



For Action

2017 TTC Transit Enforcement Annual Reports to the TTC and Toronto Police Services Board

Date: July 10, 2018
To: TTC Board
From: Chief Executive Officer

Summary

The attached report to the TTC Board includes information related to Transit Enforcement Department activities outside the scope of the Special Constable agreement, such as transit fare inspection activities and highlights of the reporting year.

This report is responsive to the Ombudsman Toronto Recommendation that the Transit Enforcement Department should issue, on an annual basis, a public report documenting Transit Enforcement Officer (Special Constable) and Transit Fare Inspector use of force activities.

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

The attached report to the TPS Board was prepared in accordance with instructions outlined in the Special Constable agreement and is consistent with the standardized format as directed by the TPS Board.

It is anticipated this report will be on the July meeting agenda of the TPS Board, subject to the TTC Board receiving this report at its meeting of July 10, 2018.

This report is responsive to the TPS Board's requirements and also includes highlights of the reporting year

Recommendations

It is recommended that the TTC Board;

1. Receive the attached report for the TPS Board in accordance with Section 8.9 of the Special Constable Agreement between the TPS Board and TTC;

2. Forward the attached report to the TPS Board in accordance with Section 8.9 of the Special Constable Agreement between the TPS Board and TTC.

Financial Summary

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

Equity/Accessibility Matters

As Transit Enforcement Officers and Transit Fare Inspectors have significant public contact and perform both enforcement and customer service functions, equity becomes an important factor in their role. Challenges serving customers in a diverse population and living with 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 Department 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 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 and Transit Fare Inspectors participate in holistic simulation based training as part of the curriculum.

All front line members of the Transit Enforcement Department also participate in mandatory e-learning diversity and inclusion training as facilitated by the Ontario Police Video Training Alliance and TTC's Instructor led or e-learning diversity and inclusion and human rights training. 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. In 2018 an additional half day of training is to be facilitated by members of the Toronto Police Service LGBTQ2S Liaison Office of the Divisional Policing Support Unit.

In late 2017, the Head-Transit Enforcement created the Community Engagement Program (CEP) as a pilot initiative. Project R.E.A.C.H. (Return Everyone's Attention to Community Help) focuses on assisting customers living with mental illness by engaging other community stakeholders to share resources and form sustainable solutions to issues of mutual concern such as panhandling and homelessness. To date, the CEP has created a partnership with the following city agencies: Streets to Homes, Gerstein Crisis Centre, Mental Health Commission of Canada, and the Toronto Police Mobile Crisis Intervention Team.

Decision History

In July of 1987, at the request of the TTC and with the approval of then Solicitor General Kenneth A. Keyes, 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.

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

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

In May of 2014, a new Special Constable Agreement was executed between TTC and the TPS Board.

An overview of the Transit Enforcement Unit was provided to the Board in January of 2015 including an update on fare inspection activities.

November 2015:

- Thirty-five Transit Fare Inspectors deployed in a customer friendly uniform with no batons or handcuffs conducting customer education.
- Fifteen Transit Fare Inspectors deployed to all streetcar lines conducting active fare inspections with batons and handcuffs in original grey uniform.

Progress made on the TTC fare inspection model since the Board's direction is the result of a collaborative effort on the part of various stakeholders. An implementation update for each aspect of the transition is listed below:

- Modified Uniform - approved and implemented – September 2015
- Mental Health Training - approved and implemented – September 2015
- Third Party Oversight – TTC Unit Complaints Coordinator and City Ombudsman
- TFI Pilot Project – approved and implemented – September 2015

January 2016:

- 50 Fare Inspectors conducting proof of payment inspections on all lines;
- Statistical analysis based on Pilot Project recommendations with accurate accounts of statistics gathered based on Pilot Project group versus original deployment.

Transit Fare Inspectors have been gradually introduced to the system as recruitment efforts were progressively carried out as follows:

- 07 – Fare Inspectors July/ 2014
- 11 – Fare Inspectors Sept/ 2014
- 35 – Fare Inspectors May/ 2015
- 22 – Fare Inspectors Oct/ 2016
- 69 – Total Fare Inspectors as of December 31, 2017 (authorized strength)

Issue Background

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

Transit 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.

Transit Fare Inspectors are designated as Provincial Offences Officers for the purpose of enforcement of TTC Bylaw #1 and the Trespass to Property Act. Transit Fare Inspectors are accountable for providing exceptional customer service while focusing on education, fare policy compliance and enforcement on Proof of Payment streetcar routes and interchange stations.

Protective Services Guards are licensed by the Ministry of Community Safety and Correctional Services and provide access control and operational support to key TTC properties and stakeholders.

Comments

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

Transit Enforcement Officers and Transit Fare Inspectors 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 Department'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 employees and the communities he or she serves.

The Transit Enforcement Department 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 Department 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.

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Signature

Richard J. Leary
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Attachments

Transit Enforcement 2017 Annual Report to TTC
TTC Transit Enforcement 2017 Annual Report to the Toronto Police Services Board