abrasions. 1 of these 10 incidents resulted in the accused being transported to hospital by Toronto EMS for a wrist x-ray. (Pre-existing injury according to attending physician). 5 incidents required no medical aid or medical aid was refused by the accused.

During Arrest:

8 of these reports were submitted in relation to minor injuries sustained during the course of an arrest. 3 of these 8 incidents resulted in the accused being treated at scene by Toronto EMS: 1 for a minor cut and 2 for exposure to OC Foam. 2 of these 8 incidents resulted in the accused being transported to hospital by Toronto EMS for treatment of a minor cut above an eye and cuts and abrasions caused by an accused striking his head on the interior of a patrol vehicle during transport. 3 incidents required no medical aid or medical aid was refused by the accused.

### **Transit Enforcement Officers**

A total of 23 Occupational Injury reports were submitted by Transit Enforcement Officers in 2015 resulting in 1 lost time injury. 22 of these reports were precautionary and reflected minor cuts, scrapes, bumps and bruises sustained by officers during the course of an arrest. The one lost time injury (2 days) was sustained by an officer during the course of an arrest and resulted in a minor shoulder strain.

## **GOVERNANCE**

The business of Transit Enforcement Unit is governed by the TTC's agreement with the Toronto Police Services Board (the Board) in areas of appointment, identification, equipment, training, powers, and responsibilities.

Pursuant to Article 6 of the Agreement entitled, "Accountability and Risk Management", the TTC is accountable to the Board for all actions taken in relation to the exercise of the powers and authorities granted by the Agreement to Transit Enforcement Officers who have been appointed as Special Constables.

Transit Enforcement Officers must comply with all Toronto Police Service policies and procedures applicable to the duties and responsibilities of Special Constables including any directives or policies of the Board.

In addition, pursuant to the agreement with the Board, the Transit Enforcement Unit has established a complaint investigation procedure for the intake and investigation of complaints concerning the conduct of a Transit Enforcement Officer.

The TTC must ensure compliance by Transit Enforcement Officers with the applicable sections of the Police Services Act (PSA) relating to the appointment of any TTC employee as a Special Constable, the applicable regulations thereunder, all internal policies and procedures of the TTC, and all Service policies, standards, and procedures applicable to the duties, powers, and responsibilities of Transit Enforcement Officers as provided to the TTC in accordance with the Special Constable Agreement.

A Transit Enforcement Officer must comply with the applicable sections of the PSA relating to his or her appointment as a special constable, the applicable regulations thereunder, all internal policies and procedures of the TTC, and all Service policies, standards, and procedures applicable to the duties, powers, and responsibilities of Transit Enforcement Officers as provided to the TTC in accordance with the Special Constable Agreement, including any directives or policies of the Board for any Special Constable appointed by the Board.

At all times during the Term, the TTC must maintain adequate and effective supervision of any employee who has been appointed as a Special Constable by the Board pursuant to the Agreement.

The TTC shall, at a minimum, establish and maintain:

- (a) written policies and procedures with respect to the duties, powers and responsibilities of Transit Enforcement Officers;
- (b) a Code of Conduct for Transit Enforcement Officers, as described in the Agreement;
- (c) a written procedure for supervising and evaluating Transit Enforcement Officers' powers and;

- (d) a written disciplinary process regarding all matters relating to any allegation of improper exercise of any power or duty of a Transit Enforcement Officer as granted pursuant to the Agreement.

The TTC and Transit Enforcement Officers must cooperate with the Toronto Police Service in any matter where a Transit Enforcement Officer has been involved in an investigation.

The Transit Enforcement Unit maintains written policies, procedures and rules with respect to the duties, authorities and responsibilities of all members. TTC Enforcement Unit members are expected to comply with the departmental Code of Ethics and Core Values. In addition, a TTC Corporate Discipline Policy is in place to manage the conduct of all Enforcement Officers.

## **HIGHLIGHTS OF THE YEAR**

Within the transit policing and security framework, the TTC is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

Transit Enforcement Officers focused much of their activities on the TTC's corporate interests and business needs including: customer service, fare enforcement, bylaw enforcement, asset protection and addressing customer and employee safety and security needs.

With the execution of a new Special Constable Agreement between the TTC and the Toronto Police Services Board on May 15, 2014, Transit Enforcement Officers exercise the powers and authorities granted by the Board in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system. Transit Enforcement Officers provide a consistent standard of service accountable to both the TTC and the Toronto Police Services Board.

The following summarizes noteworthy highlights of the reporting year by quarter:

### **QUARTER 1**

13 Transit Enforcement Officers swore their Oaths of Office and Secrecy and began exercising their Special Constable powers and authorities.

Members of the Toronto Police Service and CrimeStoppers met with Senior Officers of the Transit Enforcement Unit to discuss a series of active robbery investigations involving citizens and customers of the TTC victimized in the Scarborough area. Toronto CrimeStoppers, in partnership with the TTC, completed primary photography of several street robbery scenarios leading to a video release and press conference to raise public awareness of the problem. The Head of Transit Enforcement participated in the CrimeStoppers press conference and video release at Toronto Police Headquarters. The event garnered significant media attention and led to several arrests.

Members continued to actively partner with the Toronto Police Service to raise public awareness of safety and security measures on the transit system. Members joined resources from the 42 Division Community Response Unit, Community Police Liaison Committee and Auxiliary Unit to ride transit and distribute information packages to riders within the boundaries of the division.

In the ongoing effort to explore mutually beneficial training opportunities between agencies, the Staff Sergeant-Training and Administration prepared and delivered 3 information sessions on the role and responsibilities of Transit Enforcement Officers and police response to a TTC emergency to Toronto Police Services members attending the Provincial Statutes Course at the Toronto Police College.

## **QUARTER 2**

19 Transit Enforcement Officers swore their Oaths of Office and Secrecy and began exercising their Special Constable powers and authorities. This brought the total number of Transit Enforcement Officers exercising Special Constable powers and authorities to 32 at the end of the quarter.

The Chief Special Constable and senior members of the Unit met with the City of Toronto Ombudsman and other members of TTC Management to discuss a model for enhanced Mental Health Training to be delivered to members of Transit Enforcement and other TTC employees across the property. Participants met with representatives of The 519 and the Inner City Family Health Team who agreed to assist in facilitating an enhancement to the existing training programs.

A joint Transit Enforcement/Toronto Police Operational Plan was finalized for the deployment of Enhanced Rapid Response teams consisting of one Special Constable and one Toronto Police officer to minimize response times to rail disruptions during the Pan Am and Para Pan Am games.

Frontline members continued to liaise with Toronto Police Transit Patrol Unit officers on a daily basis and a new meeting protocol was established (once monthly) between the operational Staff Sergeants and Supervisory members of the two agencies to discuss issues of mutual concern and further strengthen the partnership.

In the ongoing effort to explore mutually beneficial training opportunities between agencies, the Staff Sergeant-Training and Administration prepared and delivered 1 information session on the role and responsibilities of Transit Enforcement Officers and police response to a TTC emergency to Toronto Police Services members attending the Provincial Statutes Course at the Toronto Police College.

## **QUARTER 3**

15 Transit Enforcement Officers swore their Oaths of Office and Secrecy and began exercising their Special Constable powers and authorities. With one resignation from the department in the quarter, this brought the total number of Transit Enforcement Officers exercising Special Constable powers and authorities to 46.

In the ongoing effort to explore mutually beneficial training opportunities between agencies, the Staff Sergeant-Training and Administration prepared and delivered 1 information session on the role and responsibilities of Transit Enforcement Officers and police response to a TTC emergency to Toronto Police Services members attending the Provincial Statutes Course at the Toronto Police College.

Much of the department's focus in this quarter was dedicated to supporting safe and efficient transit operations during the Pan Am and Para Pan Am Games. As part of the departmental Pan Am and Para Pan Am Games Operational Plan, Transit Enforcement Officers conducted Enhanced Rapid Response patrols in partnership with the Toronto Police Service Transit Patrol Unit in an effort to quickly expedite the resumption of subway disruptions during the games.

This program was met with great success and discussions are ongoing with the police service to implement a similar model for other large events in the city. Senior members of the Transit Enforcement Unit staffed the TTC desk at the Toronto Police Major Incident Command Centre for the duration of the games. This level of interagency cooperation and communication proved to be invaluable in many instances throughout the games from both an operational, public safety, and emergency response perspective for such a large scale event.



Members joined our Provincial Transit Law Enforcement colleagues and represented the TTC and the department at the 2015 Police and Peace Officer Memorial held on Parliament Hill in Ottawa. Each year, the law enforcement community gathers to remember and pay tribute to fallen officers in Canada who have made the supreme sacrifice in defending public safety.



Transit Enforcement Officers worked in partnership with the Toronto Police Service in support of Station Operations to provide safe and orderly movement of our customers during Nuit Blanche celebrations.

## **QUARTER 4**

The remaining Transit Enforcement Officer swore their Oaths of Office and Secrecy and began exercising their Special Constable powers and authorities. With 3 resignations and 1 termination from the department in the quarter, this brought the total number of Transit Enforcement Officers exercising Special Constable powers and authorities to 43 at the end of the reporting year.

### **Project Longboard**

Historically in September at the beginning of the school year, Runnymede Subway station has been a central point for youths involved in criminal and disorderly activity. This is due to the fact that there are six schools within close proximity to the subway station. Toronto Police 11 Division annually addresses this issue by running “Project Recess” for several months following the opening of school. On October 22nd, 2015 members of the Toronto Police Transit Patrol Unit were advised by a TTC Runnymede collector, that a large group of youths had gathered at the station in order to intimidate other students and in the process, committed a robbery. This information was corroborated by a parent who came forward and advised officers that the youths had attempted to rob her son of his longboard skateboard but were stopped when a citizen intervened. It was determined that these youths are part of a gang called “The Squad” They have clearly demonstrated no respect for innocent citizens using the TTC system as well as TTC employees and the Toronto Police Service. Members of the Transit Enforcement Unit partnered with the Toronto Police Service in a four week project with an objective to:

- Prevent criminal activity from taking place in or around Runnymede station; specifically targeting youths at that location preying on other youths during the after school hours;
- Identify, investigate, arrest and charge any persons committing criminal or other offences on or in relation to Runnymede station;
- Demonstrate to TTC customers, employees and members of the general public that the Transit Enforcement Unit and the Toronto Police Service are committed to creating a safe environment where citizens can use the system without fear of incident;
- Enhance collaboration between the TTC and relevant stakeholders (TPS TPU, TPS Divisions and Sub-Units, Community Police Liaison Committees and Schools Officials) to achieve the above listed objectives.

Unfortunately the tragic Paris terrorist attack prevented Transit Enforcement Officers from spending a great deal of time dedicated to the project (Officers were re-allocated to the downtown core stations for High Visibility posts).

However, Transit Enforcement members issued 2 cautions under the TTC By-Law and laid 3 charges under the TTC By-Law.

Transit Enforcement Officers extended the scope of our participation to include the bus stops at Runnymede Collegiate. TTC Operators were reporting that the individuals responsible for incidents at the station were also the authors of issues at the bus stops in and around the school.

Transit Enforcement Officers engaged the Toronto Police School Resource Officer for Runnymede Collegiate as well as the Principal which lead to 3 Part III Summonses being issued in relation to TTC By-Law offences.

29 Transit Enforcement Officers took part in the Canadian Breast Cancer Awareness Campaign by purchasing and wearing pink epaulettes for the month of October in support of women's cancer research.



A public awareness campaign regarding Transit Enforcement Officers was introduced and continued until the end of 2015.



### Project Ghostbusters

Transit Enforcement partnered with the Toronto Police Service Transit Patrol Unit to provide an enhanced presence in the system on the evening of Saturday October 31st. Halloween is a traditionally busy night with ghosts and goblins gravitating to the TTC. Revelers traversing the city via the TTC often do so in costume. Persons wearing masks, make up, and costumes pose a



unique security concern to front line TTC personnel. Metropass sales are brisk at the end of each month. Transit Enforcement scheduled two additional units to be on duty Saturday October 31st to allay the concerns of operational personnel. The two additional units were deployed from 1700 hrs. - 0300 hrs. The role of the additional units was to conduct Station visits during their tour of duty engaging front line personnel providing support and reassurance. At the conclusion of service these additional assets were made available to assist Station Personnel in securing Stations on an as needed basis (Collectors with identified Security concerns);

In response to the tragic terrorist attacks in Paris, Transit Enforcement Officers were put on a heightened state of alert as follows:

- Elevated response protocol included 24 hour coverage;
- Critical Infrastructure Patrol consisted of 2 Transit Enforcement Officers on a shift extension nightly (0300hrs - 0630hrs);
- Transit Enforcement Officers assigned to the Critical Infrastructure Patrol were directed to provide a proactive presence throughout the city;
- Transit Enforcement Officers detailed to visit 24 hour stations, bus divisions, subway yards, street car barns and other areas critical to the TTC including open cuts and emergency exits.

In the ongoing effort to explore mutually beneficial training opportunities between agencies, the Staff Sergeant-Training and Administration prepared and delivered 2 information sessions on the role and responsibilities of Transit Enforcement Officers and police response to a TTC emergency to Toronto Police Services members attending the Provincial Statutes Course at the Toronto Police College.

In partnership with the Toronto Police Public Safety Unit, and the Toronto Police Transit Patrol Unit, the Staff Sergeant-Training and Administration facilitated a one day, scenario based, active shooter and CBRNE training exercise in the transit environment at the Wilson Subway Complex. Further training of this nature is planned for 2016.