



Hamilton Police Services Board

**Thursday, June 21, 2018, 2:00 P.M.
Council Chambers, Hamilton City Hall
71 Main Street West**

Pages

1. Call to Order

1.1 Changes to the Agenda

(Added Items, if applicable, will be noted with *)

2. Presentations

2.1 Members of the Month

2.2 Patrol Carbine Colt C8 Program (PSB 18-076 Consent Item 4.5(c) below)

2.3 Year-End Report: Use of Force - 2017 (PSB 18-078 Consent Item 4.5(d) below)

2.4 Year-End Report: Professional Standards Branch - 2017 (PSB 18-080 Consent Item 4.5 (e) below)

3. General

3.1 Declarations of Interest

4. Consent Items

4.1 Approval of Consent Items

That the Board approve and receive the consent items as distributed.

4.2 Adoption of Minutes - May 10, 2018 5

The minutes of the meeting held Thursday, May 10, 2018, be adopted as printed.

4.3 Correspondence from the Ontario Association of Police Services Boards (OAPSB) with respect to the 2018 Labour Seminar 10

That the Members of the Board be approved to attend the upcoming 2018 OAPSB Labour Seminar.

4.4 Auction Account Fund 13

Support / Upcoming Events

RECOMMENDATION(S)

- That the Board provide support to the Interval House of Hamilton, 16th Annual Drives for Lives Golf Tournament as a Hole Sponsor, in the amount of \$200, to be paid from the auction account.
- That the Board provide support to the Salvation Army 16th Annual Golf Tournament as a Hole Sponsor, in the amount of \$200, to be paid from the auction account.
- That the Board provide sponsorship to Walk a Mile in Her Shoes Hamilton 2018, in the amount of \$250, to be paid from the auction account.

4.5 For the Information of the Board:

4.5.a Final Report - Firearms Amnesty Program (PSB 18-072) 14

4.5.b Grant Report: 2018-2019 Policing Effectiveness and Modernization (PEM) Grant (PSB 18-074) 16

4.5.c Patrol Carbine Colt C8 Program (PSB 18-076) 18

4.5.d Year-End Report: Use of Force - 2017 (PSB 18-078) 22

4.5.e Year-End Report: Professional Standards Branch- 2017 (PSB 18-080) 46

4.5.f 2017 Year-End Budget Variance Report (PSB 18-081) 62

4.5.g Use of City Resources During an Election Period Policy (CL18004) (City Wide) 68

4.5.h	Correspondence from the Honourable Marie-France Lalonde, Minister, MCSCS to Mr. Eli El-Chantiry, Chair, OAPSB with respect to Bill 175, Safer Ontario Act, 2018.	76
4.5.i	Correspondence from Commissioner J.V.N. (Vince) Hawkes, C.O.M. Ontario Provincial Police (OPP) with respect to the annual summary of OPP activity for each policing jurisdiction.	78
4.5.j	Correspondence from Richard Gelder on behalf of the HWDSB Rainbow Prom organizing committee thanking the Hamilton Police Services Board for their support.	80
4.5.k	Correspondence from Richard Gelder on behalf of the HWDSB Rainbow Prom organizing committee thanking the Hamilton Police Service for their support.	81
4.5.l	Correspondence from Ron J. McKerlie, President, Mohawk College Foundation with respect to the Hamilton Police services Board Bursary.	83
4.5.m	Correspondence from Linda Lamoureaux, Executive Chair, and Ellen Wexler, Executive Lead, Safety, Licensing Appeals and Standards Tribunals Ontario with respect to Upcoming Changes and Initiatives.	84
4.5.n	Email from Mr. Shekar Chandrashekar with respect to HST as approved by Audit and Administration Committee dated April 23, 2018.	88
4.5.o	Email from Mr. Shekar Chandrashekar to rebut Hamilton Police Services portion of FCS 18030.	110
4.5.p	Outstanding Issues as of June 21, 2018.	210

5. Discussion Items

5.1	Request from Mr. Robert Burgiss, to Provide a Deputation to the Board	211
	That the request from Mr. Robert Burgiss to provide a deputation to the Board to ask why Members of the Board cannot speak with Mr. Burgiss about Hamilton Police, be denied.	
5.2	2017 Year-End Surplus Allocation Plan (PSB 18-082)	213
	That the Hamilton Police Services Board approve the Allocation Plan for the 2017 Operating Budget favourable variance (surplus) of \$611,711.	

6. **New Business**

7. **Adjournment**

THE POLICE SERVICES BOARD MAY ADJOURN THE PUBLIC PORTION OF THE MEETING AND RECONVENE IN CAMERA FOR CONSIDERATION OF PRIVATE AND CONFIDENTIAL MATTERS.

**MINUTES OF THE HAMILTON
POLICE SERVICES BOARD**

Thursday, May 10, 2018
2:01pm
Hamilton City Hall
Council Chambers

The Police Services Board met.

There were present: Donald MacVicar, Acting Chair
Fred Eisenberger
Walt Juchniewicz
Madeleine Levy
Patricia Mandy
Terry Whitehead

Absent with regrets: Lloyd Ferguson, Chair
Deputy Chief Dan Kinsella
Deputy Chief Frank Bergen

Also Present: Chief Eric Girt
Anna Filice, Chief Administrative Officer
Acting Deputy Chief Ryan Diodati
Superintendent Jamie Anderson
Superintendent Greg Huss
Superintendent Will Masson
Superintendent Mike Worster
Inspector Sean Blaj
Inspector Greg Hamilton
Inspector Dave Hennick
Inspector Treena MacSween
Inspector Scott Rastin
Inspector Marty Schulenberg
Inspector Wendy Vallesi
Sergeant Barry Mungar, Crime Prevention Coordinator
Acting Sergeant Steve Holmes, Crisis Response Unit
Marco Visentini, Legal Counsel
Rosemarie Auld, Manager, Human Resources
Victoria Choe, Labour Relations
Ted Mason, Assistant Manager, Finance
Jackie Penman, Corporate Communicator
John Randazzo, Manager, Finance
Lois Morin, Administrator

Chair Ferguson called the meeting to order.

- Additions/Changes to Agenda
 - CONSENT AGENDA 4.3 – That the Board purchase tickets to attend Reconciliation Through Music, scheduled for Thursday, May 24, New Vision Music Hall, at a cost of \$20 per ticket, to be paid from the auction account.

After discussion, the Board approved the following:

Moved by: Member Juchniewicz
Seconded by: Member Whitehead

That the Agenda for the Hamilton Police Services Board Public meeting be adopted, as amended.

Carried.

Presentations

2.1 Member of the Month

Acting Chair MacVicar and Chief Girt presented the Member of the Month Award for February 2018 to Constable Jamie Peters. Constable Peters was commended for his compassion and understanding while comforting a distressed male in a traumatic situation.

2.2 Crisis Response Unit – 2017 Year-End Report (PSB 18-065 Consent Item 4.4(a) below)

Acting Sergeant Steve Holmes provided a presentation to the Board with respect to the Crisis Response Unit – 2017 Year-End Report.

Moved by: Member Whitehead
Seconded by: Member Levy

That the presentation with respect to Crisis Response Unit – 2017 Year-End Report be received, as provided.

Carried.

2.3 Year-End Report: Crime Prevention Branch – CMD Volunteers – Auxiliary Unit - 2017 (PSB 18-071 Consent Item 4.4(d) below)

Sergeant Barry Mungar provided a presentation to the Board with respect to the Year-End Report: Crime Prevention Branch – CMD Volunteers – Auxiliary Unit - 2017.

Moved by: Member Whitehead
Seconded by: Member Levy

That the presentation provided with respect to the Year-End Report: Crime Prevention Branch – CMD Volunteers – Auxiliary Unit - 2017, be received, as provided.

Carried Unanimously.

2.4 Electronic Disclosure

Superintendent Jamie Anderson and Mr. Todd Norman, Crown Attorney for the City of Hamilton, provided a presentation to the Board with respect to Electronic Disclosure.

Moved by: Member Eisenberger

Seconded by: Member Levy

That the presentation provided with respect to Electronic Disclosure, be received, as provided.

Carried Unanimously.

General

3.1 Declarations of Interest

None

**Consent
Agenda**

4.1 Approval of Consent Items

Moved by: Member Mandy

Seconded by: Member Eisenberger

That the Board approve and receive the consent items as amended.

Carried

4.2 Adoption of Minutes – April 19, 2018

The minutes of the meeting held Thursday, April 19, 2018, be adopted as printed.

4.3 Auction Account Fund

Support / Upcoming Events

RECOMMENDATION(S)

- That the Board provide support to the Hamilton Police Retirees Association Golf Tournament as a Hole Sponsor, in the amount of \$130, to be paid from the auction account.
- That the Board purchase tickets to attend Reconciliation Through Music, scheduled for Thursday, May 24, New Vision Music Hall, at a cost of \$20 per ticket, to be paid from the auction account.

4.4 For the Information of the Board:

- a) Crisis Response Unit – 2017 Year-End Report (PSB 18-065)
- b) Budget Variance Report as at March 31, 2018 (PSB 18-066)
- c) Year-End Report: Communications - 2017 (PSB 18-067)
- d) Year-End Report: Crime Prevention Branch – CMD Volunteers – Auxiliary Unit – 2017 (PSB 18-071)
- e) Email from Mr. Shekar Chandrashekar with respect to Legal Opinion obtained.
- f) Outstanding Issues as of May 10, 2018

After discussion, the Board approved the following:

Moved by: Member Whitehead

Seconded by: Member Levy

That Outstanding Issues Item #4 – Presentations – The Chair arranges a meeting with the Canadian Polish Congress, as soon as possible and training be scheduled for Board Members on cultural competency and *Police Services Act* Code of Conduct, be removed.

Carried.

**Discussion
Agenda****5.1 Request from Shekar Chandrashekar, to Provide a Deputation to the Board**

After discussion, the Board considered the following:

Moved by: Member Juchniewicz

Seconded by: Member Whitehead

That the request from Shekar Chandrashekar to provide a deputation to the Board with respect to the City of Hamilton Audit, Finance and Administration Committee report FCS 18030, be approve.

Motion Defeated.

After discussion, the Board approved the following:

Moved by: Member Levy

Seconded by: Member Eisenberger

That the request from Mr. Shekar Chandrashekar be referred to the Police Services Board Budget Subcommittee.

Carried.

Opposed – Member Whitehead, Member Juchniewicz

New Business

Vice Chair MacVicar made the following comments:

- This month we will celebrate Police Week with this years' provincial theme of "Celebrating Policing and Community Partnerships". We start with our Awards night on Monday, May 14, Chief for a Day Contest, Police in the Park as well as many other events that take place during the week. On behalf of the Board thank you and congratulations to all staff involved!!
- I would like to congratulate Constable Michael Lacombe who received the Sovereign's Medal for Volunteers. Volunteering has always been a part of Constable Lacombe's life. He stated "The people of Hamilton look to police for protection, guidance, and to be role models for youth which is why I believe my role as a volunteer is so important". Congratulations and Thank you for your dedication to this community.
- I would also like to congratulate Ms. Gaye Yachetti on receiving the 2018 Attorney Generals Victim Services Award of Distinction. Gaye has volunteered for the past 28 years with our Victim Services Branch. Thank you and congratulations!!

Next Meeting of the Board

Vice Chair MacVicar announced that the next meeting of the Board is scheduled for Thursday, June 21, 2018, 2:00pm, at Hamilton City Hall, Council Chambers.

Adjournment

Moved by: Member Juchniewicz
Seconded by: Member Mandy

There being no further business, the public portion of the meeting then adjourned at 3:52pm.

Carried.

The Board then met in camera to discuss matters of a private and confidential nature.

Taken as read and approved

Lois Morin
Administrator

Lloyd Ferguson, Chair
Police Services Board

May 10, 2018
lem:

Morin, Lois

From: Holly Doty <admin@oapsb.ca>
Sent: June-11-18 4:21 PM
To: Holly Doty
Subject: Labour Seminar - Save the Date
Attachments: Labour Seminar 2018 - prelim program.pdf

Good afternoon.

You're Invited: OAPSB 2018 Labour Seminar

The 2018 Labour Seminar is designed for, and restricted to, police employer / governors (e.g. boards & Government) and their Command & Labour Relations staff.

Highlights of this year's program include:

- Learn about new police labour legislation
- Develop consensus-based common-front mandate for coordinated bargaining 2019-2022
- Identify lead agencies for coordinated bargaining process for 2019-2022

Please visit our website at www.oapsb.ca for the Preliminary Seminar Program (also attached).

The event will be hosted at the **Four Points by Sheraton Toronto Airport**, 6257 Airport Road,, Mississauga ON L4V 1E4 Canada.

Additional information will be provided on the oapsb.ca website shortly.

Kind regards,

Holly Doty
Ontario Association of Police Services Boards
180 Simcoe St, London, ON N6B 1H9
T: 1-800-831-7727 | C: 519.636.7707
admin@oapsb.ca



ONTARIO ASSOCIATION OF POLICE SERVICES BOARDS

2018 LABOUR SEMINAR

Program

September 20th-21st, 2018

Four Points by Sheraton Toronto Airport
6257 Airport Road,
Mississauga ON L4V 1E4 Canada
fourpoints.com/torontoairport

Restricted to PSB members and their Bargaining Advisors

Sponsors:

Objectives:

- Learn about new police labour legislation
- Develop consensus-based common-front mandate for coordinated bargaining 2019-2022
- Identify lead agencies for coordinated bargaining process for 2019-2022



2018 LABOUR SEMINAR

Thursday September 20th, 2018

Updates from Members

8 -9am	Breakfast
9-9:10	Opening Address
9:10-noon	Bill 175 Labour Changes - Oversight, Discipline, Bargaining
Noon -1pm	Lunch OMERS update
1-2pm	Legal Developments on the Labour Relations Front
2-2:45pm	Collective Agreements Trends
2:45-3pm	Coffee break
3-4:30pm	Bargaining updates from delegates
4:30-6pm	Free time
6-6:30pm	Reception
6:30-8pm	Dinner

Friday September 21st

8-9am	Breakfast
9-11:30am	Coordinated Bargaining: Development of the Common Front Mandate for 2019 forward Identification of Lead Services for 2019 Bargaining
11:30am	Closing Address

4.4

Auction Account Fund

Support / Upcoming Events

RECOMMENDATION(S)

- That the Board provide support to the Interval House of Hamilton, 16th Annual Drives for Lives Golf Tournament as a Hole Sponsor, in the amount of \$200, to be paid from the auction account.
- That the Board provide support to the Salvation Army 16th Annual Golf Tournament as a Hole Sponsor, in the amount of \$200, to be paid from the auction account.
- That the Board provide sponsorship to Walk a Mile in Her Shoes Hamilton 2018, in the amount of \$250, to be paid from the auction account.

HAMILTON POLICE SERVICES BOARD**- INFORMATION -**

DATE: 2018 June 21

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Final Report - Firearms Amnesty Program*
PSB 18-072

BACKGROUND:

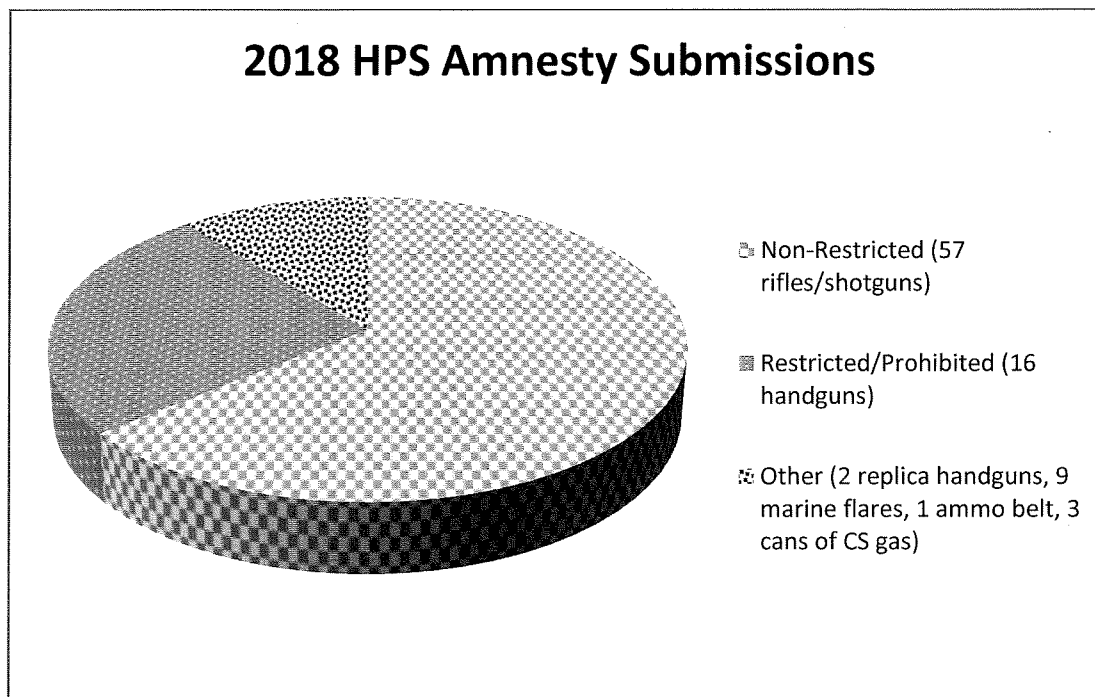
With a goal to enhance public safety by preventing firearms from falling into the hands of criminals through residential break-ins, the Ontario Provincial Police (O.P.P.) launched their first Firearms Amnesty Program during the month of April 2018. The Amnesty provided citizens with a safe and easy opportunity to surrender unwanted, unlicensed or unregistered firearms and ammunition for destruction while enjoying immunity from certain licensing and possession offences (firearms found to have been involved in the commission of a criminal offence would not fall under the umbrella of offered immunity). The public was also encouraged to turn in any unwanted ammunition, replica firearms, pellet guns or antique weapons.

The O.P.P. encouraged their municipal police partners to join them in this provincial Amnesty program, and the Hamilton Police Service agreed to participate. During the month of April, our officers responded to 48 homes for firearms pickups. This resulted in the surrender of 73 firearms and 2,467 rounds of ammunition. A small number of replica firearms, marine flares and other items were also collected.

Prior to destruction, any firearms of a suspicious nature were thoroughly investigated by our Provincial Weapons Enforcement Unit officer to ensure they have not been involved in criminal activity or reported as stolen. If a firearm was found to have been used in a criminal offence, or was previously reported stolen, an investigation would be launched and those firearms would not be included in the disposal.

At this time, none of the 73 firearms turned in during the April Amnesty have been associated with any criminal offence, nor have any of them been previously reported as stolen.

In all, 46 Ontario police agencies simultaneously participated in the April amnesty program in addition to the O.P.P.



All eligible firearms will be transported to the Arcelor-Mittal smelter for disposal on the next available date.

Eric Girt
Chief of Police

EG/PB

cc: Anna Filice, Chief Administrative Officer
Peter Bailey, Manager – Records/Property

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2018 June 21

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Grant Report: 2018/19 Policing Effectiveness and Modernization (PEM) Grant*
PSB 18-074

BACKGROUND

In 2017/18, the Ministry of Community Safety and Correctional Services (Ministry) began transforming its grant programs to support local community safety and well-being initiatives across the province. As part of this transformation, the Ministry introduced the Policing Effectiveness and Modernization (PEM) Grant to support initiatives that improve the effectiveness, efficiency and modernization of policing services.

The PEM Grant was introduced as a transitional program for police services/boards who participated under the Provincial Anti-Violence Intervention Strategy (PAVIS), Toronto Anti-Violence Intervention Strategy (TAVIS), Community Policing Partnerships (CPP) and Safer Communities 1,000 Officers Partnership (1,000 Officers) programs as the Ministry moves towards a future outcomes-based grant program that aligns with the Strategy for a Safer Ontario.

For 2018/19, police services/boards could receive up to the full amount of funding they were allocated under PAVIS, CPP, 1,000 Officers or PEM Grant in 2017/18.

The Ministry has approved the Hamilton Police Service to receive \$2,410,581.34 under the *2018/19 Policing Effectiveness and Modernization (PEM) Grant* for the following initiatives:

1. *Case Prep Unit*
2. *Crisis Response Unit*
3. *Parkway Safety Enforcement Unit*

Attached is the *2018/19 Policing Effectiveness and Modernization (PEM) Grant*, which is the full amount of funding the HPS was allocated under PAVIS, CPP, 1,000 Officers or PEM Grant in 2017/18.



Eric Girt
Chief of Police

EG/G. Huss

Attachment: *2018/19 Policing Effectiveness and Modernization (PEM) Grant*

cc: Frank Bergen, Deputy Chief – Support
Greg Huss, Superintendent – Community Mobilization Division

4.5(c)

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2018 June 21

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Patrol Carbine Colt C8 Program*
PSB 18-076

BACKGROUND:

In 2017, a business case was submitted to the Hamilton Police Service Command, regarding the purchase of carbines and the implementation of a training program for their deployment to front line officers. The report recognized that with an increase of incidents with active shooters in Canada, the need for equipment that can meet the increased threat level was necessary. This view was also validated by Justice R. Leslie Jackson in his 2017 ruling against the Royal Canadian Mounted Police.

The Hamilton Police Service currently deploys carbines to its Emergency Response Unit and has since 2008. At present, 16 of the firearms are in use, with 15 of them being the Colt C8, which is the firearm recommended in the business case for deployment to our frontline officers.

It is recommended that the Hamilton Police Service acquire 26 additional carbines for deployment to the front line patrol officers. The attached document outlines the reasons for this recommendation, as well as the suggested pilot program, should a decision to proceed be made.



Eric Girt
Chief of Police

EG/SM

Attachment: *Patrol Carbine Colt C8 Program*

cc: Frank Bergen, Deputy Chief – Support
Scott Moore, Sergeant – Executive Officer to the Deputy Chiefs

Patrol Carbine Colt C8 Program



Executive Summary:

As per the Hamilton Police 2016-2018 Business Plan, the Hamilton Police Service recognizes that one of its core responsibilities is the management of public safety through a best use of staffing and training. While public safety may take many different forms, from traffic safety to investigation of violent crimes, a component that is becoming increasingly more important in today's society, is the ability to respond to an armed person.

The Hamilton Police Service is proposing the purchase of 26 Colt C8 carbines for deployment to frontline operational duties. The C8 carbine is an accurate, rugged and reliable rifle designed for ease of use and maintenance. The accuracy of the C8 carbine is enhanced with specific sight mechanisms that increase shot placement capability which is critical in the event of lethal force deployment. This special purpose weapon can be used for perimeter coverage in high-risk scenarios, high-risk vehicle stops, responses to threats at intermediate and longer ranges, as well as encounters with violent criminals known to wear body armour.

The Hamilton Police Service is the only major Police Service in Ontario and more specifically in the "big 12"¹ that does not offer their Patrol Officers a carbine rifle. Research proves that carbine ammunition is a superior choice to pistol and shotgun ammunition currently in use. The Hamilton Police Service currently deploys carbines to its Emergency Response Unit and has since 2008. At present, 16 of the firearms are in use, with 15 of them being the Colt C8 which is the firearm recommended for deployment to our frontline officers.

Deployment to the front line patrol officers will cost approximately \$95,562.23 in the first year. This cost includes the purchase of 26 Colt C8 patrol officer rifles, as well as related equipment and training. Once approved and the firearms received, the training of 48 officers will commence and should be completed in approximately four weeks. Evaluation of the program will begin once all training is completed and will last for 12 months.

The goal of this program is to ensure that our uniform frontline members are equipped with the appropriate technology and training to continue to address public and officer safety in resolving critical and high risk incidents. This pilot program will gauge the efficacy of the C8 carbine within the City of Hamilton and its diverse settings.

Background:

It is recognized that one of the core responsibilities of policing is the maintenance of public safety. While things such as traffic safety fall under this responsibility so does protecting the public from violent threats. While not as prevalent in the Canadian context, active shooter incidents are becoming more frequent. The need for police to be able to effectively address the threat of a well-armed individual has been recognized by the courts, which has translated into the adoption of carbines for deployment to front line officers.

¹ The "big 12" refers to the collection of the 12 largest police services in Ontario. These Services include Hamilton, Toronto, Peel, York, Durham, Ottawa, London, Waterloo, Windsor, Niagara, O.P.P. and Halton.

The expansion of the Hamilton Police Service C8 carbine is based on clearly identifiable situations that are better suited for its capabilities, as compared to the patrol shotgun and service pistol. Factors such as increased distance to engage a threat and increased accuracy, allow for greater stand-off distances, making the C8 carbine the most practical force option for frontline officers in many cases.

Weapon System Recommendation:

It is recommended that the Colt C8 A2 (patrol rifle) be acquired for deployment to designated frontline personnel.

This weapon is widely used across Ontario by police services and is a trusted product used by the Canadian military. In addition, a proof of concept versus more expensive weapons has been realized through the reliable deployment in our own Service, to the Emergency Response Unit. Best practice in Hamilton and around the country dictates having a minimal number of weapon platforms in operation to reduce the complexity associated with operational, training and maintenance events.

Deployment:

A total of 26 Colt C8 A2 (patrol rifles) are recommended to be acquired, for training and deployment purposes.

Evaluation at the end of the pilot will consider deployment issues and what locations within the city are best to have this equipped assigned.

Criteria for officer selection into the pilot program will consider the following: that the officer has previous military or tactical unit experience, be currently Use of Force qualified, and have demonstrated above average competency and confidence in weapons handling and judgement. Unit Commanders will be able to select the required officers who meet the selection criteria.

Costing & Purchasing:

The complete C8 carbine platform selected with associated hard costs has been quoted at \$95,562.23 for the initial year. Subsequent years would see a reduction in costing.

The rifle is Canadian made, with its production plant located in Kitchener, ON. As such, maintaining the firearm would be less expensive, as parts are more readily available and do not have to cross an international border.

It is also currently in use by the Hamilton Police Service's Emergency Response Unit, with 15 of the firearms in use since 2008.

Training:

At the start of the program, training will be given to 48 officers (16 per division), over 40 hours (4 x 10 hour days), which will be spread out over four weeks, with 12 officers being trained per week. The annual re-certification for a user would consist of 8 hours.

4.5(d)

HAMILTON POLICE SERVICES BOARD
- INFORMATION -

DATE: 2018 June 21
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *Year End Report: Use of Force 2017*
PSB 18-078

BACKGROUND:

Attached you will find the annual Use of Force Report for 2017. This report is completed to capture information forwarded to the Service Armourer/Use of Force Training Sergeant by members who have completed a Use of Force Report.

As per the *Police Services Act* Regulation 926 Sec. 14.5(1) Reports on Use of Force: A member shall submit a report to the Chief of Police or Commissioner whenever the member,

- (a) draws a handgun in the presence of a member of the public, excluding a member of the police force while on duty, or points a firearm, or discharges a firearm;
- (b) uses a weapon other than a firearm on another person; or
- (c) uses physical force on another person that results in an injury requiring medical attention.

P&P 1.02 *Use of Force* addresses the member requirements for submitting Use of Force Reports at the Hamilton Police Service.



Eric Girt
Chief of Police

EG/N. Goodes-Ritchie

Attachment: *2017 Use of Force Statistical Report*

cc: Frank Bergen, Deputy Chief – Support
Nancy Goodes-Ritchie, Superintendent – Professional Development Division

2017 Use of Force Statistical Report

Prepared by Sergeants Scott
Galbraith & Gino Ciarmoli

A statistical summary of reported Use of Force Incidents by the
Hamilton Police Service

H a m i l t o n P o l i c e S e r v i c e

T r a i n i n g B r a n c h

U s e o f F o r c e S e c t i o n

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2017 Use of Force Statistical Report

Introduction

This report will provide a statistical summary of reports of Use of Force incidents that occurred in 2017; where a particular Use of Force option was utilized by a member of the Hamilton Police Service. The report will also compare the number of 2017 Use of Force incidents with the number of incidents from the years 2001 to 2016. The report will also compare the total number of force options used in 2017 to the total force options used in the years 2008-2016. In addition this report will focus on Use of Force incidents by Service Branch (i.e. Patrol, Support or other) and by officer's years of service, as well breaking down 2017 incidents into the following categories: incidents per month, incidents per day of the week and incidents per time of day. The source material for the data is Use of Force reports and/or Hamilton Police Service Conducted Energy Weapon (CEW) reports submitted by the involved officer(s). All data prior to 2005 was provided by the Professional Standards Branch.

As per the Ontario Police Services Act Regulation 926 Sec. 14.5(1) Reports on Use of Force and Hamilton Police Service Policy and Procedure 1.02, Use of Force Reporting, Hamilton Police Service members shall complete and submit Hamilton Police Service Use of Force Reports to the Chief of Police, through their Command Officer, prior to the completion of their shift, as follows:

Parts A and B of the Use of Force Report are required whenever the Member:

- a. Draws a handgun in the presence of a member of the public, excluding a Member of the Police Service while on duty, points a firearm at a person, or discharges a firearm other than on a Police Range; in the course of a training exercise, target practice or ordinary firearm maintenance, in accordance with Service Policies and Procedures;
- b. Uses a weapon other than a firearm on another person, with the exception of a weapon other than a firearm used on another Member of a Police Service in the course of a training exercise in accordance with Service Policies and Procedures;
- c. Uses physical force on another person that results in an injury requiring medical attention, with the exception of physical force used on another Member of a Police Service in the course of a training exercise in accordance with Service Policies and Procedures; or
- d. Handles a Police Service Dog where the dog bites a suspect or any member of the public as the result of the involvement of the Canine Branch.
- e. While operational as a Mounted Unit Officer, uses the equine to apply force to a member of the public that results in an injury requiring medical attention.

Parts A, B of the Use of Force Report and parts C, D of the CEW report are required whenever the Member deploys a Conducted Energy Weapon (CEW) in the cartridge deployment mode.

Parts C and D are required whenever the Member draws, points or displays a Conducted Energy Weapon in the presence of a member of the public, excluding a Member of the Police Service while on duty, other than



on a Police Range; in the course of a training exercise or ordinary CEW maintenance in accordance with Service Policies and Procedures.

This report only summarizes those incidents in which a Use of Force Report was submitted and does not totally reflect all instances in which a Use of Force option was used upon a member of the public. For example, handcuffing a person is considered a Use of Force application; however if no injury is incurred a Use of Force report is not required.

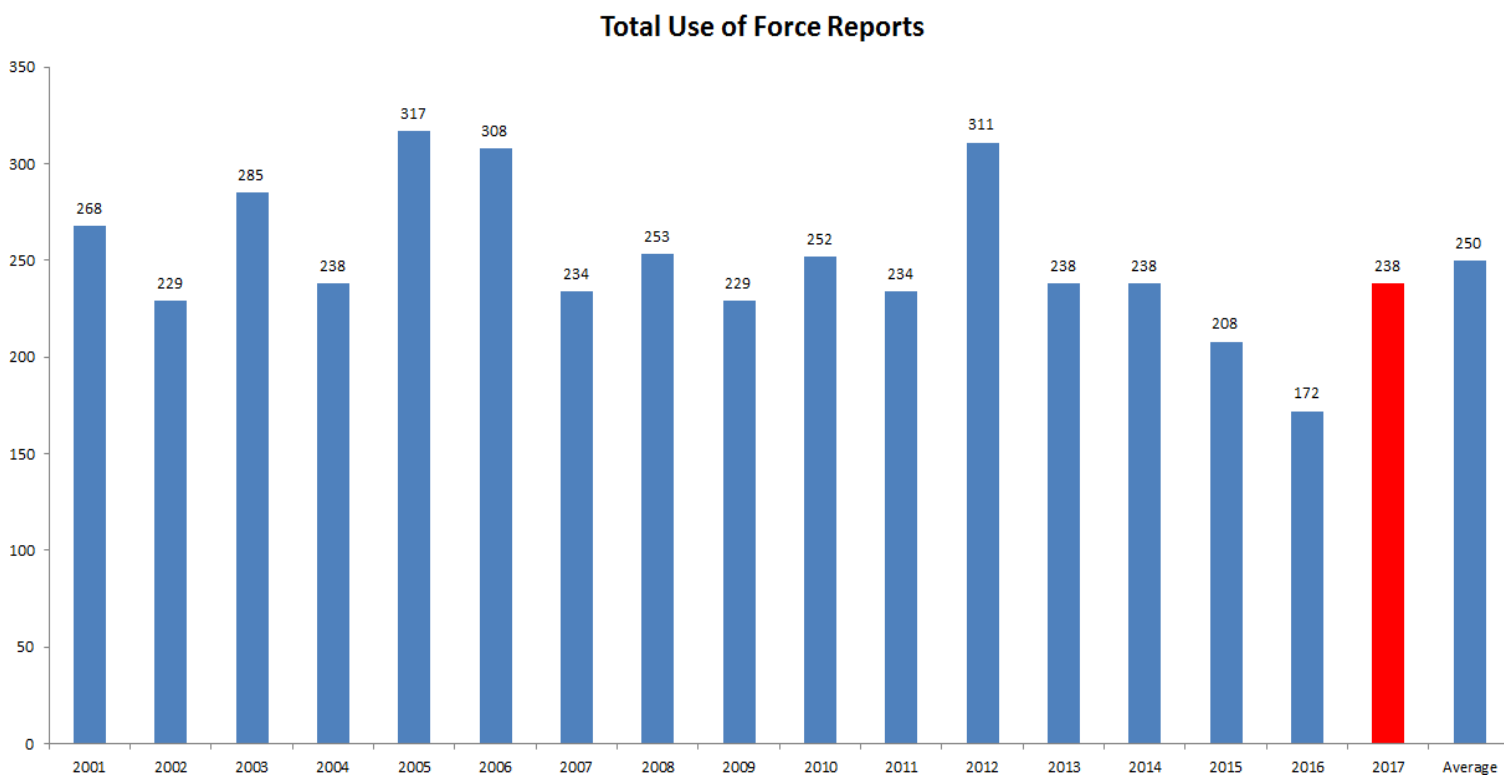
The Use of Force options that are tracked by Use of Force reports are:

- Firearm Discharged
- Firearm Pointed
- Handgun Drawn
- Aerosol Weapon (Oleo capsicum (OC) spray or foam)
- Impact Weapon Hard (ASP Baton)
- Impact Weapon Soft (ASP Baton)
- Empty Hands Hard
- Empty Hands Soft
- Other (K9 bites, Mounted Patrol Unit, weapons of opportunity)
- Conducted Energy Weapon (CEW) in the cartridge deployed mode.



Statistical Summary of Use of Force Incidents

During the sixteen year period from 2001 – 2017 the average number of incidents reported was 250 incidents per year, with a low of 172 incidents in 2016 and a high of 317 incidents in 2005. The total number of Use of Force incidents in 2017, 238, is lower than the seventeen year average of 250 incidents per year.



In 2017 our officers reported 238 Use of Force incidents. There were 75 incidents where more than one Use of Force option was used. This number decreased from 81 incidents in 2016. For example an officer(s) may use more than one option to resolve an encounter, such as initially attempting empty hands soft and then deploying an aerosol weapon. Of note, there were an additional 111 CEW display mode reports (this number includes 33 multi option incidents). These reports do not factor into the statistics captured on the standardized Use of Force report submitted to the Ministry of Community Safety and Correctional Services for statistical purposes.



Total Use of Force Options

	Firearm Discharge	Firearm Pointed	Handgun Drawn	Aerosol Weapon	Impact Hard	Impact Soft	Empty Hands Hard	Empty Hands Soft	K9 Bite / Misc	CEW	Total Incidents
2008	33	91	27	46	15	1	13	7	3	35	253
2009	45	91	18	28	10	1	17	8	2	27	229
2010	42	112	17	28	5	2	22	26	3	45	252
2011	43	110	13	21	6	1	19	31	4	22	234
2012	46	145	52	22	7	2	35	39	5	49	311
2013	62	99	22	13	7	4	32	21	0	41	238
2014	47	100	23	14	3	1	15	18	2	64	238
2015	30	145	59	9	4	0	13	12	0	47	208
2016	18	98	40	7	1	1	26	25	4	38	172
2017	24	125	19	3	3	0	22	44	1	58	238
Avg	39	112	29	19	6	1	21	23	2	42	237

****NOTE**** Adding the cells from any given year will not result in the sum calculated in the “Total Incidents” cell. This is due to the fact that some incidents involve multiple options therefore producing a number of a lower value when totalled.

2016 vs 2017 Options Used / Total Incidents

	2016	2017	Percentage increase or decrease
Firearm Discharge	18	24	33
Firearm Pointed	98	125	28
Handgun Drawn	40	19	-53
Aerosol Weapon	7	3	-57
Impact Hard	1	3	200
Impact Soft	1	0	-100
Empty Hand Hard	26	22	-15
Empty Hand Soft	25	44	76
K9 Bite/Other	4	1	-75
CEW (Both Modes)	143	169	18
Total Options	363	410	13



Firearm Discharged

The discharging of a service pistol, shotgun, or one of the tactical firearms is a very serious but not uncommon occurrence. Officers are taught as per the Ontario Use of Force Model and Police Services Act Regulation 926, Sections 9 and 10: “that they shall not draw a handgun, point a firearm or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm,” or “to call for assistance in a critical situation, if there is no reasonable alternative; or to destroy an animal that is potentially dangerous or is so badly injured that humanity dictates that its suffering be ended.”

There were 24 incidents in 2017 where Hamilton officers discharged a firearm. The ten year average for discharge firearms is 39 incidents per year. The most common use of service firearms is to euthanize injured animals. In 2017 all twenty four firearms discharged incidents were for this purpose. For tracking purposes each firearm was counted as a statistic. This is a 33% increase compared to the 18 incidents in 2016.

Firearm Pointed

Again, officers are taught as per the Ontario Use of Force Model and Police Services Act Regulation 926, Section 9; “that they shall not draw a handgun, point a firearm or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm.” The types of incidents where a service pistol is removed from its holster (or rifle, shotgun, etc.) and pointed at a member of the public, range from officers making high risk arrests where weapons are believed to be involved, to the Emergency Response Unit (ERU) making dynamic entries; i.e.: barricaded individuals, warrant execution involving weapons, etc.

The ten year average for Firearm Pointed is 112 incidents per year. In 2017 there were 125 firearm pointed incidents. This is an increase of 28% compared to 2016’s 98 incidents.

Handgun Drawn

The drawing of a member’s handgun from its holster is something different from the pointing of a firearm, in that as per Regulation 926 s. 14.5(1)(a) a Use of Force Report is only submitted when a handgun is drawn in the presence of a member of the public. Again, officers are taught they can only draw their handgun if “he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm.” The numbers reflected in this category are much lower than the pointing of a firearm. This can be attributed to the fact that an Officer will respond to a serious call that warrants the pistol being drawn, but at the time of deployment is not directly pointed at a member of the public; i.e.: pistols are drawn prior to a dynamic entry or building search and this is witnessed by members of the public; therefore a Use of Force report is required to be submitted. There were 19 incidents in 2017 where an officer drew their handgun in front of a member of the public. This is below the ten year average of 29 incidents per year and 53% less than 2016’s 40 incidents.



Aerosol Weapon (Oleo Capsicum – (O/C))

O/C is classified as an “intermediate weapon” and a subject/threat must exhibit at minimum, “actively resistant” behaviour before its use can be considered. There were 3 O/C incidents in 2017 which is below the ten year average of 19 incidents per year and 57% less than 2016’s 7 incidents.

The use of O/C significantly decreased with the introduction of the CEW in 2005. In 2004, O/C was deployed 68 times but its’ use plummeted to 39 incidents in 2005 when CEWs were introduced. It was anticipated that O/C use would continue to decline or plateau as CEW use became more widespread; and overall, O/C use has generally declined since 2005.

Impact Weapon Hard

Impact weapons “hard” refers to using the ASP Baton to strike an “assaultive” subject. The ASP Baton was used 3 times in 2017 to strike a subject displaying assaultive behaviour, which is lower than the ten year average of 6 incidents per year and 200% more than the one 2016’s incident.

Impact Weapon Soft

Impact weapons “soft” refers to using the ASP Baton as a point of leverage while depressing a pressure point on a subject. This option would generally be applied to suspects displaying passive resistant to active resistant behaviour and historically this option is very rarely utilized. There were 0 reported incident of Impact Weapon Soft in 2017, 100% less than 2016’s 1 incident and below the ten year average of 1 incident per year.

Empty Hands Hard

The use of empty hands “hard” refers to the striking of a generally assaultive person. This would include punches, kicks, elbow strikes, knee strikes and grounding techniques. As per Reg. 926 s.14(c) an officer is only required to submit a report for Empty Hands Hard if they “use physical force on another person that results in an injury requiring medical attention.” However, an officer is also required to submit a report if they use another force option that requires a report in conjunction with Empty Hands Hard even though medical attention was not required; i.e.: Empty Hands Hard in conjunction with O/C.

There were 22 reported incidents in 2017 of Empty Hands Hard. This is slightly above the ten year average of 21 incidents per year and a decrease of 15% when compared to 2016’s 26 incidents.



Empty Hands Soft

The use of empty hands “soft” refers to the application of joint locks, some grounding techniques and/or pressure points to a person. Again, as per Reg. 926 s.14(c) an officer is only required to submit a report for Empty Hands Soft if they “use physical force on another person that results in an injury requiring medical attention.”; or if they use this option in conjunction with another option that requires mandatory reporting i.e.: Empty Hands Soft in conjunction with OC or CEW. In 2017 there were 44 reported incidents of Empty Hands Soft. This is above the ten year average of 23 incidents per year and an increase of 76% compared to 2016’s 25 incidents.

Conducted Energy Weapon (CEW)

Conducted Energy Weapons, also known as TASERS were authorized for limited police use in Ontario, late 2004. Their use was originally limited to Tactical Teams, Containment Teams and Front Line Patrol Supervisors and designates when acting in a supervisory capacity. The definition of Front Line Supervisor was expanded in 2007, 2008, 2009 to include Crime Managers, Vice and Drug Officers, Gangs and Weapons Enforcement Officers, Break, Enter, Auto Theft and Robbery Unit (B.E.A.R.) Officers, Fugitive Apprehension Unit Officers, Mounted Patrol Unit and Addressing Crime Trends In Our Neighbourhoods (A.C.T.I.O.N) Supervisors.

In August, 2013 the Ministry of Community Safety and Correctional Services announced that they would be moving forward to eliminate restrictions on which police officers would be authorized to carry a CEW. The Hamilton Police Service implemented a training plan in September, 2013 in which all active officers would be trained in the use of a CEW. In November, 2013 the Ministry announced that each Police Chief in partnership with their Police Service’s Board could designate which classes of officers within their organization would be authorized to carry a CEW and effective August 11, 2014 any Hamilton officer trained to carry a CEW would be authorized to do so. The Hamilton Police Service currently has over 700 qualified CEW officers.

In 2005 a Hamilton Police Service TASER Report was implemented to track CEW use and deployment mode(s) that were not being captured by a Use of Force report. Officers are only required to submit a Use of Force report with respect to CEW use when a cartridge is fired at a subject or when directly applied in the contact mode.

The TASER report captures the following deployment modes: a) CEW used in the “cartridge deployed” mode where a cartridge is fired at a subject; b) CEW used in the “contact” mode where the CEW is applied directly to a subject otherwise referred to as “touch tase, drive stun or push stun” and c) Force Presence/Display mode; in any instance in which the CEW is removed/drawn from its holster in front of a member of the public; or where the CEW’s laser sight is applied to a subject; or when the CEW is “spark tested” in front of a subject in the effort to gain subject cooperation without having to actually apply the CEW. The use of the Hamilton Police Service TASER Report was discontinued in early 2006; but was re-designed and re-implemented in November, 2007. The report was further re-designed and is now Parts C and D of the H.P.S. Use of Force Report

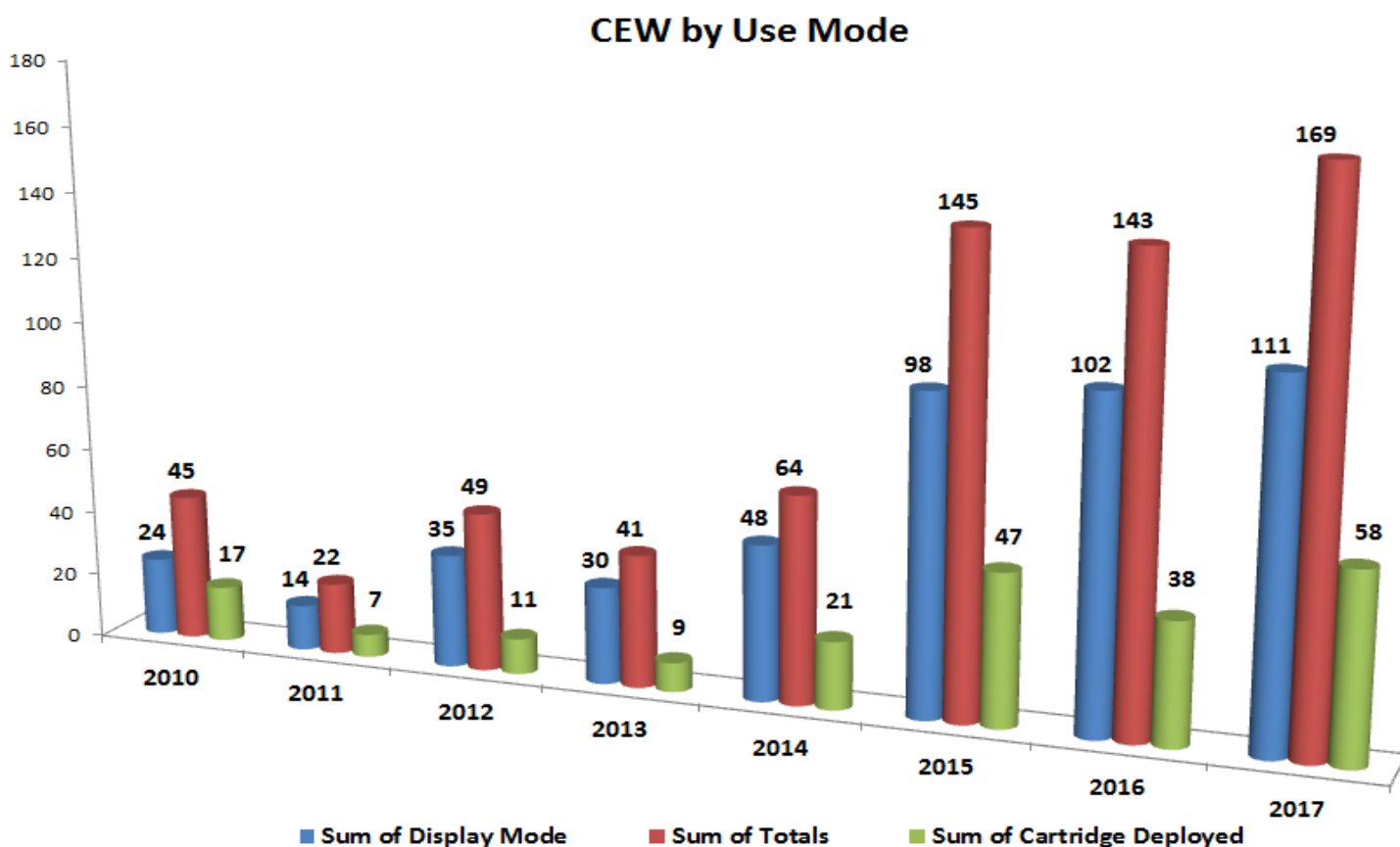
As per the Ontario Use of Force Model, the CEW is an “intermediate weapon”, which police can consider to use when a subject exhibits “actively resistant” behaviour. However, in June, 2009 the Hamilton Police Service changed its CEW policy to; a subject must exhibit at minimum “assaultive and/or serious bodily harm or death



behaviours to themselves or another person” before CEW use can be considered. This is a reflection of current national and provincial best practices.

CEW Use

The CEW was used 169 times in 2017; an increase of 18% from the 143 incidents in 2016. There were a total of 238 Use of Force incidents reported in 2017. In 75 incidents there were multiple Use of Force options used. In 33 of these incidents the CEW was included as one of the multiple options used. In 58 incidents the CEW was used in deployment mode meaning probes were fired from the cartridge. In 111 incidents the CEW was used in display mode meaning it was a show of force / de-escalation tool and no probes were fired from the cartridge. As per the below chart, since 2010, the majority of CEW use is in the display mode.



NOTE * 2015 represents the first year that contact mode has been discouraged in training as it cannot achieve neuromuscular incapacitation. As a result, the contact mode statistics from the previous years were not included as to give a proper comparison. When adding the totals (Deployment + Display) a lower number is explained by those missing contact mode incidents. A higher number is explained by multiple modes used in a single incident.

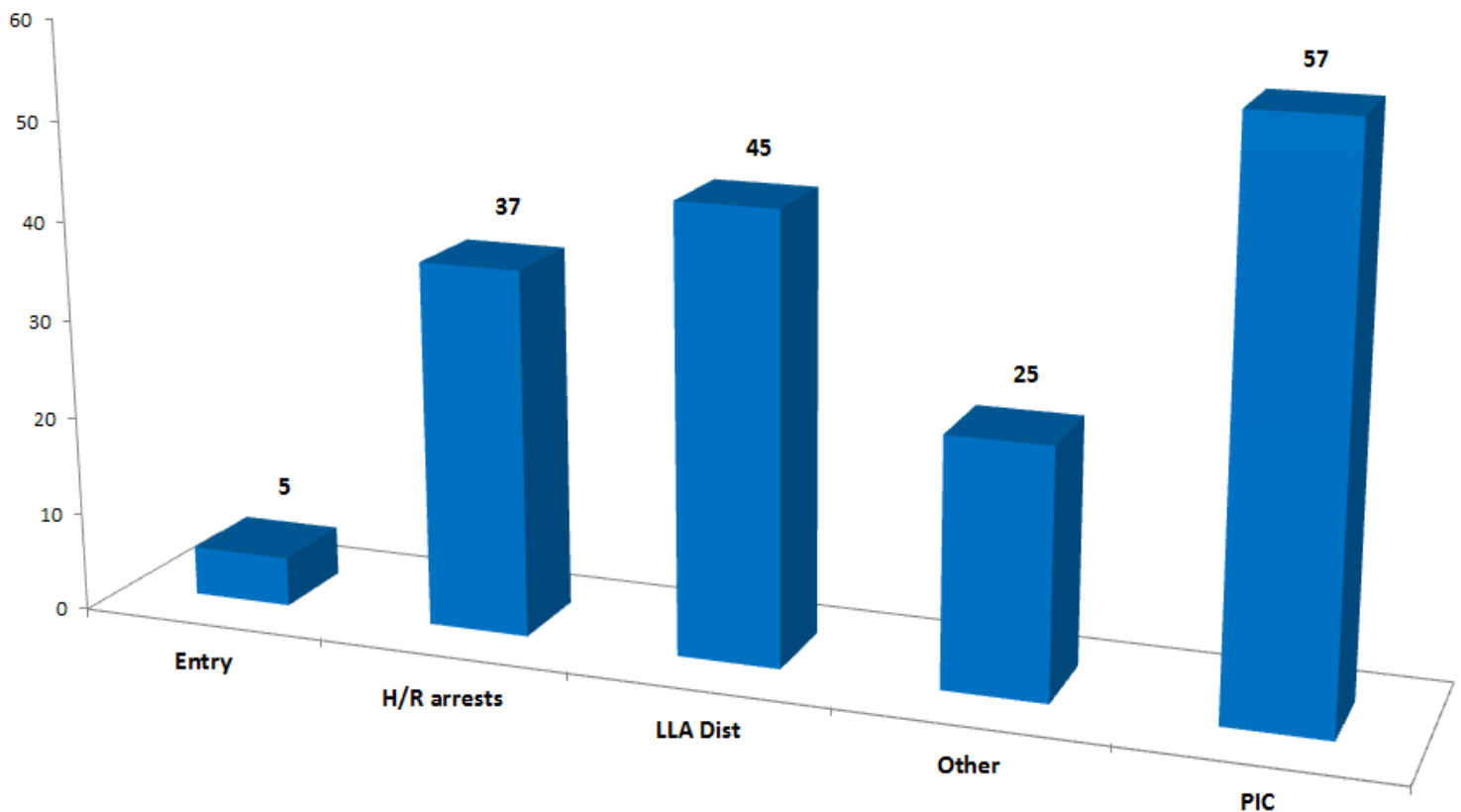


CEW by Incident Type

The CEW was deployed to apprehend/control persons in crisis (57 incidents), High Risk Arrests where an individual was armed or thought to be armed with a weapon (37 incidents - **This is a 29% decrease from the 52 incidents in 2016**), Disturbances, usually involving Liquor License Act violations, Other Incidents, which are general arrests involving assaultive suspects and Dynamic Entry.

In 57 of the 2017 CEW incidents the subjects were displaying or had immediate access to a weapon. 32 involved a knife of some type, 2 involved a firearm or replica and 23 involved an “other” implement (chair, spear, hatchet, hammer, razor blades, screwdriver, bat, metal pipe and glass).

CEW by Incident Type

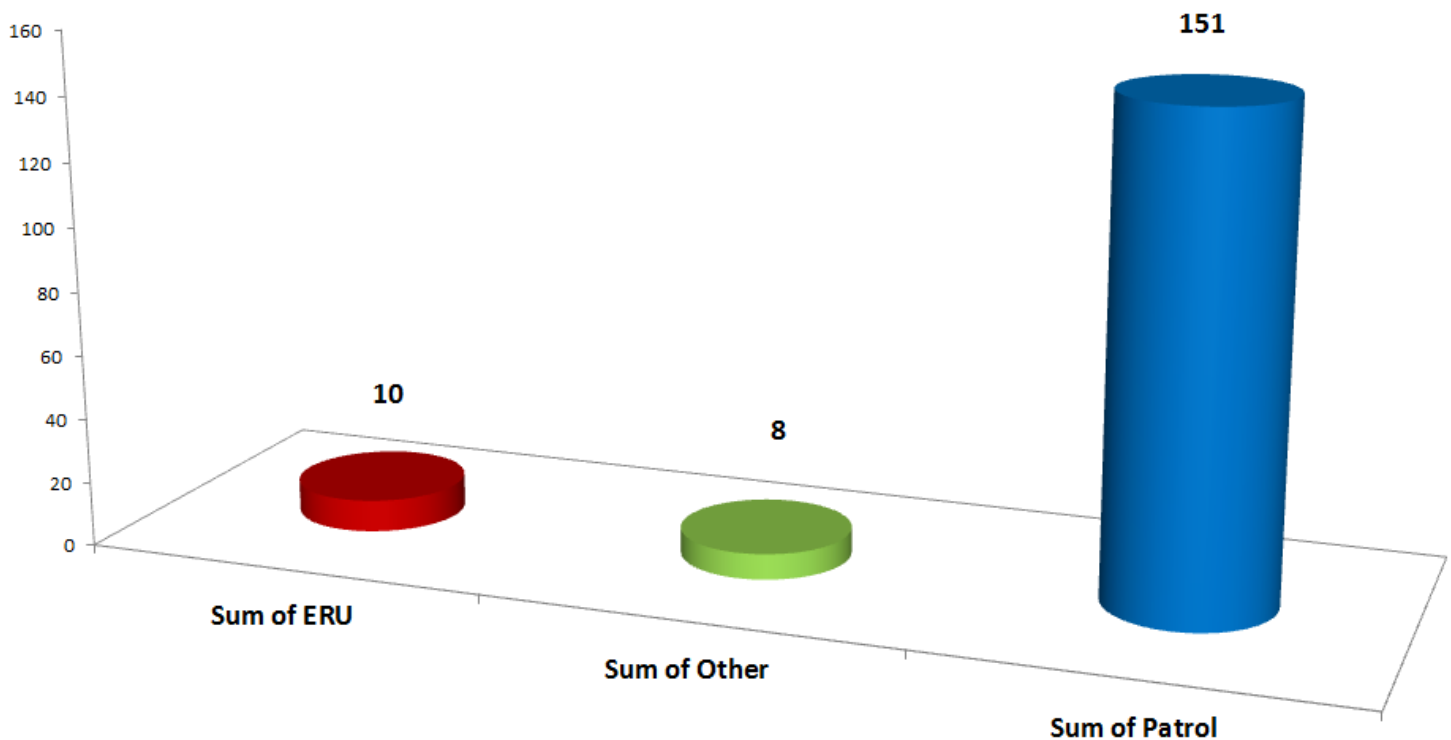


CEW Use by Service Branch

With respect to Use of Force by Branch, the Service is divided for statistical purposes into five groups or Branches; 1. Uniform Patrol 2. Emergency Response Unit (ERU) 3. Other (Vice and Drugs Intelligence, BEAR, HEAT, A.C.T.I.O.N., etc.) 4. Courts/Custody 5. Paid Duties. CEW use in 2017 by Branch is as follows; Emergency Response Unit-10 incidents, Other-8 incidents and all other incidents were identified as General Patrol (151). In one incident the CEW was used in both display and deployment modes.

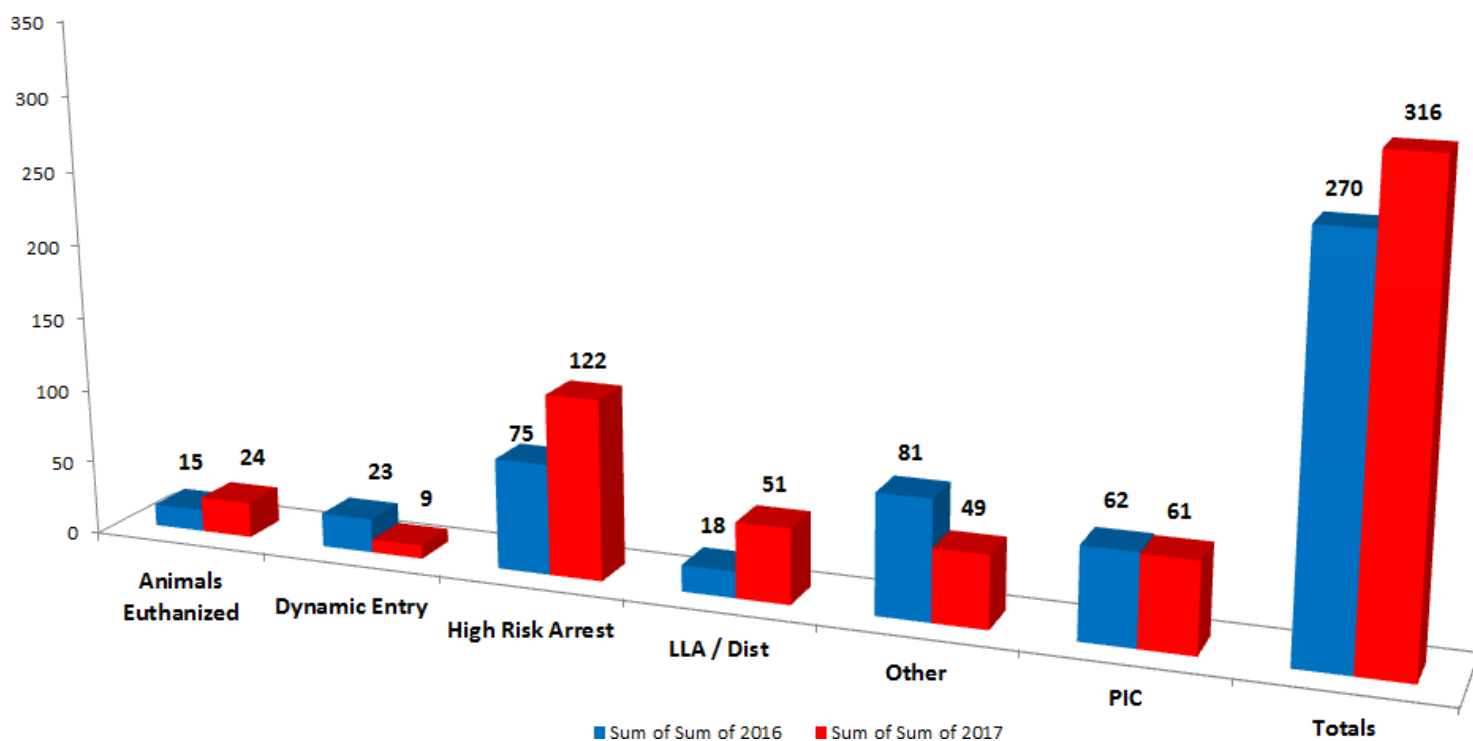
CEW use remained consistent in 2017 when compared to 2016 and was predominantly deployed in the Force Presence/Display Mode. The increase of the CEW in the Force Presence/Display in recent years would suggest that the presence of a CEW at an incident appears to act as a general deterrent and de-escalation tool.

CEW by Service Branch



Use of Force by Incident Type

Use of Force incidents were grouped into the following categories: 1. High Risk Arrests where a subject was/believed to be armed with a weapon, 2. Persons In Crisis (PIC), 3. Liquor Licence Act/Disturbances, 4. Dynamic Entry Warrant Execution generally upon a premise, 5. Other; which includes subjects who were assaultive, as well as Court and Custody incidents and 6. Animals euthanized. During the 5 year period from 2010-2014 police use of force rates at specific incident types remained fairly constant.



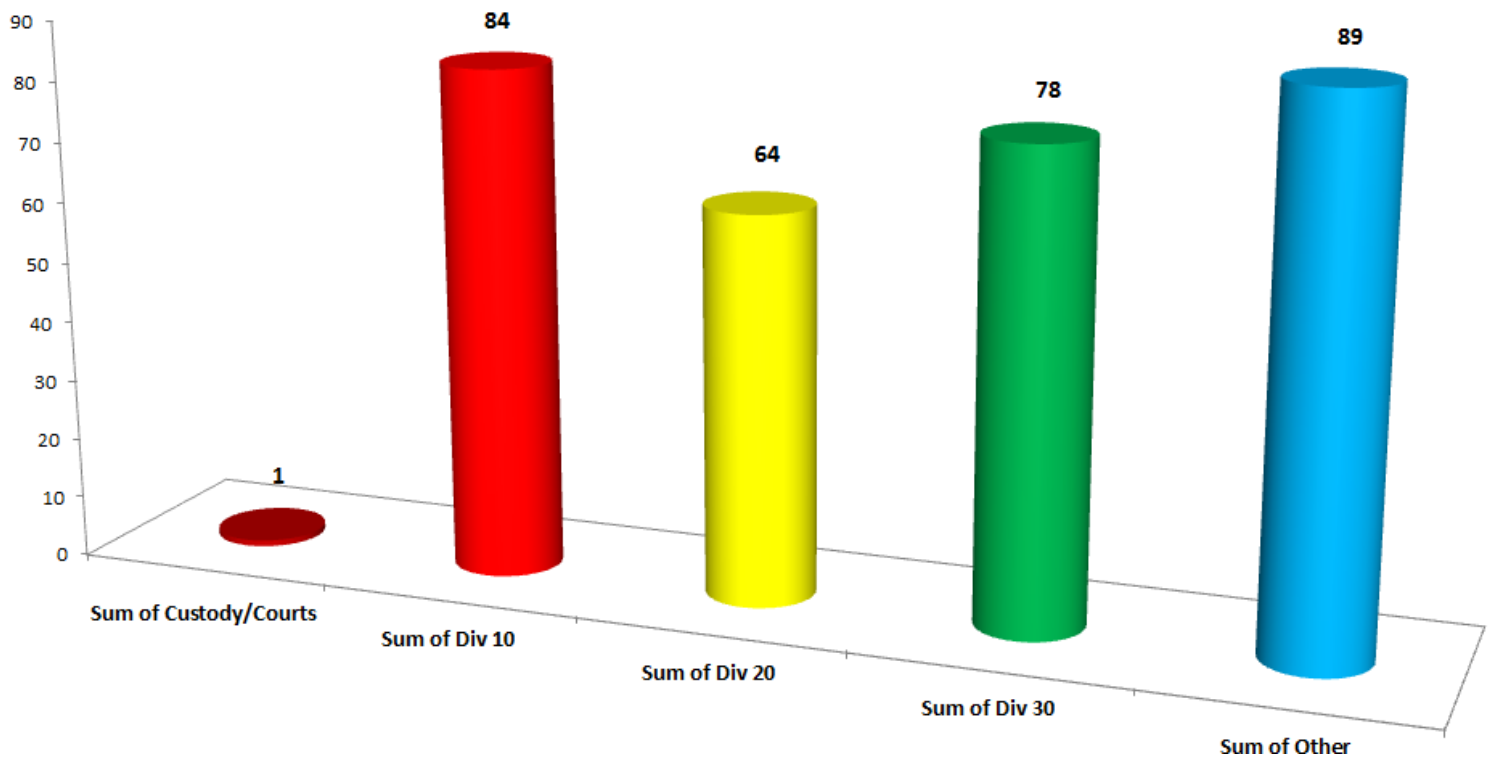
NOTE * this chart distinguishes between **incidents** and **Use of Force incidents**. 316 represents the total number of incidents reported by Hamilton Police. 238 represents the total from that 316 that are Ministry identified Use of Force incidents. Therefore, 111 incidents were CEW display, 33 of those transitioned to a Use of Force incident which would require a Use of Force report. This would leave 78 CEW incidents which were strictly Display mode only and are not required to be reported to the Ministry therefore are not included in the 238 reported Use of Force reports.



Use of Force by Branch

As previously mentioned the Service is divided for statistical purposes into five groups or Branches; 1. Uniform Patrol, 2. Emergency Response Unit (ERU), 3. Other (Vice and Drugs, Intelligence, BEAR, HEAT, etc.), 4. Courts/Custody, 5. Paid Duties. Although there were 238 reported Use of Force incidents in 2017, in some incidents more than one Branch responded and used force; i.e.: Patrol plus B.E.A.R., Patrol plus E.R.U., etc. Note, CEW reported data as well as Use of Force reported data has been included in the following chart. Uniform Patrol Officers accounted for 226 (72%) of reported incidents and ERU / specialized "Other" Units accounted for 89 (28%). ERU incidents are primarily dynamic entries. There was 1 incident reported by Custody/Courts and no incidents reported by Paid Duty.

Use of Force by Branch



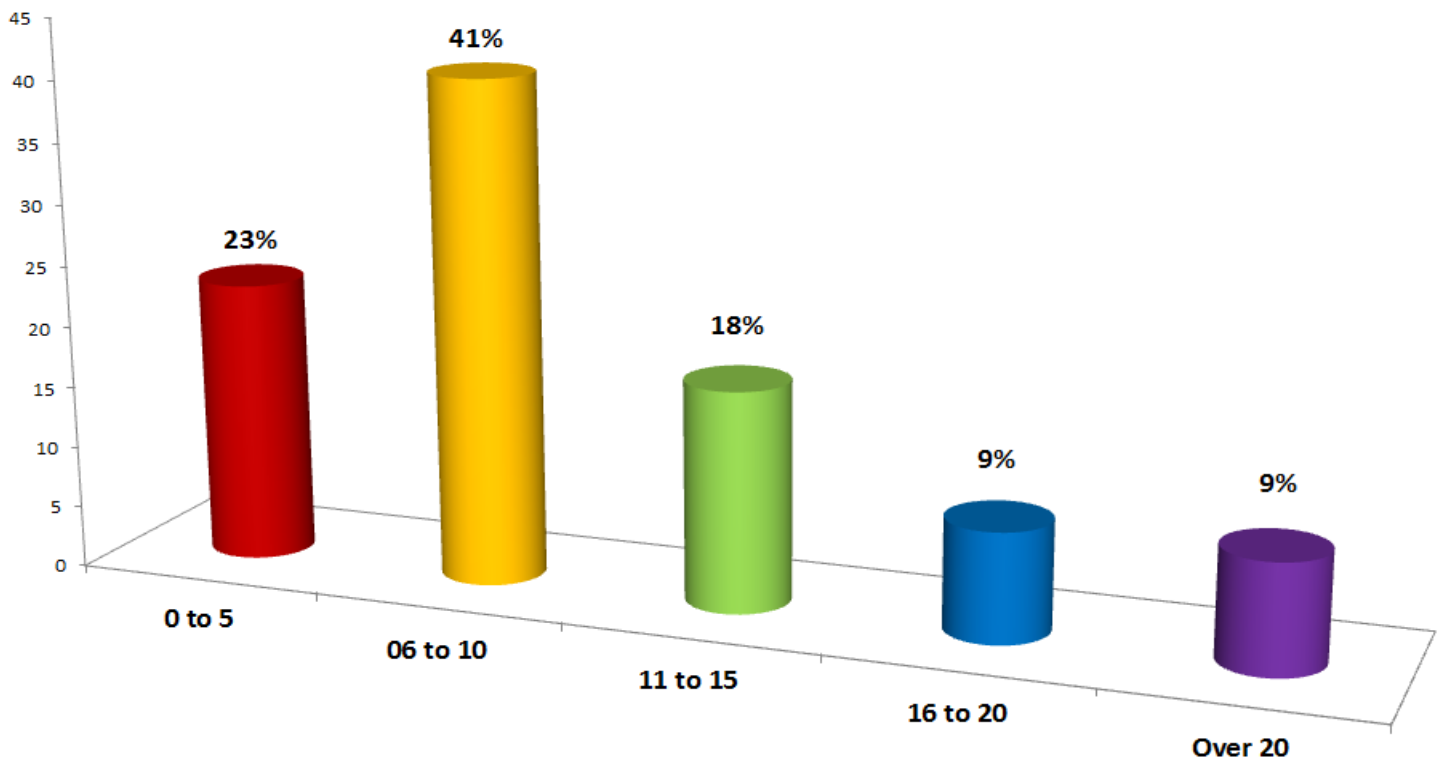
Use of Force by Years of Service

The Use of Force report has a Length of Service section to be completed by the submitting officer. In certain circumstances this section is not completed. The most common reason for this area not being completed is when the Emergency Response Unit files a "team" report and the Years of Service area is not completed and/or a CEW is used in the display mode only. Currently as per HPS Policy and Procedure 1.02, only parts C and D of the Use of Force Report must be completed if the CEW is used in the display mode only and these sections don't have a Years of Service area.

A risk reduction strategy has been developed in relation to the Use of Force Reporting Policy (1.02) revised in 2012. If a Use of Force report is required as a result of the actions of several officers in a common incident, each officer shall submit their own Use of Force report. The ERU shall be the only unit permitted to submit a 'team' report.

For statistical purposes officers were grouped into the following Years of Service categories: 0-5 years, 6-10 years, 11-15 years, 16-20 years, >20 years.

Years of Service



As per the Incidents by Branch and Incidents by Years of Service charts, Uniform Patrol is involved in the majority of 2017's Use of Force Incidents as would be expected. The 0-10 Years of Service group accounts for approximately 64% of the officers who completed the years of service section. This is easily explained as approximately 60%* of officers assigned to Uniform Patrol have less than 10 years of service so their involvement in Use of Force incidents is proportional to their numbers.

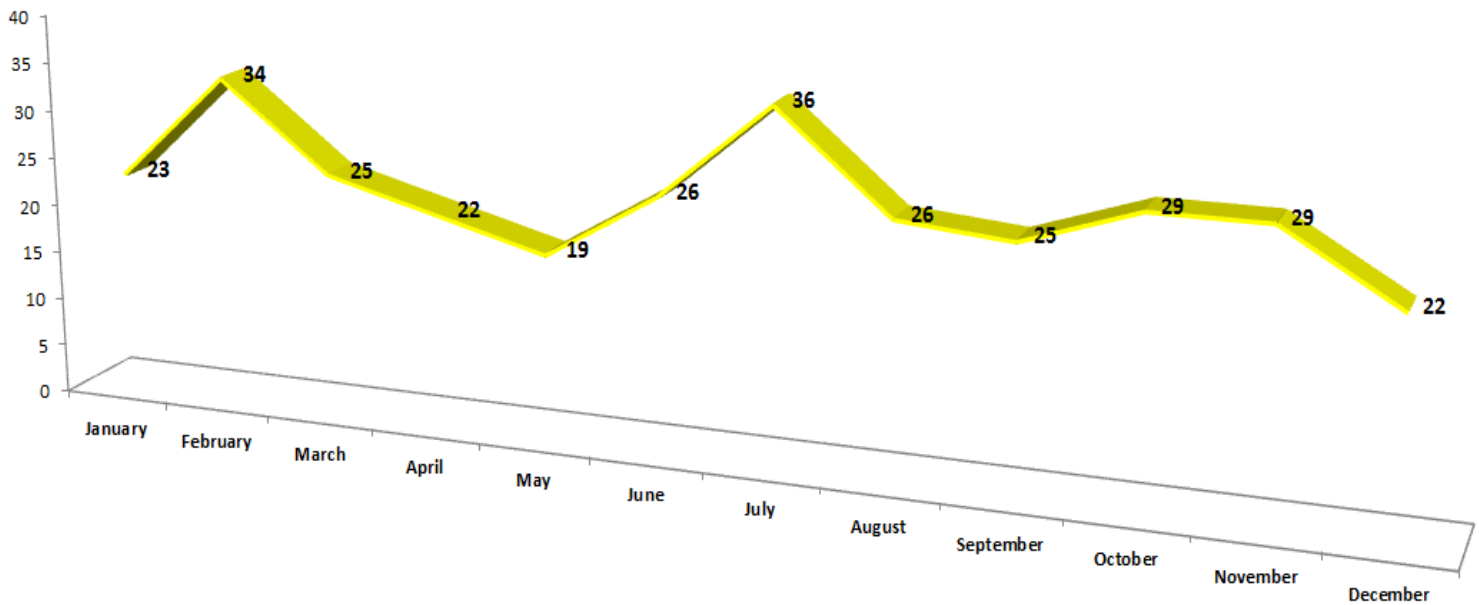
*Uniform Patrol and Years of Service data supplied by Human Resources.



Use of Force by Incidents per Month

There were 316 reported incidents in 2017 for an average 26.3 incidents per month; with a high of 36 incidents in July and a low of 19 in May. The number of Use of Force incidents appears to rise slightly in July and plateau for the remainder of the year.

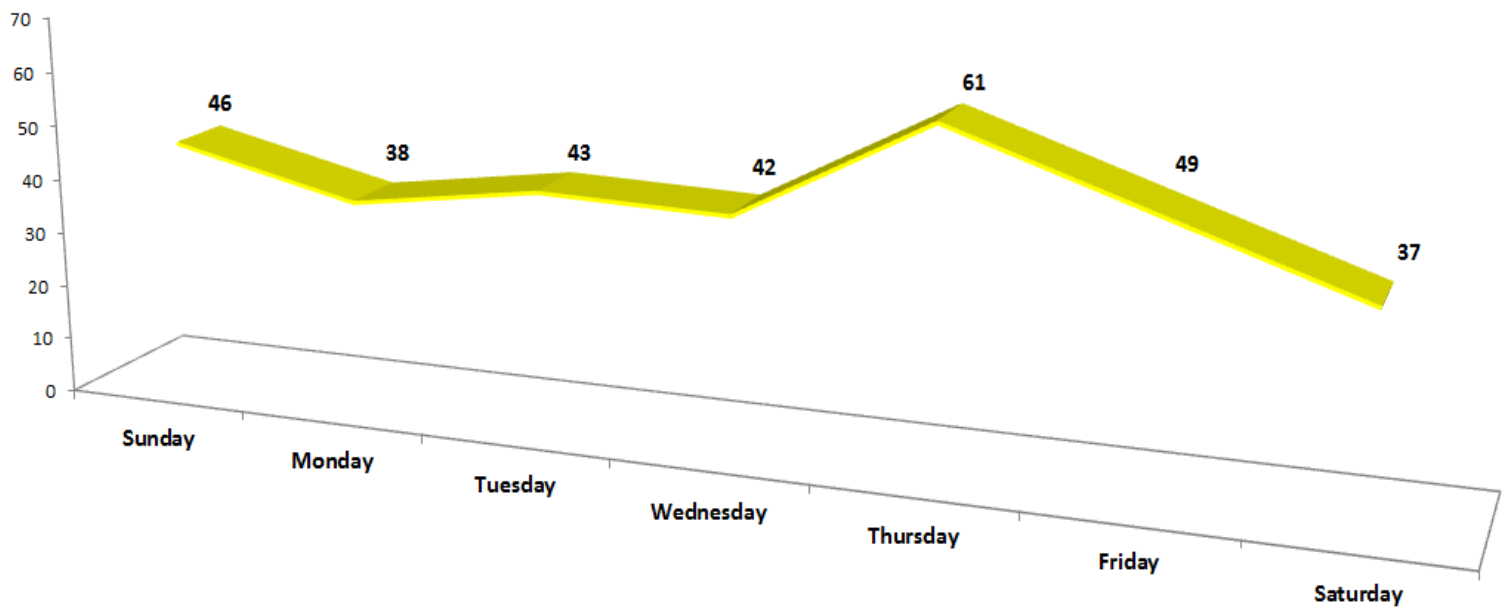
UOF Incidents per Month



Use of Force Incidents per Day of the Week

This is the tenth year that Use of Force incidents have been tracked by number of incidents per day of the week. In 2017, the day with the highest number of Use of Force incidents was Thursday with 61 incidents and the lowest was Saturday with 37 incidents. When 2017 data is compared to the recent average (2007-2016) it is clear that the incident rate goes slightly down on Mondays, begins to rise and peaks during the mid-week, and then lowers once again over the weekend. There is no obvious explanation for this pattern.

Incidents by Day of the Week

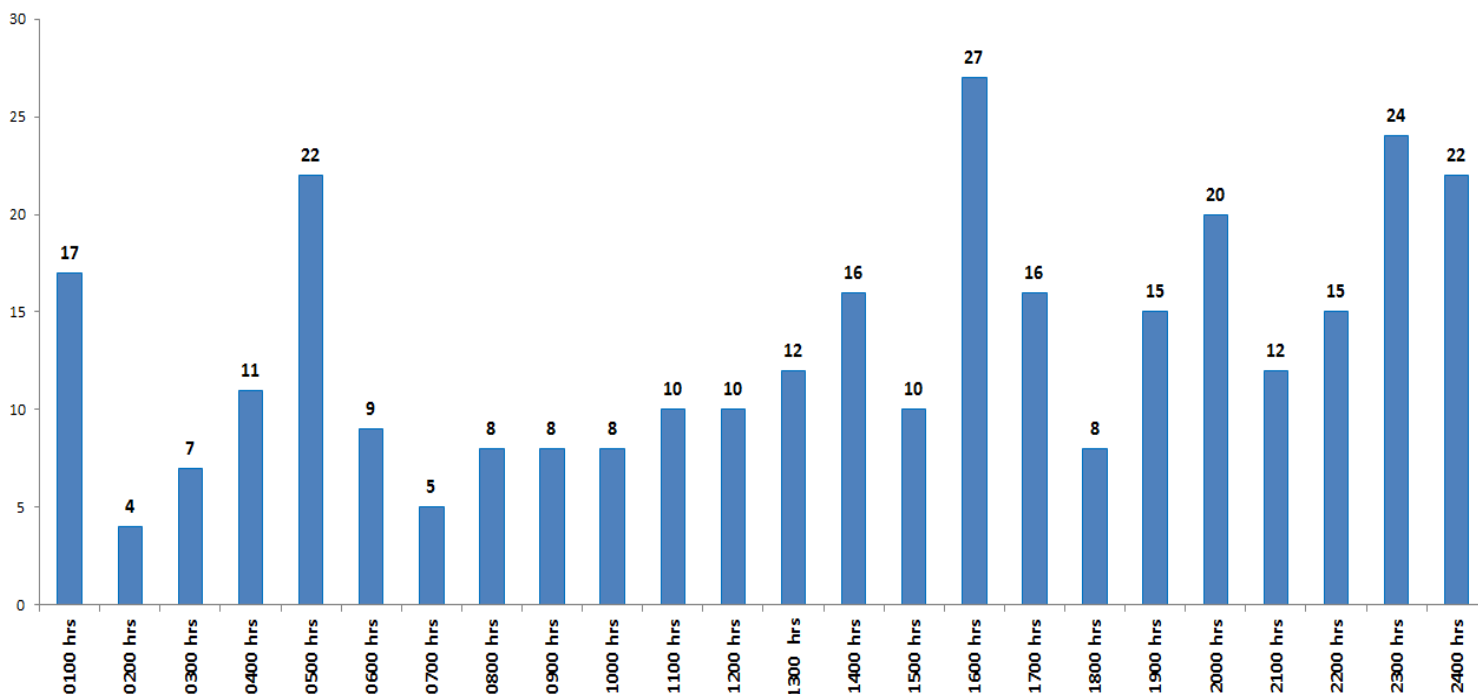


Use of Force Incidents by Time of Day

This is the tenth year that Use of Force incidents have been tracked by the time in which they occur. Historically the time was separated into 6 time periods: 0801–1200, 1201-1600, 1601-2000, 2001-2400, 0001-0400 and 0401-0800. In 2015 each hour was tracked.

A review of the 10 year average data (2008-2017) indicates that the bulk of Use of Force incidents occur in the twelve hour period between 1600 to 0400 hours. The least number of incidents occur in the eight hour period between 0401 to 1200 hrs. The number of incidents begins to rise steadily beginning at noon hour and peaks between 2001 and 0400 hrs. The below data from 2017 indicates the majority of incidents occurred between the hours of 1600 to 0100hrs. There was a steady decline between 0200 and 0500 hours with a sharp increase occurring at 0500 hrs. The hours between 0600 hours and 1500 hours remain relatively consistent.

Incidents by Time of the Day



Suspects/Police Officers Injured/Require Medical Attention

In 2017 there were 50 incidents in which a subject, a Police Officer, or both, were reportedly injured. 50 subjects injured required medical treatment of a varying nature. 3 officers were injured and required medical attention. In the majority of incidents the injuries to both officers and subjects were reportedly minor in nature.

The reasons/causes for either a subject or officers receiving an injury or requiring medical attention are as follows: Grounding (25), Mental Health Assessment (55), Self-Inflicted/Occurred prior to Police Arrival (9), O/C Decontamination (1), and CEW Probe Removal (26). The suspect can receive medical attention for several reasons; i.e.: MHA assessment, plus probe removal (16 incidents in 2017).

With respect to injuries by incident type, the majority of subjects were injured/required medical attention as the result of a Person In Crisis incident/call for service. In 55 of the PIC incidents the subject was taken to the hospital for a mandatory mental health assessment. **These apprehensions account for 17.4% of all Use of Force encounters.**

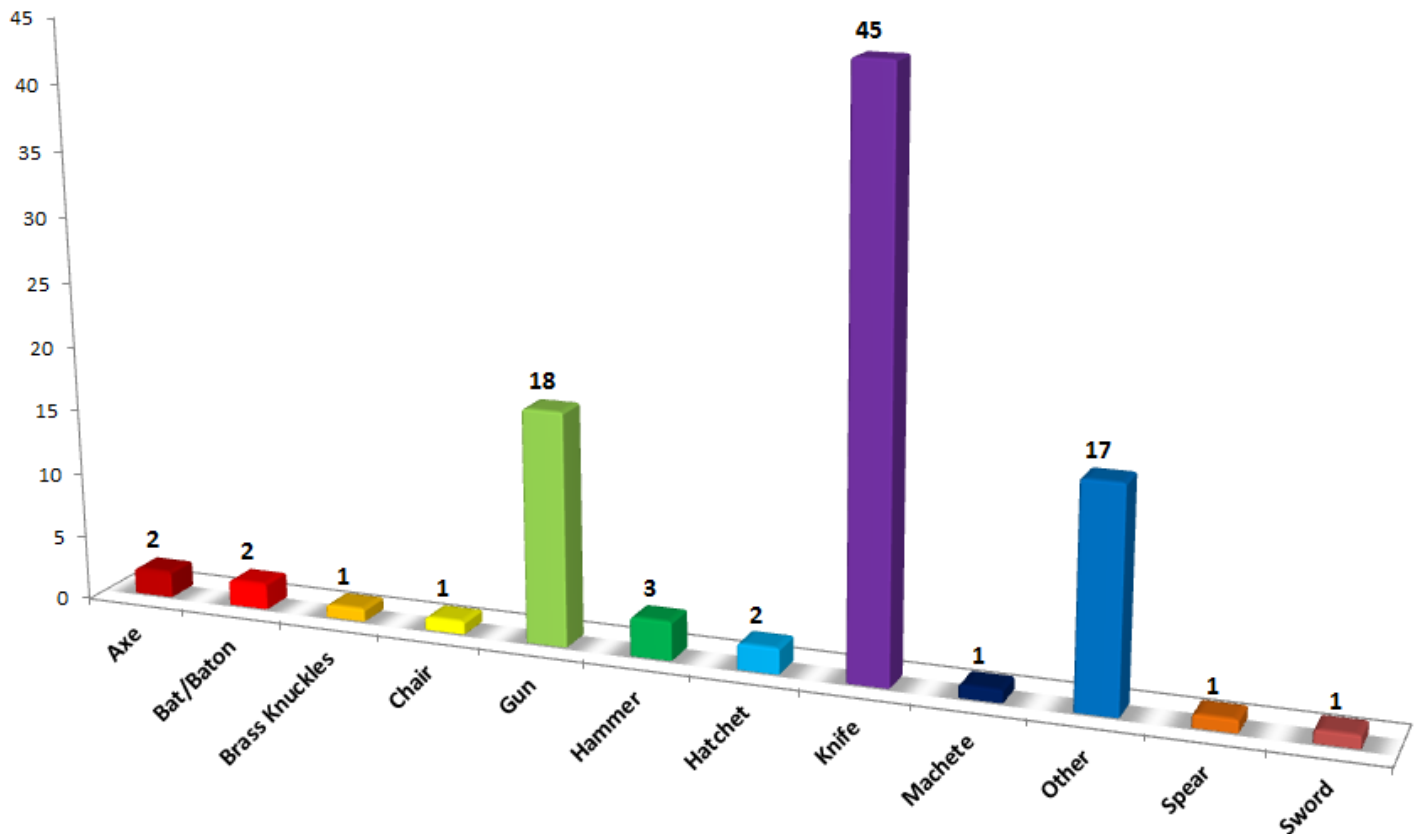


Use of Force Incidents and Suspect's Weapons

In 2017 there were 94 incidents reported where the suspect was actually carrying or had access to a weapon close-by. In 10 of the incidents the suspect(s) had access to more than one weapon type. An edged weapon of some type was the most frequently reported involving 45 knife incidents. There were 18 incidents where a firearm/replica/toy gun was used and in 1 incident a sword was identified as the weapon, along with other edged weapons. An axe, brass knuckles and a chair were also identified weapons.

In 2016 there were a total of 93 incidents involving weapons. Knives were the dominant weapon (43) carried by subjects followed by firearm/replica/toy gun (29).

Weapons used against Officers



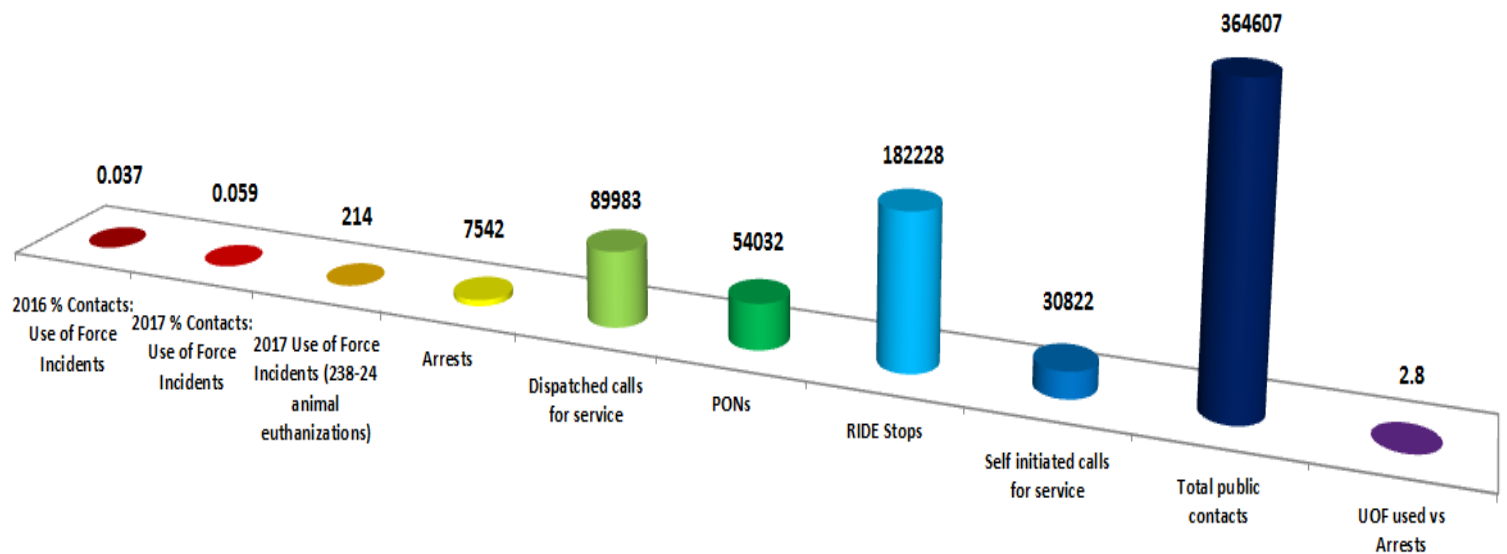
Use of Force in Relation to Public Contacts

In 2017, members of the Hamilton Police Service were involved in 238 incidents where a Use of Force report was submitted. Included in that number are 24 animal euthanizations. This ultimately means that there were 214 incidents where a Use of Force report was submitted. Compared to the total number of contacts* the police had with the public, only .059% of contacts resulted in a Use of Force incident.

In comparison, Use of Force incidents vs. public contacts rose slightly in 2017 (.059%) compared to 2016 (.037%) and 2015 (0.041%).

*Public Contact data supplied by the Crime Information Analysis Unit.

Total Use of Force vs Public Contacts



Conclusions / Trends

During the 17 year period from 2001-2017 the average number of reported Use of Force incidents is 250 per year. A low of 172 incidents were reported in 2016 and a high of 317 incidents in 2005. 2017 showed an increase in Use of Force Reports over the previous year however remains below the 17 year average.

1. The number of times an Officer discharged a firearm increased to 24 incidents in 2017. The average since 2008 is 39 discharges per year. The 2017 statistics are solely attributed to the number of times in which Officers are being called upon to euthanize injured animals. Hamilton officers euthanized 24 animals in 2017.

2. There was a decrease in the use of Empty Hands-Hard (15%) and an increase in Empty Hands-Soft (76%) in 2017 compared to 2016. The use of these options in 2017 is slightly higher than the 10 year average of 21 for Empty Hands-Hard and a significant increase in Empty Hands-Soft which has a 10 year average of 23.

3. The use of Aerosol Weapons reached a plateau in the last several years with an average of 19 incidents per year since 2008. 2017 had only 3 incidents, well below the average and the lowest since records have been kept.

4. The introduction of the CEW in late 2004, early 2005 had an immediate impact on how Police Officers use force. In 2014/2015 the Hamilton Police Service began a gradual roll out of CEWs to frontline personnel. In 2014 there were 64 CEW incidents which rose to 145 incidents in 2015 and remained consistent at 143 incidents in 2016 and increased to 169 incidents in 2017. Those incidents that are statistically captured in the Ministry Use of Force report (CEW Deployed) totaled 21 in 2014, 47 in 2015, 38 in 2016 and increased to 58 in 2017. The ten year average is 42 incidents per year. It was anticipated that CEW use would increase with full frontline deployment; however the CEW is utilized most often in the display mode.

5. Uniform Patrol is the Branch of the Service most likely to encounter incidents requiring an application of Force and therefore submits the most Use of Force reports.

6. This is the 10th year that Use of Force incidents have been tracked by number of incidents per month. There does not appear to be a significant relationship between number of Use of Force incidents and the month of the year other than they appear to rise in February and July for an unknown reason and fall in May for an unknown reason and remain relatively consistent for the remaining months. Data from future years could solidify/confirm any trends.

7. This is the 10th year that Use of Force incidents have been tracked by number of incidents per day of the week. Comparative data shows it is clear that the incident rate goes down on Saturdays for an unknown reason. 2017 statistics illustrate a spike on Thursdays with other weekdays remaining consistent. There is no obvious explanation for this pattern. Again, data from future years could solidify/confirm any trends.

8. This is the 10th year that Use of Force incidents have been tracked by the time in which they occurred. A review of historical data indicates that the bulk of Use of Force incidents occur in the twelve hour period between 1600 to 0400 hours. The least number of incidents occur in the eight hour period between 0400 to 12 noon. The number of incidents begins to rise steadily beginning at noon hour and peaks between 2001 and 0500 hours.



9. This is the 7th year where Suspects' Weapons has been tracked. It is clear that an edged weapon of some type is the weapon of choice. In 2017, 45 incidents involved a knife or some type of edged weapon, 18 incidents involved a gun or replica and 31 incidents involved an "other" item. Weapon use against officers in Hamilton has risen since 2014 and increased from 93 incidents in 2016 to 94 in 2017.

10. This is the 7th year in which Officer and Subject injuries have been tracked. The injury rate for both Officers and Subjects is relatively low (3 Officers and 50 Subjects). All of the injuries that were reported in 2017 were minor in nature. The most common causes for injuries to officers and subjects are the use of grounding techniques and/or a general struggle between the officer and subject while trying to affect an arrest. Use of Force should continue to train officers in proper grounding and self-defence techniques.

11. The Use of Force incident rate is extremely low when put into the context of total public contacts (364,607) compared to Use of Force incidents (214 incidents; 238 incidents minus 24 animal euthanizations), resulting in a Use of Force reporting incident rate of .059%.

12. Persons In Crisis or "PIC" incidents account for approximately one fifth of all Use of Force encounters by Hamilton Police in 2017.



4.5(e)

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2018 June 21

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Year End Report: Professional Standards Branch - 2017*
PSB 18-080

BACKGROUND:

Please find attached the annual Professional Standards Branch Report for 2017. The report outlines public complaints, Service complaints and internal investigations including workplace harassment. SIU investigations and their outcomes are also reported. The report also includes areas of risk such as police involved motor vehicle collisions and officer involved pursuits.

Commendations for officers, citizen awards and letters of appreciation are also outlined in this report.



Eric Girt
Chief of Police

EG/N. Goodes-Ritchie

Attachment: *Professional Standards Branch Annual Report 2017*

cc: Frank Bergen, Deputy Chief, Field Support
Nancy Goodes-Ritchie, Superintendent – Professional Development Division



Hamilton Police Service Professional Standards Branch

Annual Report 2017

Professional Standards Branch

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Professional Standards Branch

Preface

This report is prepared in accordance with Ontario Regulation 3/99 of the *Police Services Act*. It is a comparative statistical analysis of all complaints received and investigated during 2017, as well as a compilation of relevant Risk Management data for the same year.

The statistical information included in the 2017 Professional Standards Branch Annual Report was compiled with data obtained from the following sources:

Statistical Sources

- Professional Standards Branch Data base
- Internal Affairs Professional Standards Records Management System (IAPro)
- Chief's Office
- Legal Services
- Human Resources
- Special Investigations Unit Liaison
- 2016 Professional Standards Branch Annual Report

Definitions

Professional Development Division (PDD)

A division of the Hamilton Police Service responsible for Professional Standards, Risk Management, Policy Development, Corporate Planning, Quality Assurance and Training. When required, the branches of the PDD work together to examine and assess organizational needs and devise action plans to further enhance work performance. In 2017, the PDD was managed by Superintendent Nancy Goodes-Ritchie.

Professional Standards Branch (PSB)

PSB is responsible for investigating and facilitating the resolution of both internal (Chief) and external (public) complaints in an impartial and professional manner, pursuant to the *Police Services Act*. The PSB acts as the liaison for the investigation of complaints referred by the Office of Independent Police Review Director (OIPRD). Additionally, this branch of the PDD investigates human rights complaints, civilian employee complaints, labour law complaints, Bill 168 complaints (Workplace Violence and Harassment) and Special Investigations Unit (SIU) Section 11 reviews. The PSB is staffed by three Sergeants and one Staff Sergeant.

Professional Standards Branch

Risk Management

The Risk Management branch of PDD is responsible for the identification and evaluation of risks and the development, selection and implementation of control measures that change outcomes. The Risk Manager currently handles the McNeil disclosure file and weekly tips for Hamilton Police Service members on current and risk related topics. Additionally, the Risk Manager assesses Police Service Motor Vehicle Collisions (MVC), member Red Light Camera (RLC) infractions; and member Missed Court (MC) attendances. The Risk Management branch is staffed by one Inspector.

Office of Independent Police Review Director (OIPRD)

The OIPRD receives, manages and oversees all public police complaints in Ontario.¹ They are a civilian oversight agency that accepts complaints about the conduct of police officers and/or the policies and services of a police department. In addition to processing and investigating public complaints, the OIPRD administers the Ontario public complaints system.

Special Investigations Unit (SIU)

The SIU is a civilian law enforcement agency, independent of the police, that conducts criminal investigations into circumstances involving police and civilians that have resulted in serious injury, death or allegations of sexual assault.² Although it is an agency of the Ministry of the Attorney General, its investigations and decisions are independent of the Government of Ontario. The Director of the SIU is empowered under the *Police Services Act* to lay criminal charges against police officers where warranted.

Internal Affairs Professional Standards Software (IAPro)

IAPro is a Professional Standards software used by the PDD to efficiently handle citizen complaints, administrative investigations, use-of-force reporting, and other types of incidents, while providing the means to identify and analyze areas of concern.³

Section 11 Investigations

The Chief of Police is legislated under Section 11 (s.11) of Ontario Regulation 267/10, to cause an administrative investigation to be conducted into any incident of which the SIU is notified.⁴ The investigation reviews the conduct of the involved police officer(s), as well as the policies and/or services provided by the Hamilton Police Service.

¹ Queen's Printer for Ontario, 2015, *Office of Independent Police Review Director*, www.oiprd.on.ca

² Queen's Printer for Ontario, 2016, *Special Investigations Unit*, www.siu.on.ca

³ CI Technologies, 2015, *IAPro*, www.iapro.com

⁴ *Police Service Act, 2011, Ontario Regulation 267/10, Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit*, www.e-laws.gov.on.ca

Professional Standards Branch

Executive Summary

The Professional Standards Branch and Risk Management Branch saw a productive year in 2017. Both public complaints from the OIPRD and internal investigations experienced a slight decrease from 2016. However, there was a 26% increase in the number of OIPRD complaints screened in for investigation and the time spent on investigations notably increased, as they were more complex in nature.

In 2017, the Hamilton Police Service answered 367,725 telephone calls, yet only 94 public complaints were made to the OIPRD, representing less than 0.03%. Of these complaints, 71 were screened in for investigation by PSB. This included 60 conduct complaints, 3 service complaints, 1 Policy complaints and 7 customer service resolutions.

In 2017, the HPS answered 367,725 phone calls.

The HPS received only 94 public complaints, this represents less than 0.03% of all calls.

In 2017, Red Light Camera Violations Decreased by 15%

Neglect of Duty and Excessive Force were the most common allegations of misconduct at 17 counts each, and Discreditable Conduct was the second most common at 16. It should be noted that the OIPRD does not screen out any Excessive Force complaints. There were no allegations of the more egregious complaint type of Corrupt Practice, however there were 3 Breach of Confidence complaints. Two of the three Breach of Confidence complaints were unsubstantiated, and one was withdrawn. Of the 60 conduct investigations, only 6 cases (10%) resulted in a finding of misconduct. One of the three Service Complaints received was resolved through informal resolution, and the remaining two were unsubstantiated. An OIPRD review was requested 3 times by a complainant in 2017. One HPS decision was upheld and two remain before the OIPRD. In 2016, 3 OIPRD reviews were requested. Two of the HPS decisions were upheld and the third still remains before the OIPRD.

A total of 191 internal complaints were filed in 2017, representing a decrease of 5% from 2016. Red Light Camera (RLC) violations decreased by 15%. Motor Vehicle Collisions (MVC) increased 3%; and Missed Court (MC) saw a 37% increase from 2016. Of the total internal complaints came 218 specific allegations of misconduct. Damage to Clothing/Equipment was the most frequent form of misconduct followed by Neglect of Duty. Damage to Clothing/Equipment includes all major and minor police service collisions, and in some instances, multiple allegations per complaint. There were 8 complaints and/or allegations of workplace harassment in 2017. Two of the allegations have been substantiated, five have been unsubstantiated, and the investigation into the remaining complaint/allegation has not been completed. Excluding MC, MVC, and RLC violations, 63% of the remaining 46 chief's complaints resulted in substantiated misconduct.

The SIU invoked its mandate to investigate 14 reported incidents in 2017. Of the 14 investigations, 5 were concluded by memo after a preliminary inquiry, and 9 became formal investigations. Out of the 9 investigations, 3

Professional Standards Branch

were concluded with no reasonable grounds to believe that the subject officers committed a criminal offence. The remaining 6 investigations are pending the SIU Director’s decision. The subsequent provincially mandated Section 11 investigations completed by the PSB in relation to two (2) of the investigations, determined that all HPS policy and procedures were adhered to and no further action was required. The Section 11 material for the third concluded investigation has yet to arrive at PSB.

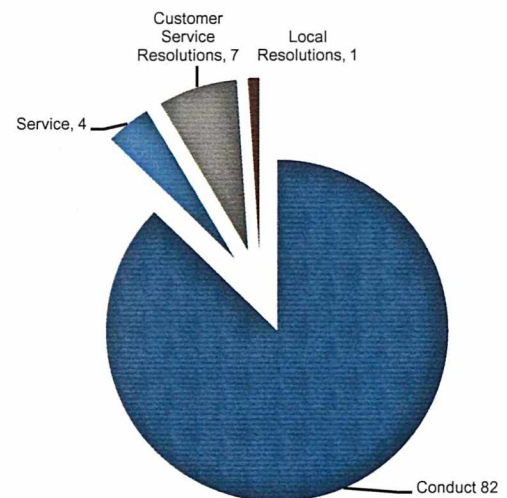
A total of 57 Fail to Stop reports were submitted for 2017. This is an increase of 4 reports or 7% from the previous year. Pursuits were initiated in 27 (47%) of the incidents where a Fail to Stop report was submitted. Officers discontinued 24 (88%) of these pursuits. Of the total Fail to Stop reports, 17 were for *Criminal Code* violations, 38 for *Highway Traffic Act* violations and 2 were for unspecified reasons. No MVC’s occurred as a direct result of officer initiated pursuits compared to 2 in 2016.

The Hamilton Police Service received 120 Good News letters in 2017. The Service issued 18 letters of recognition to members of the public and a total of 203 commendations to HPS members for exemplary service. Additionally, 22 members were awarded Member of the Month, and two members were awarded the St. John’s Ambulance Silver Life-Saving Award.

Public Complaints

In 2017, the Hamilton Police Service answered 367,725 telephone calls. Only 94 complaints were made to the OIPRD regarding the Hamilton Police Service, representing 0.03% of all calls. This is a very low number of complaints from the public given the frequency of contact and interactions they had with members of our Service.

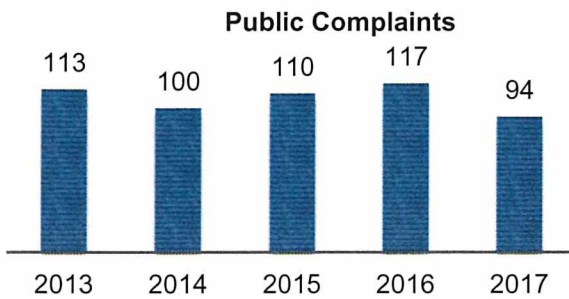
Of the 94 complaint submissions, 82 were related to officer conduct, 4 were classified as a service complaint, 7 were screened for customer service resolutions (CSR), and 1 was resolved locally (local resolution). It should be noted that a CSR is a confidential process for less serious complaints that provides an opportunity to voluntarily resolve complaints before they are formally screened under the *Police Services Act*.⁵ A local resolution is a process where complaints are made directly with the HPS and a resolution is agreed upon by the involved parties.⁶



⁵ Queen’s Printer for Ontario, 2015, Office of Independent Police Review Director – Customer Service Resolutions, www.oiprd.on.ca

⁶ Queen’s Printer for Ontario, 2015, Office of Independent Police Review Director – Local Resolutions, www.oiprd.on.ca

Professional Standards Branch



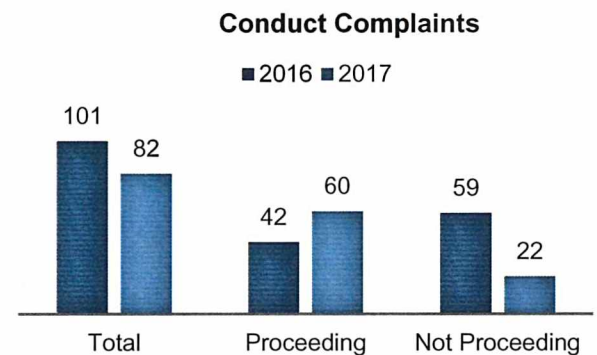
The OIPRD screened in 71 of the 94 complaints, which constitutes 75% of the original public complaints. This includes conduct complaints, customer service resolutions and service complaints. The average number of public complaints between 2013 and 2017 was 106. In 2017, the OIPRD experienced a slight decrease from the previous four-year average.

Conduct Complaints

When the behaviour of a police officer is formally questioned by a member of the public, the OIPRD classifies this as a conduct complaint.⁷ Of the 82 conduct complaints, 60 were ultimately screened in by the OIPRD for investigation. The OIPRD determined that a police investigation was not required for the remaining 22 submissions based on legislated criteria such as:

- the complaint is better dealt with under another law or act
- the complaint is frivolous – trivial or lacks an air of reality
- the complaint is not in the public interest
- the complaint is made over six months after the incident⁸

Comparing the 2017 conduct complaint data to that of 2016, reveals that there was a 19% decrease in these types of complaint submissions to the OIPRD. This decrease is in line with that of the overall decrease in the number of public complaints. However, the number of complaints regarding conduct screened in was 42% higher when compared to that of 2016.



Allegations of Misconduct

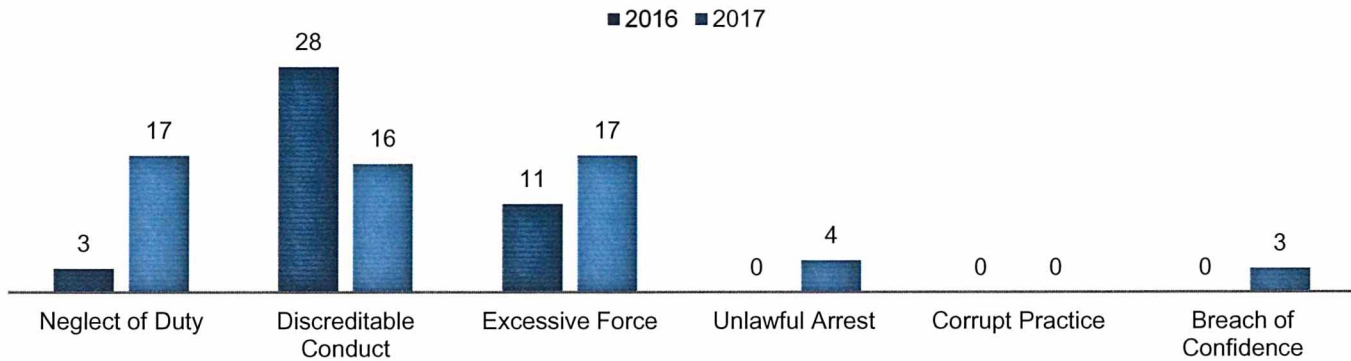
The *Police Services Act Code of Conduct* is used by the HPS as the basis for classifying conduct complaints. Although Neglect of Duty and Excessive Force allegations increased from 2016 to 2017, it is important to point out that the OIPRD does not screen out Excessive Force allegations. Neglect of Duty and Excessive Force represented the most common type of complaint made in 2017 at 56%. The number of complaints regarding Discreditable Conduct represented the second greatest type, and saw a decrease of 42% from 2016.

⁷ Queen's Printer for Ontario, 2015, Office of Independent Police Review Director – Complaints, www.oiprd.on.ca

⁸ Queen's Printer for Ontario, 2015, Office of Independent Police Review Director – Screening Complaints, www.oiprd.on.ca

Professional Standards Branch

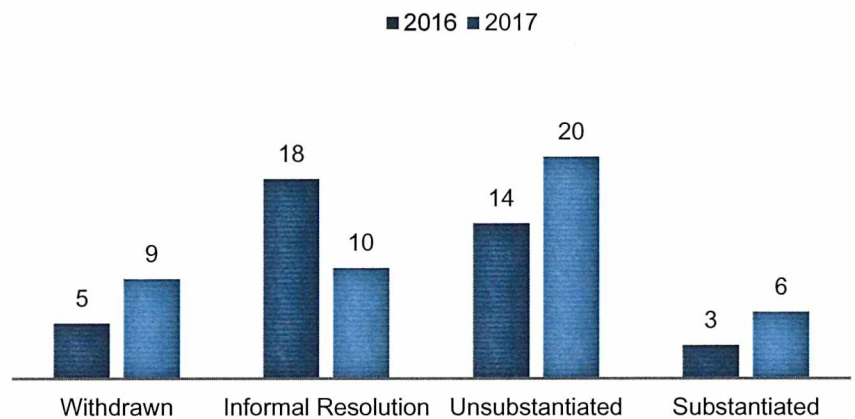
Conduct Complaints Proceeding by Allegation



Disposition of Conduct Complaints

Of the 60 officer conduct investigations, 9 complainants voluntarily withdrew their complaints based on subsequent information provided to them. At the preliminary stages, 10 were resolved by informal resolution, and 20 allegations of officer misconduct were unsubstantiated by investigators. Only 6 of the cases or 4% of the original 60 conduct complaints resulted in a finding of misconduct on behalf of the officer, with penalty to be implemented pursuant to the *Hamilton Police Service Discipline Policy*. As of February 20, 2018, 15 of the investigations remain open.

Disposition of Investigated Conduct Complaints

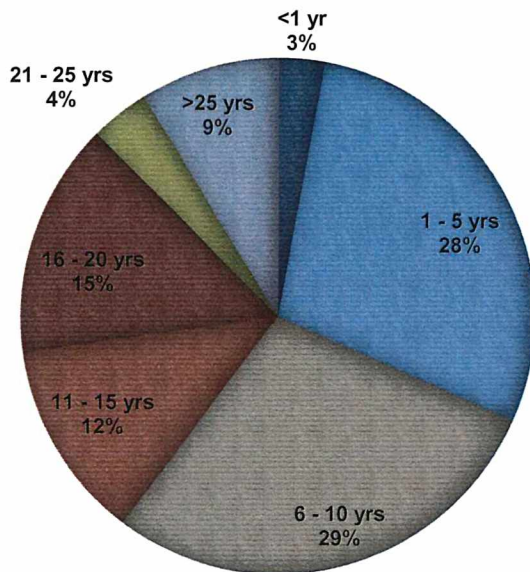


Demographics of Conduct Complaints

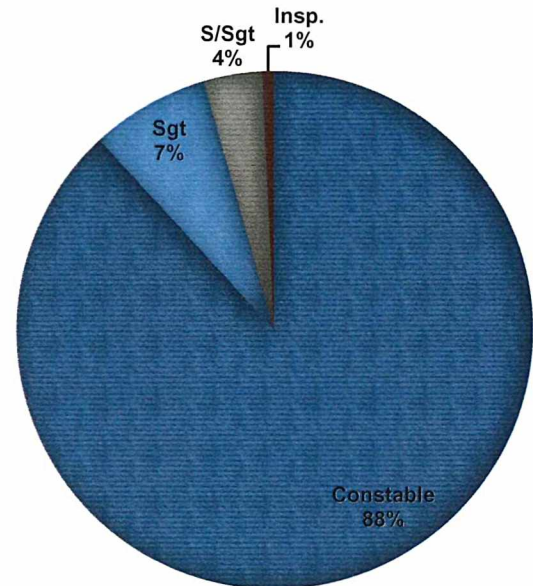
Most conduct complaints involve officers with 1-10 years of experience, as they are typically less experienced uniform police officers who have the highest frequency of contact with members of the public. When looking at the rank of a subject officer, the greatest number of public complaints is made regarding Constables. Similarly, Constables have the most interaction with the general public.

Professional Standards Branch

Years of Service of Subject Officer



Rank of Subject Officer



Service Complaints

Service complaints relate to a specific policy and/or processes of the Hamilton Police Service. In 2017, there were 4 Service complaints filed against the HPS. One of the complaints was resolved through informal resolution, and the other two were unsubstantiated. One of the unsubstantiated complaints dealt with the length of time that it took police to respond to a domestic call, and the second had to do with EMS arriving to an assault/medical call prior to police. The Service complaint that resolved through informal resolution, related to issues experienced while utilizing a pardon service that had procedures that conflicted with HPS policy.

Public Complaint Reviews

In the circumstance that a complainant is not satisfied with the outcome of a complaint investigation, they may request a review by the OIPRD. Complainants have 30 days from the day they are notified of the results to make this request. Once the OIPRD has received the file from the police, they will assess the investigation and determine if the decision is appropriate.⁹

In 2017, the Hamilton Police Service received 3 requests from complainants for an OIPRD review. One HPS decision was upheld and two remain before the OIPRD.

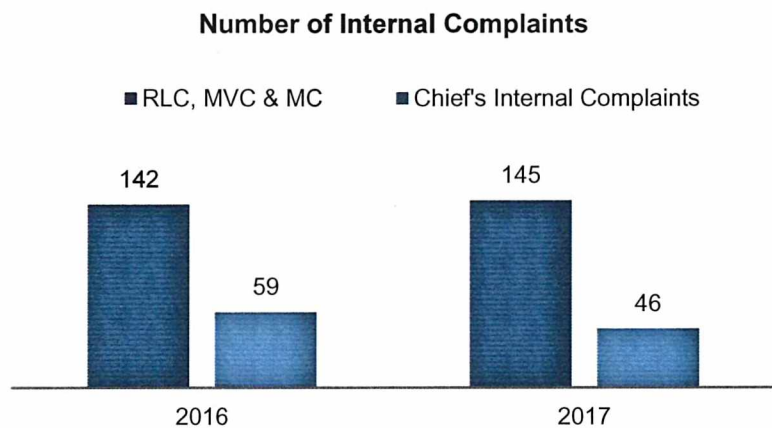
⁹ Queen's Printer for Ontario, 2015, Office of Independent Police Review Director – Request a Review, www.oiprd.on.ca

Professional Standards Branch

Internal Complaints

Pursuant to the *Police Services Act*, the Chief may cause an investigation to be conducted in relation to the conduct of a police officer employed by the Service. These internal complaints are typically initiated by a HPS member or supervisor. The findings of the investigation are provided to the Chief in a written report and where required, discipline is implemented pursuant to the *Hamilton Police Service Discipline Policy*.

With respect to these investigations, the Chief of Police has separated simple violations such as Red Light Camera violations (RLC), Motor Vehicle Collisions (MVC) and Missed Court (MC) to be investigated by divisional commanders. More complex member conduct investigations are investigated by the PSB. These are referred to as a Chief's Internal Complaint.



A total of 191 internal complaints were filed in 2017, a 5% decrease from 2016. Specifically, RLC, MVC and MC saw a slight 2% increase from the previous year; however, there was a 15% decrease in RLC incidents from 26 in 2016 to 22 in 2017. In addition, there were 11 MC incidents, 112 MVC incidents with 49 of those deeming the officer at fault, while the remaining 63 MVC's were deemed non-preventable.

Allegations of Misconduct

The internal complaints filed in 2017 yielded 218 specific allegations of misconduct. The number of allegations compared to complaints is larger because a single complaint may include multiple HPS members and/or multiple allegations per member. Of the various classifications of alleged misconduct, Damage to Clothing/Equipment was the most frequent at 53%. Damage to Clothing/Equipment is extremely broad and includes all police service collisions, from extremely minor to major and in some instances, multiple allegations per complaint.

Workplace Harassment Investigations (Bill 168)

The Hamilton Police Service is committed to providing a respectful work environment in which all individuals are treated with respect and dignity, are able to contribute fully, and have equal opportunities for all its 1240 full and part-time members. Harassment or discrimination is not tolerated in the workplace and all complaints of this nature are investigated thoroughly and in a timely manner.

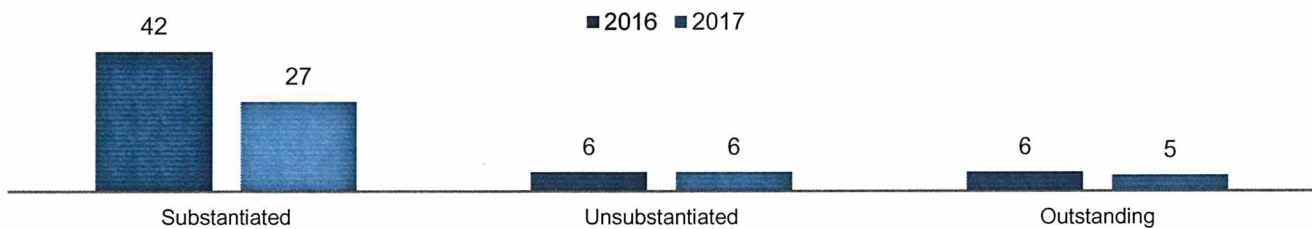
In 2017, there were 8 complaints and/or allegations of workplace harassment. Two of the allegations have been substantiated, five have been unsubstantiated, and the investigation into the remaining complaint/allegation has not been completed. There were five reported complaints of harassment in 2016.

Professional Standards Branch

Chief's Internal Complaints

Of the 38 internal complaint investigations (exclusive of Harassment Allegations, MC, MVC, and RLC) in 2017, 71% of the cases of misconduct were substantiated. This is a decrease from 2016, where 78% of the complaints were substantiated.

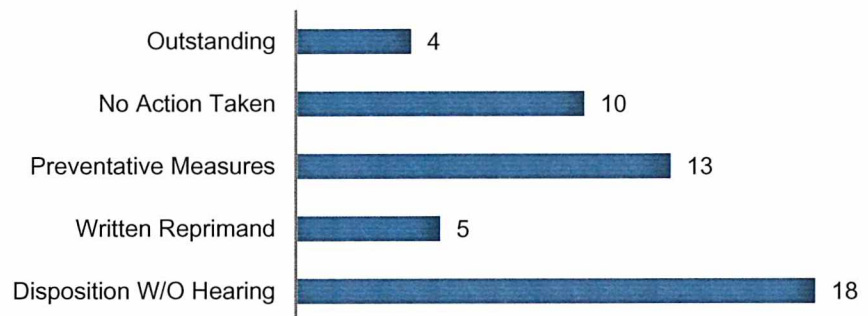
Conclusions of Chief's Internal Complaints



Disposition of Internal Complaints

In the 38 internal investigations, 50 members were identified as subject members. Of the subject members, 46% received corrective discipline. Preventative measures were applied to 26% of subject members. No action was taken against 20%, as either the substance of the allegations were unfounded or the allegations could not be proven through investigation. Outstanding dispositions, including outstanding criminal matters account for the remaining 8%.

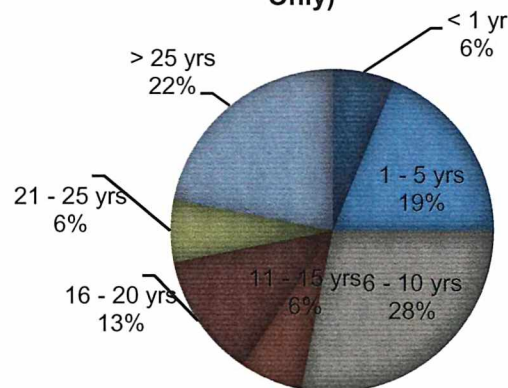
2017 Penalty Dispositions



Demographics of Internal Complaints

Sworn Officers with between 6 and 10 years of service accounted for 28% of internal investigations, while officers between 1 and 5 years of service represented 19%. These two categories alone represent nearly half of the officers with allegations of misconduct. Of note, there is a 175% increase in 25 plus year officers from that in 2016.

Years of Service (Sworn Members Only)



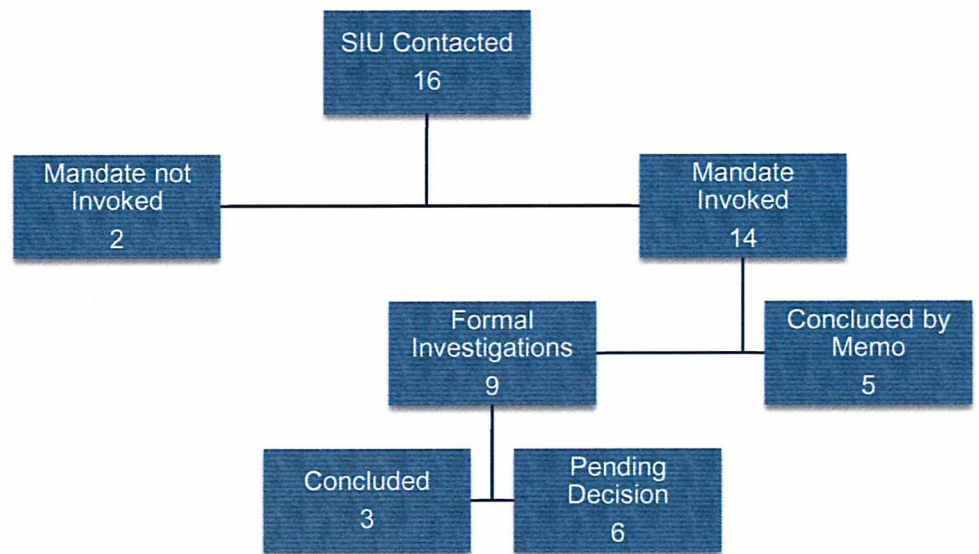
Professional Standards Branch

Special Investigations Unit Incidents

In the pursuit of cooperation, the Hamilton Police Service notified the Special Investigations Unit (SIU) on 16 occasions in 2017. The SIU invoked its mandate in 14 of the 16 incidents.

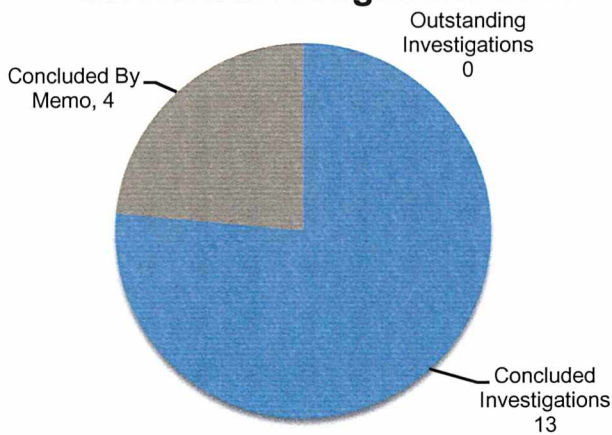
Formal Investigations

Of the 14 SIU investigations, 5 were concluded by memo after the SIU completed a preliminary inquiry and 9 were processed as formal investigations. Out of the 9 investigations, only 3 have been concluded. In all three incidents, the SIU concluded that reasonable grounds did not exist to believe that the Subject Officers committed a criminal offence. The remaining 6 investigations are pending the Director's decision.

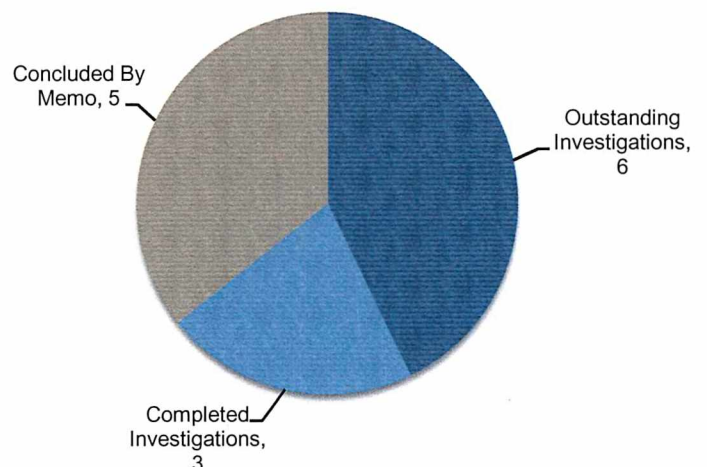


In comparison, the SIU was notified 18 times in 2016 and invoked their mandate in 17 incidents.

Invoked Investigations 2016



Invoked Investigations 2017

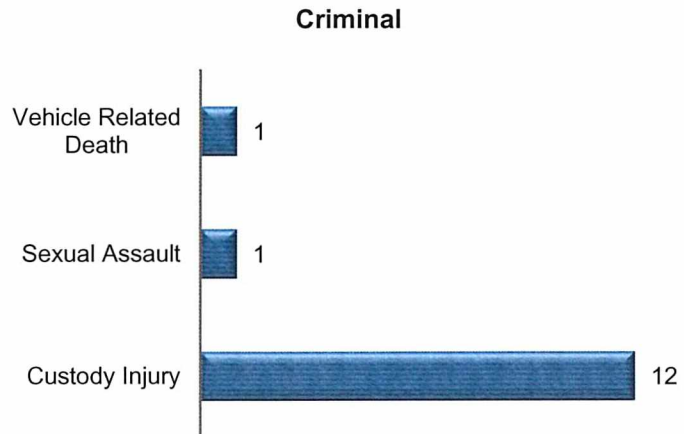


Professional Standards Branch

Criminal Allegations

Out of the 14 incidents where the SIU invoked their mandate in 2017, 1 was classified as Vehicle Related Death, 12 were classified as a Custody Injury, and 1 was classified as a Sexual Assault.

Police custody related injury is the most frequently classified incident involving the SIU. Police Custody Injury and Police Custody Death are not clearly defined and do not specifically mean being physically controlled or being in a custody area of the Hamilton Police Service.



Section 11 Investigations

Of the 3 SIU investigations that have concluded in 2017, 2 Section 11 investigations have been completed by the PSB. The Section 11 Investigations have concluded that all HPS policy and procedures were adhered to and no further action was required on the part of the subject officers or the HPS. The third Section 11 investigation is on hold pending requested materials from the SIU. There are 6 outstanding Section 11 investigations remaining for 2017. These cannot proceed until the Director of the SIU has reached a decision pertaining to these matters. A Section 11 Investigation is not required when an officer is criminally charged by the SIU.

Risk Management

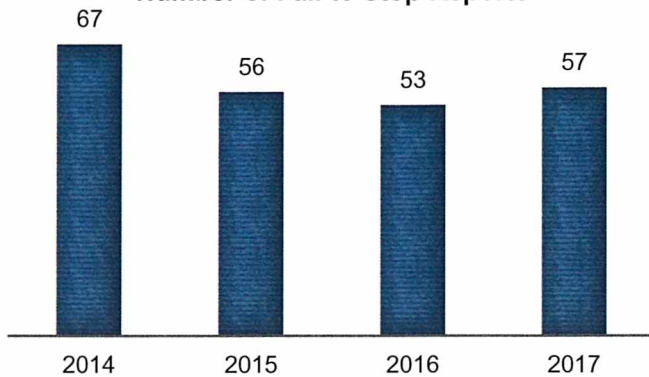
Suspect Apprehension Pursuits

A suspect apprehension pursuit occurs when a police officer attempts to direct the driver of a motor vehicle to stop. The driver refuses to obey the officer and the officer pursues in a motor vehicle for the purpose of stopping the fleeing motor vehicle or identifying the fleeing motor vehicle or an individual in the fleeing motor vehicle.¹⁰

¹⁰ Police Service Act, 2011, Ontario Regulation 266/10, Suspect Apprehension Pursuits, www.e-laws.gov.on.ca

Professional Standards Branch

Number of Fail to Stop Reports

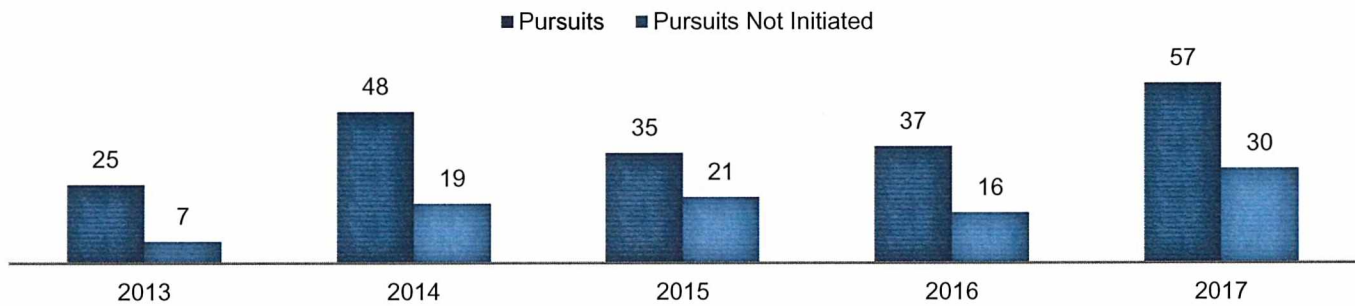


Fail to Stop Report

A Fail to Stop report is used by the HPS whenever an officer attempts to stop a motor vehicle and that motor vehicle refuses to stop as directed, whether or not a pursuit is initiated.

The total number of Fail to Stop reports submitted for 2017 was 57. This is an increase of 7.5% when compared to 2016. Pursuits were initiated in 47% of the incidents where a Fail to Stop report was submitted.

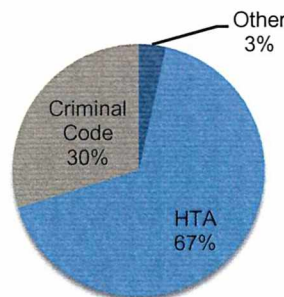
Fail to Stop Report Outcomes



Of 27 initiated pursuits in 2017, 19 were terminated within 1 km, and an additional 14 pursuits were terminated within 1-5 km. This can be attributed to strong supervision, training, officer discretion, and the HPS commitment to public and officer safety.

Of the 57 Fail to Stop reports in 2017, 17 were for *Criminal Code* violations, 38 for *Highway Traffic Act* violations and 2 were suspicious vehicles.

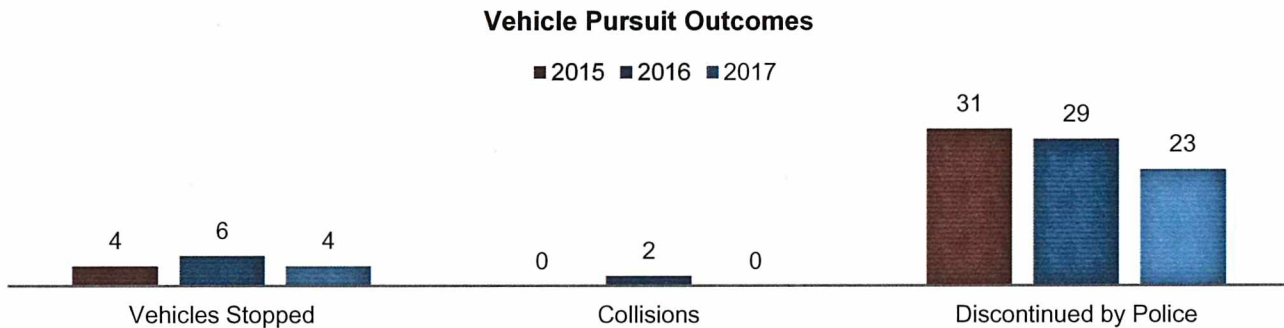
Reason for Pursuit



Professional Standards Branch

Pursuit Outcomes

In 2017, officers discontinued 85% of pursuits, which represents 23 of the total 27 pursuits. In 2016, pursuits were discontinued 78% of the time.



Commendations and Citizen Awards and Letters

The Hamilton Police Service received 120 Good News letters in 2017. This is reflective of the quality service that our members are providing to our communities. In addition to this recognition by members of the public, the Hamilton Police Service also recognized members of the Service and members of our communities in 2017 through various acknowledgements including:

- Issuance of 18 letters of recognition to members of the public
- Awarded 22 members with the Member of the Month Award
- Issuance of 203 commendations to members for exemplary service (139 level one, 1 level two, 17 Superintendent, and 46 Chief)

In addition, two members of our Service were awarded the St. John’s Ambulance Silver Life-Saving Award.

4.5(f)**HAMILTON POLICE SERVICES BOARD****- INFORMATION -**

DATE: 2018 June 21

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *2017 Year-End Budget Variance Report*
PSB 18-081

BACKGROUND:

The Hamilton Police Service (HPS) has completed its 2017 year-end process; the detailed actual-to-budget and actual-to-actual analysis of revenues and expenditures for the year ended December 31, 2017. Budgeted Variance Report is attached (Appendix A).

Historically, HPS has been audited by the City of Hamilton's independent external auditors (currently KPMG) as part of the City's annual year-end audit and its operations consolidated into the City of Hamilton's annual financial statements.

The City's General Issues Committee (FCS 15081) approved a separate annual audit of HPS Schedule of Operations in addition to the City's historical annual consolidated audit for 2015 and 2016 fiscal years. No audit findings were identified by KPMG.

In August 2017, the City's Audit, Finance, and Administration Committee (AF&A, report FCS 17073), approved the recommendation "that the Police Services audit of operations be removed from the schedule of required annual audits". Since HPS is "consolidated into the City of Hamilton's annual financial statements and are part of the City's audit", and "no audit findings" were identified for 2015 and 2016, the "additional audit is not required". HPS will continue to be audited as part of the City's annual consolidated audit for 2017 and future years.

2017 Year-End Results

The 2017 Hamilton Police Service Operating Budget was approved at \$157,333,370 which is comprised of \$168,403,238 in total expenditures, offset by \$11,069,868 in total revenues.

The current Collective Agreements expired on December 31, 2017. All retro payments related to the terms of the Collective Agreements were paid and/or accrued in 2017.

The 2017 Hamilton Police Service actual year-end position resulted in a favorable Operating Budget variance (a surplus) of \$611,711 (0.39% of total budget). The favorable variance details are summarized below.

Revenue – Favourable Variance \$164,975

Overall, HPS realized a total net favourable revenue variance of \$164,975. This variance is mostly attributed to greater than anticipated revenue in Police Clearances, Paid-Special Duty, Police fees and False Alarm fees. These increases were offset with decreases in General Occurrences/ID Photos, Tow Fees and Sale of Accident Reports.

The Hamilton Police Service received the sixth year of the Provincial Court Security upload in 2017. The Court Security upload is the result of the Provincial government initiative to help offset the cost of municipal court security services through a phased-in upload over seven (7) years that began in 2012. These monies are directly applied against court security costs incurred each year.

HPS continues to take advantage of Provincial and Federal funding initiatives to address operational, training and equipment needs. Unbudgeted/unanticipated funding increases were realized in Proceeds of Crime, Victims Quick Response, Repeat Offender Parole Enforcement (ROPE), Prisoner Transportation, Youth in Policing (YIPI), Crisis Support for Emergency Situations, Hate Crime and Extremism, Witness Protection, Intelligence and Federal Prostitution Exit Support Service grants. In addition, HPS received monies from the Department of Justice Canada for Victims and Survivors of Crime Week. These grant monies are offset with direct expenditures from their respective programs.

In addition, HPS incurred reductions in Firearms grant and OPC secondment revenue as a result of staffing changes in those positions.

Expenditures – Total Favourable Variance \$446,736

The Hamilton Police Service realized a total surplus in operating expenditures of \$446,736 in 2017. Several of the highlighted areas are as follows:

Employee Related Costs – Over Expenditure (\$31,196)

The net unfavorable variance in Employee Related Costs can be attributed to greater than anticipated sick bank and vacation payouts due to member retirements/resignations and part-time wages. These over-expenditures were mostly offset by savings in full-time salary costs due to maternity/parental leave, LTD, and gapping.

The sick bank and vacation payouts fluctuate each year based not only on the number of retirements/resignations, but also on employees' accumulated sick bank balances and earned/untaken vacation entitlements as negotiated in the current Collective Agreements.

Members on maternity/parental leave, WSIB, and LTD are replaced by part-time members (for civilian positions, overtime for sworn positions) and therefore, savings of full-time salaries are realized for members on maternity/parental leave and LTD.

Financial/Legal Charges – (\$60,653) over expenditure is mainly attributed to a discipline hearing, grievance/arbitration, human rights complaints, SIU investigations and Board related legal services.

Material and Supplies - \$383,694 net savings is mainly attributed to savings in the OPP monitoring contract with additional net savings in operational expenses, repairs and supplies.

In 2017, the City of Hamilton, including HPS, was subject to an HST audit by Canada Revenue Agency (CRA). HPS was assessed for non-collection of HST at source (plus interest) for the years 2014-2016 in towing fees, photo ID, accident reports, and miscellaneous revenue. As a result of the assessment, HPS notified customers and began applying HST in December 2017. Efforts are being made in attempt to recover some of the assessed amounts. This assessment has been netted against the savings.

Vehicle Expenses - \$128,540 net savings is mainly attributed to outsourced repairs. A significant portion of vehicle repair expenses was eligible under vehicle warranty, thus, there was no cost for these repairs to HPS. In addition, the tender on Original Equipment Manufacturer's (OEM) parts yielded significant savings in auto part purchases.

Buildings and Grounds – (\$121,040) over-expenditure is mostly attributed to higher than anticipated costs in hydro and telephone. The transition to the VOIP telephone system was implemented in stages (completed in summer 2017) and, thus, HPS continued to incur old system telephone costs until the VOIP implementation was fully completed. These over-expenditures were offset with savings in horticultural services, building repairs and heating fuel.

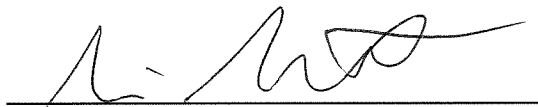
Consulting – (\$27,351) over-expenditure is attributed to professional fees for the hiring process of senior positions within the Service for the Deputy Chief of Police and the Chief Administrative Officer.

Contractual - \$168,415 savings is attributed mostly to cellular phones, air card rentals, photocopier rentals and contractual services. New corporate contracts were negotiated which resulted in significant savings.

The 2017 HPS budget included contributions from the Police Tax Stabilization Reserve of \$75,000, the Police Vehicle Reserve of \$125,000, and the Police Capital Reserve of \$288,500 as sources of revenue. Due to the overall net surplus, these contributions were not required and, as a result, remained in their respective reserve accounts. The 2017 continuity schedule for the Hamilton Police Reserves is shown in Appendix B.

Conclusion

In accordance with the "Operating Budget Surplus/Deficit Policy", the City of Hamilton Finance Department closed the 2017 HPS operating budget surplus of \$611,711 to the Police Tax Stabilization Reserve; a standard operating procedure at year-end.



Eric Girt
Chief of Police

EG:JR

Attachments: *Appendices A-B*

cc: Anna Filice, Chief Administrative Officer
John Randazzo, Chief Accountant – Finance

Hamilton Police Service**Appendix A**

Budget Variance Report

Year Ended December 31, 2017

YTD Budget % : 100.00%

	Annual Budget	2017 Actual	Available Balance	% Spent
	A	B	C=A-B	B/A
Revenues				
Grants and subsidies	\$ (7,583,824)	\$ (7,986,118)	402,294	105.30%
Fees and general revenues	(2,686,844)	(2,938,021)	251,177	109.35%
Reserves/Capital recoveries	(799,200)	(310,703)	(488,497)	38.88%
Total revenues	(11,069,868)	(11,234,843)	164,975	101.49%
Expenses				
Employee related costs	150,960,457	150,991,653	(31,196)	100.02%
Materials and supplies	5,887,543	5,503,848	383,695	93.48%
Vehicle expenses	1,997,000	1,868,460	128,540	93.56%
Buildings and grounds	2,426,494	2,547,534	(121,040)	104.99%
Consulting expenses	27,600	54,951	(27,351)	199.10%
Contractual expenses	793,590	625,175	168,415	78.78%
Agencies and support payments	34,300	34,300	-	100.00%
Reserves/Recoveries	4,297,084	4,290,755	6,329	99.85%
Cost allocation	660,250	660,252	(2)	100.00%
Capital financing	1,027,200	1,027,200	-	100.00%
Financial/Legal charges	291,720	352,373	(60,653)	120.79%
Total expenses	168,403,238	167,956,502	446,736	99.73%
Total Net Expenditure	\$ 157,333,370	\$ 156,721,659	\$ 611,711	99.61%

Hamilton Police Service Summary of Reserve Balances 2017 Reserve Activity

Appendix B

Reserve Number	Reserve Name	Balance		Transfers		Interest Earned(+)	Transfers		Balance Dec 31/2017
		Dec 31/2016		To(+)			From (-)		
104055	Tax Stabilization - Police	490,755	(3)	985,049		16,422	(6)	(551,272)	940,954
104056	Police ISD Forensic Building	6,639,262				150,123			6,789,385
110020	Police Vehicle Replacement	1,601,502	(1)	1,702,600		43,861	(2)	(2,084,593)	1,263,370
110065	Police Capital Expenses	1,100,192				24,877			1,125,069
112029	Vacation Liability Reserve	1,466,930				33,169			1,500,099
112030	Sick Leave Police	6,109,589				138,146			6,247,735
112210	Provision Police Litigation	259,851					(4)	(259,851)	-
112220	Police Special Events	113,487					(5)	(113,487)	-
112225	Rewards - Police Board	181,509				4,104			185,613
22218-000100	OMERS Type III (see note below)	558,893				12,637			571,531
TOTAL RESERVES		\$ 18,521,971		\$ 2,687,649		\$ 423,340		\$ (3,009,204)	\$ 18,623,756

- (1) - transfer to Vehicle Reserve from Police 2017 Approved Operating Budget for vehicle purchases and upfitting, PSB 16-134
- (2) - transfer from Vehicle Reserve to Police Capital Fund (WIP Accounts) for approved Police vehicle purchases and upfitting
- (3) - 2017 Operating Surplus \$611,711 and funds transferred from closed reserve accounts as per HPS Board approval. (1) \$259,851 and (2) \$113,487 [see items (4) and (5)]
- (4) - reserve closed out, approved funds allocated to reserve 104055, as per the HPS Board approval PSB 17-080
- (5) - reserve closed out, approved funds allocated to reserve 104055, as per the HPS Board approval PSB 17-080
- (6) - funds transferred to 2017 Operating Budget for legal indemnification, as approved by the HPS Board PSB 17-095

Note - OMERS Type III account represents the unused portion plus accumulated interest of the OMERS Type III surplus that was divided with the Hamilton Police Association, Senior Officers Association, the Chief and Deputies in 1997. These funds must be used in accordance with the agreement signed by the parties stated above. The monies must be used for specific improvements for the service and / or front line staff.



CITY OF HAMILTON **4.5(g)**
Corporate Services Department
Clerk's Office

TO:	Chair and Members General Issues Committee
COMMITTEE DATE:	April 18, 2018
SUBJECT/REPORT NO:	Use of City Resources During an Election Period Policy (CL18004) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Tony Fallis, Manager, Elections/Print & Mail
SUBMITTED BY:	Rose Caterini City Clerk Corporate Services Department
SIGNATURE:	

RECOMMENDATION

That the use of City Resources during an Election Period Policy, attached as Appendix A to Report CL18004, be approved.

EXECUTIVE SUMMARY

Section 88.18 of the *Municipal Elections Act, 1996* (MEA) now requires municipalities and local boards, before May 1 of an election year, to establish rules and procedures with respect to the use of municipal or board resources during the election campaign period.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS (for recommendation(s) only)

Financial: NA
 Staffing: NA
 Legal: NA

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Use of City Resources During an Election Period Policy
(CL18004) (City Wide)**

Page 2 of 4

HISTORICAL BACKGROUND (Chronology of events)

Use of city resources during election time is currently enforced through the Council Code of Conduct (By-Law 16-290) and the Clarification of Councillor Sponsorships and Related Expenditures Report (FC11108)

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Background

The MEA specifies that a municipality or local board cannot make a contribution to a municipal election candidate (Section 88.8 (4) or a registered third party (Section 88.12 (4)).

A “contribution” includes:

- a) money, goods and services given to and accepted by or on behalf of a person for his or her election campaign (Section 88.15 (1))
- b) money, goods, and services given to and accepted by or on behalf of an individual, corporation or trade union in relation to third party advertisements (Section 88.15 (2)).

A “contribution” may take the form of money, goods or services, any use of the Corporation’s resources for an election campaign by a Member of Council who is a candidate, or by any candidate or any registered third party, would be a contribution by the City.

The current Council Code of Conduct (By-law 16-290) states the following:

SECTION 6: USE OF CITY PROPERTY, SERVICES AND OTHER RESOURCES

6. (1) No Member of Council shall use, or permit the use of, City land, facilities, equipment, supplies, services, City employees or other resources, including City-owned materials, websites, Council transportation delivery services, or Councillor global budgets, for activities other than the business of the City.

(2) No Member of Council shall obtain financial gain from the use or sale of any City-developed intellectual property, (including inventions and creative writings or drawings), computer program, technical innovation, or other item capable of being patented, in which property remains in the exclusive ownership of the City.

OUR Vision: To be the best place to raise a child and age successfully.

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**SUBJECT: Use of City Resources During an Election Period Policy
(CL18004) (City Wide)**

SECTION 7: ELECTION CAMPAIGN WORK

7. (1) No Member shall use facilities, equipment, supplies, services or other resources of the City for any election campaign or campaign-related activities, except on the same basis (including paying a fee if any) as such resources are normally made available to members of the public.

(2) No Member shall use her or his newsletter or website linked through the City’s website, for any election campaign or campaign-related activities.

(3) No Member shall use the services of any City employee for any election campaign or campaign-related activities during hours in which those City employees receive any compensation from the City.

The MEA specifies that a municipality or local board cannot make a contribution to a municipal election candidate (Section 88.8 (4) or a registered third party (Section 88.12 (4)).

Clarification of Councillor Sponsorships and Related Expenditures Report (FC11108) contain the following Council approved guidelines:

Campaign Literature	Expenses incurred to produce or distribute campaign literature or materials will not be paid for by the City. In addition, newsletters may not be distributed after August 30 of an election year.
Sponsorship/Donations/Ticket Expense	Expenses related to sponsorships and donations (including the purchase of event tickets) will not be allowed after August 31 of an election year. Sponsorships/donations are not to be provided for any amounts levied in respect of any tax or user fees. Sponsorships/donations are limited to \$350 per named organization

The Policy, Use of City Resources During an Election Period Policy, attached as Appendix A to Report CL18004 is intended to be in addition to, and not replace, the above listed sections of the Council Code of Conduct or the Clarification of Councillor Sponsorships and Related Expenditures Report.

It is recognized that Members of Council are holders of their office until the end of their term. Nothing in this Policy shall preclude a Member of Council from performing their job, nor inhibit them from representing the interests of the constituents who elected them.

OUR Vision: To be the best place to raise a child and age successfully.

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**SUBJECT: Use of City Resources During an Election Period Policy
(CL18004) (City Wide)**

Page 4 of 4

Purpose

The purpose of this Policy is to provide a consistent approach and direction regarding the use of corporate resources during an election campaign.

Application and Scope

This Policy applies to Members of Council, candidates, registered third parties in a municipal election and staff during a campaign period.

RELEVANT CONSULTATION

Municipal Elections Act, 1996

Council Code of Conduct By-Law 16-290

Clarification of Councillor Sponsorships and Related Expenditures (FC11108)

Legal Services

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Consistent with the current MEA legislation and other municipalities in Ontario

ALTERNATIVES FOR CONSIDERATION

NA

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

USE OF CITY RESOURCES DURING AN ELECTION PERIOD POLICY

1. Purpose

The purpose of this Policy is to provide a consistent approach and direction regarding the use of City resources and those of its Local Boards during an election campaign. Should any Local Board or the City of Hamilton adopt its own policy governing the use of its resources for elections, such policy shall take precedence over this policy.

2. Application and Scope

This Policy applies to Members of Council and its Local Boards, candidates, registered third parties in a municipal election and staff during a campaign period.

Exceptions:

- 2.1 Municipal information prepared, posted and maintained by the City, names and photographs of Members of Council, their contact information, and a list of current representation on committees that is prepared, posted and maintained by the City.
- 2.2 Agendas and minutes of Council and Committee meetings.
- 2.3 Media releases and City materials that describe inter-governmental activities of the Mayor, in the capacity as Head of Council, and Chief Executive Officer of the City.

3. Outcome

This policy is intended to:

- 3.1 Ensure compliance with the *Municipal Elections Act, 1996*, in regards to the role of the City contributing to a municipal and trustee election campaign.
- 3.2 Ensure candidates and registered third parties are treated fairly and consistently.
- 3.3 Ensure the integrity of the election process is maintained at all times.
- 3.4 Establish the appropriate use of resources during an election period, in order to:
 - a. protect the interests of Members of Council, candidates, registered third parties, staff and the Corporation; and,
 - b. ensure accountable and transparent election practices.

REVISED: Appendix "A" to Report No CL18004**Page 2 of 4****4. Policy Statement(s)****4.1 Candidates, Registered Third Parties and Members of Council**

In accordance with the MEA, Members of Council, candidates and/or registered third parties in a campaign period are not permitted to:

- (a) Use equipment, supplies, services, staff or other resources of the City for any campaign or campaign related activities;
- (b) Use City funds to acquire any resources for any campaign or campaign related activities, including ordering of stationery and office supplies;
- (c) Use City facilities or property for campaign events, unless the facility or property is rented in accordance with an agreement and the appropriate rates are paid;

Note: Such rental must be paid from the campaign account of the candidate or registered third party.

- (d) Use City funds to print or distribute any material that makes reference to, or contains the names or photographs, or identifies candidates or registered third parties;
- (e) Make reference to and/or identify any individual as a candidate, political party, registered third party or a supporter or opposition of a question on a ballot during an election, on any social media sites, blogs, and other new media created and managed by City employees;
- (f) Use a City brand, logo, crest, coat of arms, slogan or corporate program identifiers on any election campaign related material, either printed or on a campaign website; and,

Note: This provision includes the Municipal Election logo and any related identifiers.

- (g) Use City Information Technology (IT) assets, infrastructure, or data (e.g. computers, wireless devices, portals, corporate email, web pages, blogs, telephone) to communicate election related messages.

4.2 Advertising and Publications

The following services will be discontinued for Members of Council who are candidates as of August 30:

- (a) All forms of advertising, including municipal publications (e.g. paper or web-based); and,

REVISED: Appendix "A" to Report No CL18004**Page 3 of 4**

- (b) All printing services, including printing, photocopying and distribution of publications, such as newsletters and ward reports, with the exception of communications specifically related to an authorized or scheduled City event (e.g. Public Meeting).

4.3 Candidate and Registered Third Party Conduct

- (a) Candidates and registered third parties may attend City organized events but are not permitted to campaign or disseminate election-related campaign materials;
- (b) A Member of Council attending an event as a representative of City Council is not to campaign while conducting City business. A Member of Council may speak at an event, as a representative of City Council, but is not permitted to use the event as an opportunity to campaign; and,
- (c) Candidates or registered third parties are not permitted to engage in campaign activities directed at City employees while those employees are at their workplace or engaged in work for the City.

4.4 City Staff Conduct

- (a) City staff shall not perform any work in support of a candidate or registered third party (e.g. campaign), during hours in which a person is receiving any compensation from the City, except during scheduled time off (e.g. scheduled vacation time). Staff shall not post or distribute campaign material on behalf of a candidate or registered third party at City facilities or on City property.

5. Roles and Responsibilities

The City Clerk's Office is responsible for communicating this policy to candidates and registered third parties.

Chiefs, Commissioners, Directors, Managers and Supervisors are responsible for communicating this policy to their staff and to investigate reported contraventions to ensure that there is compliance.

Members of Council, election candidates, registered third parties and staff are accountable to comply with this policy.

REVISED: Appendix "A" to Report No CL18004**Page 4 of 4****6. Definitions**

Campaign Period	<p>For candidates, the date on which the Nomination Form is filed until December 31 in the year of an election (unless a request for extension of campaign period has been filed).</p> <p>For registered third parties, the date on which the Notice of Registration as a third party advertiser is filed until December 31 in the year of an election (unless a request for extension of campaign period has been filed).</p>
Candidate	Person who has filed a Nomination Form as a candidate in the municipal election.
City	The City of Hamilton and its local boards.
Local Board	Means a local board as that term is defined in the <i>Municipal Affairs Act, R.S.O. 1990, C.M. 46</i> .
Nomination Day	4th Friday in July in the year of the election, as prescribed in the <i>Municipal Elections Act, 1996 (MEA)</i> .
Registered Third Party	An individual, corporation or trade union that has filed a Notice of Registration as a third-party advertiser in the municipal election.
Social Media	Online technologies and practices used to share opinions, insights, experiences, and perspectives through words, pictures, music, videos and audio. Social media can take many different forms, including but not limited to internet forums, web logs (blogs), social blogs, messaging, wikis, podcasts, pictures, video, music sharing, rating and bookmarking.
Staff	All full-time, part-time and contract employees of the City.

4.5(h)

**Ministry of Community Safety
and Correctional Services**
**Ministère de la Sécurité communautaire
et des Services correctionnels**

Office of the Minister

Bureau de la ministre

25 Grosvenor Street
18th Floor
Toronto ON M7A 1Y6
Tel: 416-325-0408
MCSCS.Feedback@ontario.ca

25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Tél. : 416-325-0408
MCSCS.Feedback@ontario.ca



MC-2018-1124

May 8, 2018

Mr. Eli El-Chantiry
Chair
Ontario Association of Police Services Boards
180 Simcoe Street
London ON N6B 1H9

Dear Mr. El-Chantiry:

I am pleased to share with you that Bill 175, the *Safer Ontario Act, 2018*, received Royal Assent on March 8, 2018.

The *Safer Ontario Act, 2018*, repeals and replaces Ontario's *Police Services Act*, amends the *Coroners Act*, and creates, for the first time, the *Missing Persons Act, 2018*, and the *Forensic Laboratories Act, 2018*. It also creates new legislation related to the oversight of police, including the *Police Oversight Act, 2018*, the *Ontario Policing Discipline Tribunal Act, 2018*, and the *Ontario Special Investigations Unit Act, 2018*. These statutes fall under the purview of the Ministry of the Attorney General.

Passing this legislation is a momentous step for our government. It represents the first comprehensive review of the *Police Services Act* since 1990 and the largest policing transformation in a generation. The changes support our goal to build a proactive, sustainable and effective model of policing in Ontario.

The *Police Services Act, 2018*, will modernize our approach to community safety by mandating municipalities to undertake local community safety and well-being planning, improve police oversight, transparency and accountability, enhance civilian governance and respond to the needs and realities of Ontario's diverse communities.

The majority of provisions in the *Police Services Act, 2018*, will come into force on January 1, 2020. Sections 32 and 77 of the Act, related to constituting First Nation police service boards, will come into force on January 1, 2019. Until this time, the current legislative framework of the *Police Services Act* remains in force.

I want to thank the Ontario Association of Police Services Boards for advocating on behalf of your members and for recommending changes to help achieve our shared goal of a safer Ontario. I am pleased that we were able to work together to address some of the issues you previously raised and included in your submission to the Standing Committee on Justice Policy.

Mr. Eli El-Chantiry
Page 2

Recognizing that police service boards play an important role in establishing policies governing police in their communities, we amended the legislation to enable boards to make policies with respect to the deployment of members of the police service while being prohibited from developing policies or providing direction on the conduct of specific operations or specific investigations. This authority will support police service boards in providing strong and consistent civilian governance over policing in local communities and across the province.

In response to your position on collective agreement negotiations, an amendment was made to enable legal counsel and advisors to the bargaining committee and to the police service board to conduct bargaining sessions on behalf of the bargaining committee and police service board. This amendment will provide police service boards and bargaining committees increased flexibility and choice in relation to who participates and conducts bargaining sessions.

Additionally, to enhance good governance and accountability, board members will be required to complete training associated with governance before they exercise their board responsibilities. Board members will also be required to complete training that promotes and recognizes the diverse, multiracial and multicultural character of Ontario society, and the rights and cultures of First Nation, Inuit and Métis peoples.

I look forward to working together to develop the regulations required to bring these changes into effect and continuing our dialogue to ensure that Ontario's approach to policing aligns with community needs.

Thank you again for your support and ongoing efforts to build safer, stronger communities in Ontario.

Sincerely,



Marie-France Lalonde
Minister

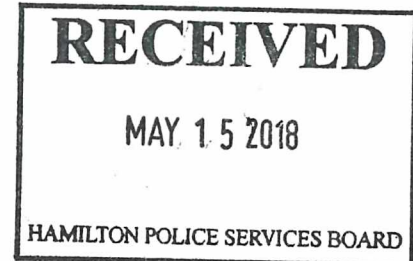
4.5(i)**Ontario Provincial Police****Police provinciale de l'Ontario**

J.V.N. (Vince) Hawkes
 Commissioner Le Commissaire

File #: 601-00

May 2, 2018

Chief Eric Girt
 Hamilton Police Service
 155 King William Street
 Box 1060, LCD 1
 Hamilton ON L8N 4C1



Dear Chief Girt:

As part of the year-end analysis, the Ontario Provincial Police (OPP) has committed to providing police services with an annual summary of OPP activity for each policing jurisdiction. The summary includes policing support provided by the OPP to each police service in Ontario in a calendar year.

Enclosed is the Statement of OPP Activity for your area of policing jurisdiction for the calendar year 2017. Additional information regarding the data used for the hours of policing services provided, equivalent FTEs and approximate cost of the services provided is included at the bottom of the statement. This statement is meant to demonstrate the ongoing support we provide to our policing partners. As we are accountable to the Ontario government for OPP resource allocation, we want to ensure that Ontario municipalities and Chiefs of Police are aware of the OPP support provided to their agencies.

The OPP appreciates the cooperative relationships we share with our municipal policing partners in ensuring the safety and well-being of all Ontario residents.

Please do not hesitate to contact me if you have any further questions.

Yours truly,

J.V.N. (Vince) Hawkes, C.O.M.

Attachment

c: Deputy Commissioner Gary Couture, Provincial Commander
 Field Operations, Ontario Provincial Police

Ms. Mary Silverthorn, Provincial Commander
 Corporate Services, Ontario Provincial Police

Mr. Lloyd Ferguson, Chair
 Hamilton Police Services Board

777 Memorial Avenue
 Orillia, Ontario
 L3V 7V3
 Telephone: 705 329-6199
 Facsimile: 705 329-6195

777 avenue Memorial
 Orillia, Ontario
 L3V 7V3
 Téléphone 705 329-6199
 Télécopieur 705 329-6195



Category	Hours of Policing Services Provided	Equivalent FTEs	Approximate Cost of Services Provided
MVC / TTI	140.5		
Speciality Services	93.75		
ERT / TRU / Crisis Negotiation	2		
Drugs	28		
Assault / Sexual Assault / Violent Crimes	53.5		
Canine	8		
Criminal Code Statutes	41.5		
Weapons	0		
Impaired Incidents	17.5		
Traffic Other	8		
Driver Violations	23.5		
Fixed Wing / Helicopter / UAV	0		
Fraud	2.75		
Theft	55.5		
Security Detail	1		
General Incident	14.5		
Mischief	0		
PLT	66.5		
Total:	556.5	0.39	\$65,405.45

Notes:

1. Hours based on actual events reported in OPP Daily Activity Reporting System rounded to nearest quarter hour.
2. Converted to FTEs based on officer availability factor of 1,417 hours per year.
3. Estimated cost of services provided based on the total Constable cost used in the Municipal Policing Billing Model.



Dundas Valley Secondary School

PROUD SCHOOL OF HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD

310 Governor's Road
Dundas, Ontario L9H 5P8

Phone: 905.628.2203
Fax: 905.627.2904

EMAIL: dundasvalley@hwdsb.on.ca
PRINCIPAL: EM DEL SORDO
VICE-PRINCIPALS: GAIL CIPRIANI
CORIE PILLININI
www.hwdsb.on.ca/dundasvalley

May 21st, 2018

Hamilton Police Services Board
155 King William Street
P.O. Box 1060, LCD 1
Hamilton, Ontario
L8N 4C1

Dear Board members :

Well what a night it was! Almost 400 students from across the Hamilton and surrounding region came together for a night celebrating diversity and inclusiveness! Rainbow Prom 2018 was, indeed an overwhelming success.

And the evening would not have been possible without the support of the Hamilton Police Services Board. In particular, we were delighted that Board member, Madeline Levy, was able to join us for dinner. Indeed we cannot thank you enough for your support of this fantastic event in support of our LGBTQ2S+ students and allies.

As a modest token of our support, please accept this photo taken at the event which we really feel captures the spirit of the evening. Everything from the banquet facility, to the menu to the disc jockey to the photo booth, we could not have asked for a more magical evening.

On behalf of the organizers of Rainbow Prom 2018, thank you for your support and we will see you again in 2019!

Yours very truly,


Richard Gelder

On behalf of the HWDSB Rainbow Prom organizing committee

Encl.



Dundas Valley Secondary

4.5(k)

PROUD SCHOOL OF HAMILTON-WENTWORTH DISTRICT SCHC

310 Governor's Road
Dundas, Ontario L9H 5P8

Phone: 905.628.2203
Fax: 905.627.2904

EMAIL: dundasvalley@hwdsb.on.ca
PRINCIPAL: EM DEL SORDO
VICE-PRINCIPALS: GAIL CIPRIANI
CORIE PILLININI
www.hwdsb.on.ca/dundasvalley

May 21st, 2018

Chief Eric Girt
Hamilton Police Service
155 King William Street, P.O. Box 1060, LCD 1,
Hamilton, ON
L8N4C1

Sandy: For PSB please - M 416 chief

RECEIVED

MAY 31 2018

**CHIEF'S OFFICE
HAMILTON POLICE SERVICE**

Dear Chief Girt:

Well what a night it was! Almost 400 students from across the Hamilton and surrounding region came together for a night celebrating diversity and inclusiveness! Rainbow Prom 2018 was, indeed an overwhelming success.

And the evening would not have been possible without the support of the Hamilton Police Service. In particular, we must acknowledge the outstanding support we received from the following individuals with the HPS:

Detective Paul Corrigan of the Hate Crimes/Extremism unit for securing sponsorship of the very popular photo booths and prizes;

Sandy Pollock, Lois Morin and board member, Madeline Levy of the Hamilton Police Services Board for their assistance and support with sponsorship.

Constable David Hamilton and Jeffrey Potticary in Communications for their involvement via the Hamilton Police Association, which supported Rainbow Prom through trivia night fundraisers as well as the annual "Day of Pink" barbecue.

Indeed we cannot thank you and the entire Hamilton Police Service enough for your support of this fantastic event in support of our LGBTQ2S+ students and allies.

As a modest token of our support, please accept this photo taken at the event which we really feel captures the spirit of the evening. Everything from the banquet facility, to the menu to the disc jockey to the photo booth, we could not have asked for a more magical evening.

.../2

-2-

On behalf of the organizers of Rainbow Prom 2018, thank you for your support and we will see you again in 2019!

Yours very truly,


Richard Gelder

On behalf of the HWDSB Rainbow Prom organizing committee

Encl.

4.5(I)

April 25, 2018

Chief Eric Girt
 Hamilton Police Services
 155 King William Street
 Box 1060, LCD1
 Hamilton, ON L8N 4C1

RECEIVED

MAY 02 2018

CHIEF'S OFFICE
HAMILTON POLICE SERVICE

Dear Chief ^{Eric}Girt:

"I have always wanted to be the one on your side of an award like this. I imagine it must feel amazing to make such contribution to people's lives, and I hope that it does. And I hope that one day, in part because of your encouraging donation, I can experience it for myself. Thanks again; I assure you that your investment will be used in the spirit in which it was given."

Student Award Recipient

You are transforming our community, one student at a time. Thank you for your ongoing investment in the promise of bright futures, filled with purpose and life-long learning. Your continued support of our awards program inspires, enables and celebrates our students and their achievements.

Thank you for your generous gift of \$2,500.00 to the Hamilton Police Services Board Bursary.

Through experiential learning and research, state-of-the-art facilities and award-winning faculty, we strive to ensure every Mohawk College student is ready to succeed in their chosen career. You are helping to make a student's transformation possible. Thank you for being a part of their journey.

Should you have any questions, please do not hesitate to contact Gena Dureault at (905) 575-2208 or gena.dureault@mohawkcollege.ca.

Regards,

A handwritten signature in black ink, appearing to read "Ron J. McKerlie".

Ron J. McKerlie
 President, Mohawk College Foundation

Enclosure: Official Donation Receipt

Be sure to follow us on Twitter  @MOHAWKFDN

4.5(m)

Safety, Licensing Appeals and Standards Tribunals Ontario

*Ontario Parole Board
Ontario Civilian Police Commission
Licence Appeal Tribunal
Fire Safety Commission
Animal Care Review Board*

Tel.: 416-327-6500
Fax: 416-327-6379
Toll Free Tel: 1-844-242-0608
Website: www.slasto.gov.on.ca

Tribunaux de la sécurité, des appels en matière de permis et des normes Ontario

*Commission ontarienne des libérations conditionnelles
Commission civile de l'Ontario sur la police
Tribunal d'appel en matière de permis
Commission de la sécurité-incendie
Commission d'étude des soins aux animaux*

Tél. : 416-327-6500
Télé. : 416-327-6379
Sans frais Tél. : 1-844-242-0608
Site web: www.slasto.gov.on.ca



le français à suivre

June 8, 2018

MEMORANDUM TO: All Stakeholders

FROM: Linda Lamoureux, Executive Chair
Ellen Wexler, Executive Lead

SUBJECT: Upcoming Changes & Initiatives

We are writing to inform you about upcoming changes and initiatives at the Safety, Licensing Appeals and Standards Tribunals Ontario (SLASTO) and what it means for you as you access our services.

Over the summer the following changes will be occurring:

1. Change of address and co-location of SLASTO's tribunals under one roof
2. Launch of new website
3. Implementation of a French Language Services Policy

Background

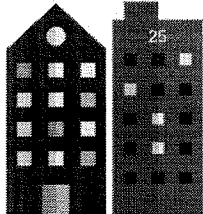
The Safety, Licensing Appeals and Standards Tribunals Ontario (SLASTO) resolves and decides matters arising from over 30 statutes relating to human and animal protection, public safety and the public interest.

Five tribunals make up the SLASTO cluster, including:

- Animal Care Review Board
- Fire Safety Commission

- Licence Appeal Tribunal
- Ontario Civilian Police Commission
- Ontario Parole Board

What's Changing?



1. Change of Address & Co-location

Effective **Tuesday July 3, 2018** the Safety, Licensing Appeals and Standards Tribunals will be moving addresses, as we co-locate all our tribunals under one roof. Public hearing rooms will open in late summer with a date still to be announced.

With all our tribunals in one location, we will be able to operate more efficiently and effectively, and ultimately improve access to our services.

What this means for you:

Mailing Documents:

Effective **July 3, 2018**, all materials and correspondence should be sent to:

77 Wellesley St. West
Box 250
Toronto, ON, M7A 1N3

Public Hearings:

Public hearings will continue to take place at:

20 Dundas St. West
5th Floor, Suite 530
Toronto, ON, M5G 2C2

Tribunal staff will be available for hearing assistance.

We anticipate the public hearing rooms to open at 15 Grosvenor St. in late summer. Further communication will be sent once a date is confirmed.

Forms:

Note: some tribunal forms and documents may temporarily contain old addresses. Please disregard the old addresses and send all forms and documents to the address listed above. Updates to old forms will be made shortly.

In the short-term, all mail sent to old addresses will be re-directed to our new address.

Contact Information:

Effective **August 1, 2018**, we have created one centralized phone number that will better streamline and direct your enquiries.

To contact any of SLASTO's tribunals or Executive Office, please call:

Phone: 416-327-6500
 Toll Free: 1-844-242-0608
 TTY: 416-916-0162
 Toll Free TTY: 1-844-650-2819
 Fax: 416-327-6379

If you have already been speaking with a Case Management Officer or other staff member and you already have their direct line, you may continue to use that number.

For general inquiries, you may also continue to email SLASTOinfo@ontario.ca.

For case-related inquiries, you may email our tribunals at the following addresses*:

Licence Appeal Tribunal	LATregistrar@ontario.ca Note: the following emails will be discontinued: - LATcorrespondence@ontario.ca - AABS@ontario.ca
Ontario Civilian Police Commission	OCPCregistrar@ontario.ca
Ontario Parole Board	OPBregistrar@ontario.ca
Animal Care Review Board	ACRBregistrar@ontario.ca
Fire Safety Commission	FSCregistrar@ontario.ca

*Please list your file number in the subject line of your email.
 For OPB, please include the name of the provincial correctional institution.



2. Launch of New Website

Effective **August 1, 2018** SLASTO will be launching a new website.

Key changes will include:

- Adding new navigation features to more easily find information;
- Adding new interactive features to better communicate with stakeholders and tribunal users; and
- Updating content to better explain our tribunal mandates and processes.

More information will be shared throughout the summer, so please stay tuned.



3. Implementation of French Language Services Policy

Effective **August 1, 2018**, SLASTO will be implementing its French Language Services Policy (FLS Policy).

The Policy will:

- Ensure compliance with the provisions of the *French Language Services Act* in guaranteeing all persons and corporate entities the right to receive services in French;
- Inform the public about the manner in which French language services are provided by SLASTO; and
- Reflect SLASTO's commitment to the provision of French Language Services and to establish the cluster as a leader in the administrative justice sector.

You are able to view the FLS Policy and further details on our [website](#).

4.5(n)

Morin, Lois

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: May-05-18 2:31 PM
To: Morin, Lois
Cc: Male, Rick; Zegarac, Mike; Brown, Charles
Subject: Simple questions per attached current PSB Chairman public statement dated November 20, 2014
Attachments: 23 APRIL 2018 A & A COMMITTEE HST POLICE SHARE.pdf; 2MAY 2018 CASH ON HAND THE BANK PER 2015 FS 2015 NOTE 2.pdf; 5 MAY 2018 HST INFORMATION FOR 10MAY 2018 HPSB MEETING.pdf

Good After noon Ms. Morin

I humbly appeal to put it in May 10,2018 HPSB Agenda.

Because it savings to Hamilton Police and Public must know.

Please find attached documents regarding HST as approved by A & A committee dated April 23, 2018. In that report, \$89,000 related to Hamilton Police Services. See page 11 of 17 and slide 9 per Mr. Zegarac. In it, Mr. Zegarac recommends to A& A Committe that the \$89,000 is to be charged to HPSB.

On May 15, 2016, I raised this very issue, ie who files the HST claim for Hamilton Police Services - the City or Police Services? On May 18, 2016, I received a confirmation from Ms. Morin that it is the City that files the HST claim.

On other occasions I had raised the question of why the line budget is not shown in Hamilton Police budget. I received a response from Hamilton Police accounting staff that they charge the HST portion directly to the City's HST Number. From this, one concludes that Hamilton Police Service do not have a separate HST remittance number unless Hamilton Police has applied to NRA as a separate entity which is unlikely now. Subsequent to my enquiries in 2016, I had correspondence with Mr. Zegarac at which point Mr. Zegarac confirmed that HST is the responsibility of the City of Hamilton.

Conclusion:

I have the following concerns regarding HST:

a) HST has never been charged to Police but has been charged to the City, why is the City is allocating \$89,000 to Police?

b) What happens when the City recovers more than the City has paid? Who gets the excess recovery? Isn't it City's general revenue? I have attached Financial Statements from 2013 to 2016 receivables as follows.

2013 HST Receivables \$14.7 millions

2014 HST Receivables \$25.2Millions

2015 HST Receivables \$16.8Millions

2016HST Receivables \$8.6Millions

c) The \$89,000 is a non-cash transaction. As such it violates fundamental accounting rules. (A copy of 2015 F/S note 2 is attached)

d) There are three members from City Council in HPSB. Chief, you have to take a leading role to eliminate this kind of "non-cash" transaction. (In my opinion it shows inadequate understanding Hamilton Police Services budget)

e) The purpose of this reassessment is City staff is understating the City portion.

f) The comfortable relationship between staff and Council members at times gets in the way of a critical analysis of staff recommendations.

g) I have no comments on Other entities. I can speak for Hamilton Police Services Budget as I am very familiar with it. My purpose is to reduce Police inflatable budget to hire more uniform officers and Detectives.

I am willing to work with new CYO

Chief, respectfully submitted for your consideration. Do not agree to this charge.

PS: I am ready to address Development Charges. I have a ruling from PSAB



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	April 23, 2018
SUBJECT/REPORT NO:	Tax and Rate Operating Budget Variance Report as at December 31, 2017 – Budget Control Policy Transfers (FCS17060(b)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kayla Petrovsky (905) 546-2424 Ext. 1335 Tom Hewitson (905) 546-2424 Ext. 4159
SUBMITTED BY:	Mike Zegarac General Manager Finance and Corporate Services
SIGNATURE:	

RECOMMENDATION

- (a) That, in accordance with the “Budget Control Policy”, the 2017 budget amendment transferring budget from one department / division to another and / or from one cost category to another with no impact on the levy, as outlined in Appendix “C” to Report FCS17060(b), be approved;
- (b) That, in accordance with the “Budgeted Complement Control Policy”, the 2017 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix “D” to Report FCS17060(b), be approved;
- (c) That the Social Housing Stabilization Reserve (110041), with a balance of approximately \$2.1M, be repurposed from a stabilization reserve to providing development charge exemptions for affordable housing;
- (d) That, subject to final audit, the Disposition of 2017 Year-End Operating Budget Surplus / Deficit be approved as follows:

**SUBJECT: Tax and Rate Operating Budget Variance Report as at
December 31, 2017 – Budget Control Policy Transfers (FCS17060(b))
(City Wide) – Page 11 of 17**

Further to direction from Council for the 2018 budget, the City has changed the reporting methodology and the budgeted gapping savings of -\$4.5M has been distributed to the departments within the City Manager / General Manager's budgets.

During the 2017 budget, a number of restructuring initiatives were approved that reduced the budget but also had one-time costs required. These costs were accommodated within each of the departments overall surplus and did not require reserve funding. The restructuring costs are not included in the gapping totals above.

Corporate Initiatives

A deficit of \$1.6 M in Corporate Initiatives is mainly due to higher insurance costs of \$951K, an unexpected HST liability payment of \$784K (see below), offset by lower spending for Area Rated Levy Parkland Purchases (\$166K).

HST Audit

On January 10, 2018, the City received the results of a Canada Revenue Agency (CRA) audit on Harmonized Sales Tax (HST). The audit covered the period from January 1, 2014 through June 30, 2016 and took 14 months to complete. The audit resulted in a reassessment of approximately \$1.4M including interest charges. Of this amount, \$89K pertained to Hamilton Police Services and \$2K pertained to Hamilton Public Library and these amounts were charged back to Police and Library. The remainder of \$1.3M is the responsibility of the City. However, \$481K can be recovered from various vendors.

The vendors have been asked to provide revised invoices where their HST number was missing or incorrect and staff will be submitting revised HST claims. The reassessment also includes disallowable portion of an HST claim for overhead submitted by Deloitte on behalf of the City in 2016. The City's share of the claim was \$1.3M and the City share of the disallowed portion was \$154K. The City's share of the Deloitte claim was transferred to the Tax Stabilization Reserve as part of the 2016 year end surplus distribution. The majority of the remainder of the reassessment pertains to HST the City had not collected on City services, such as inspection fees that were provided prior to staff conducting a review of City user fees for HST applicability in 2015. The user fees were amended in 2015 to make them HST applicable where previously they had been deemed HST exempt. It was not viable to try to retroactively collect the HST for the user fees collected prior to the fees being amended in 2015. The remaining amount of the HST reassessment has been funded from the 2017 surplus through Corporate Financials.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

DEPARTMENT VARIANCES EXPLANATION SUMMARY

Corporate Financials / Non Program Revenues:

- \$3.8 M unfavourable variance (Corporate Financials)
 - Budget savings of \$4.5 M - Gapping
- \$7.9 M favourable variance (Non Program Revenues)
 - Hamilton Utilities Corporation/Alectra dividends \$5.0 M favourable
 - Supplementary taxes of \$2.1 M
 - Other tax revenues of \$1.4 M
- HST Audit
 - On January 10, 2018, the City received the results of a Canada Revenue Agency (CRA) audit (Jan 2014 – June 2016) on Harmonized Sales Tax (HST).
 - The HST audit resulted in a reassessment of approximately \$1.4 M. The obligation to the City was \$0.9 M.



From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: May 18, 2016 3:25 PM
To: Shekar Chandrashekar
Cc: Ferguson, Lloyd; Whitehead, Terry; juchniewicz@juch-tech.com; EGirt@hamiltonpolice.on.ca; Office of the Mayor; Omazic, Drina; Wicken, Colleen; Atwood-Petkovski, Janice; lbordeleau@perlaw.ca; don.macvicar@arcelormittal.com; kweatherill@hamiltonpolice.on.ca
Subject: RE: Simple questions per attached current PSB Chairman public statement dated November 20, 2014

Good afternoon Mr. Chandrashekar.

In answer to questions 1 – 3 – these relate to in-camera item(s) and I am not able to provide an answer.

In answer to question 4, the City files the HST claim.

Thank you.

Lois Morin

Lois Morin

Administrator
Hamilton Police Services Board
155 King William Street
Hamilton, ON L8N 4C1
Phone: 905-546-2727
Fax: 905-546-4720
E-mail: lois.morin@hamilton.ca / www.hamiltonpolice.on.ca

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: May-15-16 10:01 AM
To: Morin, Lois
Cc: Ferguson, Lloyd; Whitehead, Terry; juchniewicz@juch-tech.com; EGirt@hamiltonpolice.on.ca; Office of the Mayor; Omazic, Drina; Wicken, Colleen; Atwood-Petkovski, Janice; lbordeleau@perlaw.ca; don.macvicar@arcelormittal.com; kweatherill@hamiltonpolice.on.ca
Subject: Simple questions per attached current PSB Chairman public statement dated November 20, 2014

Good Morning Ms. Morin

Simple questions

There is a perception that all Hamilton services Police Board Members approved the former Police Chief's retirement package dated January 25, 2016. It should be noted

that one of the members was ill and as such that member missed the January 21, 2016 meeting and the entire month.

1) Therefore, please confirm how many members of the PSB approved the former Police Chief's retirement package?

2) Please also provide me with the name of the legal Counsel who drafted that retirement package contract, and

3) Since the City charges a charge back fee for legal services annually, what kind of legal services does the Hamilton Police Services receive from the City? and

4) Who files the HST claim for Hamilton Police services? the City, or Police Services?

Ms. Morin..always thankful

Private Citizen

City of Hamilton
Notes to Consolidated Financial Statements

For the year ended December 31, 2015 (all numbers in columns are in thousands of dollars)

2. Cash and portfolio investments

	<u>2015</u>	<u>2014</u>
Cash and cash equivalents are comprised of:		
Cash on hand	\$ 165	\$ 166
Cash held in banks	86,716	177,196
Temporary investments	6,128	6,114
	<u>\$ 93,009</u>	<u>\$ 183,476</u>
Portfolio investments are comprised of:		
Unrestricted investments	\$ 526,265	\$ 589,209
Designated investments (obligatory reserve funds)	226,744	194,868
Designated investments (Hamilton Future Fund)	37,711	46,436
	<u>\$ 790,720</u>	<u>\$ 830,513</u>

Portfolio investments have a market value of \$827,987,000 (2014 - \$864,665,000) and include investments in the City's own debentures - unrestricted investments of \$11,629,000 (2014 - \$14,896,000).

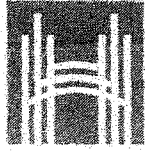
3. Long term receivables

The City has long-term receivables in the amount of \$53,737,000 (2013 - \$48,995,000). The long term receivables are comprised of:

	<u>2015</u>	<u>2014</u>
Development charge deferral agreements	\$ 17,847	\$ 18,990
Mortgages receivable:		
Downtown convert to rent program	18,428	19,250
Hamilton Utilities Corporation	7,776	-
Hamilton Renewable Power Inc.	2,649	2,649
Sheraton Hotel loan	1,192	1,296
Other City loan programs	4,836	5,656
Loans to other agencies and organizations	4,931	5,469
Less: Provision for loans with concessionary terms	<u>(3,922)</u>	<u>(4,315)</u>
	<u>\$ 53,737</u>	<u>\$ 48,995</u>

Development charge deferral agreements and mortgage receivables are loans which are secured by property, with interest rates varying from 0% to 4.75% and terms of one year to thirty years.

Loans to other agencies and organizations include loans to the Hamilton Conservation Authority, Wentworth Minor Football Association, Catholic Children's Aid Society, Winona Peach Festival, Redeemer University College, the Bob Kemp Hospice, Canadian Football Hall of Fame, Rosedale Tennis Club with interest rates varying from 0% to 6.75% for terms of up to thirty years.



Hamilton

FINANCIAL REPORT

2013

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Appendix "A" to Report FCS14036- Page 3 of 13

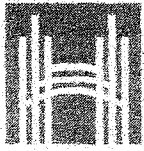
Accounts Receivable \$101.5M (2013) \$104.1M (2012)
 Accounts receivable represents revenues earned by the City but not received at year end net of estimates of allowances for uncollectible accounts. The 2013 balance primarily consists of water and wastewater receivables (\$36M), general receivables & accruals (\$35.2M), HST receivables (\$14.7M), provincial and federal grants receivable (\$11.3M), and interest receivable (\$4.5M).

Long Term Receivables \$51.4M (2013) \$49.2M (2012)
 Long Term Receivables represent the balance of loans and deferral agreements with agencies and organizations net of the provision for loans with concessionary terms. The long term receivables include:

	<u>2013</u>		<u>2012</u>
	\$000's		\$000's
Development charge deferral agreements	\$ 21,482	\$	20,104
Mortgages receivable:			
Downtown convert to rent program	15,026		12,568
Hamilton Renewable Power Inc.	3,460		3,966
Sheraton Hotel loan	1,308		1,380
Other City loan programs	6,398		6,781
Loans to other agencies and organizations	7,786		8,459
Less: Provision for loans with concessionary terms	<u>(4,050)</u>		<u>(4,042)</u>
	\$ 51,410	\$	49,216

Portfolio investments \$816.2M (2013) \$817.1M (2012)
 Portfolio investments represent the City's holdings, as prescribed by the Municipal Act, in short and long term fixed income securities. The investments earn various interest rates with different premiums, discounts and maturities. Portfolio investments have a market value of \$819.4 million.

Investment in Government Business Enterprises \$235.4M (2013) \$230.6M (2012)
 Investment in Government Business Enterprises represents net equity of the consolidation of the City's subsidiary corporations, Hamilton Utilities Corp. (H.U.C.) and Hamilton Renewable Power Inc. (H.R.P.I.). The consolidation of subsidiary corporations under the modified equity basis of accounting is required by the generally accepted accounting principles of the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants (CICA). This PSAB recommendation was instituted in 2000 and also affects the reporting of the accumulated surplus and net municipal position in the consolidated financial statements. The increase in the investment in the government business enterprises is reported as net income of \$4.8 million (2012 - \$8.6 million) in the Consolidated Statement of Operations. The net income excludes the dividend income received during 2013 of \$11.4 million from H.U.C. and \$306,000 from H.R.P.I.



Hamilton

FINANCIAL REPORT

2014

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Appendix "A" to Report FCS15045 - Page 3 of 12

2014 City of Hamilton Consolidated Financial Statements Analysis

Accounts Receivable \$117.4M (2014) \$101.5M (2013)

Accounts receivable represents revenues earned by the City but not received at year end net of estimates of allowances for uncollectible accounts. The 2014 balance consists of water and wastewater receivables (\$38M), general receivables & accruals (\$35.9M), HST receivables (\$25.2M), provincial and federal grants receivable (\$14M), and interest receivable (\$4.3M).

Long Term Receivables \$49.0M (2014) \$49.4M (2013)

Long Term Receivables represent the balance of loans and deferral agreements with agencies and organizations net of the provision for loans with concessionary terms. The long term receivables include:

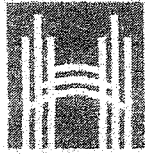
	<u>2014</u>	<u>2013</u>
	\$000's	\$000's
Development charge deferral agreements	\$ 18,990	\$ 21,482
Mortgages receivable:		
Downtown convert to rent program	19,250	15,026
Hamilton Renewable Power Inc.	2,649	3,460
Sheraton Hotel loan	1,296	1,308
Other City loan programs	5,656	6,398
Loans to other agencies and organizations	5,469	5,759
Less: Provision for loans with concessionary terms	<u>(4,315)</u>	<u>(4,050)</u>
	\$ 48,995	\$ 49,383

Portfolio investments \$830.5M (2014) \$816.2M (2013)

Portfolio investments represent the City's holdings, as prescribed by the Municipal Act, in short and long term fixed income securities. The investments earn various interest rates with different premiums, discounts and maturities. Portfolio investments have a market value of \$864.7 million.

Investment in Government Business Enterprises \$223.7M (2014) \$235.4M (2013)

Investment in Government Business Enterprises represents net equity of the consolidation of the City's subsidiary corporations, Hamilton Utilities Corp. (HUC) and Hamilton Renewable Power Inc. (HRPI). The consolidation of subsidiary corporations under the modified equity basis of accounting is required by the generally accepted accounting principles of the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPA). This PSAB recommendation was instituted in 2000 and also affects the reporting of the accumulated surplus and net municipal position in the consolidated financial statements. Dividends received in 2014 consisted of \$11.4 million from HUC and \$296,000 from HRPI.



Hamilton

FINANCIAL REPORT

2015

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Appendix "A" to Report FCS16051
- Page 3 of 12

2015 City of Hamilton Consolidated Financial Statements Analysis

Taxes Receivable \$85.4M (2015) \$83.0M (2014)

Taxes receivable represent unpaid property tax bills net of estimates for allowances for uncollectible accounts. Taxes Receivable represent 8.7% of current year's tax levies (2014 – 8.7%). The 2015 balance includes an allowance for doubtful accounts of \$5.2M (2014 - \$3.7M).

Accounts Receivable \$117.7M (2015) \$117.4M (2014)

Accounts receivable represents revenues earned by the City but not received at year end net of estimates of allowances for uncollectible accounts. The 2015 balance consists of water and wastewater receivables (\$38.0M), general receivables & accruals (\$30.6M), HST receivables (\$16.8M), provincial and federal grants receivable (\$16.2M), and interest receivable (\$4.1M).

Long Term Receivables \$53.7M (2015) \$49.0M (2014)

Long Term Receivables represent the balance of loans and deferral agreements with agencies and organizations net of the provision for loans with concessionary terms. The long term receivables include:

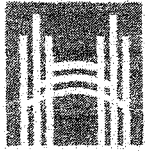
	<u>2015</u> \$000's	<u>2014</u> \$000's
Development charge deferral agreements	\$ 17,847	\$ 18,990
Mortgages receivable:		
Downtown convert to rent program	18,428	19,250
Hamilton Utilities Corporation	7,776	-
Hamilton Renewable Power Inc.	2,649	2,649
Sheraton Hotel loan	1,192	1,296
Other City loan programs	4,836	5,656
Loans to other agencies and organizations	4,931	5,469
Less: Provision for loans with concessionary terms	<u>(3,922)</u>	<u>(4,315)</u>
	\$ 53,737	\$ 48,995

Portfolio investments \$790.7M (2015) \$830.5M (2014)

Portfolio investments represent the City's holdings, as prescribed by the Municipal Act, in short and long term fixed income securities. The investments earn various interest rates with different premiums, discounts and maturities. Portfolio investments have a market value of \$828M.

Investment in Government Business Enterprises \$232.8M (2015) \$223.7M (2014)

Investment in Government Business Enterprises represents net equity of the consolidation of the City's subsidiary corporations, Hamilton Utilities Corp. (HUC) and Hamilton Renewable Power Inc. (HRPI). The consolidation of subsidiary corporations under the modified equity basis of accounting is required by the generally accepted accounting principles of the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada (CPA). This PSAB



Hamilton

FINANCIAL REPORT

2016

City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

**Appendix "A" to Report FCS17053
Page 3 of 12**

2016 City of Hamilton Consolidated Financial Statements Analysis

CityHousing Hamilton bank. The balance increased in 2016 from 2015 as more money was held in the bank at year end. Of note, debenture proceeds were received in 2016 for \$128.4M (2015 - \$0.0M).

Taxes Receivable \$83.7M (2016) \$85.4M (2015)
 Taxes receivable represent unpaid property tax bills net of estimates for allowances for uncollectible accounts. Taxes Receivable represent 8.0% of current year's tax levies (2015 – 8.7%). The 2016 balance includes an allowance for doubtful accounts of \$5.4M (2015 - \$5.2M).

Accounts Receivable \$108.0M (2016) \$117.7M (2015)
 Accounts receivable represents revenues earned by the City but not received at year end net of estimates of allowances for uncollectible accounts. The 2016 balance consists of water and wastewater receivables (\$45.9M), general receivables & accruals (\$20.0M), HST receivables (\$8.6M), provincial and federal grants receivable (\$14.9M), and interest receivable (\$4.3M).

Long Term Receivables \$48.3M (2016) \$53.7M (2015)
 Long Term Receivables represent the balance of loans and deferral agreements with agencies and organizations net of the provision for loans with concessionary terms. The long term receivables include:

	<u>2016</u> \$000's	<u>2015</u> \$000's
Development charge deferral agreements	\$22,117	\$ 17,847
Mortgages receivable:		
Downtown convert to rent program	10,470	18,428
Hamilton Utilities Corporation	8,100	7,776
Hamilton Renewable Power Inc.	1,304	2,649
Sheraton Hotel loan	1,086	1,192
Other City loan programs	3,719	4,836
Loans to other agencies and organizations	4,357	4,931
Less: Provision for loans with concessionary terms	<u>(2,841)</u>	<u>(3,922)</u>
	\$48,312	\$ 53,737

Portfolio Investments \$900.0M (2016) \$790.7M (2015)
 Portfolio investments represent the City's holdings, as prescribed by the Municipal Act, in short and long term fixed income securities. The investments earn various interest rates with different premiums, discounts and maturities. Portfolio investments have a market value of \$927.6M.



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	April 23, 2018
SUBJECT/REPORT NO:	Tax and Rate Operating Budget Variance Report as at December 31, 2017 – Budget Control Policy Transfers (FCS17060(b)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kayla Petrovsky (905) 546-2424 Ext. 1335 Tom Hewitson (905) 546-2424 Ext. 4159
SUBMITTED BY:	Mike Zegarac General Manager Finance and Corporate Services
SIGNATURE:	

RECOMMENDATION

- (a) That, in accordance with the "Budget Control Policy", the 2017 budget amendment transferring budget from one department / division to another and / or from one cost category to another with no impact on the levy, as outlined in Appendix "C" to Report FCS17060(b), be approved;
- (b) That, in accordance with the "Budgeted Complement Control Policy", the 2017 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix "D" to Report FCS17060(b), be approved;
- (c) That the Social Housing Stabilization Reserve (110041), with a balance of approximately \$2.1M, be repurposed from a stabilization reserve to providing development charge exemptions for affordable housing;
- (d) That, subject to final audit, the Disposition of 2017 Year-End Operating Budget Surplus / Deficit be approved as follows:

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Tax and Rate Operating Budget Variance Report as at
December 31, 2017 – Budget Control Policy Transfers (FCS17060(b))
(City Wide) – Page 11 of 17**

Further to direction from Council for the 2018 budget, the City has changed the reporting methodology and the budgeted gapping savings of -\$4.5M has been distributed to the departments within the City Manager / General Manager's budgets.

During the 2017 budget, a number of restructuring initiatives were approved that reduced the budget but also had one-time costs required. These costs were accommodated within each of the departments overall surplus and did not require reserve funding. The restructuring costs are not included in the gapping totals above.

Corporate Initiatives

A deficit of \$1.6 M in Corporate Initiatives is mainly due to higher insurance costs of \$951K, an unexpected HST liability payment of \$784K (see below), offset by lower spending for Area Rated Levy Parkland Purchases (\$166K).

HST Audit

On January 10, 2018, the City received the results of a Canada Revenue Agency (CRA) audit on Harmonized Sales Tax (HST). The audit covered the period from January 1, 2014 through June 30, 2016 and took 14 months to complete. The audit resulted in a reassessment of approximately \$1.4M including interest charges. Of this amount, \$89K pertained to Hamilton Police Services and \$2K pertained to Hamilton Public Library and these amounts were charged back to Police and Library. The remainder of \$1.3M is the responsibility of the City. However, \$481K can be recovered from various vendors.

The vendors have been asked to provide revised invoices where their HST number was missing or incorrect and staff will be submitting revised HST claims. The reassessment also includes disallowable portion of an HST claim for overhead submitted by Deloitte on behalf of the City in 2016. The City's share of the claim was \$1.3M and the City share of the disallowed portion was \$154K. The City's share of the Deloitte claim was transferred to the Tax Stabilization Reserve as part of the 2016 year end surplus distribution. The majority of the remainder of the reassessment pertains to HST the City had not collected on City services, such as inspection fees that were provided prior to staff conducting a review of City user fees for HST applicability in 2015. The user fees were amended in 2015 to make them HST applicable where previously they had been deemed HST exempt. It was not viable to try to retroactively collect the HST for the user fees collected prior to the fees being amended in 2015. The remaining amount of the HST reassessment has been funded from the 2017 surplus through Corporate Financials.

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DEPARTMENT VARIANCES EXPLANATION SUMMARY

Corporate Financials / Non Program Revenues:

- \$3.8 M unfavourable variance (Corporate Financials)
 - Budget savings of \$4.5 M - Gapping
- \$7.9 M favourable variance (Non Program Revenues)
 - Hamilton Utilities Corporation/Alectra dividends \$5.0 M favourable
 - Supplementary taxes of \$2.1 M
 - Other tax revenues of \$1.4 M
- HST Audit
 - On January 10, 2018, the City received the results of a Canada Revenue Agency (CRA) audit (Jan 2014 – June 2016) on Harmonized Sales Tax (HST).
 - The HST audit resulted in a reassessment of approximately \$1.4 M. The obligation to the City was \$0.9 M.



From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: May 18, 2016 3:25 PM
To: Shekar Chandrashekar
Cc: Ferguson, Lloyd; Whitehead, Terry; juchniewicz@juch-tech.com;
EGirt@hamiltonpolice.on.ca; Office of the Mayor; Omazic, Drina; Wicken, Colleen; Atwood-
Petkovski, Janice; lbordeleau@perlaw.ca; don.macvicar@arcelormittal.com;
kweatherill@hamiltonpolice.on.ca
Subject: RE: Simple questions per attached current PSB Chairman public statement dated
November 20, 2014

Good afternoon Mr. Chandrashekar.

In answer to questions 1 – 3 – these relate to in-camera item(s) and I am not able to provide an
answer.

In answer to question 4, the City files the HST claim.

Thank you.

Lois Morin

Lois Morin

Administrator
Hamilton Police Services Board
155 King William Street
Hamilton, ON L8N 4C1
Phone: 905-546-2727
Fax: 905-546-4720
E-mail: lois.morin@hamilton.ca / www.hamiltonpolice.on.ca

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: May-15-16 10:01 AM
To: Morin, Lois
Cc: Ferguson, Lloyd; Whitehead, Terry; juchniewicz@juch-tech.com; EGirt@hamiltonpolice.on.ca;
Office of the Mayor; Omazic, Drina; Wicken, Colleen; Atwood-Petkovski, Janice;
lbordeleau@perlaw.ca; don.macvicar@arcelormittal.com; kweatherill@hamiltonpolice.on.ca
Subject: Simple questions per attached current PSB Chairman public statement dated November
20, 2014

Good Morning Ms. Morin

Simple questions

There is a perception that all Hamilton services Police Board Members approved the
former Police Chief's retirement package dated January 25, 2016. It should be noted

that one of the members was ill and as such that member missed the January 21, 2016 meeting and the entire month.

1) Therefore, please confirm how many members of the PSB approved the former Police Chief's retirement package?

2) Please also provide me with the name of the legal Counsel who drafted that retirement package contract, and

3) Since the City charges a charge back fee for legal services annually, what kind of legal services does the Hamilton Police Services receive from the City? and

4) Who files the HST claim for Hamilton Police services? the City, or Police Services?

Ms. Morin..always thankful

Private Citizen

City of Hamilton
Notes to Consolidated Financial Statements

For the year ended December 31, 2015 (all numbers in columns are in thousands of dollars)

2. Cash and portfolio investments

	<u>2015</u>	<u>2014</u>
Cash and cash equivalents are comprised of:		
Cash on hand	\$ 165	\$ 166
Cash held in banks	86,716	177,196
Temporary investments	6,128	6,114
	<u>\$ 93,009</u>	<u>\$ 183,476</u>
Portfolio investments are comprised of:		
Unrestricted investments	\$ 526,265	\$ 589,209
Designated investments (obligatory reserve funds)	226,744	194,868
Designated investments (Hamilton Future Fund)	37,711	46,436
	<u>\$ 790,720</u>	<u>\$ 830,513</u>

Portfolio investments have a market value of \$827,987,000 (2014 - \$864,665,000) and include investments in the City's own debentures - unrestricted investments of \$11,629,000 (2014 - \$14,896,000).

3. Long term receivables

The City has long-term receivables in the amount of \$53,737,000 (2013 - \$48,995,000). The long term receivables are comprised of:

	<u>2015</u>	<u>2014</u>
Development charge deferral agreements	\$ 17,847	\$ 18,990
Mortgages receivable:		
Downtown convert to rent program	18,428	19,250
Hamilton Utilities Corporation	7,776	-
Hamilton Renewable Power Inc.	2,649	2,649
Sheraton Hotel loan	1,192	1,296
Other City loan programs	4,836	5,656
Loans to other agencies and organizations	4,931	5,469
Less: Provision for loans with concessionary terms	<u>(3,922)</u>	<u>(4,315)</u>
	<u>\$ 53,737</u>	<u>\$ 48,995</u>

Development charge deferral agreements and mortgage receivables are loans which are secured by property, with interest rates varying from 0% to 4.75% and terms of one year to thirty years.

Loans to other agencies and organizations include loans to the Hamilton Conservation Authority, Wentworth Minor Football Association, Catholic Children's Aid Society, Winona Peach Festival, Redeemer University College, the Bob Kemp Hospice, Canadian Football Hall of Fame, Rosedale Tennis Club with interest rates varying from 0% to 6.75% for terms of up to thirty years.

4.5(o)

Morin, Lois

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: June-09-18 1:33 AM
To: Morin, Lois
Cc: ctwolan@hpa.on.ca
Subject: Fw: Seeking your advice regarding FCS 18030
Attachments: 7 JUNE 2018 MEMO FOR HPSB TO REBUT FCS 18030..1.pdf; 2 JUNE 2018 OLD AND NEW POLICE ACT WITH RESPECT TO POLICE ACT S 31 RESPONSIBILITIES OF BOARD...2.pdf; 8 june 2018 rebut fcs 18030....3.pdf

Good Morning Ms.Morin
As I promised.
Ms.Morin always thankful
shekar
ps: SET ONE

From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: June 7, 2018 2:37 PM
To: Shekar Chandrashekar
Subject: Re: Seeking your advice regarding FCS 18030

Yes, submitting Sunday would be fine.

Lois Morin

Sent from my Bell Samsung device over Canada's largest network.

From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: June 6, 2018 9:59 AM
To: Shekar Chandrashekar
Subject: RE: Seeking your advice regarding FCS 18030

Good morning Mr. Chandrashekar.

I would need your submission by this Friday, June 8, to be included in the public agenda for the next meeting scheduled for June 21, 2018.

Thank you.
Lois Morin

Lois Morin

Administrator
Hamilton Police Services Board
155 King William Street
Hamilton, ON L8N 4C1
Phone: 905-546-2727
Fax: 905-546-4720
E-mail: lois.morin@hamilton.ca / www.hamiltonpolice.on.ca

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From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]

Sent: June-05-18 2:56 PM

To: Morin, Lois

Subject: Seeking your advice regarding FCS 18030

Good after noon Ms.Morin

I am in the processes of addressing FCS 18030 Hamilton Police Services portion went directly to A & A committee without first presented to HPSB for their review whether contents contained in FCS 18030 is accurate.

Ms.Morin as you know, HPSB is a decision making body per Police Act S 31. With that, Ms.Morin ,how soon I have time to submit my rebut for up coming June,2018 Police Board meeting Agenda?

Ms.Morin always thankful from a private citizen

Shekar Chandrashekar
39 Haddon Ave. South
Hamilton ON L8S 1X5
Email: shekarfamily@hotmail.com
Tel: (905) 525-3082
Date: June 8, 2018

Chairman and Members of Hamilton Police Services Board

Attention: Ms. Morin

Dear Ms. Morin

Re: To rebut Hamilton Police Services portion of FCS 18030

FCS 18030 is in respect to a Freedom of Information Request to Access police services accounting records made by myself. The intent of this memo is to question why approval of the Hamilton Police Services' portion of FCS 18030 went directly to the City's A & A Committee **without HPSB approval**.

I am not knowledgeable in police operations nor am I interested in police confidential information. However, I am knowledgeable in Police financial Operations. According to Police Act section 31, it is the responsibility of HPSB to review contents in FCS 18030 before it goes to the A & A committee. Why did it go directly to the A & A Committee before the full board has an opportunity to discuss it and to determine whether the contents of FCS 18030 are accurate?

In my opinion, the information is inaccurate and law enforcement should be more careful with information provided to the public. Three elected officials on the board, including the Chairman of HPSB, are in the GIC Committee yet they did not raise the issue. My following comments will address the inaccuracies.

Mr. Chairman and members of HPSB, I am constantly appealing and fighting for transparency and accountability. I have obtained a legal opinion to interpret S 39(1) in an attempt to reduce the inflated Police Budget. However, it needs leadership so that HPSB can direct the Chief to invest in safe policing and in officer training to address new challenges.

I have highlighted a few items that I have **always** addressed with facts and supporting evidence. They are:

Item 1)

The Municipal contribution on the HPS Schedule of Operations is wrong.

Police Staff response: The City's Internal Auditor reviewed this claim and determined that the Municipal contribution on the schedule of Operations **was correct** and in accordance with reporting requirements of the Public Sector Accounting Board
(See Appendix "A" to report FCS 18030)

Private Citizen's Response:

I suggest Appendix "A" be reread. It is not unqualified. Internal Auditor agrees with me. Therefore Police Staff has provided incorrect information to the taxpayers of Hamilton. I **hope the new C.A.O will be more accountable and transparent to public.**

Item 2)**Pan Am Games Claim**

Police Staff Response: The City's Internal Auditor reviewed this assertion and determined that the correct amount was claimed and reimbursed. The claim was audited by Price Waterhouse Coopers, who were engaged by the Ministry of Community Safety and Correctional Services to audit the claims.(see appendix "A' TO Report FCS 18030).

Private Citizen's Response: This requires a detailed explanation. Police Services from select cities were involved with security operations of Pan Am /Parapan Am Games. They were:

- Durham Police Services Board
- Halton Police Services Board
- Hamilton Police Services Board
- Niagara Regional Police Services Board
- Peel Regional Police Services Board
- Toronto Police Services Board
- York Regional Police Services Board

Ottawa Police Services Board was not part of Pan Am Games.

The reimbursement claims of all of the above Police Services were audited by Price Waterhouse Cooper including the claim by Hamilton Police Services. All those police services, except Hamilton Police Services, received a reimbursement of actual expenditures incurred. Those actual expenditures were not only reflected in their accounting records but an actual statement of the expenditures was presented to their respective boards for review. Hamilton Police Services did not submit a statement supporting their reimbursement claim to their board, nor are the expenditures reflected in their accounting records. Why the difference with the Hamilton Police Services Board?

Very briefly, former Deputy Chief Ken Weatherill was in charge of Pan Am operations for a short time then he was replaced by current Deputy Chief Dan Kinsella who was appointed to full Pan Am games operations. Former Chief De Caire unilaterally decided to cancel all annual leave during the games for approximately 3 weeks. The association grieved this decision to arbitration. The arbitrator ruled in favor of former Chief De Caire. The officers were offered 1.5 hours of overtime for each shift. They were paid the overtime during the first portion of the games, however as I understand, this was changed **part way and overtime was cut back**. Many of the practice sites, which included overtime, **were cancelled**. These officers went back to work on **regular patrol**. I **have obtained complete invoices and time sheets through FOI**.

Detailed description:

- a) Current Deputy Chief Dan Kinsella, as a uniformed officer, should be able to confirm in public that officers were paid 1.5 hours overtime, as former Chief promised.
- b) There was no evidence that Price Waterhouse has traced invoices and time sheets to actual payroll.
- c) If the officers had been paid the promised overtime, those expenditures would have been properly reflected in the expenditure centre that Hamilton police set up specifically for the Pan Am games. The HPS accounting records would then have shown the same result as other Police Services in that: Total expenditures = Total reimbursement.
- d) KPMG, who audited Hamilton Police Services financial operations confirmed: " We did not Audit the Pan Am claim submission to the Province. We did audit the Pan Am revenue recorded in the financial statement." **Copy attached.**
- e) City Internal Auditor stated: " I have examined the available funds reports for the relevant years and concur with the observation made by Mr.Chandrashekar that recorded 'Pan Am Dept. ID' expenses in those reports fall short of the amount claimed." "After making.....Accordingly, a significant portion of eligible costs were not captured by the Pan Am Dept.I.D. Account." I would suggest that you read this again. **Memorandum by Charles Brown Copy attached.**
- f) Refer to Deputy Minister's Letter and minister of community safety and correctional Services. **Copies attached**
- g) KPMG and the City Internal Auditor must abide by code of standards and ethics. In order to resolve the discrepancy, both KPMG and City Internal Auditor must meet and obtain permission from their predecessor (Price Waterhouse). This can only happen if HPSB gives the mandate to KPMG and the City internal Auditor. This requires a huge amount of time and money.
- h) There is no evidence that HPSB has given a mandate to KPMG or the City Internal Auditor. There is a public statement by Chairman of HPSB that we made money on the Pan Am Games whereas the agreement with the province was that only costs incurred would be reimbursed. The discrepancy between the amount reimbursed for the Pan Am Games and the amount recorded in the accounting records can be solved in two ways.
 - Current Deputy Chief Dan Kinsella; did uniformed officers get paid 1.5 hours overtime throughout the games. If they did not how was it recorded in the accounting records?
 - HPSB should give a mandate to either KPMG or the City Internal Auditor to investigate actual transactions after consulting with the preceding auditor.

Until then, I am confident that this discrepancy will remain unsolved. It is taxpayer funds. Taxpayers deserve accountability and transparency. I suggest that HPS accountants reread the City Internal Auditor report and ask why KPMG didn't audit the Pan Am game expenditures? HPSB should find the answer.

Item 3:**HPS budgeted Salary contingency exceeded the settlement by \$3 million**

Police Staff Response: The City's external auditor, KPMG, audited the Schedule of Operations and reviewed the budget for salary contingency and contract settlement retro payments and provided an unqualified opinion of no errors or misstatement.

Private Citizen's Response: Again this is providing incorrect information. Refer to my memo addressed directly to former Police Chief dated December 31, 2015. It states that the amount that the board approved was set in Appendix A of the budget. The actual accounting records differ significantly from the amount approved. **Copy attached.**

After a long discussion, Lois Ouellette of KPMG agreed that their audit of Police Services Schedule of Operations did not include a comparison to the budget or to the line budget but only of actual amounts. **Copy attached and Detailed letter and Appendix "A" and Summery accounts to support my contention will be handing in at June 21, 2018 HPSB meeting**

I sincerely suggest that the new C.A.O sit with the police accountant who provides the accounting information so that the accounts may be interpreted accurately. It is a law enforcement organization and it has to provide accurate information to taxpayers.

Item 4:**HPS pre-planned excess budgeting for the salary settlement and Pan Am reimbursement to provide financing for the forensic building.**

Police Staff Response: This is Mr. Chandrashekar's personal opinion and no question was posed.

Private Citizen's Response: It is false. It is not a personal opinion. It is all public information. The same accountant repeatedly said, "It costs \$250,000 to audit Hamilton Police Services financial operations." It turns out it cost less than \$12,000.

That said:**a) Pre-planned excess budgeting for salary settlement:**

On December 31, 2015, I had directly addressed the HPSB on this issue with supporting documents. HPSB approved the actual amount based on memo and on Appendix A, however, the actual accounting records differ significantly. This can easily be seen in the attached summary page. Members of the Board depend on the budget memo and Appendix A presented to them in order to approve the budget. They are not provided with the actual amount recorded in the accounting records. I have documented all these in a booklet for the years 2013 to 2015 and have **attached a copy of my analysis.**

b) Forensic Building: I have addressed in detail in item 2.

As a private citizen I find it hard to believe that inaccurate information is coming from a law enforcement organization. My main mission is to reduce inflated budget. I hope the new C.A.O. will come to grips with producing inaccurate information to public. **I will be happy to sit with new C.A.O. and help her save millions of dollars.**

Memorandum by Charles Brown, copy attached, regarding municipal contributions and Pan Am Games are attached. I suggest accountant must re-read it.

Appendix "A" is related to HPSB. I will be addressing them directly.

Items 5, 6, 8, 9, 13, 14

**Private Citizen's Response: Not worth commenting
Item 7**

Former Chief allowed to keep cell phone and computer with confidential data on them:

Police Staff Response: This is statement by Mr.Chandrashekar and no question was posed.

Private Citizen's Response: The Police Staff response does not deny that the former the former chief was permitted to keep his cell phone and computer. Their response evades the point that the information that I have obtained from other police services is that no other service had allowed a computer or cell phone to be retained on retirement. I had obtained all information through F.O.I and there is media release that confirms my information. It was also confirmed by the Chairman of HPSB in a public statement.

The implication of the staff response is that my statement is untrue. The Hamilton Police Services Board, as a decision making body, has a duty to eliminate this type of distorted information before it goes out to the public.

All copies are attached.

Item 10

HPS staff receives two additional weeks of vacation on retirement and no other police services or Municipality provides this benefit:

Police Staff response: This entitlement is contained in the collective agreements.

Private Citizen's Response: It is communication breakdown within HPSB Chairman and book keeper. It merits consideration on contract renegotiations.

See attached copy.

Item 11

HPS does not provide the Board a detailed line item budget with prior year actuals:

Police Staff response: This is a statement by Mr. Chandrashekar and no question was posed.

Private Citizen's Response: I brought this to the HPSB's attention as a suggestion to improve the budget approval process. The suggestion was approved yet no prior year detail line budget actuals are being provided to the board. The staff response does not address the issue and by omission, provides false information to the A & A Committee and to the public.

Item 12

Mr. Chandrashekar said he can reduce Police Budget by \$2 million:

Police Staff response: This is Mr. Chandrashekar's personal opinion and no details were provided on how this would be obtained.

Private Citizen's Response: I am an accountant and I have gone through Hamilton Police Services line budgeting for the past several years. As a citizen and taxpayer, it is my job to point out my concerns. My firm goal is to reduce police services budget.

Item 15

Employment Contracts for HPS Chief and Deputies should be the responsibility of the City of Hamilton Human Resources not Legal Counsel who reports to the Chief

Police Staff response: This is Mr. Chandrashekar's personal opinion, no staff response

Private Citizen's Response: Refer to op-ed dated January 11, 2016. HPSB ... "has a lawyer that reports directly to the Chief. This raises questions about who drafted employment contracts including former chief retirement package. This is in my opinion violation of code of conduct."

HPSB has a lawyer coming from Ottawa to give legal advice to HPSB. Doesn't Hamilton have any legal firm of equal standing? Why paying travel and accommodation plus legal fees to a lawyer coming from Ottawa?

I will stand by it.

My mission is to reduce police inflated budget and to hire more uniform officers and detectives to fight against increase in crime and make safer for Hamiltonians.

Respectfully submitted by a concerned private Citizen



OLD ACT

Responsibilities of boards

31. (1) A board is responsible for the provision of adequate and effective police services in the municipality and shall,

- (a) appoint the members of the municipal police force;
- (b) generally determine, after consultation with the chief of police, objectives and priorities with respect to police services in the municipality;
- (c) establish policies for the effective management of the police force;
- (d) recruit and appoint the chief of police and any deputy chief of police, and annually determine their remuneration and working conditions, taking their submissions into account;
- (e) direct the chief of police and monitor his or her performance;
- (f) establish policies respecting the disclosure by chiefs of police of personal information about individuals;**
- (g) receive regular reports from the chief of police on disclosures and decisions made under section 49 (secondary activities);
- (h) establish guidelines with respect to the indemnification of members of the police force for legal costs under section 50;
- (i) establish guidelines for dealing with complaints under Part V, subject to subsection (1.1);
- (j) review the chief of police's administration of the complaints system under Part V and receive regular reports from the chief of police on his or her administration of the complaints system. R.S.O. 1990, c. P.15, s. 31 (1); 1995, c. 4, s. 4 (7); 1997, c. 8, s. 21 (1-3); 1997, c. 17, s. 8; 2007, c. 5, s. 9 (1).

Municipal police force

38. A municipal police force shall consist of a chief of police employed by the police force and such other police officers employed by the police force and other employees of the police force as are adequate, and shall be provided with adequate equipment and facilities. 2009, c. 30, s. 46.

Estimates

39. (1) The board shall submit operating and capital estimates to the municipal council that will show, separately, the amounts that will be required,

- (a) to maintain the police force and provide it with equipment and facilities; and
- (b) to pay the expenses of the board's operation other than the remuneration of board members.



Same

(2) The format of the estimates, the period that they cover and the timetable for their submission shall be as determined by the council.

Budget

(3) Upon reviewing the estimates, the council shall establish an overall budget for the board for the purposes described in clauses (1) (a) and (b) and, in doing so, the council is not bound to adopt the estimates submitted by the board.

Same

(4) In establishing an overall budget for the board, the council does not have the authority to approve or disapprove specific items in the estimates.

Commission hearing in case of dispute

(5) If the board is not satisfied that the budget established for it by the council is sufficient to maintain an adequate number of police officers or other employees of the police force or to provide the police force with adequate equipment or facilities, the board may request that the Commission determine the question and the Commission, shall, after a hearing, do so. 1997, c. 8, s. 26.

Duties of chief of police

41. (1) The duties of a chief of police include,
- (a) in the case of a municipal police force, administering the police force and overseeing its operation in accordance with the objectives, priorities and policies established by the board under subsection 31 (1);
 - (b) ensuring that members of the police force carry out their duties in accordance with this Act and the regulations and in a manner that reflects the needs of the community, and that discipline is maintained in the police force;
 - (c) ensuring that the police force provides community-oriented police services;
 - (d) administering the complaints system in accordance with Part V. R.S.O. 1990, c. P.15, s. 41 (1); 1995, c. 4, s. 4 (8, 9); 1997, c. 8, s. 27.

Chief of police reports to board

(2) The chief of police reports to the board and shall obey its lawful orders and directions. R.S.O. 1990, c. P.15, s. 41 (2).



NEW ACT

Ontario Police Services Act – Part III – Municipal Police Services Boards – Section 31

Changes Proposed by the Ontario Association of Police Services Boards (OAPSB)

14 March 2016

Municipal Police Boards

Responsibilities of Police Boards:

31 (1) Each police board is responsible for the provision of police services in their jurisdiction, in accordance with provincial standards and the needs, values and expectations of the community, and shall as its primary responsibilities:

- (a) Determine the public safety needs, values and expectations of the community as the collective owners of the police service, through direct connection to that community as a whole.
- (b) Establish policies which direct the police service to achieve certain public safety outcomes, within any prescribed limitations including financial constraints, which are congruent with their community's public safety needs, values and expectations.
- (c) Ensure that police service's performance is congruent with both provincial standards for policing and the board's policy direction regarding public safety outcomes and prescribed limitations, through rigorous organizational performance evaluation, and public disclosure of those evaluation results.

(2) Furthermore, to help ensure fulfillment of its primary responsibilities, every board shall:

- (a) As employer of the police service, appoint the members of their police service and special constables throughout their jurisdiction.
- (b) Select the chief of police and deputy chiefs of police.
- (c) Ensure that board members participate in all individual and collective training as required in provincial regulations.
- (d) Comply with any and all provincial standards regarding police board performance, and participate fully in provincial evaluations of board performance.



Policies Re Police Operations:

(3) The board may establish general policies regarding police operations and administration, but shall not direct the chief of police regarding any specific, underway policing operations or policing operational decisions.

Policies Re Management of Police Force:

(4) The board may establish policies for the effective management of the police force.

Restriction:

(5) The board may give orders and directions to the chief of police, but not to other members of the police force, and no individual member of the board shall give orders or directions to any member of the police force.

Background Check:

(6) Before entering on the duties of office, a member of a board shall undergo a criminal background check, and may be deemed ineligible for board membership as per provincial regulations.

Oath of Office:

(7) Before entering on the duties of office, a member of a board shall take an oath or affirmation of office in the prescribed form.

Prepared by: Fred Kaustinen, Executive Director OAPSB

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Memorandum

Date: January 15, 2018

To: Mike Zegarac, General Manager, Finance and Corporate Services
Corporate Services

From: Charles Brown, Director of Audit Services
City Manager's Office - Audit Services

Subject: Issues Identified by Shekar Chandrashekar

I have reviewed two items referred to me by yourself pursuant to the letter tabled by Shekar Chandrashekar at AF&A Committee. My review comments are based on information I have received from the relevant departments responding to my enquiries and analysis. I did not conduct an audit of this information.

Municipal Contributions to Police Services

The letter states that "KPMG of Hamilton arbitrarily reduced the municipal contribution to police services operations by over \$1.5 million without explaining the basis for the change in their note two of the Statement of Operations [December 31, 2015]".

The budgeted municipal contribution to the Hamilton Police Service for the year ended December 31, 2015 was \$149,091,955. The municipal contribution as it appears on audited financial statements for the same period was \$147,287,587. I was advised by finance staff and it was confirmed with the external auditor that the reduction was necessary to ensure the financial statements conform to PSAB requirements (Public Sector Accounting Board). Essentially what this means is that the definitions of what constitutes a revenue or expense item are different in PSAB and therefore do not precisely match what are considered revenues or expense items in the budget format approved by Council. This is a reality faced by all municipalities.

The individual explanations I've been given for each line item adjustment in note 2 are consistent with changes that would be necessary under PSAB. Thus, the rationale for a reduction in amount, i.e. to meet PSAB requirements, appears to be valid. The financial statements of HPS, in order to receive an unqualified opinion from external auditors must be conformed to PSAB accounting principles.

On the issue of whether the disclosure made in note 2 provides adequate explanation of the adjustments to the original number, the situation is more problematic. While the adjusting entries themselves appear to be appropriate and consistent with requirements to meet PSAB standards, the disclosure format and explanations of individual adjustments are lacking. A general reference is made to PSAB in note 1 but there is no articulation of how it is being applied to each element in note 2.

ITEM 1

Appendix "A" to Report FCS18030

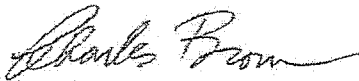
Page 2 of 3

Subject: Investigation of Whistleblower Allegations (Case 2016-001)

Page 2 of 3

In the financial statements of the following year, December 31, 2016, the disclosure was much improved. With Hamilton City Council approval (FCS17073, August 2017) to eliminate the Police Services annual audit of their Schedule of Operations, separate PSAB reporting for HPS will no longer be required. However, should separate statements be produced and audited in the future, you may wish to consider opening discussions with HPS and the auditors about adding individual explanations of the required PSAB changes, perhaps with footnoting, to further enhance and improve transparency and avoid confusion.

I trust you will find this information satisfactory.



Charles Brown, CPA, CA, CPA (Illinois)
Director of Audit Services
(905) 546-2424 ext.4469
Charles.Brown@hamilton.ca

cc: Brian McMullen
Rick Male
John Randazzo

Appendix "A" to Report FCS18030

Page 2 of 3

Subject: Investigation of Whistleblower Allegations (Case 2016-001)

Page 2 of 3

Appendix "A" to Report FCS18030

Page 1 of 3

Memorandum

Pan-Am Games

The key issue presented in the letter by Mr. Chandrashekar is that the claim submitted to, and received by the Ministry of Community Safety and Correctional Services in the amount of \$2.7 million "is significantly higher than the actual expenditures recorded in their actual available funds report obtained through FOI."

I have examined the available funds reports for the relevant years and concur with the observation made by Mr. Chandrashekar that the recorded "Pan Am Dept. ID" expenses in those reports fall short of the amount claimed.

After making enquiries to HPS about the discrepancy between the amount of the claim and the accumulated Pan Am Dept. ID expenses I received the explanation that the Pan Am cost centre expenses only covered those related to staff assigned full-time to the planning phase of the games and away from their regular duties. Expenditures for front line officers intermittently assigned to Pan Am security were expensed to their home departments due to the cost and administrative burden of transferring them temporarily to another Dept. ID. Accordingly, a significant portion of eligible costs were not captured by the Pan Am Dept. ID account.

In reviewing the matter with HPS staff I learned that the claim was substantiated by individual invoices sent monthly to MCSCS with all supporting documentation. This documentation was made available to PricewaterhouseCoopers (PwC), the auditors who attested to the accuracy of the claim in accordance with the Cost Contribution Agreement with the Ministry of Community Safety and Correctional Services. The financial statement of eligible expenditures, which accounted for the full amount of claim, received PwC's unqualified audit opinion that it was prepared in accordance with the Cost Contribution Agreement. An unqualified audit opinion rendered by an independent third party is the highest form of assurance available and the auditors must adhere to rigorous standards, including adequate testing, to render such an opinion.

Given all the above, I have no reason to doubt the validity of the claim submitted and paid to HPS for eligible Pan Am expenditures.

For your additional information, you may recall that there were media reports linking the claim to the fact that HPS had a surplus, and by implication the claim was overstated. I discussed this with HPS and the primary reason for a surplus appears to be that there were operational requirements for Pan Am security that HPS was obligated to fulfil which couldn't have been met simply by making use of off duty personnel. So, a command decision was made to cancel leave for the sworn contingent of HPS.

~~ITEM 2 & ITEM 7~~

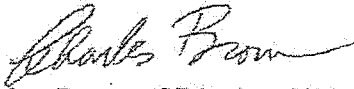
3

Subject: Investigation of Whistleblower Allegations (Case 2016-001)

Page 3 of 3

As a result of the cancellation of annual leave, HPS incurred substantially less overtime and costs related to calling in off duty personnel that ultimately saved \$1.2M.

I trust you will find this information satisfactory.



Charles Brown, CPA, CA, CPA (Illinois)

Director of Audit Services

(905) 546-2424 ext.4469

Charles.Brown@hamilton.ca

cc: Brian McMullen

Rick Male

John Randazzo

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: October 5, 2016 1:05 PM
To: Ouellette, Lois A
Cc: terry whitehead; kristin.prince@hamilton.ca; Ciapanna, Paul P
Subject: Re: Minutes of October 4, 2016 meeting

Present: Terry Whitehead, Lois Ouellette and Shekar

Where: Councilor Board Room

Time: 3:30 pm

Date: 4 October 2016

At this meeting, the following was agreed upon:

- 1) After a long discussion, Lois Ouellette agreed that their audit of Police Services Schedule of Operations did not include Budget but only Actual amounts.
- 2) With respect to Pan Am games, the revenue recorded in the financial statement was audited but Hamilton Police Service's claim submission to **the province was not audited.**

Ms.Ouellette this will be distributed.

Always thankful

shekar

From: Ouellette, Lois A <louellette@kpmg.ca>
Sent: October 5, 2016 12:36 PM
To: Shekar Chandrashekar
Cc: terry whitehead; Shekar Chandrashekar; kristin.prince@hamilton.ca; Ciapanna, Paul P
Subject: Re: Minutes of October 4, 2016 meeting

Hello Shekar,

On point number 2, I would clarify that we did not Audit the PanAm claim submission to the province. We did audit the PanAm revenue recorded in the financial statement.

Lois

RE: Pan Am Game contribution by the Province Durham PSB

Bill CLANCY

Reply

2016-06-07

You;

Sheri CRAGO (SCRAGO@drps.ca);

+2 more

You replied on 2016-06-07 3:16 PM.

Hello Shekar, the answers to your questions are in blue below. I trust this is helpful.

Bill Clancy

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: Tuesday, June 07, 2016 10:05 AM

To: Bill CLANCY

Cc: Sheri CRAGO; Lisa WRIGHT; Anita LONGO

Subject: Re: Pan Am Game contribution by the Province

Good Morning Mr.Clancy

These are "Yes" or "No" items (a) (b)

May I have information concerning your **Pan Am Game** financial results as follows:

a) Was your reimbursement limited to your costs, or **YES**

b) Were you granted any additional PanAm revenue over and above expenditures? **NO**

Would it be possible to have a copy of your PanAm financial report as submitted to your police board? **No** financial report was provided to the Board. The Board was updated verbally over the course of discussions with the Province on reimbursement.

Respectfully requested by a private citizen

shekar

Re: Pan Am Game cost sharing Contract

Shekar Chandrashekar



Reply

2016-06-07

Bill CLANCY (BCLANCY@drps.ca)

Good Morning Mr.Clancy

Hello Shekar. The Board did not approve a budget for the Pan Am Games. The Police Service determined its needs based on operational assessments and was reimbursed for all costs by the Province. The Board received updates regularly from the Police Service on planning and preparations and participated in discussions with the Province related to cost recovery, but the Board did not approve a budget.

Regards,

Bill Clancy

These are "Yes" or "No" items (a) (b)

May I have information concerning your **Pan Am Game** financial results as follows:

- a) Was your reimbursement limited to your costs, or
- b) Were you granted any additional PanAm revenue over and above expenditures Budgeted?

Would it be possible to have a copy of your PanAm financial report as submitted to your police board?

Respectfully requested by a private citizen

shekar

From: Bill CLANCY <BCLANCY@drps.ca>

Sent: November 24, 2015 3:32 PM

To: Shekar Chandrashekar

Subject: RE: Pan Am Game cost sharing Contract

Hello Shekar. The Board did not approve a budget for the Pan Am Games. The Police Service determined its needs based on operational assessments and was reimbursed for all costs by the Province. The Board received updates regularly from the Police Service on planning and preparations and participated in discussions with the Province related to cost recovery, but the Board did not approve a budget.

Regards,

RE: Pan Am Game contribution by the Province
Halton PSB
McDonald, Dorothy

Reply

2016-06-06

You

You replied on 2016-06-06 3:10 PM.

Please see the responses below.

Dorothy

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: 2016 June 06 9:34 AM

To: McDonald, Dorothy

Subject: Re: Pan Am Game contribution by the Province

Good Morning Ms.McDonald

Thank you. Will follow if required.However,I have received information from PSB'S it simply report to your board indicating what was final cost. Your board must have approved.That is what I need.

Ms.McDonald please,let me know

shekar

From: McDonald, Dorothy <Dorothy.McDonald@haltonpolice.ca>

Sent: June 6, 2016 7:59 AM

To: Shekar Chandrashekar

Subject: RE: Pan Am Game contribution by the Province

Good Morning Shekar:

This request should be processed under the Freedom of Information Act. As such I've attached a link to the Service's website for the form, etc., for your reference.

<https://www.haltonpolice.ca/about/foi/index.php>

RE: Pan Am Game contribution by the Province Niagara Regional PSB

Deb Reid

Reply

2016-06-06

You;

psb@YRP.CA;

Dorothy.McDonald@haltonpolice.ca;

+10 more

You replied on 2016-06-09 11:01 AM.

Mr. Chandrashekar,

Further to your email, please see my response to your questions below. They are highlighted in red.

Regards,

Deborah Reid, Executive Director

Regional Municipality of Niagara Police Services Board
68 Church Street, St. Catharines, ON L2R 3C6
Office: (905) 688-3911 x5170 / Mobile: 905-329-7814 / Fax: (905) 688-0036
Email: deb_reid@niagarapolice.ca

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: Sunday, June 05, 2016 1:52 PM

To: psb@YRP.CA; Dorothy.McDonald@haltonpolice.ca; ALONGO@drps.ca; Deb Reid; Deirdre.Williams@tpsb.ca; Fred.Biro@peelpoliceboard.ca; Lorena.Perkins@peelpoliceboard.ca; BCLANCY@drps.ca; Lynn.Kennedy@ottawa.ca; Wendy.Fedec@ottawa.ca

Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org

Subject: Pan Am Game contribution by the Province

Good after noon

May I have information concerning your Pan Am Game financial results as follows:

- a) Was your reimbursement limited to your costs, or Yes
 - b) Were you granted any additional PanAm revenue over and above expenditures? No
- Would it be possible to have a copy of your PanAm financial report as submitted to your police board? We are still in the audit process and waiting for final reimbursement. There was no formal report to the Board. The results were included in the December 31, 2015 year-end financial report to the Board.

Respectfully requested by a private citizen

shekar

The Municipal Freedom of Information and Protection of Privacy Act was enacted on January 1, 1991. The purpose of the Act is two-fold...

Dorothy

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]
Sent: 2016 June 05 1:52 PM

Peel Police Services Board - Pan Am Game Results

Perkins, Lorena

Reply

2016-06-09

You

2015 Pan and Para Pan American Games- Results.pdf 2 MB

Download

Save to OneDrive - Personal

Hello,

Further to your request for information regarding the Pan Am games and services provided by Peel Regional Police, please find attached the public report providing you with the information you requested. Have a wonderful day! Please acknowledge receipt.

Regards,

Lorena Perkins

Board Manager

Regional Municipality of Peel Police Services Board

10 Peel Centre Drive, Brampton, ON L6T 4B9

Phone: (905)458-1340

Email: Lorena.Perkins@peelpoliceboard.ca

RE: PANAM/PARAPAN AM GAMES

Toronto PSB

Tony Veneziano

Reply

2016-06-14

You

Photos

You replied on 2016-06-14 12:29 PM.

Good morning Shekar, and nice talking to you earlier today.

The answers to your questions are provided below in blue.

Regards,

Tony V.

- 1) The majority of the resources dedicated to the planning team were not backfilled...What do you mean by were not backfilled?

This means the positions that the members of the planning team originally held prior to joining the team remained vacant during their secondment to PanAm ... they were not filled.

- 2) These are "Yes" or "No" items (a) (b)

May I have information concerning your Pan Am Game financial results as follows:

- a) Was your reimbursement limited to your costs, YES, or
- b) Were you granted any additional PanAm revenue over and above expenditures budgeted? NO

Tony Veneziano, CPA, CGA
Chief Administrative Officer

Toronto Police Service
Office: 416-808-8005
Mobile: 416-560-4054

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: Monday June 13, 2016 10:25 AM
To: Tony Veneziano
Subject: PANAM/PARAPAN AM GAMES

Good Morning Mr.Veneziano

Your report to your TPS ITEM #P79

I have few questions regarding above captioned subject.They are:

1) The majority of the resources dedicated to the planning team were not backfilled...What do you mean by were not backfilled?

2)These are "Yes" or "No" items (a) (b)

May I have information concerning your Pan Am Game financial results as follows:

a) Was your reimbursement limited to your costs, or

b) Were you granted any additional PanAm revenue over and above expenditures budgeted?

I have a copy of the final report provided by Ms.Williams.

Respectfully requested by a private citizen
shekar

Bill Clancy

RE: Please,See attached

Avellino, Mafalda



Reply

2016-06-07

You

You replied on 2016-06-07 2:22 PM.

Good afternoon Mr. Chandrashekar,

Please see me answers below in bold. I hope this assists with your request.

Mafalda Avellino | Executive Director, The Regional Municipality of York Police Services Board

17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 905-830-4444 ext. 77906 | **Toll Free:** 1-877-464-9675 | **Fax:** 905-895-5249

| psb@yrp.ca | www.yrpsb.ca

Confidentiality Note

The information contained in this communication is confidential and is intended only for the use of the individual or entity to whom it is addressed. The contents of this communication may also be subject to legal privilege, and all rights of that privilege are expressly claimed and not waived. If you have received this communication in error, please notify us immediately and delete the communication without making a copy. Thank you for your assistance.

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: June-07-16 9:58 AM

To: Avellino, Mafalda

Subject: Re: Please,See attached

Good Morning Ms.Avellino

Thank you for the report But Would you please, "Yes" or "No" items (a) (b)

May I have information concerning your **Pan Am Game** financial results as follows:

a) Was your reimbursement limited to your costs, or Yes, but you will note in b) that some equipment was partially paid for by the Province.

b) Were you granted any additional PanAm revenue over and above expenditures? You will note on page 2: In addition, the agreement included 50% of the cost of equipment, that included purchases of a portable hailing system, a search endoscope with mirror and information technology equipment. Our Service purchased these items and as per the agreement, the province funded 50% of the cost.

Would it be possible to have a copy of your PanAm financial report as submitted to your police board? - the link to the report which was submitted in January is in the email below.

Respectfully requested by a private citizen
shekar

From: Avellino, Mafalda <psb@YRP.CA>
Sent: June 6, 2016 9:24 AM
To: Shekar Chandrashekar
Subject: RE: Please,See attached

Good morning, please see the links to the PAN AM final report which was received in January 2016.

<http://www.yrpsb.ca/agendas/2016/January/PANAM-Games-Financial-Update.pdf>

Mafalda Avellino | Executive Director, The Regional Municipality of York Police Services Board

17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 905-830-4444 ext. 77906 | Toll Free: 1-877-464-9675 | Fax: 905-895-5249
| psb@yrp.ca | www.yrpsb.ca

RE: Pan Am Game contribution by the Province
Ottawa PSB
Fedec, Wendy

Reply

2016-06-07

You;

MCSCS.Feedback@ontario.ca;

+4 more

You replied on 2016-06-07 12:06 PM.

That is correct.

Wendy

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: Tuesday, June 07, 2016 11:57 AM

To: Fedec, Wendy

Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org; Fisher, Heather C (Police); Kennedy, Lynn

Subject: Re: Pan Am Game contribution by the Province

Good after noon Ms.Fedec

Thank you. This confirms that,Ottawa police was not part of Pan Am Game event.

Please, confirm it.

Ms.Fedec...always thankful and respectful

shekar

From: Fedec, Wendy <Wendy.Fedec@ottawa.ca>

Sent: June 7, 2016 11:38 AM

To: 'Shekar Chandrashekar'

Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org;

Fisher, Heather C (Police); Kennedy, Lynn

Subject: RE: Pan Am Game contribution by the Province

Good morning Mr. Chandrashekar,

I checked with our Police Service and have been advised that the Ottawa Police Service did not send any members to the Pan Am Games.

Regards,

Wendy Fedec, Executive Director | Ottawa Police Services Board | wendy.fedec@ottawa.ca
☎ (613) 580-2424, x21618 | 📠 (613) 580-2728 | 110 Laurier Avenue West, Ottawa, ON K1P 1J1 | www.ottawapoliceboard.ca

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]
Sent: Tuesday, June 07, 2016 10:47 AM
To: Kennedy, Lynn; Fedec, Wendy
Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org
Subject: Re: Pan Am Game contribution by the Province

Good Morning Ms Kennedy and Fedec.

These are "Yes" or "No" items (a) (b)

May I have information concerning your **Pan Am Game** financial results as follows:

- a) Was your reimbursement limited to your costs, or
- b) Were you granted any additional PanAm revenue over and above expenditures Budgeted?

Would it be possible to have a copy of your PanAm financial report as submitted to your police board?

Respectfully requested by a private citizen
shekar

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: June 5, 2016 1:51 PM
To: psb@YRP.CA; Dorothy.McDonald@haltonpolice.ca; ALONGO@drps.ca; Deb.Morton@niagarapolice.ca; Deirdre.Williams@tpsb.ca; Fred.Biro@peelpoliceboard.ca; Lorena.Perkins@peelpoliceboard.ca; BCLANCY@drps.ca; Lynn.Kennedy@ottawa.ca; Wendy.Fedec@ottawa.ca
Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org
Subject: Pan Am Game contribution by the Province

Good after noon

May I have information concerning your **Pan Am Game** financial results as follows:

- a) Was your reimbursement limited to your costs, or
- b) Were you granted any additional PanAm revenue over and above expenditures?

Would it be possible to have a copy of your PanAm financial report as submitted to your police board?

Respectfully requested by a private citizen
shekar

Freedom of Information - Halton Regional Police Service

www.haltonpolice.ca

The Municipal Freedom of Information and Protection of Privacy Act was enacted on January 1, 1991. The purpose of the Act is two-fold...

Dorothy

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]

Sent: 2016 June 05 1:52 PM

To: psb@YRP.CA; McDonald,

Dorothy; ALONGO@drps.ca; Deb.Morton@niagarapolice.ca; Deirdre.Williams@tpsb.ca; Fred.Biro@peelpoliceboard.ca; Lorena.Perkins@peelpoliceboard.ca; BCLANCY@drps.ca; Lynn.Kennedy@ottawa.ca; Wendy.Fedec@ottawa.ca

Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org

Subject: Pan Am Game contribution by the Province

Good after noon

May I have information concerning your **Pan Am Game** financial results as follows:

a) Was your reimbursement limited to your costs, or Yes

b) Were you granted any additional PanAm revenue over and above expenditures? No

Would it be possible to have a copy of your PanAm financial report as submitted to your police board? We are awaiting final reimbursement from the Province.

Respectfully requested by a private citizen

shekar

RE: Pan Am Game contribution by the Province Niagara Regional PSB

Deb Reid

Reply

2016-06-06

You;

psb@YRP.CA;

Dorothy.McDonald@haltonpolice.ca;

+ 10 more

You replied on 2016-06-09 11:01 AM.

Mr. Chandrashekar,

Further to your email, please see my response to your questions below. They are highlighted in red.

Regards,

Deborah Reid, Executive Director

Regional Municipality of Niagara Police Services Board

68 Church Street, St. Catharines, ON L2R 3C6

Office: (905) 688-3911 x5170 / Mobile: 905-329-7814 / Fax: (905) 688-0036

Email: deb.reid@niagarapolice.ca

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]

Sent: Sunday, June 05, 2016 1:52 PM

To: psb@YRP.CA; Dorothy.McDonald@haltonpolice.ca; ALONGO@drps.ca; Deb Reid; Deirdre.Williams@tpsb.ca; Fred.Biro@peelpoliceboard.ca; Lorena.Perkins@peelpoliceboard.ca; BCLANCY@drps.ca; Lynn.Kennedy@ottawa.ca; Wendy.Fedec@ottawa.ca

Cc: MCSCS.Feedback@ontario.ca; Bonofiglio, Robert MCSCS; ynaqvi.mpp@liberal.ola.org

Subject: Pan Am Game contribution by the Province

Good after noon

May I have information concerning your **Pan Am Game** financial results as follows:

- a) Was your reimbursement limited to your costs, or Yes
- b) Were you granted any additional PanAm revenue over and above expenditures? No

Would it be possible to have a copy of your PanAm financial report as submitted to your police board? We are still in the audit process and waiting for final reimbursement. There was no formal report to the Board. The results were included in the December 31, 2015 year-end financial report to the Board.

Respectfully requested by a private citizen
shekar

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: October 5, 2016 1:05 PM
To: Ouellette, Lois A
Cc: terry whitehead; kristin.prince@hamilton.ca; Ciapanna, Paul P
Subject: Re: Minutes of October 4, 2016 meeting

Present: Terry Whitehead, Lois Ouellette and Shekar

Where: Councilor Board Room

Time: 3:30 pm

Date: 4 October 2016

At this meeting, the following was agreed upon:

1) After a long discussion, Lois Ouellette agreed that their audit of Police Services **Schedule of Operations did not include Budget but only Actual amounts.**

2) With respect to Pan Am games, the revenue recorded in the financial statement was audited but Hamilton Police Services's claim submission to **the province was not audited.**

Ms.Ouellette this will be distributed

Always thankful

shekar

From: Ouellette, Lois A <louellette@kpmg.ca>
Sent: October 5, 2016 12:36 PM
To: Shekar Chandrashekar
Cc: terry whitehead; Shekar Chandrashekar; kristin.prince@hamilton.ca; Ciapanna, Paul P
Subject: Re: Minutes of October 4, 2016 meeting

Hello Shekar,

On point number 2, I would clarify that we did not Audit the PanAm claim submission to the province. We did audit the PanAm revenue recorded in the financial statement.

Lois

ITEM 3

Shekar Chandrashekar
39 Haddon Ave. South
Hamilton, ON L8S 1X5
Tel: (905)525-3082
E-mail: shekarfamily@hotmail.com

December 31, 2015

Hamilton Police Chief
155 King William Street
Hamilton, ON L8N 4G1

Dear Chief De Caire:

Subject: To bring certain concerns, of a number observed, to your attention

The Information and Privacy Commissioners' office arduously intervened on your repeated and persistent denials of accounting records that I requested through freedom of information.

After your eventual release of these accounting records, I analyzed them in order to compare actual expenditures to budgeted amounts. Actual expenditures are the key to formulating the reported financial statements and to assess the soundness and accuracy of the Police Board approved budget base.

My analysis revealed a number of budgeted items that were significantly inconsistent with the actual results. However, I have highlighted a few for you to review them and provide your input. All appropriate documents are attached. I have predominantly concentrated on:

- * Projected Salary Contingency for 2013, and
- * Compensation Contingency Contract, Merit increases for 2014 and
- * Compensation Contingency Contract, Merit increases for 2015 and
- * A combination Salary over time with Court & Overtime 2013 to 2016.

Your budget presentation memo and Appendix "A" are addressed to the board and both refer to the amount of the budget and to the Provision for Salary Contingency. Both of those documents **significantly differ** with the summary of accounts and the actual accounting records obtained through freedom of information. The accounting records are the documents that are not only used in the formulation of the financial statements but they are also monitored and controlled by the financial officers. I have attached detailed journal entries that show how the contingencies should be carried forward from one year to the next. My suggestion is that these cumbersome journal entries could have been avoided had these budgeted amounts and provisions been transferred to Reserve accounts directly each year. Reserves are **interest bearing** and they would have earned a significant amount of interest. **As result of not**

ITEM 4

201

making such an entry each year, police services lost a significant amount of interest.

A statement of accruals manually prepared by police services staff does not reconcile to the actual records. A reconciliation prepared by me is attached. Details of the reconciliation of the Contingency and the amount of provision are attached. The following schedule is a sample of how **Salary Contingency had been used to create a new centre.**

Court Doc.- centre 376330	2013	2014	2015	2016	Decreased Transferred to new centre
Budget – a/c 51001	\$2,125,850	\$2,125,850	\$2,174,860	\$1,126,156	(\$1,126,156)
Salary Cont.- a/c 52870	84,820	780,620	850,920	0	

A new centre, 376331, was created in 2016 and contains salary account 51001 of \$1,267, 049. Is it in question?

On December 11, 2015, there was a PSB meeting to approve the 2016 current Operating Budget. One of your Board members, **Councillor Whitehead**, raised a question as to why the detailed budget shows a salary overtime budget but the overtime budget does not show up separately on summary page 51. Councillor Whitehead's **intentions were good**. In accounting principles, salary overtime account 51006 and overtime banked paid account 51741 are two separate accounts and as such 51006 and 51741 are significant amounts and are to be budgeted separately to help decision makers arrive at prudent decisions.

Account	2013	2014	2015	2016
51741	\$2,150,650	\$2,169,130	\$2,201,560	\$2,292,307
51006	1,127,270	1,147,550	1,148,070	1,230,050
Total	\$3,277,920	\$3,316,680	\$3,349,630	\$3,522,357

In my humble opinion, as a concerned private Citizen, it is not too late to reduce your 2016 budget **by two (2) million dollars, which includes the employer's share of the union president's salary per article 8 of the Association Agreement, without reducing your service level and without forgoing the hiring of 7.5 full time employees.** I can sit with your Acting Chief and with the team who helped compile the 2016 budget.

Over the years, the base budget has been significantly increased because the previous years' actuals have not been supplied for analysis and comparison with the previous years' budgets. The current year estimated actuals (the current year is not finalized at the time the next year's budget is proposed) should also be provided at the time of budget deliberation as well as a schedule of increases and decreases from budgeted amounts. This is where **external auditors have a major role** and it is one of the reasons for **requesting an external audit**.

Respectfully submitted by concerned private citizen
Shekar Chandrashekar



Enclosures:

- 1 A) Detail Memo
- 1) Reconciliation of salary Contingency from 2013 to 2015 Account 52870 and 51703
- 2) Reconciliation of over time banked and paid per AFR from 2013 to 2016 account 51741
- 3) Reconciliation of salary overtime per AFR from 2013 to 2016 account 51001
- 4) Manually Prepared Accruals for 2013 and 2014 summary page 51 from 2013 to 2016
- 5) Part of Memo referenced to Contingency amount and same amount referred to Appendix "A" Residential Tax Levy and summary pages amount of Levy.
- 6) Complete Journal entries.

Hamilton Police Services Board			
Reconciliation of Salary increase-Contract Contingency ,Merit Increase, Performance budgets from 2013 to 2015			
Name	Dept.L.D. Centre	2013	2013
		2013	2013
Description	Dept.L.D.	Appendix "A" and Letter \$ 2,836,130.00 Column 1 contingency account 52870 per Budget and approved by PSE	Per actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 52870
			Per actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711
Police Services Board	376005	3,070.00	1,700.00
Office of Chief	376105	18,660.00	9,710.00
Professional Standards	376110	45,020.00	12,500.00
Risk Management	376111	4,660.00	2,630.00
Media	376115	3,490.00	2,060.00
Communication Co-coordinator	376120	5,130.00	2,620.00
Community Relations	376125	3,810.00	2,090.00
Finance	376130	18,790.00	6,550.00
Legal Services	376131	10,250.00	5,230.00
Quality Assurance	376145	3,440.00	2,630.00
Planning and Research	376150	8,430.00	4,450.00
Deputy Chief	376202	12,180.00	6,210.00
Div.No.1 - Administration	376204	11,300.00	5,970.00
Div.No.1 - Head quarters Staff	376206	14,060.00	8,240.00
Div.No.1 -Patrol Support	376208	729,970.00	388,650.00
Div.No.1 Marine Unit	376210	18,160.00	10,620.00
Div.No.2 - Administration	376212	10,280.00	5,390.00
Div.No.2 - East End Bld.Station	376214	14,000.00	8,240.00

Reconciliation of Salary Contingency from 2013 to 2015

6/7/2018

2013 salary contingency

2

Div.No.2 Patrol Support	376216	613,880.00	330,490.00	336,562.36
Div.No.2 Administration	376220	11,470.00	6,110.00	8,184.09
Div.No.3 - Mountain Building Staff	376222	14,000.00	8,240.00	9,133.17
Div.No.3 - Patrol Support	376224	688,240.00	363,940.00	366,365.06
Div.No.3 - Duandas Building	376226	13,970.00	8,240.00	2,168.67
Investigative Services - Administration	376300	15,660.00	8,000.00	11,765.36
Victims of Crime	376302	94,260.00	58,610.00	51,376.53
B E A R Unit	376305	74,260.00	44,170.00	49,153.89
Investigative - Fraud	376306	48,290.00	27,820.00	35,551.50
Crime Stoppers	376310	11,460.00	3,160.00	3,067.44
Investigative - Major Fraud	376312	75,410.00	47,130.00	53,145.26
Investigative - Vice Drugs	376314	92,890.00	57,700.00	51,911.21
Investigative - Intelligence	376316	149,290.00	92,040.00	95,097.79
Investigative - Forensics	376318	80,830.00	47,160.00	45,781.49
Investigative - Crime Analyst	376320	0.00	0.00	4,822.11
Court - Serv - Court Branch Doc.	376330	84,820.00	49,010.00	72,046.32
Court - Serv - Court Branch Sec.	376332	422,290.00	87,400.00	129,587.17
Victims Services	376340	3,680.00	1,960.00	674.35
Youth Services Co - coordinator	376342	4,140.00	2,380.00	2,371.02
Deputy Chief	376405	13,230.00	6,990.00	11,356.82
Support Serv.- Administration	376420	19,990.00	10,110.00	28,690.13
Support Serv.- Emergency Responses	376425	49,360.00	29,380.00	31,722.09
Support Serv.- Traffic	376430	56,770.00	37,990.00	43,026.71
Support Serv.- Canine	376435	14,240.00	8,430.00	8,436.60
Support Serv.-Victim Services	376440	10,930.00	6,050.00	7,300.03
Crime Prevention	376445	16,570.00	9,720.00	46,214.65
Support Services - Communications	376450	280,100.00	142,010.00	218,580.26
Administration	376451	6,350.00	3,230.00	6,406.56
Mounted Unit	376452	18,030.00	10,620.00	8,801.34
Action Unit	376454	120,470.00	88,540.00	88,236.57
Volunteer - Co-Ord Auxiliary Unit	376455	1,220.00	1,000.00	1,444.75
Operational Planning	376505	4,140.00	2,380.00	2,486.98
Secondments	376520	23,730.00	13,730.00	7,250.76
Human Resources - Administration	376525	56,050.00	20,280.00	60,811.69
Cadet Program	376526	0.00	0.00	272.90
Human Resources - Recruitment	376530	11,780.00	6,820.00	14,512.80
Traffic Branch	376535	30,170.00	17,360.00	15,804.28
Administration Services	376540	7,250.00	3,650.00	7,379.32
Facilities -Fleet Administration	376550	5,620.00	2,810.00	5,664.90
Facilities Buildings Station 10	376600	68,210.00	12,630.00	12,606.66

Reconciliation of Salary
Contingency from 2013 to 2015

Facilities Buildings Station 20	376606	3,280.00	1,590.00	1,412.48
Facilities Buildings Station 31	376608	4,240.00	2,120.00	1,940.35
Fleet - Operations	376622	21,890.00	11,990.00	11,710.58
Procurement Branch	376632	12,890.00	7,290.00	29,771.56
Property and Evidence Branch	376633	20,740.00	7,260.00	11,392.90
Supply Services - Graphics	376634	5,860.00	3,300.00	3,317.62
Record Services Records Administration	376650	20,810.00	11,170.00	15,937.81
Record Services - Firearms	376652	3,820.00	2,220.00	4,536.28
Record Services - Data entry	376654	26,560.00	15,080.00	21,236.59
Record Services - Rec Doc	376656	108,090.00	61,200.00	91,372.98
Record Services - Access to Information	376658	6,000.00	3,470.00	1,528.50
Record Services - Computer Services	376659	99,850.00	37,510.00	34,498.33
Total		4,592,680.00	2,326,980.00	2,699,683.21

		Summary 2013		
	Appendix "A" and Letter \$ 2,836,130.00 Column 1 contingency account 52870 per Budget and approved by PSB	Per actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 52870	Per actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711	
Actual amount recorded in the books PSB is not aware of this	4,592,680.00	-2,316,980.00	-2,699,683.21	
Less:				
Summary page 51 from Budget book and PSB Website	-4,592,680.00			
Per Appendix "A" PSB 12-109d memo dated 2013 April 2013 item 5.1 strictly for Salary Contingency		2,836,130.00		
Per FOI file # 15-0282 & IMA - 150211 Amount charged to Carry forward to 2015 because Hamilton Police Association Contract did not settle until April 23, 2015			2,798,353.00	
Over - (under)	0.00	519,150.00	98,669.79	
Notes:				
1) Between Budget and AFR report is under stated by \$ 519,150.00..Why?				
2) Between AFR report and information provided to a private citizen through FOI over stated by \$98,669.79..Why?				

Reconciliation of Salary Contingency from 2013 to 2015

Hamilton Police Services Board			
Reconciliation of Salary increase-Contract Contingency ,Merit Increase, Performance budgets from 2013 to 2015			
Name	Dept.I.D. Centre	2014	Run Date August 25,2015
Description	Dept.I.D.	Appendix "A" and Letter \$ 3,047,305.00 Column 1 contingency Budget account 52870 per Budget and approved by PSB A/C 52870	Per Actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 51703
			Per Actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711
Police Services Board	376005	2,370.00	2,370.00
Office of Chief	376105	13,720.00	13,720.00
Professional Standards	376110	17,660.00	17,660.00
Risk Management	376111	3,790.00	3,790.00
Media	376115	2,990.00	2,990.00
Communication Co-coordinator	376120	3,660.00	3,660.00
Community Relations	376125	2,900.00	2,900.00
Finance	376130	29,730.00	29,730.00
Legal Services	376131	7,330.00	7,330.00
Quality Assurance	376145	3,790.00	3,790.00
Planning and Research	376150	6,220.00	6,220.00
Deputy Chief	376202	8,730.00	8,730.00
Div.No.1 - Administration	376204	8,440.00	8,440.00
Div.No.1 - Head quarters Staff	376206	30,230.00	30,230.00
Div.No.1 -Patrol Support	376208	47,470.00	47,470.00
Div.No.1 Marine Unit	376210	12,480.00	12,480.00
Div.No.2 - Administration	376212	7,630.00	7,630.00
Div.No.2 - East End Bld.Station	376214	12,000.00	12,000.00
			0.00
			15,979.50
			23,332.30
			8,876.40
			3,722.87
			3,629.66
			4,977.44
			10,663.04
			7,286.15
			6,838.15
			7,987.85
			8,832.84
			10,968.13
			23,367.25
			811,623.75
			29,893.75
			8,025.94
			20,578.11

2014 salary contingency reconciliation from Appendix "A" TO Actual accounting records

6/7/2018

2014 Salary Contingency

Div.No.2 Patrol Support	376216	1,142,510.00	1,142,510.00	765,094.11
Div.No.2 Administration	376220	8,320.00	8,320.00	7,310.38
Div.No.3 - Mountain Building Staff	376222	12,000.00	12,000.00	20,363.04
Div.No.3 - Patrol Support	376224	1,072,070.00	1,072,070.00	901,294.15
Div.No.3 - Dundas Building	376226	0.00	0.00	14,172.30
Investigative Services - Administration	376300	10,160.00	10,160.00	-2,218.62
Victims of Crime	376302	53,330.00	53,330.00	118,915.15
B E A R Unit	376305	63,200.00	63,200.00	100,354.18
Investigative - Fraud	376308	213,150.00	213,150.00	72,276.72
Crime Stoppers	376310	4,230.00	4,230.00	-262.31
Investigative - Major Fraud	376312	119,530.00	119,530.00	123,130.79
Investigative - Vice Drugs	376314	11,800.00	11,800.00	148,850.17
Investigative - Intelligence	376316	17,020.00	17,020.00	204,316.52
Investigative - Forensics	376318	67,040.00	67,040.00	115,156.63
Investigative - Crime Analyst	376320	0.00	0.00	14,203.98
Court - Serv - Court Branch Doc.	376330	780,620.00	780,620.00	127,671.26
Court - Serv - Court Branch Sec.	376332	0.00	0.00	211,465.26
Victims Services	376340	0.00	0.00	-153.39
Youth Services Co - coordinator	376342	3,440.00	3,440.00	16,751.40
Deputy Chief	376405	9,020.00	9,020.00	16,556.19
Support Serv.- Administration	376420	14,230.00	14,230.00	13,401.89
Support Serv.- Emergency Responses	376425	41,110.00	41,110.00	74,055.96
Support Serv.- Traffic	376430	23,820.00	23,820.00	95,010.99
Support Serv.- Canine	376435	10,220.00	10,220.00	18,872.91
Support Serv.-Victim Services	376440	8,390.00	8,390.00	22,597.26
Crime Prevention	376445	14,080.00	14,080.00	689.07
Support Services - Communications	376450	17,560.00	17,560.00	322,610.09
Administration	376451	4,550.00	4,550.00	4,563.57
Mounted Unit	376452	18,700.00	18,700.00	30,142.52
Action Unit	376454	62,670.00	62,670.00	193,005.10
Volunteer - Co- Ord Auxiliary Unit	376455	4,700.00	4,700.00	-19.23
Operational Planning	376505	3,440.00	3,440.00	6,670.53
Secondments	376520	6,590.00	6,590.00	30,066.06
Pan Arm Game	376523	0.00	0.00	43,724.77
Human Resources - Administration	376525	69,750.00	69,750.00	50,228.97

2014 salary contingency reconciliation from Appendix "A" TO Actual accounting records

Cadet Program	376526	0.00	0.00	13,523.40
Human Resources - Recruitment	376530	0.00	0.00	18,389.12
Traffic Branch	376535	4,490.00	4,490.00	51,216.70
Administration Services	376540	7,490.00	7,490.00	5,847.86
Facilities -Fleet Administration	376550	5,940.00	5,940.00	3,947.84
Facilities Buildings Station 10	376600	44,080.00	44,080.00	32,212.35
Facilities Buildings Station 20	376606	2,280.00	2,280.00	3,375.86
Facilities Buildings Station 31	376608	2,970.00	2,970.00	4,663.10
Fleet - Operations	376622	16,780.00	16,780.00	28,223.50
Procurement Branch	376632	10,210.00	10,210.00	25,553.61
Property and Evidence Branch	376633	10,190.00	10,190.00	13,617.12
Supply Services - Graphics	376634	4,610.00	4,610.00	2,110.68
Record Services Records Administration	376650	20,410.00	20,410.00	26,528.28
Record Services - Firearms	376652	129,280.00	129,280.00	10,332.55
Record Services - Data entry	376654	20,570.00	20,570.00	27,611.19
Record Services - Rec Doc	376656	6,070.00	6,070.00	117,774.26
Record Devices - Access to Information	376658	8,200.00	8,200.00	3,736.22
Record Services - Computer Services	376659	53,740.00	53,740.00	74,573.25
Total		4,455,820.00	4,455,820.00	5,449,698.19

2014 salary contingency reconciliation from Appendix "A" TO Actual accounting records

6/7/2018

2014 Salary Contingency

Summary 2014			
	Appendix "A" and Letter \$ 3,047,305.00 Column 1 contingency Budget account 52870 per Budget and approved by PSB A/C 52870	Per Actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 51703	Per Actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711
Actual amount recorded in the books PSB is not aware of this	4,455,820.00	4,455,820.00	4,455,820.00
Less:			
Summary page 61 from Budget book and PSB Website	-4,455,820.00		
Per Appendix "A" PSB 13- 127 memo dated 2013 December 16 Item 6.3 strictly for Salary Contingency page 3 of 7 of the memo Paragraph 2 Appendix "A"		-3,047,305.00	
Actual Contingency in the Actual AFR Report			-5,449,698.19
Difference	0.00	1,408,515.00	-993,878.19

2014 salary contingency reconciliation from Appendix "A" TO Actual accounting records

6/7/2018

2015 salary contingency

Hamilton Police Services Board	
Reconciliation of Salary increase-Contract Contingency ,Merit Increase, Performance budgets from 2013 to 2015	
Name	Dept.I.D. Centre
Run Date	Run date
August 24,2015	March 14,2016
2015	2015
Appendix "A" and Letter \$ 4,032,705.00 Column 1 contingency account 51703 per Budget and approved by PSB	Per actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 51703
Per actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to A/C 51711	
Dept.I.D.	Dept.I.D.
376005	376005
376105	376105
376110	376110
376111	376111
Police Services Board	9,661.14
Office of Chief	22,568.54
Professional Standards	21,742.79
Risk Management	3,951.62
	4,600.00
	26,100.00
	25,050.00
	9,980.00

2015 salary reconciliation from Appendix "A" TO Actual Accounting Records

6/7/2018

2015 salary contingency

2

Media	376116	5,510.00	5,510.00	3,871.88
Communication Co-coordinator	376120	7,080.00	7,080.00	6,750.58
Community Relations	376125	5,640.00	5,640.00	2,662.29
Finance	376130	104,090.00	104,090.00	16,824.06
Legal Services	376131	14,180.00	14,180.00	13,553.42
Quality Assurance	376145	7,030.00	7,030.00	4,410.98
Planning and Research	376150	12,030.00	12,030.00	9,386.77
Deputy Chief	376202	18,470.00	18,470.00	15,637.36
Div.No.1 - Administration	376204	17,920.00	17,920.00	8,973.30
Div.No.1 - Head quarters Staff	376206	0.00	0.00	0.00
Div.No.1 -Patrol Support(no budget)	376208	0.00	0.00	476,248.70
Div.No.1 Marine Unit	376210	25,480.00	25,480.00	14,175.90
Div.No.2 - Administration	376212	15,760.00	15,760.00	11,610.36
Div.No.2 - East End Bid.Station	376214	22,070.00	22,070.00	9,106.75
Div.No.2 Patrol Support	376216	1,457,630.00	1,457,630.00	395,444.16
Div.No.2 Administration	376220	16,040.00	16,040.00	11,162.30

2015 salary reconciliation from Appendix "A" TO Actual Accounting Records

6/7/2018

2015 salary contingency

3

Div.No.3 - Mountain Building Staff	376222	22,070.00	22,070.00	14,039.72
Div.No.3 - Patrol Support	376224	1,678,160.00	1,678,160.00	403,459.59
Div.No.3 - Dundas Building	376226	2,520.00	2,520.00	1,806.73
Investigative Services - Administration	376300	20,510.00	20,510.00	13,749.09
Victims of Crime	376302	135,290.00	135,290.00	75,970.26
B E A R Unit	376305	248,930.00	248,930.00	65,397.00
Investigative - Fraud	376306	260,000.00	260,000.00	52,149.02
Crime Stoppers	376310	8,080.00	8,080.00	11,289.41
Investigative - Major Fraud	376312	186,940.00	186,940.00	67,287.22
Investigative - Vice Drugs	376314	120,960.00	120,960.00	62,203.48
Investigative - Intelligence	376316	111,350.00	111,350.00	119,069.64
Investigative - Forensics	376318	126,330.00	126,330.00	64,906.98
Investigative - Crime Analyst	376320	2,340.00	2,340.00	11,580.73
Court -Serv - Court Branch Doc.	376330	850,920.00	850,920.00	79,257.05
Court -Serv - Court Branch Sec.	376332	124,790.00	124,790.00	102,482.78
Victims Services	376340	0.00	0.00	0.00
Youth Services Co - coordinator	376342	6,360.00	6,360.00	7,447.36
Deputy Chief	376405	21,110.00	21,110.00	9,126.60
Support Serv. - Administration	376420	29,580.00	29,580.00	26,049.80
Support Serv. - Emergency Responses	376425	79,350.00	79,350.00	35,301.39
Support Serv. - Traffic	376430	86,290.00	86,290.00	66,154.02
Support Serv. - Canine	376435	20,500.00	20,500.00	12,251.79
Support Serv. - Victim Services	376440	16,270.00	16,270.00	6,616.14
Crime Prevention	376445	34,810.00	34,810.00	16,414.51
Crises Response Unit No Budget	376446	0.00	0.00	4,911.47
Support Services - Communications	376450	183,700.00	183,700.00	134,974.34
Administration	376451	8,690.00	8,690.00	7,191.84
Mounted Unit	376452	31,940.00	31,940.00	13,223.48
Action Unit	376454	185,640.00	185,640.00	156,191.06
Volunteer - Co-Ord Auxiliary Unit	376455	6,770.00	6,770.00	-675.57
Operational Planning	376505	6,360.00	6,360.00	3,478.66
Secondments No Budget	376520	0.00	0.00	0.00
Pan Am Games Secondments No Budget	376523	0.00	0.00	12,662.62
Human Resources - Administration No Budget	376525	0.00	0.00	39,820.95
				42,097.03

2015 salary reconciliation from Appendix "A" TO Actual Accounting Records

		Summary 2015		2015
	Appendix "A" and Letter \$ 4,032,705.00 Column 1 contingency account 51703 per Budget and approved by PSB	Per actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 51703	Per actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to A/C 51711	
	Actual amount recorded in the books PSB is not aware of this	7,494,320.00	7,494,320.00	
	Less:			
	Summary page 51 from Budget book and PSB Website	-7,494,320.00		
	Per Appendix "A" PSB 14- 119 memo dated 2014 December 15 Item 5.1 strictly for Salary Contingency page 3 of 7 of the memo Paragraph 2 Appendix "A"	-4,032,705.00		
	Actual Contingency in the Actual AFR Report		3,124,675.69	
	Over - (under)	0.00	3,461,615.00	4,369,644.31
	Note: Actual budget approved by the Police Services Board			\$4,032,705.00

2015 salary reconciliation from Appendix "A" TO Actual Accounting Records



Subject: Investigation of Whistleblower Allegations (Case 2016-001)**Page 2 of 3**

In the financial statements of the following year, December 31, 2016, the disclosure was much improved. With Hamilton City Council approval (FCS17073, August 2017) to eliminate the Police Services annual audit of their Schedule of Operations, separate PSAB reporting for HPS will no longer be required. However, should separate statements be produced and audited in the future, you may wish to consider opening discussions with HPS and the auditors about adding individual explanations of the required PSAB changes, perhaps with footnoting, to further enhance and improve transparency and avoid confusion.

Pan-Am Games

The key issue presented in the letter by Mr. Chandrashekar is that the claim submitted to, and received by the Ministry of Community Safety and Correctional Services in the amount of \$2.7 million "is significantly higher than the actual expenditures recorded in their actual available funds report obtained through FOI."

I have examined the available funds reports for the relevant years and concur with the observation made by Mr. Chandrashekar that the recorded "Pan Am Dept. ID" expenses in those reports fall short of the amount claimed.

After making enquiries to HPS about the discrepancy between the amount of the claim and the accumulated Pan AM Dept. ID expenses I received the explanation that the Pan Am cost centre expenses only covered those related to staff assigned full-time to the planning phase of the games and away from their regular duties. Expenditures for front line officers intermittently assigned to Pan Am security were expensed to their home departments due to the cost and administrative burden of transferring them temporarily to another Dept. ID. Accordingly, a significant portion of eligible costs were not captured by the Pan Am Dept. ID account.

In reviewing the matter with HPS staff I learned that the claim was substantiated by individual invoices sent monthly to MCSCS with all supporting documentation. This documentation was made available to PricewaterhouseCoopers (PwC), the auditors who attested to the accuracy of the claim in accordance with the Cost Contribution Agreement with the Ministry of Community Safety and Correctional Services. The financial statement of eligible expenditures, which accounted for the full amount of claim, received PwC's unqualified audit opinion that it was prepared in accordance with the Cost Contribution Agreement. An unqualified audit opinion rendered by an independent third party is the highest form of assurance available and the auditors must adhere to rigorous standards, including adequate testing, to render such an opinion.

Given all the above, I have no reason to doubt the validity of the claim submitted and paid to HPS for eligible Pan Am expenditures.

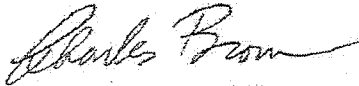
For your additional information, you may recall that there were media reports linking the claim to the fact that HPS had a surplus, and by implication the claim was overstated. I discussed this with HPS and the primary reason for a surplus appears to be that there were operational requirements for Pan Am security that HPS was obligated to fulfill which couldn't have been met simply by making use of off duty personnel. So, a command decision was made to cancel leave for the sworn contingent of HPS.

Subject: Investigation of Whistleblower Allegations (Case 2016-001)

Page 3 of 3

As a result of the cancellation of annual leave, HPS incurred substantially less overtime and costs related to calling in off duty personnel that ultimately saved \$1.2M.

I trust you will find this information satisfactory.



Charles Brown, CPA, CA, CPA (Illinois)
Director of Audit Services
(905) 546-2424 ext.4469
Charles.Brown@hamilton.ca

cc: Brian McMullen
Rick Male
John Randazzo

From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: July 10, 2017 11:43 AM
To: Ferguson, Lloyd; 'Shekar Chandrashekar'
Subject: RE: New Police Association Contract

Will do.

Lois

Lois Morin

Administrator
Hamilton Police Services Board
155 King William Street
Hamilton, ON L8N 4C1
Phone: 905-546-2727
Fax: 905-546-4720
E-mail: lois.morin@hamilton.ca / www.hamiltonpolice.on.ca

From: Ferguson, Lloyd
Sent: July-10-17 11:06 AM
To: 'Shekar Chandrashekar'
Cc: Morin, Lois
Subject: RE: New Police Association Contract

Negotiations have not started yet but probably will late this fall.

Thanks for bringing the vacation issue to my attention.

Lois can you put this in our negotiation file so we can review prior to the commencement of negotiations.

Councillor Lloyd Ferguson
Ward 12 Ancaster
905-546-2704
<http://www.hamilton.ca>

ITEM 10

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: July-10-17 8:25 AM

To: Ferguson, Lloyd; Whitehead, Terry; juchniewicz@juch-tech.com; Office of the Mayor; Omazic, Drina; don.macvicar@arcelormittal.com; Eric J. Girt; dkinsella@hamiltonpolice.on.ca; Morin, Lois

Subject: New Police Association Contract

Members of the Hamilton Police Services Board

There have been statements that the negotiating of a new Police association contract for 2017 is underway. With that, as a concerned Private Citizen, I would like to bring to the attention of your Board that at present, only Hamilton Police get **two additional** weeks of vacation at the time of retirement.

In my research, no other Police association or Municipality, including the Hamilton Fire association get such a generous benefit.

As a concerned taxpayer of Hamilton, I am bringing it to your Board's attention so that you might consider the elimination of such a generous benefit effective with this new contract.

Respectfully submitted for your consideration

Shekar, Private Citizen.

January 11, 2016

Taxpayers' interests obscured by Hamilton police and board



police cruiser

Scott Gardner, The Hamilton Spectator
 Dec. 23, 2015 - Generic Hamilton Police images. Photo by Scott Gardner, The Hamilton Spectator

Hamilton Spectator

By Shekar Chandrashekar

Just weeks before his retirement, Police Chief Glenn De Caire saw his contract renewed, amid some controversy. Some members of the Police Services Board have never seen the contents of the employment contracts of the Hamilton chief and deputies. I was able to obtain copies of the contracts only through freedom of information and the Information Privacy Commissioner of Ontario. When the chief's contract was extended, did the board members actually look at the contents of the contract?

I have a difficult time understanding why generous benefits have continuously been approved for police officers such as annual merit increases which apply after the top rate has been reached, plus two additional weeks of vacation at the time of retirement. This clause is also contained in the contracts for Hamilton police deputies. It is unusual, in comparison to other police services, that our police services has a lawyer that reports directly to the chief. This raises questions about who drafted employment contracts for the chief and deputies, whether the contracts were excessively generous to them, and whether the contracts were sufficiently scrutinized by the Board.

The chief and deputies use departmental vehicles seven days a week, 24 hours a day, including for personal driving and vacations. Yet the chief and deputies also receive a substantial car allowance.

One wonders what role the police board plays when you see a former deputy walk away on retirement with over \$128,000 in accrued vacation pay — a payment that did not receive police board approval. The payment became apparent through a freedom of information request. The accrual of vacation time was based on a contract clause allowing accruals based on "exigencies." Disclosure of just exactly what those exigencies were is still pending on an appeal to Ontario's adjudicator at the Information and Privacy Commission.

40 ITEMS 15

Until city council stepped in and ordered a separate audit of the police services, its board had continually resisted having an external audit of their financial operations in spite of the fact that their annual gross budget is over \$154 million. The former deputy chief and the police services accountant claimed that an external audit would cost \$250,000. It is now apparent that the actual cost of such an audit will be approximately \$10,000 depending upon the scope of the audit. Why was incorrect misinformation provided to the police board? Twenty per cent of the residential levy goes toward the police budget, therefore an external audit should be an obvious requirement to ensure accountability.

According to an agreement entered into between the Hamilton Police Services Board and the Hamilton Police Association, police services continue to pay the association president his salary, including the employer's share of benefits. At year-end an invoice is sent to the association by police services to recoup both the salary and the employer share of benefits. As a result of the reimbursement, the salary and benefits do not impact the police. Yet the budget continues to include the president's salary and does not show the offsetting reimbursement. Why?

A more thorough disclosure of revenues received also needs to be implemented. For example, there is no apparent disclosure of revenues received from the proceeds on the auctioning of unclaimed stolen property. The receipt and disbursement of those funds should be subject to the same approval process as are transactions from other police services accounts, and this account should be part of the external audit.

It is easier to get blood from a stone than get information from Hamilton Police Services. Freedom of Information requests are turned down forcing concerned citizens to pursue the request through the Information Privacy Commissioner of Ontario. Even at that point, requests can be unsuccessful and an appeal to the adjudicator required. Other services are very willing to fulfil freedom of information requests.

I have obtained employment contracts, policies and bylaws from several Ontario police services and boards. Other police services have discussions before the full board regarding the terms of the employment contracts of their chief and their deputies. Other police services boards have instituted bylaws and policies concerning financial and management matters. Hamilton has only one bylaw. Hamilton police board is alone and unique in their isolation.

The current board chair has stated in the past that the board is perceived as being dysfunctional. The board is often divided. The mayor, who is a police board member, is to be credited for playing the role of diplomat. The police board should be acting in a transparent manner and they should be accountable to the taxpayers of Hamilton.

The author is a retired civic employee and concerned citizen.

FCS 18030

Hamilton Police services

ITEM 7

Former Chief allowed to keep cell phone and computer with
Confidential on them:

Staff response: This is a statement by Mr.Chandrashekar
and no question was posed.

Private Citizen Detail response attached

Media Release

Police Chief Glenn De Caire Retires Effective January 17, 2016

For immediate release: December 18, 2015
Hamilton, ON

The members of the Hamilton Police Service continue to perform with excellence and professionalism and I remain extremely proud of the efforts that each member has put forth in delivering community based police services to our diverse communities across Hamilton. Our partnerships in the community are strong and we are working together to enhance community safety, revitalize the city, encourage investment and growth and we, as a community, are doing amazing work together.

I have been proud to work with such great colleagues in this Service as we raised our enforcement levels, drove the Crime Rate down to the lowest levels, enhanced service, created innovative projects in mental health response and helped victims of crime.

Our Service has delivered the lowest percentage budgets while producing the highest levels of productivity and professionalism which is all delivered by the women and men, civilian and sworn of the Service. The last three budget requests have been the lowest percentage requests of the last 17 years while maintaining the excellence of our service delivery to the citizens.

The Service conducted a focused review of corporate policy over the last 4 years and was the first police service in the province of Ontario to receive a report of 'No Recommendations' when audited by the Ministry of Community Safety & Correctional Services.

I am very proud that we as a Service are complemented by the Community Policing Volunteers, Auxiliary Officers and Volunteers in many other sections of the Service that provide excellent quality service to the community and our collective efforts over the last years has resulted in the Service winning major provincial, national and international awards. These awards cross over the breadth and depth of our organization from Victim Services to Front Line Officer enforcement to Investigative Services and the Training Branch. The work of our organization has been recognized on the international stage.

The Service also remains proud of our Retirees Association and the many former members who continue to volunteer their time to enhance the police relationship with our citizens and honour our rich history.

Sir Robert Peel's "Principles of Policing" remain as salient today as when they were written in 1832. The most important principle states that the success of policing is not the response to crime, but the absence of crime. Our job remains to deliver on that very principle.

The dedication and effort of our members has made our roads safer with increased enforcement, lowered citizen involved collisions, and arrested more impaired

The information contained herein is intended for the named recipient only and is confidential. If you receive it in error, please notify us immediately by telephone and return this document by mail.



Hamilton Police Service

For more information, contact:

Catherine Martin
Corporate Communicator
905-546-4764
cmartin@hamiltonpolice.on.ca

Authority:
Chief Glenn De Caire
Chief of Police

Police Headquarters
155 King William Street
P.O. Box 1060
LCD 1
Hamilton, Ontario
L8N 4C1
Phone: 905-546-4925
Fax: 905-546-4752
Web:
www.hamiltonpolice.on.ca

8

drivers than ever before and all done with pride and professionalism. Our ACTION Strategy, Bail Compliance Unit and Social Navigator Program are innovative strategies designed to assist the most vulnerable and the entire Service has produced a Violent Crime Severity decrease of 19% in 2012. This is recognized in the Statistics Canada 'Police Reported Crime in Canada 2012' report as the city with the greatest single decline in Violent Crime Severity in the nation.

I am extremely proud of our Service and the policing excellence that has been delivered to the citizens of Hamilton by our members. I am honoured to serve in Hamilton and have worked hard every day to represent the members, the community and the Board to the best of my abilities while carrying out the Business Plan.

With the great achievements of our members and the community based policing approach entrenched in quality service delivery, the stage is set for a bright future.

Having made many positive contributions to our success, it is time for new leadership that will continue to enhance the great organization that we are. I will retire from the Hamilton Police Service effective January 17, 2016.

Our organizational structure is aligned for the future with current Command commitment to enhancing the administrative programs to support strategic deployment of resources that will continue to produce outstanding results in the most efficient manner. We are committed to develop our Human Resource Information System, Time and Resource Management System and fully integrate Service wide Crime Analysis. The HPS Crime Prevention Strategy is based in sound research and excellence in delivery of service to the community. We have invested in the development of our senior staff for succession.

All the essential parts are in place.

This is an amazing community of dedicated people and the community is served by professional members, civilian and sworn, of the Hamilton Police Service.

We are a proud Police Service and we remain committed to the relentless pursuit of offenders, enhancement of community safety and the protection of victims of crime.

Glenn De Caire
Chief of Police
Hamilton Police Service

5 2

RETIREMENT AGREEMENT made this 25th day of JANUARY, 2016.

BETWEEN:

HAMILTON POLICE SERVICES BOARD

(Hereinafter called the "Board")

-and-

GLENN DE CAIRE of the City of Hamilton,
Province of Ontario

(Hereinafter called the "Chief")

Hamilton Police Service
FOI

Whereas Glenn De Caire is an employee of the Hamilton Police Services Board hereinafter referred to as (the "Board") and holds the office of the Chief of Police of the Hamilton Police Service hereinafter referred to as (the "Service");

And Whereas the Board and Glenn De Caire hereinafter referred to as (the "Chief") entered into an agreement on the 19th day of November, 2009 (hereinafter referred to as the "Agreement") for the purpose of defining and confirming the salary, employment benefits, retirement provisions and working conditions of the Chief;

And Whereas Article 22 of the Agreement provides that the parties to the Agreement may make amendments, changes or alterations to the Agreement by mutual consent and in writing;

And Whereas the Board and the Chief wish to make amendments to the Agreement as hereinafter set forth;

Now Therefore in consideration of the mutual covenants herein contained, the parties hereby agree as follows;

1. The Chief will retire from the Hamilton Police Service effective January 17, 2016,
2. The Chief will be on holidays from January 3 – 17, 2016 which constitutes two additional weeks leave in the year of the members retirement as per the Senior Officers Association agreement Article 4 (1) (h),
3. The Chief will retain the residential office consisting of the computer and printer and this property is transferred in ownership to the Chief,
4. The Chief will have the account of the Service cellular phone transferred to him and this property is transferred to the ownership of the Chief,

5. The Chief will be offered the opportunity to purchase the current police vehicle at a price to be determined at black book minus discount for the vehicle having been used as a police vehicle,
6. Article 7 – Medical Coverage remains in full force and effect as per 7.01 (c) in that the Board agrees to pay 100% of the premium payable for providing the Chief of Police, his spouse, or his widow, until he or she attains the age of sixty-five (65), an extended health and dental plan as provided under the Agreement’,
7. Article 8 – Life Insurance remains in full force and effect as per 8.02 in that ‘From the date of the Chief’s retirement in accordance with the provisions of Ontario Municipality Employees Retirement System (OMERS) from the Service to the date he reached sixty-five (65) years of age, the Board will pay 100% of the premium cost for a policy of life insurance on his life in the amount of two and one half times his annual salary at the date of his retirement’,
8. Article 14 – Health Benefits Following Retirement remains in full force and effect as per 14.01 in that ‘The Board agrees to provide to the Chief and his wife and legal dependents (as defined in Article 5.01 herein above) upon the Chief’s retirement in accordance with the provisions of OMERS and until the Chief reaches age 65, medical, dental, vision, drug, hospitalization and health coverage in effect for Senior Officers of the Service at the time of his retirement. Further enhancements or additions to these benefit plans will be at the discretion of the Board’,
9. Article 16 – Legal Indemnification remains in full force and effect as per Article 16.01 to Article 16.08 and specifically that Article 16.08 stipulates that ‘The provisions in respect of legal indemnification under this Article survive the termination of this Agreement’,
10. Salary increases matching the Senior Officers Association for 2013, 2014, 2015 and 2016 are applicable including any back pay for those years,
11. The Board, on May 12, 2015 and confirmed in the 2014 Performance Evaluation of the Chief which was signed on October 1, 2015, accepted and recognized the accumulated vacation from 2010 to 2013 inclusive which amounts to 544 hours; adding 108 hours in 2014 and 144 hours in December 2015. The total accumulated vacation time as approved by the Board will be paid in money to the Chief in the amount of 796 hours at the rate of pay at the time of separation,
12. Vacation entitlement for 2016 will be prorated and paid to the Chief in money at the time of separation as per Article 4.06 of the Agreement,
13. The Chief remains entitled to the same benefits and entitlements as the Senior Officers Association, including retirement benefits and improvements up to and including January 17, 2016.


Hamilton Police Service

FOI

14. All Legal Fees associated to the negotiation, resolution and settlement of these contracts are to be paid for by the Board.

IN WITNESS WHEREOF the Board has caused this Agreement to be executed by the Chair and the Chief has hereunto set his hand and seal.

HAMILTON POLICE SERVICES BOARD



Lloyd Ferguson,
Chair of the Board

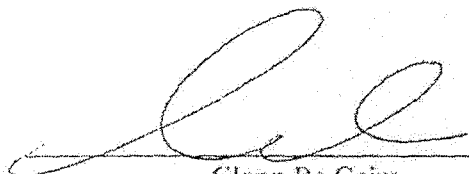


Lois Morin, Administrator
Witness

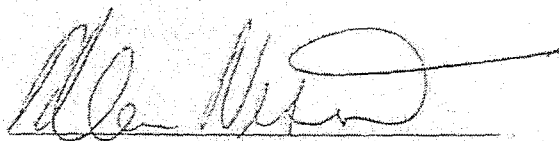
January 21, 2016
Date

Hamilton Police Service
FOI

Chief of Police



Glenn De Caire
Chief of Police



Mr. Marco Visentini
Witness

JANUARY 25, 2016.
Date

FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

WJ

Walt Juchniewicz

Reply

Fri 03-18, 7:59 PM

You

Photos

You replied on 2016-03-18 8:22 PM.

Warmest regards,

W.B. Walt Juchniewicz
Chairman, CEO
JUCH-TECH INC.

From: Ferguson, Lloyd [mailto:Lloyd.Ferguson@hamilton.ca]
Sent: Thursday, March 17, 2016 9:24 AM
To: Whitehead, Terry <Terry.Whitehead@hamilton.ca>; 'Walt Juchniewicz' <juchniewicz@juch-tech.com>
Cc: Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; Madeleine Levy <justmadeleine@sympatico.ca>; 'Stanley Tick' <stan@smtick.com>; Macvicar, Don F (don.macvicar@arcelormittal.com) <don.macvicar@arcelormittal.com>; Morin, Lois <Lois.Morin@hamilton.ca>
Subject: FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Here you two are saying it was wrong to provide Glenn with his computer. You both supported it when the decision was made. Here I am trying to carry the position of the Board and you go in a different direction. Not nice

Councillor Lloyd Ferguson
Ward 12 Ancaster
905-546-2704
<http://www.hamilton.ca>

RETIREMENT AGREEMENT made this 25th day of JANUARY, 2016.

BETWEEN:

HAMILTON POLICE SERVICES BOARD

(Hereinafter called the "Board")

-and-

Hamilton Police Service
FOI

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12. Vacation entitlement for 2016 will be prorated and paid to the Chief in money at the time of separation as per Article 4.06 of the Agreement,
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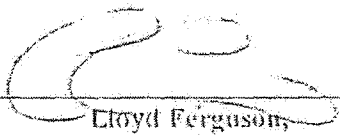
Hamilton Police Service

FOI

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HAMILTON POLICE SERVICES BOARD



Eloyd Ferguson,
Chair of the Board




Lois Morin, Administrator
Witness

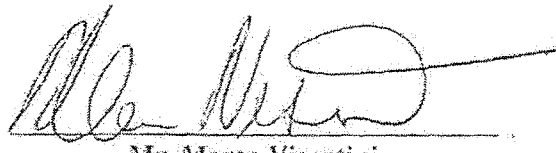
January 21, 2016
Date

Hamilton Police Service
FOI

Chief of Police



Glenn De Caire
Chief of Police



Mr. Marco Visentini
Witness

JANUARY 25, 2016.
Date

improvement of De Caire in his capacity as Chief of Police for the City of Hamilton.

6. Articles 13.01 and 13.02 (Clothing) are deleted and replaced with the following:

13.01 The Board agrees to provide to De Caire an annual allowance for uniform replacement or plain clothes in the amount of \$1150.00. Any enhancement to this amount shall be consistent with the benefit conferred to the Senior Officers of the Hamilton Police Service.

13.02 The Board agrees to provide to De Caire an allowance for cleaning clothing of \$400.00 per annum. Any enhancement to this amount shall be consistent with the benefit conferred to the Senior Officers of the Service.

7. Article 17.01 (Equipment) is deleted and replaced with the following:

17.01 The Board agrees to provide De Caire, at its own cost, a cellular telephone as well as at his place of residence, a computer, a printer, and a modem. This equipment remains the property of the Board. De Caire shall be reimbursed by the Board for costs associated with the operation of such equipment.

Hamilton Police Service

FPD

HAMILTON POLICE SERVICE

File# 16-0096

March 2, 2016

Mr. Mirle Chandrashekar
 39 Haddon Avenue South
 Hamilton, ON L8S 1X5

Dear Mr. Chandrashekar:

I am responding to your request for general information pursuant to the Municipal Freedom of Information and Protection of Privacy Act, our file # 16-0096.

As per your access request we have processed a copy of the retired Chief's original and amended contracts as well as a copy of his final retirement terms. You have been given full access.

Further to this request you have been given details of the final vacation entitlement payment. There were no payouts or bonuses given.

You have been given access to a page showing the accounting transaction listing the actual account showing the final payment.

A copy of this record may be obtained by attending the Cashier's Desk at the Records Office of the Hamilton Police Service, 155 King William St, Hamilton, Ontario, between the hours of 8:30 a.m - 6:00 p.m, Monday through Friday. You will not be required to take a number. Just simply attend the Cashier's Desk for pick up of your record.

You will be required to present **this letter and two pieces of identification** (one with a photo, i.e., Drivers Licence) prior to obtaining the record. Note, health cards or SIN cards are not acceptable.

The fee for photocopying is \$3.20.

I am responsible for this decision. If you have any questions, please contact this office at (905) 546-4727.

You may request a review of this decision by the Information and Privacy Commissioner, 2 Bloor Street East, Suite #1400, TORONTO, ON M4W 1A8.

You have 30 days to make this appeal.

In the event that you wish to launch an appeal, please provide the Commissioner's office with a copy of this decision letter. In addition, you must send a \$25.00 (or \$10.00 for personal information) appeal fee to the Commissioner's office. Please include the fee in your letter of appeal. Appeal fees should be in the form of a cheque or money order, payable to the Minister of Finance.

Sincerely,



Darlene Shepherd
Coordinator
Freedom of Information Branch

Retired Chief De Caire's Retirement from the Hamilton Police Service

Retired Chief's De Caire received his vacation entitlements based on his approved contract with the Hamilton Police Service Board.

He received;

1) \$84,442.18 (716 hours) for his carried forward vacation (Pre-2015) approved by the Board. (NOT IN PUBLIC MEETING)

2) \$48,627.37 for his 2015/2016 earned vacation per his approved contract with the Hamilton Police Service Board. It consists of the following;

- 7 weeks vacation
- 2 weeks in the year of retirement
- 1 week command Leave
- 14% of his employment income for the period January 1-January 16, 2016.

The Hamilton Police Service does not have access to the Chief's pension information and calculations. The pension is managed by OMERS and they are not part of our Service.

Hamilton Police Service
FOI

AAA_USER_TRANS_DEPTID - APAR GL Trans with View

Fiscal Year: 2015
 From Period: 12
 To Period: 12
 Business Unit: HAMTN
 Account: 376105
 Department: 376105

View Results

Download results in: [Excel Spreadsheet](#) [CSV Text File](#) [XML File](#) (1 kb)

View As

JV ID	JV DT	Acct	Dept	Amount	Descr	Vendor/Cust/Descr	Invoice/Group/Affiliate	Voucher/Item/Source	Inv/Dt/Post/Dt	Seq	Vendor/Cust/Oprid	GL Unit	JV Line	Product	Por
0000439806	31/12/2015	31700	376105	133669.560	Vacation Pay	UBIAGION - To accrue retired C.		PDL	31/12/2015		0UBIAGION	HAMTN	1		000

Hamilton Police Service
 FOI

FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Walt Juchniewicz

Reply

2016-03-18

You

Photos

You replied on 2016-03-18 8:22 PM.

Warmest regards,

W.B. Walt Juchniewicz
Chairman, CEO
JUCH-TECH INC.
+1-905-575-3236 Desk
+1-905-575-4157 Fax.
+1-905-577-2431 Mobile
+1-905-573-6556 NOC

From: Ferguson, Lloyd [mailto:Lloyd.Ferguson@hamilton.ca]

Sent: Thursday, March 17, 2016 9:24 AM

To: Whitehead, Terry <Terry.Whitehead@hamilton.ca>; 'Walt Juchniewicz' <juchniewicz@juch-tech.com>

Cc: Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; Madeleine Levy <justmadeleine@sympatico.ca>; 'Stanley Tick' <stan@smtick.com>; Macvicar, Don F (don.macvicar@arcelormittal.com) <don.macvicar@arcelormittal.com>; Morin, Lois <Lois.Morin@hamilton.ca>

Subject: FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Here you two are saying it was wrong to provide Glenn with his computer. You both supported it when the decision was made. Here I am trying to carry the position of the Board and you go in a different direction. Not nice

Councillor Lloyd Ferguson
Ward 12 Ancaster

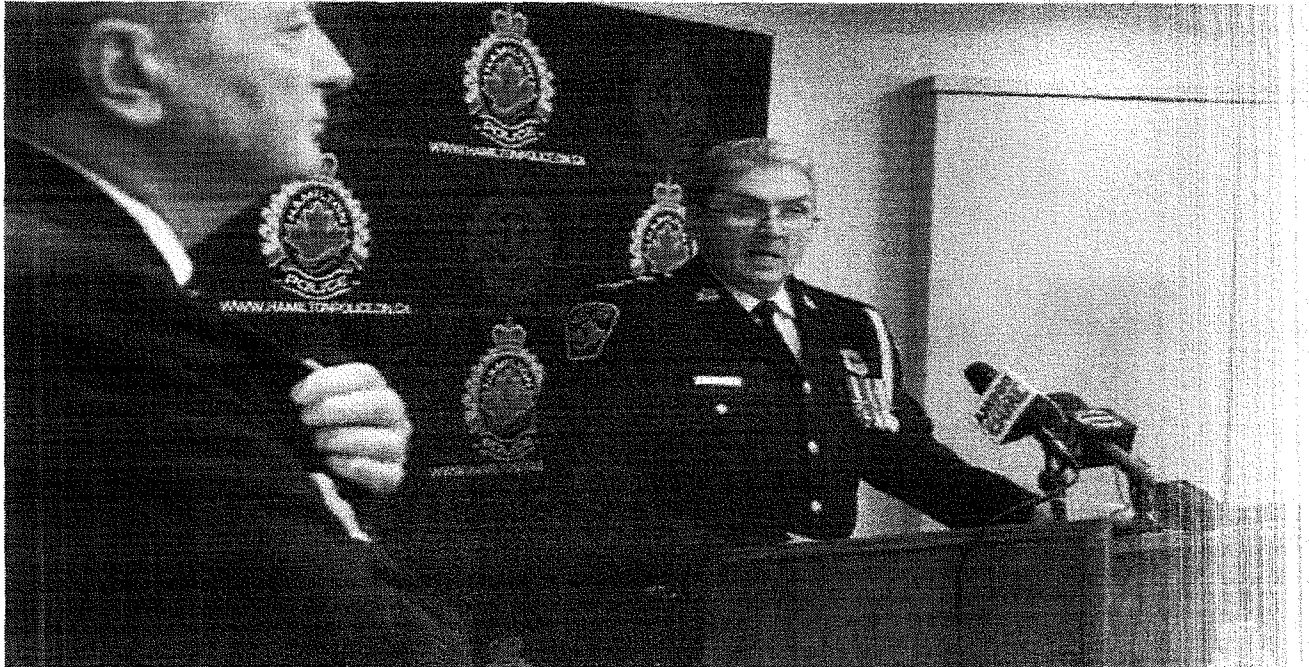
CBC March 15, 2016

Kelly Bennet

Hamilton police board let retiring chief keep police computer, phone

Board didn't examine computer's contents before transfer

By Kelly Bennett, CBC News Posted: Mar 15, 2016 3:16 PM ET Last Updated: Mar 15, 2016 3:16 PM ET



Lloyd Ferguson, Hamilton Police Services Board chair, said he wasn't concerned about any information that may be on the hard drive of a police-issued computer the board allowed former Chief Glenn De Caire, right, to keep when he retired. (Samantha Craggs/CBC)

Former Chief Glenn De Caire got to keep his Hamilton Police-issued computer and cell phone when he retired but the service's governing board did not wipe any sensitive information that might be saved on them before transferring ownership.

The transfer raises questions about the security of police information and the oversight and safeguards of the Hamilton board.

2/16

And while Hamilton Police Services Board members say they have faith and trust in the integrity of the former chief, a privacy and data security expert says that's not good enough.

'It's not that we don't trust the former police chief. It's that accidents happen.' Ann Cavoukian, Executive Director, Privacy and Big Data Institute, Ryerson University

Ann Cavoukian, Executive Director of the Privacy and Big Data Institute at Ryerson University and a former Information and Privacy Commissioner of Ontario says the issue isn't one of trust but of the board needing to have sound policies and practices for protecting sensitive information.

Until he retired in January, De Caire used a computer and printer in his home office issued by the service. His contract stated that the equipment belonged to the board, which oversees the service and is responsible for hiring the chief.

But when De Caire retired, the board transferred ownership of that computer and a cell phone over to him.

The transfers are listed in De Caire's retirement agreement, which CBC Hamilton obtained via a Freedom of Information request.

- Chief Glenn De Caire leaving Hamilton Police for McMaster University
- 6 years with Chief Glenn De Caire: Highlights and controversies

There's no mention in that agreement about any steps the board took to examine the contents of the equipment before turning it over to De Caire, or to wipe any sensitive materials or documents from it.

'I don't think he'd use it inappropriately. He's a former police chief'

Coun. Lloyd Ferguson, who chairs the Police Services Board, told CBC Hamilton the board "pulled the plug on the VPN," cutting off De Caire's access via that computer to police servers and internal records systems, including where ongoing sensitive files would be stored.

Mayor Fred Eisenberger, who sits on the board, said that VPN cutoff was the more critical issue.

But the hard drive was not examined or wiped, he said.

"I don't think there was an overriding concern about the content in his own laptop," he said.

Eisenberger said any employee who had "nefarious" intentions would have other ways to export information from a work computer. He said there's a "level of faith and trust" that goes into the equation.

2/17

Ferguson agreed.

"I don't know whether he downloaded anything," Ferguson said. "I trust Glenn and I don't know whether he would've saved anything to the hard drive."

Even if he did, Ferguson said, "I don't think he'd use it inappropriately. He's a former police chief."

Other high-level police officials who have left the service in recent years have also received their home computers, Ferguson said.

De Caire, who became chief in 2009, is now in charge of security and parking at McMaster University. He did not return requests for comment about the computer and phone.

Not about the monetary value

After years of use, the hardware isn't worth much, Ferguson said.

But it's not about how much the computer is worth monetarily, said Cavoukian.

"It's not about the hard drive or the value of the equipment," she said. "It's about the wealth of potentially sensitive police information that resides on the hard drive or the cell phone."

Cavoukian said the board should have a "written policy about the transfer of information when someone retires."

"I would ask them specifically, do they have a written policy relating to the records that may still appear in the hard drive that is now in the exclusive possession of the former police chief?" she said.

The question may be moot when a departing employee has time to make photocopies, export files to an external hard drive or forward emails to himself or herself. Beyond that, police officers take oaths of secrecy and confidentiality.

But the question is not about the trustworthiness of the person who leaves the position, Cavoukian said.

It's about the board taking steps to ensure its information is protected from a breach.

"It's not that we don't trust the former police chief," she said. "It's that accidents happen."

"Police are there to protect us and to make sure that the information is secure," she said. "I don't want to suggest otherwise, but nonetheless this material has to be governed by strict policies and protocols."

Eisenberger said he's not concerned about the former chief keeping the laptop.

"I'm sure there wasn't anything too sensitive from what I understand," he said. "Going forward he cannot access anything on the VPN, which is a far more critical issue."

kelly.bennett@cbc.ca | [@kellyrbennett](https://twitter.com/kellyrbennett)

Computer perk for retiring Hamilton chief clashes with other Ontario services

'Steps would be taken to ensure that no operational information is compromised': Durham Police

By Kelly Bennett, [CBC News](#) Posted: Mar 16, 2016 5:59 PM ET Last Updated: Mar 16, 2016 5:59 PM ET

Coun. Lloyd Ferguson, right, spoke at a 2014 press conference with former Hamilton chief Glenn De Caire, who retired from the service in January. (Samantha Craggs/CBC)

Hamilton's handling of a computer given to its chief when he retired is at odds with how many major police services in the province say they handle the equipment and data entrusted to their top officials.

Former Hamilton Police Chief Glenn De Caire was allowed to keep his work computer when he retired – without its hard drive or contents being examined or scrubbed first – CBC Hamilton revealed Monday. In Durham, the chief and deputy are provided computers and phones in the course of their duties.

But when they retire, they're required to turn it in.

"Any equipment that is provided to the Chief or Deputy, would be returned to the Police Service upon retirement, unless a special arrangement was made, and steps would be taken to ensure that no operational information is compromised," said Anita Longo, executive assistant at the Durham Regional Police Services Board.

When the chief and deputy chiefs at York Regional Police retire from or leave the service, their contracts stipulate that they'll return "all property and equipment provided," said Mafalda Avellino, executive director of the York Police Services Board.

Hamilton's police oversight board didn't require former chief Glenn De Caire to turn in his computer and phone when he retired in January.

They transferred ownership to him instead, according to De Caire's retirement agreement with the board, which CBC Hamilton obtained under a Freedom of Information request.

- [Hamilton police board let retiring chief keep police computer, phone](#)
- [What do you want in a new police chief? Hamilton board seeks public input](#)

The board cut off De Caire's access to police servers, but did not examine or scrub the contents of the equipment.

Coun. Lloyd Ferguson and Mayor Fred Eisenberger, who sit on the board, said they have faith in the integrity and trustworthiness of the former chief. But Ann Cavoukian, executive director of the Privacy and Big Data Institute at Ryerson University and a former Information and Privacy Commissioner of Ontario told CBC Hamilton the issue isn't one of trust but of the board needing to have sound policies and practices for protecting sensitive information.

Two other members of the board said Tuesday they thought police equipment and the protection of data was an important issue that warrants careful consideration.

37 20

Retiring officers turn in equipment elsewhere

The policies of Durham and York resemble policies in Toronto, Ottawa and Peel, according to a retired city accounting employee police financing watchdog named Shekar Chandrashekar.

Coun. Lloyd Ferguson, chair, Hamilton Police Services Board

Chandrashekar asked other services in the province about the equipment policies after he separately obtained a copy of the former chief's retirement agreement. He shared the responses with CBC Hamilton.

Insp. Stu Eley from Toronto Police Service told Chandrashekar that the chief and deputies are required to be available 24 hours a day, and that they're provided with cell phones and computers.

But when they retire or leave the service, that equipment is turned in, he said in an email.

That's the same in Ottawa, said Carol Brunet, Freedom of Information analyst with the Ottawa Police.

"All equipment (clothes, use of force, computers, telephones, printers, etc.) are returned upon retirement by all members," she said.

In Peel, the chief and deputies have the option of purchasing the equipment from the service "at market cost, unless the board deems otherwise," said Fred Biro, executive director of the Peel Police Services Board.

If they do buy it, though: "Any confidential information would be deleted prior to the executive members commencing retirement," he told Chandrashekar.

'We need to be paying attention'

The board disbanded its short-lived governance committee last year.

Coun. Terry Whitehead, member, Hamilton Police Services Board (Samantha Craggs/CBC)

Coun. Terry Whitehead, a member of the police board, said Tuesday a matter like this was an example of a policy for which the board should be consulting best practices from around the province.

Whitehead emphasized that he was sharing a personal opinion and doesn't speak on behalf of the board.

He said he imagined the board would discuss the public response to the computer provision at an upcoming meeting.

"Our job's not just to govern but we're also the eyes and ears and we need to be paying attention to what the general public is saying and to anything the media is revealing," he said. "We need to make sure we're aware of those issues and we talk about those issues."

Another member of the board, business owner Wail Juchniewicz, sits on the board as a citizen appointee. He said at his telecommunications company, employees turn over phones and computers when they leave the company — in part so that they're around if the company is ever called to produce them in a regulatory or legal setting.

"The reality of it is that if you're an employee of the company, any intellectual property that was created or devised on any device, whether written or on a hard drive or on a thumb drive is the property of the employer," he said.

"You just never know what you're going to need, in the future down the road."

Have your say: What do you think of the board's decision to give the chief his work computer and phone when he retired? Leave a comment below or a message [on our Facebook page](#).

kelly.bennett@cbc.ca | [@kellyrbennett](#)

From: Madeleine [<mailto:justmadeleine@sympatico.ca>]

Sent: March 16, 2016 7:56 PM

To: Madeleine Levy

Subject: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

[Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton](#)

January 25, 2016

The Spectator's View: Chief's retirement package should be public



DE CAIRE

Scott Gardner, The Hamilton Spectator
Former chief of police Glenn DeCaire at his retirement announcement Dec. 18, 2015.

Hamilton Spectator BY Howard Elliot

The subject today is Hamilton's police services board. It deserves praise for one decision, and criticism for another. Harsh criticism.

Let's start with the negative so we can end on a relative positive. The decision to keep the amount of departed chief Glenn De Caire's retirement package a secret stinks. It reeks of an arrogant, high-handed throwback attitude to some darker era where information was the property of the ruling class and peons had no business knowing it. Unfortunately, it's not surprising coming from the police board, which in too many cases seems to live in that throwback world.

There is little doubt The Spectator will eventually get the details of the package by using Freedom of Information legislation. The police board knows that. So refusing to provide any details is nothing more than giving the middle finger to the public. Eventually, the law will require disclosure, but there's no way the board is going to make that easy for taxpayers and the media.

Let's be clear: Every retirement dollar not contributed by the chief himself is public money. How in the world can the board justify fighting to keep that secret? We know how much the chief made — \$228,519 plus \$18,901 in taxable benefits. We would not expect to know the details of discussions that took place behind closed doors, the to and fro, the back and forth that can legitimately be concealed because it is personnel related. But withholding the end result is not

responsible or in keeping with modern transparency and ethical standards. Interestingly, when The Spectator asked for details of former chief De Caire's new contract with McMaster University, we were told the same thing. Some university executives will see it, everyone else has to use Freedom of Information legislation. So the police board has company in the Dark Ages.

All that said, let's also acknowledge the board made a good decision by deciding to look for De Caire's replacement internally before looking outside the department. That makes sense. Without getting into names and personalities, there is no doubt that the senior ranks of the police service include more than one qualified candidate. So it is logical to start there.

Some will argue this is a result of De Caire's polarizing reign. He made some innovative decisions, but had strained relationships with his own service and significant parts of the community. Maybe. But the important thing is to get the right candidate, and if that candidate is internal, the choice will have other benefits including continuity and knowledge of the community.

Regardless of who the new chief is, a key attribute will be a commitment to transparency, accountability and inclusivity. Can the board be trusted to ensure that? Given the retirement secrecy, this could be like putting the fox in charge of the henhouse.

Howard Elliott

61 2A

RE: YES or No ,PLEASE

Stu Eley

Reply

To:

'shekarfamily@hotmail.com';

Cc:

Mark Pugash <Mark.Pugash@torontopolice.on.ca>;

Sat 2016-03-12 12:57 PM

You forwarded this message on 2016-03-18 8:02 PM

Boomerang

Good afternoon Mr. Shekar,

Mr. Pugash referred this enquiry to me to provide an answer. Thank you for your enquiry. I can advise you that the Chief and Deputies as part of their responsibilities are required to be available 24 hours a day. To enable that availability I can confirm that they are provided cell phones and computers for their use wherever they are. These devices are paid for by the Service's budget. I can also advise that all their Service issued equipment is turned in when they retire or leave the Service.

Please contact me if there are further questions you may have.

Inspector Stu Eley
Executive Officer
Office of the Chief of Police
416 808-7075

From: Mark Pugash
Sent: Friday March 11, 2016 1:21 PM
To: Stu Eley
Subject: FW: YES or No ,PLEASE

Can I let him know the Chief's Office will provide an answer?

Mark Pugash
Director of Corporate Communications
Toronto Police Service
t: 416 808 7088
e: mark.pugash@torontopolice.on.ca

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]
Sent: Friday March 11, 2016 6:12 AM
To: Mark Pugash
Subject: Re: YES or No ,PLEASE

+ 25

Good Morning Mr.Pugash
Please,just a reminder
Shekar.

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: March 9, 2016 1:25 PM
To: mark.pugash@torontopolice.on.ca
Subject: YES or No ,PLEASE

Good afternoon Mr. Pugash
Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.
If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.
Looking forward to your response,

Shekar, Private Citizen

 26

RE: Yes or No ..please

Biro, Fred

Reply

To:

Shekar Chandrashekar <shekarfamily@hotmail.com>;

Fri 2016-03-11 11:29 AM

You forwarded this message on 2016-03-18 8:02 PM

Boomerang

Mr. Chandrashekar:

In response to your e-mail, the Chief of Police and Deputy Chiefs of Police are provided the necessary equipment by the Board to properly discharge their duties. Upon retirement, the Chief and Deputy Chiefs can purchase the electronic devices provided to them at market cost, unless the Board deems otherwise. Any confidential information would be deleted prior to the Executive members commencing retirement.

I hope that adequately responds to your enquiry.

Regards,

Frederick Biro

Executive Director

Regional Municipality of Peel Police Services Board

10 Peel Centre Drive

Brampton, ON L6T 4B9

Phone: (905) 458-1340 Fax: (905) 458-7278

Email: Fred.Biro@peelpoliceboard.ca

27

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: March 11, 2016 6:11 AM
To: Biro, Fred
Cc: Andrea.Schulz@peelpolice.ca
Subject: Re: Yes or No ..please

Good Morning Mr.Biro
Please,just a reminder
Shekar

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: March 9, 2016 1:34 PM
To: Fred.Biro@peelpoliceboard.ca
Cc: Andrea.Schulz@peelpolice.ca
Subject: Yes or No ..please

Good after noon Mr.Biro

Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.
If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.
Looking forward to your response,
shekar

+ 28

FW: Yes or No please

FOI Analyst

Reply

To:

'shekarfamily@hotmail.com';

Cc:

Fedec, Wendy (City of Ottawa) <Wendy.Fedec@ottawa.ca>;

Kennedy, Lynn (City of Ottawa) <Lynn.Kennedy@ottawa.ca>;

...

Thu 2016-03-10 11:07 AM

You forwarded this message on 2016-03-18 8:02 PM

Boomerang

Good Morning Mr. Shekar,

I have contacted our Executive Office and was advised that all equipment (clothes, use of force, computers, telephones, printers, etc) are returned upon retirement by all members.

Regards,

Carol Brunet

FOI Analyst

Ottawa Police Service

613-236-1222 ext 5379

foianalyst@ottawapolice.ca

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: March-10-16 9:47 AM

To: Brunet, Carol E

Cc: Kennedy, Lynn (City of Ottawa); Fedec, Wendy (City of Ottawa)

Subject: Re: Yes or No please

Thank you

I hope Ms.Fedec and Ms.Kennedy will simply respond "Yes" or "No" thus it does not require to go through FOI .Also, I have received responses from other PSB

Thank you

shekar

From: Brunet, Carol E <BrunetC@ottawapolice.ca>

Sent: March 10, 2016 7:35 AM

RE: Yes or No,Please

Anita LONGO

Reply

To:

'Shekar Chandrashekar' <shekarfamily@hotmail.com>

Thu 2016-03-10 9:06 AM

You forwarded this message on 2016-03-18 8:03 PM

Boomerang

Good Morning,

The Chief and the Deputy are provided the technological equipment necessary to perform the functions expected of them. Any equipment that is provided to the Chief or Deputy, would be returned to the Police Service upon retirement, unless a special arrangement was made, and steps would be taken to ensure that no operational information is compromised.

Regards,

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]

Sent: Wednesday, March 09, 2016 1:30 PM

To: Anita LONGO

Subject: Yes or No,Please

Good after noonMs.Longo

Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.

If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.

Looking forward to your response,

shekar

730

RE: Yes or no, please

Avellino, Mafalda

Reply

To:

Shekar Chandrashekar <shekarfamily@hotmail.com>;

Wed 2016-03-09 2:41 PM

You forwarded this message on 2016-03-18 8:03 PM

Boomerang

Good afternoon Mr. Chandrashekar,

The information you are requesting is in the Chief's and Deputy Chiefs' contracts. I have highlighted the provisions below:

10. Automobile, Cellular Phone and Computer

- 10.1 The Chief shall be provided with an automobile for his personal use and use at work which shall be, in the opinion of the Board, equivalent to a full size, four door sedan, equipped with a police radio and personal mobile communications device. The Board shall pay for all operating expenses for the personal mobile communications device and automobile, including fuel, maintenance and insurance. The Chief shall be responsible for any taxable benefit arising out of his personal use of the automobile and the Board may make appropriate deduction from salary to effect such taxable benefit.
- 10.2 The Chief will also be equipped with a laptop computer which he may remove from the workplace and use for business purposes as required, as well as incidental personal use.
- 13.3 Upon notice being given to the Chief under clause 13.2(b), the following shall occur:
- (a) following the last day of the Term of Appointment, the Chief shall forthwith cease exercising any and all authority as Chief of Police of the Police Service;
 - (b) the Chief shall return to the Police Service all property and equipment provided to him as a member of the Police Service or as Chief of Police.

Deputy Chief Crawford contract:

10. Automobile, Cellular Phone and Computer

10.3 The Deputy Chief shall be provided with an automobile for his personal use and use at work which shall be, in the opinion of the Board, equivalent to a full size, four-door sedan, equipped with a police radio and personal mobile communications device. The Board shall pay for all operating expenses for the personal mobile communications device and automobile, including fuel, maintenance and insurance. The Deputy Chief shall be responsible for any taxable benefit arising out of his personal use of the automobile and the Board may make appropriate deduction from salary to effect such taxable benefit.

10.4 The Deputy Chief will also be equipped with a laptop computer which he may remove from the workplace and use for business purposes as required, as well as incidental personal use.

13

13.1

13.2

13.3 Upon notice being given to the Deputy Chief under clause 13.2(b), the following shall occur:

(c) following the last day of the Term of Appointment, the Deputy Chief shall forthwith cease exercising any and all authority as Deputy Chief of Police of the Police Service;

(d) the Deputy Chief shall return to the Police Service all property and equipment provided to him as Deputy Chief of Police;

(e) the Deputy Chief shall return to the rank he held immediately prior to his appointment as Deputy Chief pursuant to this agreement; and

(f) the Deputy Chief shall be credited for service during his appointment as Deputy Chief, and will retain all rights and benefits accumulated under the Senior Officers' Working Agreement in respect of such service.

Deputy Chief Carrique Contract:

10. Automobile, Cellular Phone and Computer

10.5 The Deputy Chief shall be provided with an automobile for his personal use and use at work which shall be, in the opinion of the Board, equivalent to a full size, four-door sedan, equipped with a police radio and personal mobile communications device. The Board shall pay for

all operating expenses for the personal mobile communications device and automobile, including fuel, maintenance and insurance. The Deputy Chief shall be responsible for any taxable benefit arising out of his personal use of the automobile and the Board may make appropriate deduction from salary to effect such taxable benefit.

10.6 The Deputy Chief will also be equipped with a laptop computer which he may remove from the workplace and use for business purposes as required, as well as incidental personal use.

14

14.1

14.2

14.3 Upon notice being given to the Deputy Chief under clause 13.2(b), the following shall occur:

(g) following the last day of the Term of Appointment, the Deputy Chief shall forthwith cease exercising any and all authority as Deputy Chief of Police of the Police Service;

(h) the Deputy Chief shall return to the Police Service all property and equipment provided to him as Deputy Chief of Police;

(i) the Deputy Chief shall return to the rank he held immediately prior to his appointment as Deputy Chief pursuant to this agreement; and

(j) the Deputy Chief shall be credited for service during his appointment as Deputy Chief, and will retain all rights and benefits accumulated under the Senior Officers' Working Agreement in respect of such service.

I hope this assists with your request.

Best regards,

Mafalda Avellino | Executive Director, The Regional Municipality of York Police Services Board

17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 905-830-4444 ext. 77906 | Toll Free: 1-877-464-9675 | Fax: 905-895-5249

| psb@yvp.ca | www.yrpsb.ca

Confidentiality Note

The information contained in this communication is confidential and is intended only for the use of the individual or entity to whom it is addressed. The contents of this communication may also be subject to legal privilege, and all rights of that privilege are expressly claimed and not waived. If you have received this communication in error, please notify us immediately and delete the communication without making a copy. Thank you for your assistance.

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: March-09-16 1:29 PM
To: Avellino, Mafalda
Subject: Yes or no,please

Good after noon Ms.Avellino

I hope every thing is going O.k.

Next time when we are visiting our daughter both my wife and I might pop in and say Hello

Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.

If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.

Looking forward to your response,
shekar

THIS AGREEMENT effective as of the 1st day of April 2014.

B E T W E E N :

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Community Safety and
Correctional Services

(the "Ministry")

- and -

Hamilton Police Services Board

(the "Police Services Board")

WHEREAS in 2015, the 17th Pan and Parapan American Games (the "Games") will be held in various venues throughout Ontario;

AND WHEREAS the Hamilton Police Service will implement additional security measures in order to promote greater security and public order during the Games;

AND WHEREAS Ontario intends to provide financial relief to the Police Services Board for incremental, extraordinary, justifiable and reasonable security expenses incurred specifically in support of the Games;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

ARTICLE 1 – INTERPRETATION AND DEFINITIONS

1.1 *Interpretation.* For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the recitals and the headings do not form part of the Agreement; they are for reference only and shall not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency shall be to Canadian dollars and currency; and
- (e) "include", "includes" and "including" shall not denote an exhaustive list.

1.2 *Definitions.* In the Agreement, the following terms shall have the following meanings:

- (f) shall not request reimbursement of any Eligible Costs in respect of which it has requested or received reimbursement from TO2015.

2.4 **Supporting Documentation.** Upon request, the Police Services Board shall provide the Ministry with proof of the matters referred to in this Article 2.

ARTICLE 3 -- TERM OF THE AGREEMENT

3.1 **Term.** The term of the Agreement shall commence on the Effective Date and shall expire on the Expiry Date, unless terminated earlier pursuant to Articles 12, 13 or 14.

ARTICLE 4 -- FUNDS AND CARRYING OUT THE PROJECT

4.1 **Funds Provided.** The Ministry shall:

- (a) subject to terms and conditions of the Agreement, reimburse the Police Services Board for its Eligible Costs up to the Maximum Funds for the purpose of carrying out the Project;
- (b) pay the reimbursement directly to the Police Services Board through transfer payments in accordance with the payment schedule attached to the Agreement as Schedule D; and
- (c) deposit the Funds into an account designated by the Police Services Board provided that the account resides at a Canadian financial institution.

4.2 **Reimbursement – Unforeseen Extraordinary Circumstances.**

- (a) Subject to subsection 4.2(b), if, during the term of the Agreement, one or more of the following extraordinary circumstances arise:
 - (i) the occurrence of Acts of God in the nature of thunderstorms, flooding, or extreme weather;
 - (ii) the ISU has identified material increases to the applicable threat levels; or
 - (iii) TO2015 has made material operational changes to the Games

then, to the extent that the events listed in (i), (ii) or (iii) are of such magnitude as to fall beyond the scope of the ISU-Approved Operational Plan, the Budget set out in Schedule B and the approved business case, and the Police Services Board incurs additional costs attributable to an event listed in (i), (ii) or (iii), ("Extraordinary Circumstances Costs") which would otherwise be Eligible Costs in accordance with Schedule C but which have not been provided for in the Maximum Funds set out in this Agreement, the Police Services Board may submit claims for reimbursement of Extraordinary Circumstances Costs. The Ministry will review any such claims in accordance with Schedule C. Where the Ministry approves the reimbursement of the Extraordinary Circumstances Costs, the Ministry shall amend the Maximum Funds accordingly.

- (b) Reimbursement by the Ministry pursuant to subsection 4.2(a) is conditional upon the Ministry receiving funding for this purpose from TO2015 or from Treasury Board.

4.3 *Limitation on Payment of Funds.* Despite section 4.1:

- (a) the Ministry is not obligated to provide any Funds to the Police Services Board until the Police Services Board provides the insurance certificate or other proof as provided for in section 11.2;
- (b) the Ministry's payment of Funds is conditional on the police service signing and complying with the ISU Concept of Operations dated January 10th 2013. In the event that the police service sign one or more revised ISU Concept of Operations subsequent to January 10th 2013, the Ministry's payment of Funds is conditional on the police service complying with such subsequent ISU Concept of Operations;
- (c) the Ministry's payment of Funds is conditional on the Police Services Board submitting invoices and Reports in accordance with the requirements and Timelines set out in Schedules D and E;
- (d) the Ministry is not obligated to provide Funds until it is satisfied with the invoices, Reports and supporting documentation.
- (e) the Ministry may adjust the amount of Funds it provides to the Police Services Board based upon the Ministry's assessment of the information provided by the Police Services Board pursuant to section 7.1;
- (f) if the Ministry determines that amounts reimbursed exceed the amount to which the Police Services Board is entitled, the Ministry may withhold an amount equal to the amount of the overpayment from future reimbursements under this Agreement; and
- (g) the Ministry may adjust the amount of Funds it provides to the Police Services Board if, pursuant to the provisions of the *Financial Administration Act* (Ontario), the Ministry does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement. If the necessary appropriation is not received, the Ministry may:
 - (i) reduce the amount of the Funds and, in consultation with the Police Services Board, change the Project; or
 - (ii) terminate the Agreement pursuant to section 13.1.

4.4 *No Changes.* Subject to subsection 4.5(a), the Police Services Board shall not make any changes to the approved business case, the Timelines and/or the Budget without the prior written consent of the Ministry.

THIS AGREEMENT effective as of the 1st day of April 2014.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Community Safety and
Correctional Services

(the "Ministry")

- and -

Hamilton Police Services Board

(the "Police Services Board")

Hamilton Police Service
FOI

WHEREAS in 2015, the 17th Pan and Parapan American Games (the "Games") will be held in various venues throughout Ontario;

AND WHEREAS the Hamilton Police Service will implement additional security measures in order to promote greater security and public order during the Games;

AND WHEREAS Ontario intends to provide financial relief to the Police Services Board for incremental, extraordinary, justifiable and reasonable security expenses incurred specifically in support of the Games;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

ARTICLE 1 -- INTERPRETATION AND DEFINITIONS

1.1 *Interpretation.* For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the recitals and the headings do not form part of the Agreement; they are for reference only and shall not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency shall be to Canadian dollars and currency; and
- (e) "include", "includes" and "including" shall not denote an exhaustive list.

1.2 *Definitions.* In the Agreement, the following terms shall have the following meanings:

**SCHEDULE B
BUDGET**

BUDGET	2014/15	2015/16	TOTAL
Planning Staff Salaries & Benefits	\$640,000	\$381,000	\$1,021,000
Planning Resources	\$173,000	\$28,000	\$201,000
Operational Personnel	\$0	\$2,556,000	\$2,556,000
Operational Resources	\$0	\$250,000	\$250,000
Demobilization Resources	\$0	\$0	\$0
TOTAL:	\$813,000	\$3,215,000	\$4,028,000

Hamilton Police Services
FOI

Re: Yes or No..Please Pan Am Game

Lauren Hanna

Reply

Tue 6:09 PM

You

Boomerang

Dear Mr. Chandrashekar,

Thank you for contacting our office to share your concerns about Hamilton Police Services Claim with respect to the Pan and Parapan Am Games.

We welcome comments and audit suggestions from the public, and take the material that we receive very seriously. As such, I have shared your correspondence with our Assistant Auditor General who was responsible for the audit of the Pan Am Games costs. They will review and, if applicable, incorporate these issues in the selection and planning of our future audits.

Please note that we do not have jurisdiction to audit municipalities. However, the concerns you raised are related to our recent report and provincial funding. I would refer you to page 28 of our report, which notes that PwC audits were done in accordance with the agreements to determine expenditures eligible for provincial reimbursement (pg. 28 of our report). We would encourage you to submit to us any additional information that you have indicating the costs reported to PwC were in excess of the ones actually incurred/reported by the Hamilton Police Services Board. You can submit this information to comments@auditor.on.ca.

Sincerely,

Lauren

Lauren Hanna

Coordinator, Strategic Initiatives & EA to the Auditor General

Office of the Auditor General of Ontario
20 Dundas Street West, Suite 1530 | Toronto, Ontario, M5G 2C2
Office: (416) 327-2706 | Mobile: (647) 825-
1853 | [lauren.hanna@auditor.on.ca]lauren.hanna@auditor.on.ca

Ministry of Community Safety
and Correctional Services

Ministère de la Sécurité communautaire
et des Services correctionnels

Office of the Deputy Minister

Bureau du sous-ministre

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

25, rue Grosvenor
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Toronto ON M7A 1Y6
Tél.: 416-326-5060
Télééc.: 416-327-0469



MC-2016-1245
By e-mail

MAY 12 2016

Mr. Shekar Chandrashekar
shekarfamily@hotmail.com

Dear Mr. Chandrashekar:

Thank you for your e-mail regarding the expenses billed by Hamilton Police Service to the Province of Ontario for Pan/Parapan Am Games security.

The ministry can confirm that the Hamilton Police Service submitted expenses of \$2,774,197 for reimbursement. We are currently reviewing the submission for eligibility under the terms of the Cost Contribution Agreement that was signed by the Police Services Board and the ministry prior to the Games. Only those costs that are eligible according to the Cost Contribution Agreement will be reimbursed.

Thank you for writing.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Torigian", written over a horizontal line.

Matthew Torigian
Deputy Minister
Ministry of Community Safety and Correctional Services

Good afternoon Shekar,

My apologies for how long this took but please see the responses below.

1) Can Police Services bill the Province for expenditures outside of those covered by their contract?

In accordance with Schedule "C" of the agreement, only incremental costs required for Games security are eligible for reimbursement by the province. In the event of an unforeseen, extraordinary circumstance, requiring the police services to incur costs over and above those pre-approved in the agreements, Section 4.2 provides that municipal police services may submit additional expenditures to the Ministry claiming reimbursement for these costs under the terms of the agreement. These costs may be approved by the Ministry for reimbursement provided that they are consistent with all other terms and conditions of the agreement.

2) Shouldn't each Police Services have submitted a budget concerning anticipated Pan Am costs to their respective board for their approval? and what happens if they are under or over that budget? Must they return excess funds to the Province if they spent less than the budgeted amount?

The Ministry will defer to the Board and Police Service on their internal approval process. The Pan Am agreement is between the Police Services Board and the Ministry. Under these agreements, only actual expenditures incurred that are consistent with the budget outlined in the agreement and supported by detailed invoices submitted to the Ministry, will be eligible for reimbursement (see Sections 4.1 and 4.3(c)).

Regards,

Brent Ross
Spokesperson
Ministry of Community Safety and Correctional Services
P: 416-314-7024

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: November 24, 2015 1:49 PM
To: Brent.Ross@ontario.ca
Subject: Fw: What I had submitted to Hamilton Police Services Board

Good after noon Mr. Ross

This is further to our telephone conversations today. I have read a few Police Board contracts with respect to Pan Am Games. Those contracts clearly state that each Police Board is subject to an audit by the province and therefore each police board must retain those records pertaining to their Pan Am costs, including invoices, costs of preliminary planning, number of officers involved in planning and so forth. All other expenditures for officers will be incurred under their regular Police Services Budget. No excess expenditures should be billed to the ministry. Mr. Ross, please have a financial analyst read and analyze the attached documents concerning Hamilton Police Services expenditures on the Pan Am games.

I have the following two questions:

- 1) Can Police Services bill the Province for expenditures outside of those covered by their contract?
- 2) Shouldn't each Police Services have submitted a budget concerning anticipated Pan Am costs to their respective board for their approval? and what happens if they are under or over that budget? Must they return excess funds to the Province if they spent less than the budgeted amount?

Mr. Ross.. always respectful

Ontario Private Citizen

Shekar

39 Haddon Ave. South

Hamilton, ON. L8S 1X5

Tel: (905) 525-3082

E-mail: shekarfamily@hotmail.com



HAMILTON POLICE SERVICES BOARD

OUTSTANDING ISSUES as of June 21, 2018

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
1. Other Business	May 26, 2016	That Member Whitehead work with the Board Administrator to implement the use of Electronic devices for monthly agendas.	PSB 16-001 – Ongoing	2 nd Quarter 2018
2. Body-Worn Camera Steering Committee Second Year Report (PSB 16-127)	November 16, 2017	That the Board approve that continued investigation occur prior to accepting, rejecting or engaging in a Body Worn Camera pilot deployment program.	Ongoing	
3. Statistics on Sexual Assault Data Collection	February 9, 2017	The Hamilton Police Services to review all unfounded sexual assault cases dating back to 2010, and that Chief Girt be requested to report back to the Board as soon as possible on the findings	Ongoing	
4. Request from Shekar Chandrashekar, to Provide a Deputation to the Board	May 10, 2018	That the request from Mr. Shekar Chandrashekar be referred to the Police Services Board Budget Subcommittee.		3 rd Quarter 2018

4.5(p)



Hamilton Police Services Board Deputation Request Form

(Request to appear before the Police Services Board)

****Please note** - The information on this form will be published on a public agenda and therefore released to the public and media.**

Your Name: ROBERT BURGESS

Firm / Organization:
(if applicable) _____

E-mail Address: RBURGESS@INJUSTICEINONTARIO.CA

Home Phone: 789 768 4276

Fax No.: _____

Business Phone: _____

Mailing Address: 949 KING ST E HAMILTON ONT L8M
1C1

Details of Deputation to be discussed including a summary and the objective(s) of the presentation:

SEE ATTACHED

Will you require a LCD Projector: Yes No
(Please note, you must bring your own computer)

Have discussions or correspondence taken place with a member of the Hamilton Police Services Board or the Administrator? If so, with whom and when?

Please submit the completed form either in person, via fax or e-mail to:

Administrator
Hamilton Police Services Board
155 King William Street
P.O. Box 1060, LCD1
Hamilton, ON
L8N 4C1

Fax: 905-546-4720
E-Mail: lois.morin@hamilton.ca

Deputation Hamilton police services board

I have written to members of the Hamilton police services board and asked questions but they say that they cannot answer my questions. Because the board said that they cannot.

The Mayor of Toronto has talked to the news about asking for some kind of inquiry at the next Toronto police services board meeting about the way the Toronto police handled the investigations into the gay men that were murdered in Toronto.

So my question is if the Mayor of Toronto can talk to the news media about the Toronto police then why can't the members of the Hamilton police services board talk to me about the Hamilton police? Without me speaking at a board meeting.

Thanks Robert Burgiss

HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2018 June 21
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *2017 Year-End Surplus Allocation Plan*
PSB 18-082

RECOMMENDATION:

That the Hamilton Police Service Board approve the Allocation Plan for the 2017 Operating Budget favorable variance (surplus) of \$611,711.



Eric Girt
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – See details in Appendix A

STAFFING – n/a

LEGAL – n/a

BACKGROUND:

In accordance with the "Operating Budget Surplus/Deficit Policy", the City of Hamilton Finance Department closed the 2017 HPS Operating Budget surplus of \$611,711 to the Police Tax Stabilization Reserve; a standard operating procedure at year-end. Based on operational requirements, the following allocation plan is proposed:

2017 Operating Surplus Variance: \$611,711**1. Naloxone - \$23,000**

Recently approved for Service deployment to the front line and specified areas (Custody, Forensics, Vice & Drugs, Property, Courts), the product is currently supplied free of charge through Public Health, however, funds are required for officer belt pouches for Naloxone deployment, and storage containers in Courts and Property.

2. Intelligence Investigations – \$394,000 (\$294,000 net of pending Provincial grant)

Intelligence investigations were formally facilitated by the OPP; however, that service is no longer available to Hamilton Police Service (HPS). These funds are required to set up internal services to support Intelligence Investigations. This project is a joint venture with the Criminal Intelligence Service of Ontario, the RCMP and a number of Ontario Police Services. The total startup costs are expected to be \$394,000 for related equipment and monitoring costs. HPS will be applying for a Proceeds of Crime grant for approximately \$100,000 to offset the initial startup costs.

3. Carbines - \$90,000

HPS needs to implement a Carbine Program which requires Carbine Firearms including 26 Colt C8 Carbines, lights, magazines, ammunition, and range rental costs. For further information, PSB Report #18-076 – Patrol Carbine Colt C-8 Program, will be presented to the Board this month in conjunction with this report.

4. ION Scanner - \$45,300

With the ongoing Opioid crisis and risks associated to the presence of Fentanyl, HPS needs a portable ION Scanner to identify trace amounts of Fentanyl and other analogues at suspected crime and exposure scenes. It can also be used to check vehicles, equipment, and any surface that can be swabbed for contamination.

Early and quick detection of potential harmful substances can greatly assist with member health and safety, scene containment, and investigative issues that may arise due to Fentanyl exposure, and defer costs associated with holding scenes pending analysis of suspected substances.

5. BriefCam Video Analyzer - \$22,000

BriefCam is a software application for investigations that rapidly analyzes motion within video files. It is capable of distinguishing between people walking, running or cycling, or between cars, pickup trucks, and large transport vehicles. In addition, it is capable of distinguishing gender with a high degree of accuracy. The benefit is to save/reduce hundreds of hours or more of video review time by investigators.

This software was deployed at the Las Vegas shootings to analyze in excess of 50,000 hours of video. The FBI determined this analysis, which manually would have taken 8 months to analyze, was examined/analyzed and ready for search queries in 8 days.

The startup costs for licensing, installation, and training is expected to be \$22,000, with an annual maintenance cost of approximately \$17,500.

6. Balance transferred to Police Capital Reserve - \$37,411 (\$137,411 with pending Provincial grant approval)

Provided no Provincial grant monies are received as referenced in Item 2 above, it is recommended the balance of \$37,411 be transferred to the Police Capital Reserve to assist in funding future capital expenditures needed by the HPS.

This allocation plan will provide HPS with the opportunity to strategically allocate funds to address needs in policing in 2018 and future years.

EG: JR

Attachments: *Appendix A*

cc: Dan Kinsella – Deputy Chief – Operations
Anna Filice, Chief Administrative Officer
Frank Bergen, Deputy Chief – Support
John Randazzo, Chief Accountant – Finance

Hamilton Police Service**Appendix A**

Budget Variance Report

Year Ended December 31, 2017

YTD Budget % : 100.00%

	Annual Budget	2017 Actual	Available Balance	% Spent
	A	B	C=A-B	B/A
Revenues				
Grants and subsidies	\$ (7,583,824)	\$ (7,986,118)	402,294	105.30%
Fees and general revenues	(2,686,844)	(2,938,021)	251,177	109.35%
Reserves/Capital recoveries	(799,200)	(310,703)	(488,497)	38.88%
Total revenues	(11,069,868)	(11,234,843)	164,975	101.49%
Expenses				
Employee related costs	150,960,457	150,991,653	(31,196)	100.02%
Materials and supplies	5,887,543	5,503,848	383,695	93.48%
Vehicle expenses	1,997,000	1,868,460	128,540	93.56%
Buildings and grounds	2,426,494	2,547,534	(121,040)	104.99%
Consulting expenses	27,600	54,951	(27,351)	199.10%
Contractual expenses	793,590	625,175	168,415	78.78%
Agencies and support payments	34,300	34,300	-	100.00%
Reserves/Recoveries	4,297,084	4,290,755	6,329	99.85%
Cost allocation	660,250	660,252	(2)	100.00%
Capital financing	1,027,200	1,027,200	-	100.00%
Financial/Legal charges	291,720	352,373	(60,653)	120.79%
Total expenses	168,403,238	167,956,502	446,736	99.73%
Total Net Expenditure	\$ 157,333,370	\$ 156,721,659	\$ 611,711	99.61%