



# INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	May 4, 2022
<b>SUBJECT/REPORT NO:</b>	Court Security and Prisoner Transportation Program Agreement for 2022 (FCS22030) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Cyrus Patel (905) 546-2424 Ext. 7698 Kirk Weaver (905) 546-2424 Ext. 2878
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Not Applicable.

## INFORMATION

Commencing in 2012, the Ontario government began reimbursing a portion of Court Security and Prisoner Transportation (CSPT) costs to help municipalities fund the service in their jurisdictions. The City of Hamilton is responsible for the costs of providing security for court premises during hours of court operations and security of persons attending court and / or the costs of transporting prisoners and custodial minors (i.e. persons between twelve and seventeen years of age) between correctional institutions, custodial facilities and court locations for the purposes of court attendance. The CSPT Program will provide a maximum total of \$125 M for 2022 province wide.

An expenditure-based model was used to determine allocation for 2022. Funding is allocated based on each municipality's relative share of the total 2020 CSPT cost across the province. For example, if a municipality's CSPT cost represents 1% of the total provincial CSPT cost, then it will be allocated 1% of the available funding. For the current funding period 2022, the City of Hamilton's funding allocation is \$4.90 M (3.9%). Based on this allocation model, the City's proportionate share of the funding will vary from year to year based on the relative spending for CSPT by other municipalities in the Province.

---

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: Court Security and Prisoner Transportation Program Agreement for 2022 (FCS22030) (City Wide) – Page 2 of 3**

---

In the Fall of 2020, the Ministry undertook a review of the delivery of court security and prisoner transportation in Ontario, including the Court Security and Prisoner Transportation (CSPT) Transfer Payment (TP) Program, to help strengthen best practices and explore ways to improve efficiencies. On March 31, 2021, the City was notified that no changes to the program were made for 2021 as a result of the review.

As a condition for receiving the Provincial funding, the agreement requires the City to:

- Use the funds only for eligible activities; and
- Report back to the Province using the Annual Financial and Performance Measurement Report template provided (this report to be prepared by Hamilton Police Service).

Each year, the Province requires the City to enter into a new agreement in order to access the funds made available for the CSPT Program. In the interest of operational efficiency, authorization was provided through Report FCS21036 for the General Manager, Finance and Corporate Services, to be able to execute similar future agreements between the City of Hamilton and the Province as represented by its Solicitor General, in a form satisfactory to the City Solicitor.

Ontario is the only province in Canada where legislation dictates court security be paid with municipal property tax dollars and delivered through local police service boards via police chiefs. By entering into the Agreement, the City of Hamilton will receive partial reimbursement from the Province of Ontario for eligible services and activities under the Court Security and Prisoner Transportation Program, in accordance with the terms and conditions of the agreement effective January 1, 2022. The Agreement sets out the criteria for eligible services and activities. The City will receive funding amounting to \$4.90 M for 2022 against a 2022 Police budget estimate of \$5.05 M. The lower allocation for 2022 will result in a recovery shortfall of \$160.2 K for the Police compared to the approved budget.

Table 1 shows details of the funding received by the City from 2012 to 2022 and the actual CSPT expenditures incurred by the City. The funding shortfall has been increasing over the last few years and for 2022, there is an anticipated funding shortfall of \$3.2 M.

**Table 1**

<b>CSPT Funding and City Expenses – 2012 to 2022</b>						
<b>Year</b>	<b>Total Provincial Funding \$'000</b>	<b>City Expenses \$'000 Budget</b>	<b>City Share of Provincial Funding \$'000</b>	<b>% of City Expense Funded by Province</b>	<b>Funding Shortfall \$'000</b>	<b>City Share % of Provincial Funding</b>
2012	17,800	5,017	705	14%	(4,312)	4.0%
2013	35,700	4,871	1,410	29%	(3,461)	3.9%
2014	53,500	4,779	2,115	44%	(2,664)	4.0%
2015	71,300	5,067	2,546	50%	(2,521)	3.6%
2016	89,200	5,792	3,182	55%	(2,610)	3.6%
2017	107,100	6,315	3,601	57%	(2,714)	3.4%
2018	125,000	6,467	4,201	65%	(2,266)	3.4%
2019	125,000	7,177	4,947	69%	(2,230)	4.0%
2020	125,000	7,411	5,055	68%	(2,356)	4.0%
2021	125,000	7,839	5,173	66%	(2,666)	4.1%
2022	125,000	8,114	4,895	60%	(3,219)	3.9%
<b>Total</b>		<b>68,849</b>	<b>37,830</b>		<b>(31,019)</b>	

Although total funding from 2018-2022 has been maintained at \$125 M, the City of Hamilton’s apportionment has fluctuated slightly over that period as a percentage share of the total CSPT allocation.

The funding amount of \$4,895,063 for 2022 represents approximately 3.9% of the available funding.

Funding is conditional upon the execution of the Agreement for 2022 between the Province and the City by March 31, 2022.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report FCS22030 – Letter from the Province dated March 15, 2022, outlining the details of the funding offered for 2022 for Court Security and Prisoner Transportation along with terms and conditions.

KW/CP/dt