



## STAFF REPORT ACTION REQUIRED

### 2016 TTC TRANSIT ENFORCEMENT ANNUAL REPORT TO THE TORONTO TRANSIT COMMISSION AND THE TORONTO POLICE SERVICES BOARD

<b>Date:</b>	Thursday, April 20, 2017
<b>To:</b>	TTC Board
<b>From:</b>	Andy Byford, Chief Executive Officer

#### **Summary**

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

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

It is anticipated the report will be on the May 18, 2017 meeting agenda of the Toronto Police Services Board, subject to the TTC Board receiving this report at its meeting of April 20, 2017.

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

#### **Recommendations**

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It is recommended that the TTC Board;

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

## **Financial Impact**

This report has no financial impact beyond what has been approved in the current year's budget. The Chief Financial & Administration Officer has reviewed this report and agrees with the financial impact information.

## **Background**

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

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

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

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

In June of 1997, at the request of the TTC and with the approval of the then Provincial Solicitor General, the Toronto Police Services Board designated certain employees of the TTC responsible for providing safety and security services to the transit system, as Special Constables. These Transit Special Constables were conferred with limited law enforcement powers and authorities in accordance with Section 53 of the *Police Services Act*. This designation was governed by a contractual agreement between the Toronto

Police Services Board and the TTC. These enhanced authorities were designed to increase the level of effectiveness and efficiency in delivering security and limited law enforcement services in cases where it was neither possible nor practical for a police officer to respond in a timely manner.

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

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

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

## **Accessibility/Equity Matters**

As Transit Enforcement Officers have significant public contact and perform both enforcement and customer service roles, equity becomes an important factor. Challenges serving customers in a diverse population and living with a mental illness will arise. The importance of having the skills necessary to ensure all customers are treated equally and with dignity and respect, is crucial. All new front line members of the Transit Enforcement Unit participate in a mandatory five-day mental health awareness training program. This training program covers such topics as Understanding Mental Illness, Psychological First Aid, Crisis Intervention and De-Escalation, Self-Care: Maintaining Health and Well-Being and includes an interactive panel discussion with community members living with a mental illness. Members also participate in instructor led training delivered by the Alzheimer's Society of Toronto and the City of Toronto Streets to Homes program. Transit Enforcement Officers participate in holistic simulation based training as part of the curriculum. All front line members of the Transit Enforcement Unit also participate in mandatory e-learning diversity and inclusion training as facilitated by the Ontario Police Video Training Alliance and instructor-led or e-learning training by the TTC Human Rights and Diversity Unit. In addition to the aforementioned diversity and inclusion training, all new Transit Enforcement Officer Recruits also participate in an extra one-day, interactive, instructor-led diversity course. As the training program evolves, should equity issues be identified, they will be resolved using a collaborative approach with appropriate stakeholders consulted, best practices identified, and policy and procedural changes made as required.

Recently, the Transit Enforcement Unit has also engaged with our City of Toronto partners at the SPIDER (Specialized Program for Inter-divisional Enhanced Responsiveness) Program. This is a city wide program that provides response to complex and unresolved health and safety risks that involve vulnerable individuals.

## **Analysis**

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

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

Transit Enforcement Officers responded to 13,526 calls for service in 2016. 85.04% (11,502) of these calls for service were subway related. 14.03% (1,898) of these calls for service were surface related (bus and streetcar). .93% (126) of these calls for service were SRT related.

Transit Enforcement Officers executed a total of 306 arrests/apprehensions pursuant to the Criminal Code of Canada, Trespass to Property Act, Liquor License Act and Mental Health Act.

In 2016 there were 14 incidents where use of force options beyond physical control and compliant handcuffing was reported by Transit Enforcement Officers. Ten of these incidents resulted in empty hand techniques such as pressure point or controlled takedown manoeuvres being utilized to arrest non-compliant suspects. Three of these incidents resulted in a baton being drawn and used to effect pressure point compliance. There was one incident where officers deployed a baton strike. There were zero incidents where officers deployed OC foam in 2016.

Transit Enforcement Officers submitted a total of 1284 Records of Arrest and General Occurrence reports for incidents originating on TTC property and vehicles.

Transit Enforcement Officers submitted a total of 1227 miscellaneous internal reports for incidents originating on TTC property and vehicles where Toronto Police submitted the police report.

The Transit Enforcement Unit Court Services Coordinator processed a total of 2793 pieces of property into the unit property vault in relation to incidents originating on TTC property and vehicles.

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

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

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

Adjudication and appropriate penalties are the responsibility of the Head-Transit Enforcement. Complainants are advised of the findings of all investigations and are advised of the right to request a review of the adjudication by the City of Toronto Ombudsman's Office. All investigations are conducted in accordance with TTC Transit Enforcement Unit policy and procedures. It should be noted that the TTC is currently awaiting the outcome of a City of Toronto Ombudsman's Office investigation into the TTC's oversight of its Transit Enforcement Unit.

In 2016, there were six public complaints received regarding the conduct of Transit Enforcement Officers. All six complaints were categorized as conduct-non criminal, 4 were deemed unsubstantiated and two investigations were pending at the end of the reporting year.

## **Comments**

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

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

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

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

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

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

## Contact

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

**TORONTO TRANSIT COMMISSION  
TRANSIT ENFORCEMENT UNIT**

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



**2016 ANNUAL REPORT  
to the  
TORONTO POLICE SERVICES BOARD**

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# **INDEX**

Executive Summary	2
Background	3
Supervision	4
Organization Chart	4
Appointments	5
Departures	5
Training	6
Mandatory Training	7
Additional Training	8
Equipment	8
Reporting And Statistics	9
Property	13
Public Complaints	14
Use of Force Reporting	15
Injury Reporting	16
Governance	17
Highlights of the Reporting Year	18
Conclusion	27
Contact Information	27



## **EXECUTIVE SUMMARY**

### **2016 TRANSIT ENFORCEMENT SPECIAL CONSTABLE ANNUAL REPORT Toronto Transit Commission**

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

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

Transit Enforcement Officers exercise the powers and authorities granted by the Toronto Police Services Board (TPS Board) in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system. Transit Enforcement Officers provide a consistent standard of service accountable to both the TTC and the TPS Board.

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

Transit Enforcement Officers responded to 13,526 calls for service in 2016. 85.04% (11,502) of these calls for service were subway related. 14.03% (1,898) of these calls for service were surface related (bus and streetcar). .93% (126) of these calls for service were Scarborough Rapid Transit system related.

The 2016 TTC Transit Enforcement Unit Annual Report provides the Toronto Transit Commission Board (TTC Board) and the TPS Board with information on the TTC's Special Constable Program and more specifically: the structure of the department, effective supervision, current staffing, ongoing training, uniform standards and distinction, the use of the authorities granted by the TPS Board, governance, occurrence reporting as well as a summary of public complaints. The report concludes with some highlights of the reporting year.

## **BACKGROUND**

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

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

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

Final 2016 ridership numbers were not available at the time of this report however in 2015 the TTC set an all-time record of 538 million rides, surpassing its previous all-time total of 535 million set in 2014.

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

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

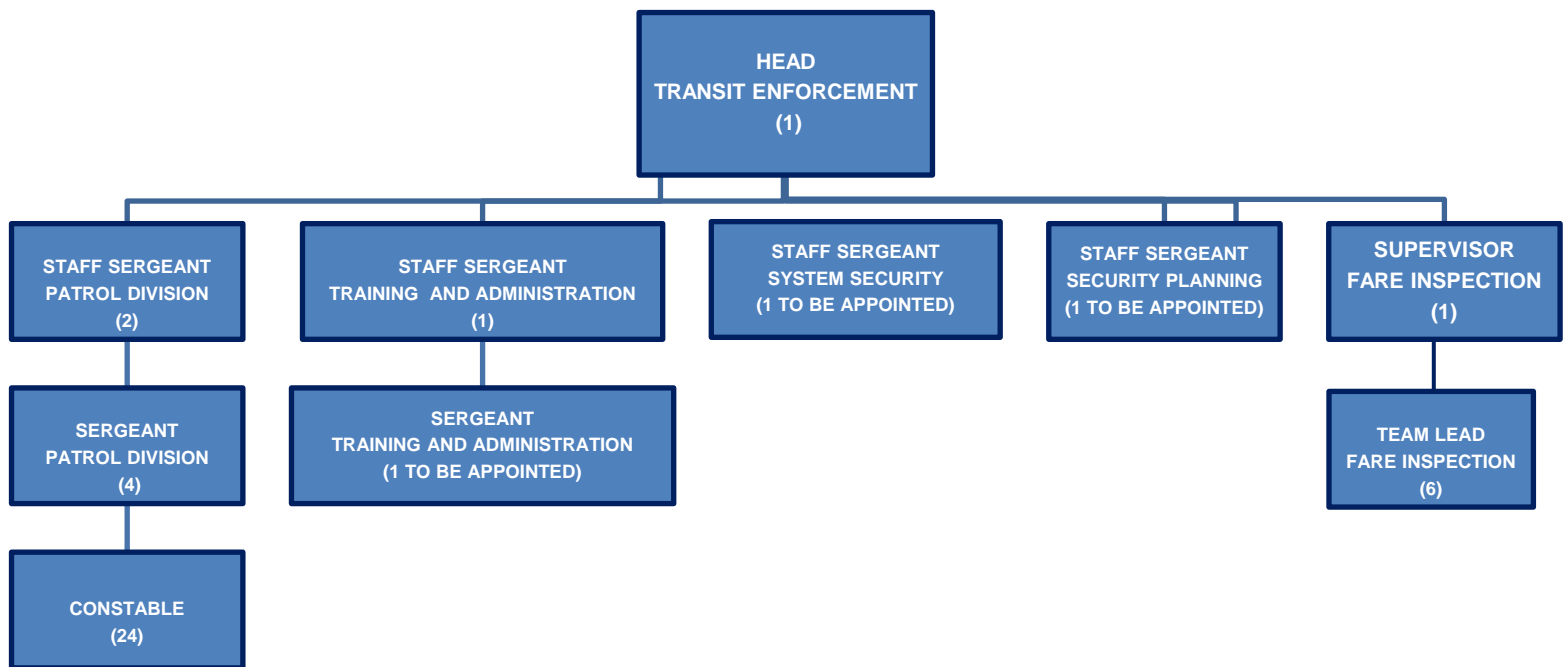
In June of 1997, at the request of the TTC and with the approval of the then Solicitor General, the TPS Board designated certain employees of the TTC responsible for providing safety and security services to the transit system, as special constables. These special constables were conferred with limited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

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

On May 15, 2014, a new Special Constable Agreement was executed between the TTC and the TPS Board to designate the newly rebranded Transit Enforcement Officers as Special Constables restoring limited powers and authorities under selected federal and provincial statutes.

# SUPERVISION

General supervision of members of the Transit Enforcement Unit is under the authority of the Head-Transit Enforcement who holds the rank of Chief Special Constable. The Chief Special Constable has delegated this authority through the organizational chart below. This organizational chart reflects the actual workforce appointed or to be appointed as Special Constables as of December 31, 2016.



## **APPOINTMENTS**

The following chart represents Special Constable appointments for the reporting year and reflects the actual strength at December 31, 2016. At the time of this report, there were 17 applications under consideration for approval by the Board.

<b>Total Applications</b>	<b>New Appointments</b>	<b>Total Special Constables (as at December 31<sup>st</sup>, 2016)</b>
17	0	39

## **DEPARTURES**

<b>Number of Terminations</b>	<b>Number of Suspensions</b>	<b>Number of Resignations</b>	<b>Number of Retirements</b>
0	1	2	2

## **TRAINING**

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

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

- Arrest Authorities
- Arrest/Search Incident to Arrest
- Canadian Police Information Centre (CPIC) Use
- Case Preparation Provincial Offences
- Communicable Diseases
- Community Mobilization/Community Policing
- Controlled Drugs and Substances Act
- Crime Scene Management
- Criminal Offences
- Diversity Awareness and Human Rights Issues
- Emotionally Disturbed Persons/Mental Health Act
- Ethics and Professionalism in Policing
- Field Interviewing/Taking Statements
- First Aid/CPR
- Introduction to Law
- Liquor Licence Act
- Memorandum Books/Note-Taking
- Occurrence/Report Writing/Field Information Report
- Provincial Offences Act
- Search and Seizure Authorities
- Sex Offences
- TTC Transit Enforcement Officer Status – Roles & Responsibilities
- Testimony/Criminal/Provincial Justice System/Rules of Evidence
- Trespass to Property Act
- Use of Force Legislation and Reporting
- Vehicle Operations
- Young Persons and the Law

This training is delivered to Ontario police standards primarily in an instructor led, lecture format complimented by practical skills training and dynamic simulations in the actual work environment in areas pertaining to use of force, prisoner booking, courtroom procedures and evidence handling.

The special constable recruit training program is 45 training days for a total of 360 hours and includes mandatory TTC training outside the requirements of the Special Constable Agreement such as subway rulebook training, defensive driving and suicide intervention awareness. The academic and practical skills training program is followed by a comprehensive Field Training Program of up to six months.

The special constable annual recertification training program is 3 days for a total of 24 hours and includes mandatory defensive tactics and use of force training. The training is developed and delivered with a view to de-escalation and includes a legislative update and holistic, reality based simulations in the actual transit environment.

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

As Transit Enforcement Officers have significant public contact and perform both enforcement and customer service roles, equity becomes an important factor. Challenges serving customers in a diverse population and living with a mental illness will arise. The importance of having the skills necessary to ensure all customers are treated equally and with dignity and respect, is crucial. All new front line members of the Transit Enforcement Unit participate in a mandatory five-day mental health awareness training program. This training program covers such topics as Understanding Mental Illness, Psychological First Aid, Crisis Intervention and De-Escalation, Self-Care: Maintaining Health and Well-Being and includes an interactive panel discussion with community members living with a mental illness. Members also participate in instructor led training delivered by the Alzheimer’s Society of Toronto and the City of Toronto Streets to Homes program. Transit Enforcement Officers participate in holistic simulation based training as part of the curriculum. All front line members of the Transit Enforcement Unit also participate in mandatory e learning diversity and inclusion training as facilitated by the Ontario Police Video Training Alliance and instructor-led or e-learning training by the TTC Human Rights and Diversity Unit. In addition to the aforementioned diversity and inclusion training, all new Transit Enforcement Officer Recruits also participate in an extra one-day, interactive, instructor-led diversity course. As the training program evolves, should equity issues be identified, they will be resolved using a collaborative approach with appropriate stakeholders consulted, best practices identified, and policy and procedural changes made as required.

**Mandatory Training**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number Trained</b>
Special Constable Recruit Training	TTC/The Control Institute	45 days (360 hours)	16
Annual Use of Force and Legislative Update Block Training	The Control Institute	3 days (24 hours)	42
Standard First Aid	Red Cross	2 days (16 hours)	32

### **Additional In Service Training**

<b>Course / Topic</b>	<b>Delivered By</b>	<b>Duration</b>	<b>Number trained</b>
Subway Rulebook Recertification	Toronto Transit Commission	1 day	42
Diversity and Inclusion (Instructor Led)	Toronto Transit Commission	3 hours	42
Diversity and Inclusion E-Learning	Toronto Transit Commission	1 hour	42
AODA Customer Service E-Learning	Toronto Transit Commission	1 hour	42
Fitness For Duty E-Learning	Toronto Transit Commission	1 hour	42
Coach Officer Training	Canadian Police Knowledge Network	2.5 hours	16
Bill 132 & Respect & Dignity Policy	Toronto Transit Commission	1 hour	27
*Freedom of Information	Toronto Transit Commission	1 hour	11
*Bill 132 & Respect & Dignity Policy For Supervisors	Toronto Transit Commission	1 hour	15
*Diversity and Inclusion For Supervisors	Toronto Transit Commission	1 hour	6
*Privacy Protection	Toronto Transit Commission	1 hour	6
*TTC Management Essentials Program	Toronto Transit Commission	4 weeks	7

\* denotes Supervisory/Management level training only

### **EQUIPMENT**

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

- Uniform
- One wallet badge, appropriate wallet and agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One container of oleoresin capsicum foam with appropriate carrying case
- One expandable baton with appropriate carrying case
- One approved memo book

- One flashlight with appropriate carrying case
- One Provincial Offences Notice book and appropriate hard cover
- One TTC Transit Enforcement Unit Policies, Procedures and Rules Manual

## **REPORTING AND STATISTICS**

### **CALLS FOR SERVICE**

<b>Mode</b>	<b>Number</b>	<b>% of Total</b>
Scarborough R/T	126	0.93
Subway	11502	85.04
Surface	1898	14.03
<b>Total</b>	<b>13526</b>	

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

<b>Authority</b>	<b>Total Arrested/ Charged/ Apprehended</b>	<b>POT/ Form 9</b>	<b>Unconditional Release</b>	<b>Transported to Mental Health Facility</b>	<b>TPS Continued Arrest/ Apprehension</b>
Criminal Code	181	13	11		157
Liquor License Act	39		5	1	33
Trespass To Property Act	23	9			14
Mental Health Act	63			58	5

### **REPORTING**

<b>General Occurrence Reports and Records of Arrest</b>	<b>No.</b>
Abandoning Child C.C. 218	1
Acknowledge Bail Sec. 405 Justice	1
Administering Noxious Thing C.C. 245(1)	1
Aggravated Assault C.C. 268	1
Assault C.C. 266	385
Assault Bodily Harm C.C. 267(1)(B)	1
Assault Peace Officer C.C. 270(1)(A)	8
Assault With A Weapon C.C. 267(1)(A)	30
Attempt Fraud Under \$5000.00	17
Attempt Robbery C.C. 344 (B)	2
Attempt Theft Under \$5000.00 C.C. 334(B)	3



Bench Warrant C.C. 597 (2)	1
Breaking, Entering And Committing C.C. 348 (1)(B)	1
Carrying Concealed Weapon C.C. 90	2
Cause A Disturbance 175(1)	3
Causing Unnecessary Suffering To An Animal C.C. 445(1)(A)	1
Contact With A Vulnerable Person	1
Criminal Harassment C.C. 264 (1), (2)	3
Domestic Incident	1
Fail To Appear 145(2)(A) Subsequent To Court	1
Fail To Appear 145(2)(B) Subsequent To Court	1
Fail To Comply Probation P.O.A. Sec. 75	13
Fail To Comply Probation C.C. 733.1	23
Fail To Comply Recog C.C. 145(3)	6
Forge Credit Card C.C. 342(1)(B)	1
Fraud C.C. 380(1)	34
Fraud Transportation 393(3)	11
Immigration Act	1
Indecent Acts C.C. 173(1)	34
L.L.A. 31 (5) Being Intoxicated In Public Place	1
L.L.A. 31(2) Having Liquor In Open Container	1
L.L.A. 31(4) Intoxicated In A Public Place	38
Lost Property	1
Mental Health Act Sec. 17	58
Mischief C.C. 430 (1)	59
Mischief C.C. 430 (3)	1
Mischief Endangering Life C.C. 430 (2)	1
Mischief Interfere Exceeding \$5000 C.C. 430 (3)	1
Mischief Not Exceeding \$5,000 C.C. 430 (4)	107
Mischief Over \$5,000 C.C. 430 (3)	4
Non-Specific Threat	1
Obstruct Peace Officer C.C.129(A)	2
Personation C.C. 403(A)	1
Possession Of A Weapon For Dangerous Purpose C.C. 88	2
Possession Of Cocaine C.D.S.A. 4(1)	1
Possession Of Coin-Operated Device Breaking Instrument C.C. 352	4

Possession Of Hashish Under 1 Gram C.D.S. 4(1)	2
Possession Of Property Obtained By Crime 354(1)	5
Potential Sex Offender	1
Robbery C.C. 344 (B)	9
Sexual Assault C.C.271	16
Suspicious Incident	25
T.P.A. Fail To Leave When Directed	13
T.P.A. Engage In Prohibited Activity On Premises	5
T.P.A. Enter Premises When Entry Prohibited	5
T.T.C. # 1-2.1 Refuse To Pay Fare	1
T.T.C. # 1-2.2(A) Alter Fare Media	1
T.T.C. # 1-2.2(B) Travel With Altered Fare Media	8
T.T.C. # 1-2.3(A) Invalid Fare Media	2
T.T.C. # 1-2.3(B) Fail To Comply With Conditions Of Use Of Fare Media	1
T.T.C. # 1-2.6 Fail To Surrender Fare Media	1
T.T.C. # 1-2.6 Fail To Surrender Fare Media Or Identification Card	1
T.T.C. # 1-3.1(B) Fail To Control Animal On Transit System	1
T.T.C. # 1-3.13(A) Fail To Comply With Posted Sign	3
T.T.C. # 1-3.13(C) Fail To Comply With Instructions Of A Proper Authority	1
T.T.C. # 1-3.16(B) Unauthorized Solicit On TTC Property	16
T.T.C. # 1-3.24 Loiter On TTC Property	1
T.T.C. # 1-3.25 Cause A Disturbance On TTC Property	6
T.T.C. # 1-3.25(A) Urinate(Expectorate, Defecate On TTC Property	1
T.T.C. # 1-3.25(C) Behave In Indecent (Offensive) Manner On TTC Property	1
T.T.C. # 1-3.25(F) Interfere With Ordinary Enjoyment Of Transit System	2
T.T.C. # 1-3.28(A) Travel On Exterior Of Vehicle	1
T.T.C. # 1-3.3 Enter Or Exit Transit System Through Non-Designated Entrance Or Exit	1
T.T.C. # 1-3.4 Unauthorized Crossing Or Entering Upon Subway Tracks	4
T.T.C. #1-8(E) Enter Rapid Transit System At Other Than Designated Passenger Entrance	1
T.T.C. #1-8(F) Refuse To Pay Fare	1
Theft Over \$5000.00 C.C. 334(A)	1

Theft Under \$5000.00 C.C. 334(B)	94
Uttering Forged Document C.C. 368(1)	8
Uttering Threats C.C. 264.1 (1)	170
Voyeurism C.C. 162 (1)(A)	2
Warrant In The First	2
<b>Total</b>	<b>1284</b>

<b>Other TTC Internal Incident Reports (Transit Enforcement and other TTC Divisional Supervisory Reports)</b>	<b>No.</b>
Abandoning Child	1
Administer Noxious Substance	2
Armed Robbery Patron	1
Arson	1
Assault Bodily Harm Or W/ Wpn - Operator	2
Assault Bodily Harm Or W/ Wpn- Collector	1
Assault Bodily Harm Or W/ Wpn- Patron	22
Assault Police Officer	1
Assault To Resist Arrest	1
Att Break And Enter Misc	1
Attempt Armed Robbery Patron	2
Attempt Fraud	12
Attempt Robbery Patron	5
Attempt Theft From Employee	2
Attempt Theft From Patron	1
Attempt Theft From TTC	1
Bomb Threat No Bomb Found	9
Break And Enter Gateway Newsstand	1
Break And Enter Misc.	1
Carry Concealed Weapon	7
Cause Disturbance	92
Common Assault - Collector	2
Common Assault - Misc Employee	1
Common Assault - Operator	75
Common Assault - Patron	225
Common Assault - Route Supervisor	1
Common Assault - TFI	1
Counterfeit Money Passed	2
Fail To Comply	6

Forcible Confinement	1
Fraud	235
Fraud Transportation	1
Harassment (Criminal)	1
Indecent Exposure	22
Mischief	205
Non Capital Murder	1
Obscene Matter	1
Pickpocket Under \$5000	4
Possession Of Burglar Tools	1
Possession Offensive Weapon	17
Purse Snatch	1
Robbery Employee	2
Robbery Patron	12
Robbery Patron - Mugging	4
Robbery Patron - Swarming	7
Robbery TTC	2
Sexual Assault	72
Theft From Employee Under \$5000	5
Theft Frm Tenant Und \$5000	2
Theft Frm TTC Under \$5000	10
Theft From Patron Under \$5000	28
Theft From Purse Under \$5000	3
Threatening	106
Trafficking Controlled Drugs	1
Uttering Counterfeit	1
Voyeurism	3
<b>Total</b>	<b>1,227</b>

## **PROPERTY**

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

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

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

In 2016, the Transit Enforcement Unit processed 2793 pieces of property into their property vault.

## **PUBLIC COMPLAINTS**

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

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

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

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

The investigation findings categories are:

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

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

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

**Pending:** Investigation not yet completed.

Total Number of Complaints	Investigated by TTC	Investigated by Toronto Police	Number Resolved	Number Outstanding
6	5	1	4	2

Conduct Non-Criminal	Criminal Allegation
6	0

Unsubstantiated	Substantiated	Informal Resolution	Pending	Withdrawn
4	0	0	2	0

## **USE OF FORCE REPORTING**

In 2016 there were 14 incidents where use of force options beyond physical control and compliant handcuffing was reported by Transit Enforcement Officers.

Ten of these incidents resulted in empty hand techniques being utilized to arrest non-compliant suspects. Three of these incidents resulted in a baton being drawn and used to effect pressure point compliance. There was one incident where officers deployed a baton strike.

There were zero incidents where officers deployed OC foam in 2016.

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

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA, TPA)
Impact Weapon Hard	1	2*	1	0
Impact Weapon Soft	3	3	2	1
OC Foam	0	0	0	0
Empty Hand Techniques	10	18*	7	3
<b>Total</b>	<b>14</b>	<b>23</b>	<b>10</b>	<b>4</b>

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

# **INJURY REPORTING**

## **Suspects**

A total of 31 Injury Reports were submitted by Transit Enforcement Officers in 2016.

### Prior to Arrest:

20 of these reports were submitted in relation to pre-existing conditions or injuries presented by the accused prior to the arrest such as visible cuts and abrasions, soreness, intoxication and in one case an arm which had been broken 4 months prior. 2 of the 10 incidents resulted in the accused being treated at scene by Toronto EMS. 10 of these 20 incidents resulted in the accused being transported to hospital by for treatment of minor cuts and abrasions (8), soreness (1) or extreme intoxication (1). 8 incidents required no medical aid or medical aid was refused by the accused.

### During Arrest:

7 of these reports were submitted in relation to minor injuries sustained during the course of an arrest. 3 of these 7 incidents resulted in the accused being treated at scene by Toronto EMS, all 3 for minor lacerations sustained during the course of the arrest. 4 of these 7 incidents resulted in the accused being transported to hospital for treatment of minor facial cuts (2), injuries caused by the accused continually striking his own head on the ground (1) and shortness of breath (1).

### After Arrest:

4 of these reports were submitted in relation to minor injuries sustained following an arrest. 3 of these 4 incidents resulted in the accused being transported to hospital for treatment of a minor facial cut caused by the accused repeatedly striking his head on the rear partition of the cruiser (1), dizziness (1) and handcuff rub (1). The remaining incident was precautionary and required no medical aid .

## **Transit Enforcement Officers**

A total of 33 Occupational Injury Reports were submitted by Transit Enforcement Officers in 2016 resulting in 1 lost time injury. 32 of these reports were precautionary and reflected minor cuts, scrapes, bumps and bruises sustained by officers during the course of an arrest or exposure to bodily fluids. 1 of these reports was also precautionary after a Transit Enforcement Officer experienced emotional trauma after coming to the aid of a homicide victim outside of the Bloor/Yonge subway station.

The one lost time injury was sustained by an officer accidentally which resulted in a broken ankle.

## **GOVERNANCE**

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

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

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

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

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

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

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

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

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



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

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

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

## **HIGHLIGHTS OF THE REPORTING YEAR**

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

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

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

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

The TTC has the third largest ridership in North America, after Mexico City and New York City. In 2015, the TTC set an all-time record of 538 million rides, surpassing its previous all-time total of 535 million set in 2014. TTC ridership has increased each year for the last 12 years. Total ridership in 2003 was 405.4 million. The TTC is projecting a new annual record ridership of 553 million in 2016. Ridership broke the half-billion plateau for the first time in 2011. In 2015, there were 22 days in which the TTC carried more than 1.8 million rides in a single day.

Planned or unplanned subway service disruptions have the potential to create severe traffic and transit gridlock as the TTC has to resort to shuttle buses to replace the affected portion of the subway. Customers resort to driving their automobiles and other modes of transportation and often, overcrowding conditions create a serious public safety risk. It is in the best interests of the TTC and the City to respond to and mitigate transit disruptions as quickly and efficiently as possible. There has never been a greater need for safe and efficient transit service in the City of

Toronto. In support of Mayor Tory's priority to relieve traffic and transit gridlock, our challenge is to keep Toronto moving as we transform public transit and modernize the TTC.

On December 10, 2015, a position paper outlining a business case for additional powers and authorities pursuant to the Highway Traffic Act and Part II of the Provincial Offences Act was submitted by the Transit Enforcement Unit to the Toronto Police Service-Special Constable Liaison office for consideration.

On April 26, 2016, the TTC Transit Enforcement Unit received a response from the Toronto Police Service in support of the development and implementation of an initiative, reviewable after one year, involving:

- *Direction of traffic by a police officer, section 134. (1)*
- *Removal of vehicle, debris blocking traffic, section 134.1 (1)(2)(3)(4)*
- *Provincial Offences Officer under Part II of the Provincial Offences Act R.S.O.*

In support of Toronto Police operations, these additional authorities will allow Transit Enforcement Officers to deal effectively and efficiently with any issue that arises as a result of their duties and respond to TTC Emergencies with an objective to minimize service disruptions which could potentially result in significant public safety issues, and transit and traffic gridlock.

Work on the implementation of the proposed additional authorities is ongoing.

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



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

### **Quarter 1:**

- Transit Enforcement Officers continued engaging community partners by reaching out to Eglinton Station shopkeepers after concerns were raised regarding issues with panhandlers and vagrants. Regular high visibility patrols in the area were conducted when availability permitted and officers were instructed to engage with shopkeepers on a frequent basis;
- In response to concerns raised by Stations staff regarding disorderly students at Greenwood Station, Transit Enforcement Officers attended as frequently as possible to perform high visibility order maintenance patrols. Positive feedback was received from front line Stations personnel;
- In response to concerns raised by TTC Customer Communications pertaining to issues with unlicensed musicians intimidating licensed musicians throughout the system, high visibility patrols were performed by Transit Enforcement Officers in an effort to discourage the activity. No enforcement action was deemed necessary;
- The jamming of Token Vending Machines continued to be a problem across the system. With the assistance of the Toronto Police Service, at least one arrest (reported to the TTC) was made in relation to the criminal offence of Mischief;
- Transit Enforcement Officers represented the TTC and the department at the “Raising the Roof” awareness event held on February 2<sup>nd</sup>;
- As part of the NBA All-Star Game Emergency Operations Plan, a senior member staffed the TTC desk at the Toronto Police Major Incident Command Centre (MICC). This member acted as the TTC liaison from Transit Enforcement to the MICC in order to have direct links to other policing agencies and first responders ensuring a coordinated response to emergencies;
- Transit Enforcement Officers liaised with staff from East York Collegiate at stations from Greenwood to Donlands and at surface service stops in the area in an effort to proactively and jointly educate students on the expected behaviour while utilizing the transit system;
- Transit Enforcement Officers liaised with TTC Route Supervisors in the area of the Rouge Hill GO Station loop to address concerns raised by Operators pertaining to disorderly persons.

## Quarter 2:

- Department members were active participants in the security detail for the Prime Ministers' visit to the TTC Greenwood Complex. Positive feedback and thanks were received from the Prime Minister's Office and his RCMP security detail;
- Transit Enforcement Officers in partnership with Toronto Police 13 Division and 52 Division officers engaged with TTC customers at Bloor-Yonge Station and Eglinton West Station to speak to personal security awareness and crime prevention strategies while taking transit;
- Transit Enforcement Officers were first on scene after a shooting outside of the Yonge/Bloor subway station. Officers rendered emergency first aid and CPR to the victim who subsequently succumbed to his injuries and held the crime scene pending the arrival of Toronto Police. Transit Enforcement Officers assisted Toronto Police with crowd control and access/egress to the Yonge/Bloor station during the course of the investigation.



- Members of the Transit Enforcement Unit attended the Ontario Police Memorial;



- Special Constables attended Western Technical Commercial School in partnership with the Toronto Police 11 Division Street Crime unit. This initiative was created in response to students carrying weapons to school and partaking in robberies and assaults in the area. The presentation was a great success, and the Transit Enforcement representative received great feedback from the school's Principal and both Vice Principals. A number of students stayed behind after the presentations had concluded to ask TTC related questions and to take photos with the various presenters from the different agencies;



- Transit Enforcement Officers represented the department at the annual Toronto Doors Open event at the new TTC Leslie Barns streetcar facility;



- Transit Enforcement Unit members were invited to participate in the 2016 Cops for Cancer campaign event at Yorkdale Mall. The Transit Enforcement Unit team raised \$370.00 for the cause;



- Transit Enforcement Officers continue to respond Service Request Details, engaged in a 3 month project on school service stops, continued work on the Keep it Moving project.

### Quarter 3:

- The Transit Enforcement Unit was proud to join TTC Pride contingent and participate in the Toronto Pride Parade 2016. TEU also joined their community Law Enforcement Partners (GO Transit Safety, Toronto Police, etc ) in support of PRIDE and this year's motto "You can sit with us";



- In partnership with the Toronto Police Service, Transit Enforcement Officers conducted high visibility order maintenance patrols and static posts on and around the major transit routes into the Toronto Caribbean Carnival and Veld Music Festival;



- In a highly-publicized video making light of Pokémon Go players, a budding comic is seen walking at track level at Union Subway Station. The TTC strongly communicated the danger of this type of activity and its potential negative effect on transit service. The defendant was subsequently identified and charged pursuant to TTC Bylaw #1 by Transit Enforcement;



- Ongoing social media engagement with Toronto Police Service officers continued across the city;



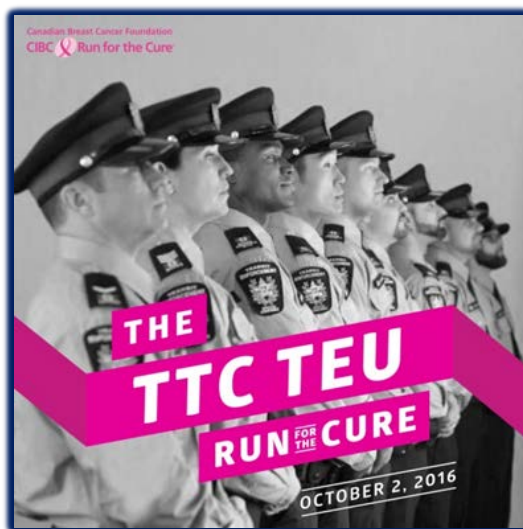
- In response to RCMP Intelligence regarding an imminent terrorist threat, members of the Transit Enforcement Unit were deployed at several strategic locations at high visibility posts to monitor passenger movement, engage customers and provide direction until the threat had been resolved;
- Transit Enforcement Officers participated in project SERF, “Student Education Ridership Focus”. Project SERF is an annual, intelligence led initiative aimed at education, order maintenance and fare compliance at TTC surface stops and subway stations. In 2016, officers engaged with 3639 students during 130 hours. 20 TTC Bylaw #1 charges were laid and 249 TTC Bylaw #1 cautions were issued during the project.

#### **Quarter 4:**

- 16 new Special Constable candidates were recruited and completed the academic and practical skills portion of their recruit training and began their six month field training program;
- Project FARE (Frequent Attention Reduces Evasion) ran from October 12<sup>th</sup> through to October 28<sup>th</sup> at six stations during the afternoon rush hour period. Providing a high visibility presence to deter and detect fare evasion, Transit Enforcement Officers dedicated 13 hours to the project engaging with 314 customers resulting in one TTC Bylaw #1 charge and 13 bylaw cautions;
- As part of TTC emergency preparedness, Transit Enforcement Officers participated in exercise “Street Car 2” at Union Station to test the TTC’ response and recovery to a fire involving a streetcar in a tunnel;
- Multiple special details were conducted in response to requests for service for issues such as disorderly youths, loitering, illegal entries, fare evasion, defective PRESTO gates and panhandling;
- Transit Enforcement Officers participated in a TTC Safety Outreach Presentation at the High Park Day School. The focus of this presentation was to familiarize and educate the TTC’s newest and youngest customers on using the TTC safely and the security features available for use if required;
- In partnership with the Toronto Police Service, Transit Enforcement Officers provided high visibility crowd control support for many large scale events in the city including: Toronto Blue Jays Playoffs, Nuit Blanche, Halloween, the World Cup of Hockey, The Santa Claus Parade, The Cavalcade of Lights, The Grey Cup, The World Junior Cup of Hockey, and New Year’s Eve;



- The first phase of project B.U.S.S.T.O.P. (Bringing Uniform Support To Surface Operating Personnel) ran from Nov 28 to Dec 23. Officers boarded 373 buses across 7 routes to provide uniform support to surface operating personnel;
- Transit Enforcement Officers engaged with York Region Transit Enforcement Officers to assist with fare evasion issues on TTC bus service running into York Region;
- Transit Enforcement Officers participated in the 2016 CIBC 5K Run for the Cure. The unit raised over \$4100 for the cause;



- The annual Poppy Campaign began on October 28<sup>th</sup> at Spadina Station. Members of the Royal Canadian Legion, TTC veterans and former peacekeepers, along with Veterans from Sunnybrook pinned the first poppies on special guests and a class of children. TTC Chair Colle and CEO Andy Byford with dignitaries from the Royal Canadian Legion District D were in attendance;
- Transit Enforcement Officers participated in the annual Movember campaign to raise awareness to issues of men's health. The TEU team raised an amazing \$6619.00 for the cause, which put them in 4th place out of 100 law enforcement teams in the Great Canadian Police Challenge;
- Transit Enforcement Officers participated in the annual Breast Cancer Awareness pink epaulette program;

- Members of the Transit Enforcement Unit represented the TTC at the annual Remembrance Day ceremony at the Toronto Zoo;



- As part of the New Year's Eve Emergency Operations Plan, a senior member staffed the TTC desk at the Toronto Police Major Incident Command Centre (MICC). This member acted as the TTC liaison from Transit Enforcement to the MICC in order to have direct links to other policing agencies and first responders ensuring a coordinated response to order maintenance issues or emergencies affecting TTC service;
- Transit Enforcement Officers participated in the annual Breast Cancer Awareness pink epaulette program.

## **CONCLUSION**

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

## **CONTACT INFORMATION**

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