



### **2019 TTC Special Constable Service Annual Report to the TTC Board and Toronto Police Services Board**

**Date:** May 13, 2020  
**To:** TTC Board  
**From:** Deputy Chief Executive Officer – Operations

#### **Summary**

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Section 8.9 of the Special Constable Agreement (“the agreement”) between Toronto Police Services Board (“TPS Board”) and Toronto Transit Commission (“TTC”) requires the TTC to provide to the TPS Board an annual report with statistical data, 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 TPS Board or the Chief of Police, from time to time.

In prior years, the TTC has prepared two separate reports: the report as required by the agreement and another annual report to the TTC Board. These reports contain similar information and, therefore for 2019, only one report has been created. The attached report to the TPS Board was prepared in accordance with instructions outlined in the agreement and is consistent with the standardized format as directed by the TPS Board

It is anticipated the report will be on the May meeting agenda of the TPS Board, subject to the TTC Board receiving this report at its meeting of May 13, 2020 and approving transmittal.

#### **Recommendations**

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It is recommended that the Board:

1. Approve the transmittal of 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 TTC.

## **Financial Summary**

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As part of the TTC's 2019 Operating Budget, the TTC Board recommended, and City Council approved, \$4.5 million (\$7 million on an annual basis) towards hiring an additional 70 personnel to support revenue protection activities: 45 Fare Inspectors, 22 Transit Special Constables and three Administrative and Supervisory support roles. As part of the 2020 Operating Budget, an additional 50 Transit Special Constables were approved to support revenue protection. Given the onset of the pandemic, the recruitment will be a phased in approach as we consider the impacts to revenue and the ability to train with physical distancing in place.

The Interim Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **Equity/Accessibility Matters**

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As Transit Special Constables and Fare Inspectors have significant public contact and perform both enforcement and customer service roles, equity becomes an important factor. Challenges serving customers in a diverse population and living with a mental illness will arise. The importance of having the skills necessary to ensure all customers are treated equally and with dignity and respect, is crucial.

All new front line members of the TTC Special Constable Service and Revenue Protection departments participate in a mandatory five-day mental health awareness training program. This training program covers such topics as Understanding Mental Illness, Psychological First Aid, Crisis Intervention and De-Escalation, and Self-Care: Maintaining Health and Well-Being, and includes an interactive panel discussion with community members living with a mental illness.

Members also participate in instructor-led training delivered by the Alzheimer's Society of Toronto and the City of Toronto Streets to Homes program. In 2019 the TTC added Confronting Anti-Black Racism Training (CABR), delivered to the program by the City of Toronto CABR Unit. Transit Special Constables and Fare Inspectors participate in holistic-simulation-based training as part of the curriculum.

All front line members of both departments also participate in mandatory e-learning diversity and inclusion training as facilitated by the Ontario Police Video Training Alliance and instructor-led or e-learning training by the TTC's Diversity and Human Rights Department.

As of 2018, an additional half-day of training facilitated by members of the Toronto Police Service LGBTQ2S Liaison Office of the Divisional Policing Support Unit was included in the Special Constable and Fare Inspector Recruit Training Program.

As the training program evolves, should equity issues be identified, they will be resolved using a collaborative approach with appropriate stakeholders consulted, best practices identified, and policy and procedural changes made as required.

In mid-2019, the Head of Special Constable Service increased the number of dedicated Community Engagement Officers to two from one. The Community Engagement Unit (CEU) focuses on assisting customers living with mental illness by engaging other community stakeholders to share resources and form sustainable solutions to issues of mutual concern, such as panhandling and homelessness. The CEU continues to work with city agencies and partners, such as Furthering Our Community by Uniting Services Toronto (F.O.C.U.S. TO), Streets to Homes, Gerstein Crisis Centre, Mental Health Commission of Canada and the Toronto Police Mobile Crisis Intervention Team.

## **Decision History**

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### **Special Constables**

In July 1987, at the request of the TTC and with the approval of the 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 as well as protect TTC assets.

The TPS 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 1997, at the request of the TTC and with the approval of the Provincial Solicitor General, the TPS 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 TPS Board and 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 May 2014, a new Special Constable Agreement was executed between the TTC and the TPS Board.

### **Fare Inspectors**

A key initiative in the 2013-2017 TTC Corporate Plan was to develop a Primary Revenue Protection Strategy that included the business case for a dedicated revenue protection team to increase the level of fare checks. With the introduction of all-door boarding and proof-of-payment on all streetcars, and some bus routes, it was recognized that there would be a potential increase in fare evasion.

The current Fare Inspection Program began in August 2014 to support the honour-based, Proof of Payment (POP) system whereby random inspections are conducted by

a team of Fare Inspectors to ensure compliance. The TTC considered several models currently used in other jurisdictions with an honour-based fare system. Based on a number of factors, including system design, vehicle design, operations, customer perception, efficiency, and establishing general and specific deterrents to fare evasion, the TTC decided on a model whereby highly visible, uniformed employees designated as Provincial Offences Officers would conduct inspection activities with a view to balancing customer education with enforcement.

At the onset of the program, the TTC had a team of 18 Fare Inspectors supervised by two Transit Special Constable Sergeants. These Fare Inspectors are designated as Provincial Offences Officers pursuant to the Provincial Offences Act R.S.O. 1990, Chapter P.33. Additional resource investments have been made into the program over the past few years, most notably in 2019 and 2020. At the end of 2019, the Transit Enforcement Unit was split into two distinct functions: Special Constables and Revenue Protection.

## **Issue Background**

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The TTC has established a Special Constable Service Department 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.

Transit 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 TPS 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 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 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.

Section 8.9 of the Special Constable Agreement between the TPS Board and the TTC requires the TTC to provide to the TPS Board an annual report with statistical data, 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 TPS Board or the Chief of Police, from time to time.

## Comments

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The attached report provides the TTC Board and the TPS 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 TPS Board, governance, occurrence reporting as well as a summary of public complaints. The report concludes with some highlights of the reporting year.

In 2019, the TTC carried close to 530 million customers. As detailed in the attached report, Transit Special Constables responded to 21,543 calls for service and attended 13,536 of those service calls. This is a 5% increase over calls for service in 2018, and a 63% attendance rate in 2019. 85.8% (18,489) of these calls for service were subway related. 13.3% (2,856) of these calls for service were surface related (bus and streetcar). 0.9% (198) of these calls for service were Line 3 Scarborough (SRT) system related.

Transit Special Constables submitted approximately 1,891 occurrence reports to the Toronto Police Service. These included general occurrences, records of arrests and apprehensions. 557 of these occurrences were associated to common assaults (Criminal Code Section 266). These types of occurrences are generally incidents of spitting, bumping or striking a person where no injury or medical attention occurred. Combined, 410 occurrences of mischief (Criminal Code Section 430) were submitted. The majority of these occurrences related to minor intentional damage to property (i.e. broken windows) and graffiti.

Transit Special Constables are bound by Ontario Regulation 926/90, which compels Police Officers to submit a Use of Force Report to the Chief of Police when a Police Officer who, when in the performance of their duties, uses force on another person that results in an injury requiring medical attention, or uses a weapon on another person. Of the 21,543 calls for service, pepper foam was deployed by Transit Special Constables in three incidents to de-escalate volatile situations, as follows:

- Two separate incidents at Bloor-Yonge where the individuals had physical interactions with other customers and actively resisted arrest when Special Constables intervened.
- A third incident where an individual brandished a 10-inch steel tube towards the Special Constables as a weapon.

In an effort to improve transparency in use of force reporting, and to align with the recommendations of the City Ombudsman, the Head of Special Constable Service has directed all members of the Special Constable Service and Revenue Protection departments to report use of force in all cases where a member uses force beyond compliant physical control and handcuffing. There were 89 incidents in 2019 in which internal 156 Use of Force reports were submitted as per departmental policy. In two of these incidents, batons were presented, but not used during interactions with assaultive subjects.

The TTC takes the interactions with its customers seriously and has made significant changes to enhance our programs and improve how we interact with our customers. These include:

- Implementing the six recommendations contained within the [Ombudsman Toronto Enquiry Report: Review of the Toronto Transit Commission's Investigation of a February 18, 2018 Incident Involving Transit Fare Inspectors](#), including a streamlined complaint process for Fare Inspectors and Special Constables, making the process simpler for customers by eliminating the distinction between a concern and a complaint in order to ensure that all issues raised by customers are both documented and dealt with in a fair and impartial manner.
- Changing the structure and culture of the department formally known as the Transit Enforcement Unit to one based on safety and customer experience. This has begun with a re-organization of the Transit Enforcement Unit into two distinct departments – Revenue Protection Department and Special Constable Service Department.
- Developing and implementing a broad and comprehensive Anti-Racism Strategy, aimed directly at preventing racial bias and racial profiling, and building awareness through learning and development initiatives across the organization.

Transit Special Constables and Fare Inspectors are provided with a very high level of training to perform their respective duties efficiently and safely with minimal disruption to transit operations.

Mental Health Training is provided to Transit Special Constables and Fare Inspectors who may encounter individuals in mental health distress or who may be experiencing suicidal ideation. The training is to provide awareness of mental health and suicide as well as the knowledge and skills to respond effectively, including intervention. These courses are targeted to their respective audiences.

In addition, as part of the Initial Recruit Training program, staff engage in a series of paper-based and live simulations to evaluate their knowledge of legal authorities, perception, judgement, empathy and response. Each simulation lasts 20 minutes and takes place in the transit environment. At the conclusion of each simulation, the scenario is debriefed with the group. Professional actors trained by a third party simulate real-life scenarios taken from previous transit security reports. This training also forms part of the recertification training program. Issues of mental health are woven in throughout scenarios to foster learning objectives.

The TTC is committed to working with internal and external partners to promote community engagement and foster collaborative initiatives to promote safety. In extreme weather situations, TTC staff are asked to be extra vigilant to help those people in our city who may be at increased risk in extreme conditions. As part of their regular duties, Fare Inspectors and Special Constables provide people who are vulnerable or at risk with information about downtown Toronto drop-in resources, and distribute free hot beverage vouchers.

Special Constables and Fare Inspectors also have access to City agencies for support, including Out of the Cold programs, Streets to Homes, CAMH and The 519, among others. Additionally, Special Constables have a direct number for the Streets to Homes Supervisors should a priority response be necessary.

The TTC Special Constable Service is committed to working in partnership with TTC employees and the community to support the TTC's vision of a transit system that Toronto can be proud of.

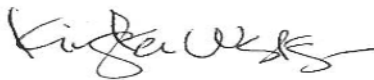
## **Contact**

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## **Signature**

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Kirsten Watson  
Deputy Chief Executive Officer – Operations

## **Attachments**

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Attachment – 2019 TTC 2019 TTC Special Constable Service Annual Report to the TTC Board and Toronto Police Services Board



**Attachment 1**

2019  
TTC SPECIAL CONSTABLE SERVICE  
ANNUAL REPORT

to

the Toronto Transit Commission Board

and

the Toronto Police Services Board

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# **EXECUTIVE SUMMARY**

## **2019 SPECIAL CONSTABLE SERVICE ANNUAL REPORT Toronto Transit Commission**

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The Toronto Transit Commission (TTC) is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

At the end of 2019, the formally known Transit Enforcement Unit was divided into two separate departments: Special Constable Service consisting of Transit Special Constables, and Revenue Protection consisting of Fare Inspectors.

Transit Special Constables focus much of their activities on the TTC's corporate interests and business needs including: customer service, law enforcement, asset protection and addressing customer and employee safety and security needs. All of which is carried out in consideration of the TTC's diverse customer population in a manner that promotes respect, dignity, inclusion and human rights.

Transit Special Constables exercise the powers and authorities granted by the Toronto Police Services Board (TPS 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 Special Constables provide a consistent standard of service accountable to both the TTC and the TPS Board.

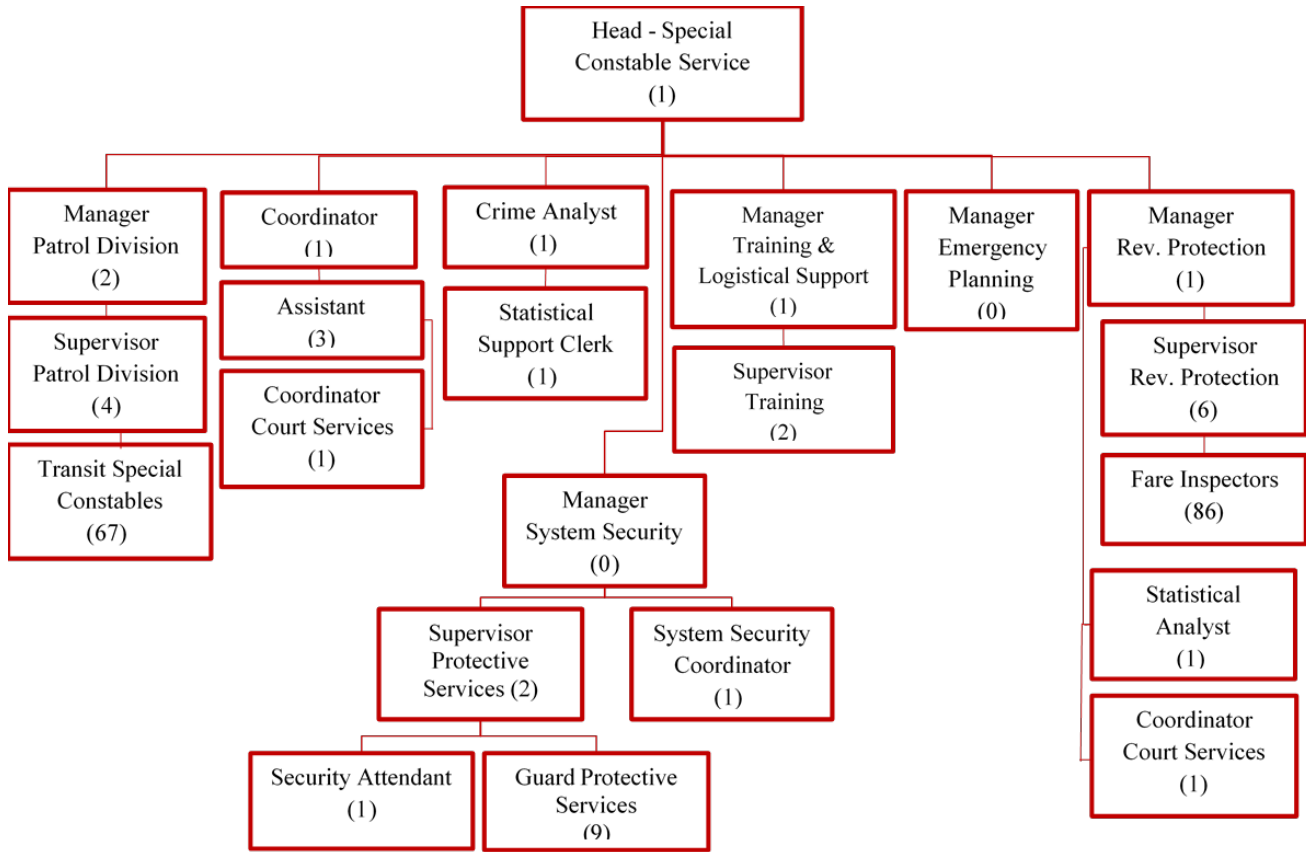
The activities of Transit Special Constables remain consistent with the Ministry of the Solicitor General (formally the Ministry Community Safety and Correctional Services) guidelines and enable the TTC to more effectively serve the special interests of the organization, and also the public interest in preservation of order, protecting property, providing limited law enforcement and protecting customers and employees.

In 2019, Transit Special Constables responded to 21,543 calls for service and attended 13,536 of those service calls. 85.8% (18,489) of these calls for service were subway related. 13.3% (2,856) of these calls for service were surface related (bus and streetcar). 0.9% (198) of these calls for service were Line 3 Scarborough (SRT) system related. Ridership in 2019 was close to 530 million.

The 2019 TTC Special Constable Service Annual Report provides the Toronto Transit Commission Board (TTC Board) and the TPS 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 TPS Board, governance, occurrence reporting as well as a summary of public complaints. The report concludes with some highlights of the reporting year.

# SUPERVISION

General supervision of members of the Special Constable Service is under the authority of the Head – Special Constable Service. The Head – Special Constable Service has delegated this authority through the organizational chart below. This organizational chart reflects the actual workforce appointed as Special Constables as of December 31, 2019, prior to the separation of the Transit Enforcement Unit into Special Constable Service and Revenue Protection.



# APPOINTMENTS

The following chart represents Special Constable appointments for the reporting year. The actual strength as of December 31, 2019 was 82 Special Constables.

Total Applications	Re-Appointments	New Appointments
25	5	20

# DEPARTURES

Number of Terminations	Number of Suspensions	Number of Resignations	Number of Retirements
1	1	10	1

## **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, Special Constable Service 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 License Act
- Memorandum Books/Note-Taking
- Occurrence/Report Writing/Field Information Report
- Provincial Offences Act
- Search and Seizure Authorities
- Sex Offences
- TTC Transit Special Constable Status – Roles and 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

Transit Special Constables are trained and authorized 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.

The TTC Special Constable Training Program is continually evolving in order to provide an up-to-date curriculum that meets Ontario police standards. The training program consists of instructor-led lecture formats complimented by practical skills training and dynamic simulations in the actual work

environment. Key focuses throughout the training curriculum are diversity and inclusion, crisis communication, de-escalation, recognizing discretion, officer safety, and use of force legislation and application.

As Transit Special Constables have significant public contact and perform both enforcement and customer service functions, equity becomes an important factor in their roles. Transit Special Constables are committed to providing inclusive services in a manner that fosters dignity and respect.

### **Recruit Program**

The Special Constable Recruit Training Program is 60 training days for a total of 480 hours. This includes mandatory TTC training outside the requirements of the Special Constable Agreement, such as subway rulebook training, defensive driving and suicide intervention awareness. The academic and practical skills training program is followed by a comprehensive Field Training Program of up to six months with a Coach Officer.

All new front line members of the Special Constable Service participate in a mandatory five-day mental health awareness training program. This training program covers such topics as: Understanding Mental Illness, Psychological First Aid, Crisis Intervention and De-Escalation, Self-Care: Maintaining Health and Well-Being, and includes an interactive panel discussion with community members living with a mental illness. Members also participate in instructor-led training delivered by the Alzheimer's Society of Toronto, Autism Awareness and the City of Toronto Streets to Homes program. Transit Special Constables participate in holistic-simulation-based training as part of the curriculum.

### **Annual Recertification**

The Special Constable Annual Recertification Training Program is three days for a total of 24 hours and includes mandatory defensive tactics and use of force training. The 2019 module was developed and delivered specifically to build on de-escalation, crisis communication, ethical decision-making and recognizing discretion through holistic, reality-based simulations in the actual transit environment. As per the Special Constable Agreement, all TTC Special Constable Training is reviewed and approved by the Toronto Police College on an annual basis.

### **Confronting Anti-Black Racism**

In Q3 2019, Confronting Anti-Black Racism (CABR) training provided by the City of Toronto CABR Unit was introduced into the Special Constable Training Program. This training made Special Constables aware of unconscious biases that could potentially impact their interactions with Black customers and community members, and how to disrupt such ideas from having a detrimental impact. This is important for the TTC because it has committed to ensuring that it is providing equitable service to all customers in a way that respects their dignity and human rights. This training is ongoing, and will form part of the Transit Special Constable Recruit Training Program for all new members.

### **Diversity, Inclusion and Equity**

All front line members of the Special Constable Service also participate in mandatory e-learning diversity and inclusion training as facilitated by the Ontario Police Video Training Alliance in addition to the TTC's instructor-led and e-learning diversity and inclusion, unconscious bias and human rights

training. In 2019, an additional half-day of training was facilitated by members of the Toronto Police LGBTQ2S Liaison Office of the Divisional Policing Support Unit.

The training program has been revamped in recent years, through consultation with the City Ombudsman, the Confronting Anti-Black Racism Unit, mental health professionals and emergency services. Through recommendations made by the City Ombudsman, the 2020 Special Constable Annual Recertification Training Program will include a refresher on the Mental Health Act, with a renewed focus on potentially dangerous situations. Further, it reviews alternative options when applying the Mental Health Act is not appropriate.

Should equity issues be identified through current events, issues or customer concerns they will be further discussed using a collaborative approach, which may include stakeholder consultation, best practice review and changes to policy and procedures. Training programs will continue to be updated accordingly.

### **Mandatory Training**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
Special Constable Recruit Training	3 <sup>rd</sup> Party Provider/Toronto Transit Commission	60 days	20
Annual Use of Force and Legislative Update Block Training	3 <sup>rd</sup> Party Provider	3 days	59
Standard First Aid	EMS	2 days	56

### **Additional In-Service Training**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
IMS 200	TTC Special Constable Service	2 days	21
IMS 300	Metrolinx	4 days	1
Cannabis Legislation	CPKN	3 hours	21

## **EQUIPMENT**

Pursuant to the Agreement with the Board, Transit Special Constables 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 Special Constable Service Policies, Procedures and Rules Manual

## **REPORTING AND STATISTICS**

### **CALLS FOR SERVICE**

Transit Special Constables received 21,543 calls for service in 2019, a 5% increase over 2018.

<b>Mode</b>	<b>Calls Received</b>	<b>% of Total</b>
Scarborough RT	198	0.92
Subway	18,489	85.82
Surface	2,856	13.26
<b>Total</b>	<b>21,543</b>	

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

Transit Special Constables submitted 291 records of arrest for Criminal Code offences in 2019, a 32% increase over 2018. They also made 127 apprehensions under the Mental Health Act, representing a 12% decrease over 2018.

<b>Authority</b>	<b>Total Arrested/ Charged/ Apprehended</b>
Criminal Code	291
Mental Health Act	127
Liquor License Act	57
Trespass To Property Act	55
Controlled Drugs & Substances Act	3

### **REPORTING**

<b>General Occurrence Reports and Records of Arrest</b>	<b>No.</b>
Abandoning Child C.C. 218	1
Accessory After Fact to Murder C.C. 240	1
Administering a noxious substance C.C. 245(1)	1
Assault C.C. 265	1
Assault C.C. 266	577
Assault Bodily Harm C.C. 267(1)(b)	3
Assault with Intent to Resist Arrest C.C. 270(1)(b)	1
Assault Causing Bodily Harm C.C. 267 (b)	1
Assault Peace Officer C.C. 270(1)(a)	25
Assault With A Weapon C.C. 267(1)(a)	32
Attempt Break And Enter With Intent C.C. 348(1)(a)	3
Attempt Theft	1
Attempted Fraud Transportation C.C. 393(3)	2
Attempted Murder C.C. 239 (b)	1
Bench Warrant C.C. 597 (2)	2
Cause A Disturbance C.C 175(1)	8
Counterfeit Money: Buying, Receiving, Possessing or Importing C.C. 450	1
Criminal Harassment C.C. 264 (1), (2)	4

Domestic Incident	2
Fail to Appear C.C 145(2)(b) Subsequent to Court	2
Fail to Comply Probation P.O.A. SEC. 75	1
Fail to Comply Probation C.C. 733.1	3
Fail to Comply Recognizance C.C. 145(3)	6
False Message C.C. 372 (1)	2
Fraud C.C. 380(1)	81
Fraud Transportation C.C 393(3)	19
Indecent Acts C.C. 173(1)	23
Indecent Exposure C.C. 173(2)	1
L.L.A. 31(2) Consuming liquor in other than	2
L.L.A. 31(2) Having liquor in open container	2
L.L.A. 31(4) Intoxicated in a Public Place	53
Mental Health Act Section 17	127
Mischief C.C. 430 (1)	144
Mischief Endangering Life C.C. 430 (2)	1
Mischief Not Exceeding \$5,000 C.C. 430 (4)	262
Mischief Over \$5,000: C.C. 430 (3)	3
Obstruct Peace Officer C.C.129(a)	2
Possession of Cocaine C.D.S.A. 4(1)	1
Possession of Ketamine C.D.S.A 14(1)	1
Possession of Prohibited Weapon C.C. 91(2)	1
Possession of Substance C.D.S.A. 4(1)	1
Possible Arson	1
Potential Sex Offender	2
Potential Sexual Assault	1
Robbery C.C. 344 (b)	13
Sexual Assault C.C.271	15
Suspicious Incident	28
Suspicious Person	5
T.P.A. Fail To Leave When Directed	22
T.P.A. Engage in Prohibited Activity on Premises	18
T.P.A. Enter Premises When Entry Prohibited	15
T.T.C. # 1-2.1 Refuse to Pay Fare	12
T.T.C. # 1-2.2(b) Travel with altered fare media	1
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	561
T.T.C. # 1-3.13(a) Fail to Comply with Posted Sign	7
T.T.C. # 1-3.14 Obstruct (Interfere with) a Proper Authority	1
T.T.C. # 1-3.15 Provide False Information to Proper Authority	1
T.T.C. # 1-3.16(b) Unauthorized Solicit on TTC Property	13
T.T.C. # 1-3.25 Cause A Disturbance on TTC Property	6
T.T.C. # 1-3.25(c) Behave in Indecent (Offensive) Manner on TTC Property	2
T.T.C. # 1-3.25(e) Fight on TTC Property	2



T.T.C. # 1-3.3 Enter or Exit Transit System through Non-designated Entrance or Exit	2
T.T.C. # 1-3.33(a) Possession of Weapon on TTC property	1
T.T.C. # 1-3.4 Unauthorized Crossing or Entering Upon Subway Tracks	8
Theft Over \$5000.00 C.C. 334(a)	2
Theft Under \$5000.00 C.C. 334(b)	137
Uttering Counterfeit Money C.C. 452(a)	4
Uttering Threats C.C. 264.1 (1)	138
Uttering Threats to Cause Death or Bodily Harm C.C. 264.1 (1)(a)	73
Voyeurism C.C. 162 (1)(a)	1
Warrant of Committal C.C. 514 (1)	1
Weapon etc. possession for dangerous purpose C.C. 88	10

Other TTC Internal Incident Reports (SCS and other TTC Divisional Supervisory Reports)	No.
Abduction	1
Administer Noxious Substance	3
Aggravated Assault	2
Armed Robbery	6
Arson	1
Assault Bodily Harm Or W/ Weapon	45
Attempt Break And Enter	1
Attempt Murder	4
Attempt Robbery	5
Attempt Theft	1
Bomb Threat	13
Break And Enter	4
Carry Concealed Weapon	1
Cause Disturbance	104
Common Assault	159
Counterfeit Money Passed	1
Harassment	4
Indecent Exposure	10
Mental Health Act	49
Mischief	122
Other Weapon Offences	1
Possession Offensive Weapon	27
Public Mischief	4
Robbery	29
Sexual Assault	50
Theft	30
Threatening	27
Uttering Counterfeit	4
Voyeurism	1

## **PROPERTY**

Special Constable Service 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 2019, the Transit Enforcement Department processed 2,498 pieces of property into their property vault. This total includes property seized by Transit Fare Inspectors.

## **PUBLIC COMPLAINTS**

Pursuant to the agreement between the TPS Board and the Special Constable Service there is a comprehensive public complaints process in place and through recent changes, it has become even more accessible and user friendly for TTC customers. TTC has simplified its complaint process by eliminating the distinction between a concern and a complaint, and now all matters reported to the TTC are treated as complaints requiring an intake and gathering of evidence, a review by the Toronto Police Service, an investigation and documented resolution. This helps to ensure that all issues raised by TTC customers are both documented and dealt with in a fair, thorough and impartial manner.

Public complaints relating to the conduct of TTC Special Constables may be filed in the following manner: to the TTC directly, in person at 1900 Yonge St., Toronto, by email, by fax and by mail. In addition, members of the public may now report complaints against TTC Special Constables to the TTC Customer Service Centre, which has longer service hours and the ability to preserve video evidence promptly. Customers may speak to a customer service representative by telephone at 416-393-3030 from 7 a.m. to 10 p.m. daily to report their complaint. Moreover, the TTC is working to enhance its online complaint form to include an additional category for complaints concerning TTC Special Constables, thus providing the public the option to submit their complaints directly to the TTC Customer Service Centre using the quick and easy [www.ttc.ca](http://www.ttc.ca) web complaint form.

All public complaints relating to conduct of TTC Special Constables are forwarded to the Toronto Police Service's Professional Standards Unit for assessment. The Toronto Police Service reviews and assesses each complaint as either serious misconduct (i.e. criminal allegation) or less serious (i.e. minor breach of discipline).

Complaints assessed by Toronto Police Service as serious misconduct are investigated by the Toronto Police Service. Complaints assessed by Toronto Police Service as less serious are returned to TTC for investigation. The investigation is either conducted by the TTC's Unit Complaints Coordinator, who has investigation training from the Toronto Police Service, or an external investigator from Rubin Thomlinson, LLP, which is recognized by the Toronto Police Service as having the requisite investigative training. Toronto Police Service is provided a copy of the investigation report upon completion of the investigation. Complainants and Respondents are advised of the findings of all investigations.

Complainants may request a review of the investigation process by the Office of the Toronto Ombudsman if they choose to. The Complaint procedures are publicly available on the TTC's website: [https://www.ttc.ca/Riding\\_the\\_TTC/Safety\\_and\\_Security/Transit\\_Enforcement/Compliments\\_Complaints/index.jsp](https://www.ttc.ca/Riding_the_TTC/Safety_and_Security/Transit_Enforcement/Compliments_Complaints/index.jsp)

Any corrective action resulting from the findings of an investigation is solely determined by, and the responsibility of the Head – Special Constable Service.

## **Statistical Information**

In 2019, TTC received a total of 26 complaints involving TTC Special Constables.

20 of the 26 complaints raised allegations of discreditable conduct in violation of the Transit Enforcement Code of Conduct, with the most common complaint relating to alleged discourtesy during enforcement interactions.

15 of the 26 complaints received were initially categorized as concerns and were addressed informally, before the process was updated in September 2019 to eliminate the distinction between concerns and complaints.

Of the remaining 11 complaints, none were retained and investigated by TPS.

Six of the 11 complaints were handled as follows: 3 were assigned to an external investigator; 1 was assigned to the TTC's Diversity and Human Rights Department for investigation following approval by TPS; and 2 were pending intake by the UCC and review by TPS as of December 31, 2019. Final dispositions have not been made on these complaints as the investigations remain ongoing. The remaining 5 complaints were resolved through informal resolution or dismissed as abandoned by the Complainant.<sup>1</sup>

## **USE OF FORCE REPORTING**

Transit Special Constables are bound by Ontario Regulation 926/90, which compels Police Officers to submit a Use of Force Report (UFR Form 1) to the Chief of Police when a Police Officer who, when in the performance of their duties, uses force on another person that results in an injury requiring medical attention or uses a weapon on another person.

In 2019, the TTC carried close to 530 million customers. The Special Constables responded to 21,543 calls for service. In all of those contacts, pepper foam was deployed by Special Constables in three incidents to de-escalate volatile situations, as follows:

- Two separate incidents at Bloor-Yonge where the individuals had physical interactions with other customers and actively resisted arrest when Special Constables intervened.
- A third incident where an individual brandished a 10-inch steel tube towards the Special Constables as a weapon.

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

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<sup>1</sup> Statistical Information taken from the 2019 TTC UCC Annual Report

## As per Police Services Act:

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA)
OC Foam	3	3	1	2
<b>Total</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>2</b>

However, in an effort to improve transparency in use of force reporting, and to align with the recommendations of the City Ombudsman, the Head of Special Constable Service has ordered that all members of the Special Constable Service and Revenue Protection departments must report use of force in all cases where a member uses force beyond compliant physical control and handcuffing.

There were 89 incidents in 2019 in which internal 156 Use of Force reports were submitted as per departmental policy. In two of these incidents, batons were presented, but not used during interactions with assaultive subjects.

## As per Departmental Policy:

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA) or Other
Physical Control-Soft	81	142*	47	34
Physical Control-Hard	24	33*	13	11
Baton or OC Foam Presented- Not Used	2	2	2	0

\* Multiple Use of Force reports submitted, one per individual officer attending the same incident

## INJURY REPORTING

### Suspects

A total of 31 Injury Reports were submitted by Transit Special Constables on behalf of the accused in 2019, one more report than the 30 submitted in 2018. Eight of the 31 reports were as a result of police action; either OC foam, use of physical force or handcuff rub. 17 of the 31 were self-inflicted injuries caused by the suspect. One injury was accidental and five reports documented suspect injuries in which the cause was unknown and occurred prior to the arrest.

#### Prior to Arrest:

17 of the 31 injury 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, soreness, intoxication and sprains. 10 of these 17 incidents resulted in the accused being transported to hospital for treatment of minor cuts and abrasions. One incident required only EMS treatment on scene. Six incidents required no medical aid, or it was refused by the accused.

#### During Arrest:

Nine of these reports were submitted in relation to minor injuries sustained during the course of an arrest. One of these nine incidents resulted in the accused being transported to hospital for treatment. Four incidents required only EMS treatment on scene. Four incidents required no medical aid, or medical aid was refused by the accused.

#### After Arrest:

Five of these reports were submitted in relation to hostile suspect behaviour following an arrest (i.e. banging head in patrol car). Four incidents resulted in the accused being transported to hospital for treatment of lacerations and bumps to the head.

### **Transit Special Constables**

A total of 53 Occupational Injury Reports were submitted by Transit Special Constables in 2019. 49 of these reports were precautionary and reflected minor cuts, bumps and bruises sustained by officers during the course of their duties, most often during an arrest, or for possible exposure to bodily fluids or contaminants. Three reports were in relation to emotional trauma; two of which were as a result of attending fatal incidents. One injury was unrelated to the course of the Transit Special Constable's duties.

Nine injury reports resulted in lost-time injuries. Eight lost-time injuries occurred during the arrest of a suspect and one was a result of moving heavy objects.

## **GOVERNANCE**

The business of the Special Constable Service is governed by the TTC's agreement with the TPS 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 Special Constables who have been appointed as Special Constables.

Transit Special Constables 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 Special Constable Service has established a complaint investigation procedure for the intake and investigation of complaints concerning the conduct of a Transit Special Constable.

A Transit Special Constable must comply with the applicable sections of the Police Services Act relating to their 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 Special Constables 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 of the agreement, 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 Special Constables;
- b) a Code of Conduct for Transit Special Constable, as described in the Agreement;
- c) a written procedure for supervising and evaluating Transit Special Constables' 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 Special Constable as granted pursuant to the Agreement.

The TTC and Transit Special Constables must cooperate with the Toronto Police Service in any matter where a Transit Special Constable has been involved in an investigation.

Special Constable Service maintains written policies, procedures and rules with respect to the duties, authorities and responsibilities of all members. Special Constable Service 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 Special Constables.

## **HIGHLIGHTS OF THE REPORTING YEAR**

The TTC is working closely with the Toronto Police Service to maintain a meaningful and mutually beneficial relationship.

In 2019, Transit Special Constables continued to focus much of their activities on employee and community engagement and the TTC's corporate interests and business needs including: customer service, law enforcement, asset protection and addressing customer and employee safety and security needs.

The role of the Transit Special Constable is clear and includes response to TTC emergencies, security-related incidents and disruptions to transit service. The transit system is a very specialized environment with unique needs and circumstances that are not found in other agencies that employ Special Constables.

The goal with any modern rapid transit system is to provide effective and efficient transit services to the public. The focus for the Transit Special Constable is community-oriented by providing customer awareness and assistance to transit riders using the system, enhancing public awareness of crime prevention strategies and providing a security and law enforcement-related function in matters of public safety, public interest and when the corporate business needs of the TTC require such action.

Transit Special Constables 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 Special Constables provide a consistent standard of service accountable to both the TTC and the Toronto Police Services Board.

## **COMMUNITY ENGAGEMENT**

Special Constable Service has one Transit Special Constable and one Fare Inspector dedicated to the Community Engagement Unit that addresses the specialized needs of some TTC customers, including customers who are under-housed and/or experiencing mental health or addiction issues. The Community Engagement Unit brings together our community partners to become actively involved in the solution of issues that affect the TTC ridership, safety, stakeholders, and businesses concerns that will contribute to the TTC's vision of a transit system that Toronto can be proud of. This position reports to the Staff Sergeant – Training and Logistical Support who is responsible for community outreach, public awareness and recruiting.

The following is a current list of projects assigned to the Community Outreach Officers:

### **Partnership with Toronto Community Housing**

At the end of 2019, the Community Engagement Unit started a working relationship with Toronto Community Housing Corporation. This relationship allows the Community Engagement Unit to deliver information sessions at different community centers in the city of Toronto. These sessions allow the public to ask questions to our Special Constables and Fare Inspectors about the TTC and our roles at the TTC. The TTC Human Resources Department also sends a member to the information sessions to answers questions on recruitment, qualifications and job opportunities at the TTC. This project is continuing into 2020.

### **FOCUS Toronto**

Furthering Our Community by Uniting Services (FOCUS Toronto) is an innovative project servicing Toronto. This initiative is led by the City of Toronto (the City), United Way Greater Toronto (UWGT), Toronto Police Service (TPS) and aims to reduce crime, victimization and improve community resiliency in the Toronto area. The initiative brings together the most appropriate community agencies in a situation table model that provides a targeted, wraparound approach to individuals and families that are experiencing high levels of risk for crisis or trauma. The tables seek to intervene in situations that are identified as being at acutely elevated risk (AER) – that is any situation where circumstances indicate an extremely high probability of the occurrence of harms or victimization. The Community Outreach Officer now represents the Special Constable Service at the situation tables, allowing the Special Constable Service to bring forward individuals or families experiencing high levels of risk for crisis or trauma for assistance. FOCUS Toronto has opened the door to further partnerships and collaboration, including training opportunities.

### **Mental Health Training/Partnerships**

The Community Outreach Officer has created partnerships with the following agencies in order to directly assist with Project REACH: Streets to Homes, Gerstein Crisis Centre, Mental Health Commission of Canada and Toronto Police Mobile Crisis Intervention Team.

### **Community Recruitment Initiatives**

The Community Engagement Unit has attended community colleges, such as Durham College and Humber College as well as community events, such as the Public Safety Job Fair and the City of Toronto's Newcomers Day Information Fair at Nathan Phillips Square.

## **Customer Concerns**

The Community Engagement Unit in conjunction with the Patrol Division has assisted in addressing multiple individual customer concerns in relation to various subway stations and bus routes. During the course of the investigations, the Community Engagement Unit identified a number of the subway and bus routes that customers were concerned about in the vicinity of educational facilities. As a result, the Community Engagement Unit attended high schools and worked in cooperation with principals and vice principals to address disorderly behaviour.

## **Corporate Stakeholder Concerns**

The Community Engagement Unit continues to work with stakeholders, such as Downtown Yonge Business Improvement Association (DYBIA), City Councillors, City of Toronto Public Health, Children Services, and Toronto Police Community Police Liaison Committees (CPLC) in efforts to address concerns of safety for patrons throughout the transit system.

## **EVENTS SUPPORT BUS PROGRAM**

To assist the Toronto Police Service in enhancing public safety at various large scale events, the Special Constable Service Training and Logistical Support Unit coordinates the deployment and use of six decommissioned TTC buses now utilized as Events Support Buses. To support the program, the Special Constable Service has trained 10 Special Constables to operate these buses through the three-week Operator Initial Training and Licensing program.



## PATROL DIVISION QUARTERLY HIGHLIGHTS

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

### Quarter 1:

- 360 Kids Experience Night Out
- Women's Symposium 2019 Photoshoot
- TTC Rewards and Recognition Gala awards
- Seneca College Career Booths
- St. Mary's School Safety Presentation
- Humber College Justice Studies presentations
- Blue Line Security Career Booth
- LGBTQ-ISON Career Booth



### Quarter 2:

- Two TSC's were recognized at City Hall for assisting Toronto Police in arresting a male with a gun at the Toronto Raptors Championship celebration
- Received plaque from Toronto Mayor recognizing the efforts of first responders during the 2018 van attack and Danforth shooting
- Event support buses provided for Raptors Championship and Blue Jays Games, Police Officer Memorial, Sporting Life 10K, Pride and Cherry Blossom Festival
- TPS 'Life Skills to Succeed' Program – Used event support buses to transport 14-17 year olds identified as likely exposed to violence, drugs and gangs to various skills workshops (i.e. food hygiene, first aid)
- Anderson College Police Foundations program presentation
- Young Women's Christian Association (YWCA) Job Fair
- Special Constables attended the Annual Association of Black Law Enforcers Awards Dinner and Presentation



### Quarter 3:

- Completed a 12-week training program for 22 new Special Constables
- Event support buses provided for Blue Jays Games, The Toronto Caribbean Carnival and Taste of the Danforth Festival
- After School Detail in September to focus on stations in the vicinity of schools to assist with the crowds, child card misuse and disorderly matters
- Two Day China Town Festival with Safety & Environment Department
- TTC, TSC and FI information table at Wheel-Trans Public Meeting
- Willowdale Middle School Safety and Etiquette Talk
- TSC and FI information table at South Asian Symposium
- Better Together BBQ at George Webster Public School
- Anderson College Police Foundations program presentation



### Quarter 4:

- Patrol Section awarded a 2019 York University Community Award for partnership in safety security and policing
- Provided support for Toronto Maple Leafs ride to outdoor practice
- Transit Special Constables graduation ceremony for 2018 Recruit B and 2019 Recruit A classes
- Started the recruitment drive for the hiring of 50 Transit Special Constables
- TSC's sat on question panel and held seminars at the Women in Transit Symposium – three women from the event now in TSC recruitment process
- Hosted 2nd Annual Transit Special Constable Women's Symposium
- Assisted with Mock Interviews for Humber College students in their last semester of the Community and Justice Services Program
- Event buses and officers supported Remembrance Day, Santa Claus Parade, Nuite Blanche, Cavalcade of Lights and New Year's Eve Celebrations
- Transit safety presentations to TTC End Terminal Cleaners and Customer Service Attendants



## **CONCLUSION**

Special Constable Service 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. Special Constable Service is committed to working in partnership with the Toronto Police Service, TTC employees and the community to support the TTC's vision of a transit system that Toronto can be proud of.

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