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**THE HANDLING OF 'LESS SERIOUS' PUBLIC COMPLAINTS
AGAINST THE POLICE IN TORONTO:
Finding the Way**

By:

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BA University of Waterloo, 1997

A thesis submitted in partial fulfillment of the requirements for the
degree of

MASTER OF ARTS

In

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ABSTRACT

MASTER'S THESIS

Gary William Ellis
Royal Roads University
February 1999

THE HANDLING OF "LESS SERIOUS" PUBLIC COMPLAINTS BY THE TORONTO POLICE SERVICE: Finding the Way.

This thesis takes a multi-dimensional look at the handling of less serious public complaints by the Toronto Police Service after the 1997 Bill C-105 Amendments to the Ontario Police Act. The literature review examines the domains of police accountability, community policing and police-race relations. The action research includes surveys to people who have complained about the police, interviews of investigators in the complaint process, police officers, police educators, and people representing organizations that have an interest in police complaints. The methodology includes, survey's, interviews, a town hall meeting, written submissions, statistical analysis, and a focus group. The use of informal resolution and mediation in resolving complaints against the police are highlighted. There are also seventeen specific recommendations made to improve the complaint process based on the research data.

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FORWARD

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It is difficult, if not impossible, to be totally objective in an evaluation study of a subject that you have been directly involved in for a long period of time. As a police inspector with 21 years of service, I have worked within a policing system that has seen many changes in how complaints against police officers are handled. I have been subject of complaints, investigated complaints, trained others in complaint investigation, and written policy on complaint handling. What has struck me within all of these roles is that I felt that somehow we could handle complaints better. The Police Services Act Amendments Bill c-105, provides an opportunity for the Toronto Police to take on the challenge of handling complaints better, it also creates a trap by leaving the Police Service accountable for what is, essentially, a self managing a system where public trust is at stake. Toronto has greater challenges of diversity, size, population, politics and media than the rest of the province. The police leadership is continually working with these challenges so that the 5000 police officers can do their jobs effectively and at the same time be accountable to the public they serve.

The power the police have in our society is enormous and we must always be sensitive to the fear of those who believe the power is too great or being abused. We have a police system that works in a city that has been called one of the safest in the world. I believe that one of the reasons our system works is that the police are questioned and held publicly accountable by individuals, and groups, in the community. It is often through this tension that positive change and growth is achieved. It is uncomfortable and, at times, humiliating for the police and the public to go through this accountability process, but I also believe that growth comes through conflict handled responsibly.

The keys to successful conflict resolution between police and the public is trust, fostered by good two way communication, strong policy, integrated systems, awareness and training within an evolving organizational culture, and strong leadership to encourage integrity within a continuous learning cycle.

Am I biased? Yes. I am proud of the diverse city in which I live. I am proud of being a police officer, and of the other police officers and members in the Service. I am also proud of the history and leadership of the Toronto Police Service that has laid the path to be followed. I have tried to be objective in this study by recognizing my bias and reaching out to those with differing views to hold me accountable. Some of the data I have presented has little of my interpretation given to it, it is left for the reader to decide. In the literature review I have looked at the strategic direction the Toronto Police Service is taking as well as the domains of police accountability, community policing, and police race-relations. I have gathered information from police officers, members of the public who have complained about the police, police managers, leaders of public organizations who had an interest in this study, and others who I felt could give a differing perspective. From this I have made some conclusions and recommendations to lay the groundwork for long term changes, while also making suggestions for some immediate changes. Most significantly, I have learned. My hope is this study will add to the learning of others.

This project generally follows the layout of a thesis using traditional research methodology and styles. There is one major exception to this in the way I have laid out this project. I have included the research result findings within the data collection and study conduct area following each research source. This was done due to the length and number of the different research sources in this project. I felt that to move the findings to a separate area near the back of the report would interrupt the flow of the information and make it more difficult for the reader.

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THE HANDLING OF 'LESS SERIOUS' PUBLIC COMPLAINTS AGAINST THE POLICE IN TORONTO: *Finding the Way*

A. BACKGROUND

1. The Purpose

This project will focus on how the Toronto Police Service is currently handling "less serious" complaints from the public regarding the conduct of police officers.¹ Recommendations will suggest how the Toronto Police Service can improve their processes to ensure that the fair, open, and equitable handling of public complaints meets the needs of both the public and the police. This project will be focused on the handling of less-serious public complaints since they are handled at the local level with less internal supervision and more risk for being handled improperly. This is also the area that presents the greatest change in philosophy within the new complaint process. The internal handling of serious complaints by the Toronto Police Service has essentially remained unchanged.

The manner in which public complaints against the police are investigated is a topic that has stirred up controversy, reports, public inquiries and provincial statutes directed specifically at the Toronto Police Service. The cumulative effect has been the erosion of public confidence in how the police police themselves. In November of 1997, after sixteen years of direct civilian supervision, the government of Ontario handed the investigation and determination of public complaints back over to the police. The new legislation has taken a customer service perspective regarding less serious complaints, where the police are allowed to resolve concerns of citizens prior to a formal complaint being registered and, if a complaint is registered, the police are allowed to actively pursue an informal resolution. By instituting an interim procedure in December of 1997, the Toronto Police responded to this change in legislation by:

- 1) Assigning specialists in each division who are trained in complaint investigation and conflict mediation.
- 2) Changing internal policies to encourage supervisors to resolve concerns of citizens as soon as possible prior to a formal complaint being made, and if a complaint is made

¹ Less serious complaints are defined as: when a member of the Service engages in behaviour other than that defined as serious misconduct. **Note:** Bona fide training and incompetence issues are not misconduct. (Toronto Police Routine Order 1998.03.23-0432) Serious Complaints are defined as: when a member of the Service has been accused, charged or found guilty of a criminal offence and/or:

- a) engages in misconduct that impacts upon the integrity, reputation or public confidence of the Service
- b) engages in misconduct as outlined in the applicable suspension policy of the Service (includes suspected of a criminal offence) and/or the mandate of the Professional Standards Review Committee. (includes domestic violence, sexual harassment, acts of discrimination as set out in the Police Service's Board Race Relations Policy, excessive use of force, corrupt practices, breach of confidentiality, deceit, liquor offenses and any other matters directed by the Chief of Police). (Toronto Police Routine Order 1998.03.23-0432)

investigators are encouraged to try to satisfy the concerns of both the complainant and the officer by mediating an informal resolution.

- 3) Decentralizing the responsibility for resolving less serious complaints to the local managers in charge of the police divisions.

These interim procedures have contributed to a significant reduction in the number of complaints recorded since November 1997 however, there are some who believe that taking away this oversight and returning it to the police is discouraging people from making complaints and should be taken out of the hands of the police. Other issues of concern include:

1. Supervisors and managers may fail to take the appropriate action.
2. Recurring problems and police officer capacity issues may not be identified since there is no central record kept of the officers who have been subject to a successfully mediated complaint. (They are protected by the new legislation).
3. Inconsistent discipline standards may be followed across the police service.
4. Complainants may change their mind and claim that the police failed to take any action on their complaint.
5. Potential for cover-ups or perceived of cover-ups in investigating police misconduct.
6. Some potential complainants may be afraid to go to the local police station to complain against an officer who works there.
7. The police may be perceived to have a power advantage over the complainant and may improperly influence the decision to informally resolve the complaint.
8. It is difficult to evaluate the effectiveness of the less serious public complaint process since there is no central recording and classification of concerns that are resolved prior to a written complaint being filed.

The informal resolution of public complaints at the local level has the benefit of allowing quick resolutions to issues that concern the public. This provides increased customer satisfaction, less stress on the officers, and cost savings from a reduced centralized bureaucracy. There is potential, however, for inappropriate and inconsistent handling of less serious public complaints that might result in the abuses that have caused critics of policing to cry out for more civilian supervision of police activities.

2. The Impact and Significance

The Toronto Police Services Board is composed of seven non-police members. The City of Toronto appoints four members to this Board and the Provincial Government appoints three members. It is the role of the Police Services Board to ensure the provision of adequate and effective police services in the community. In addition to these responsibilities are several duties including the responsibility to establish guidelines for dealing with complaints against the police and to review and receive regular reports on how the Chief administers the complaint system (Police Services Act 1990 s.31 (i), (j)). The Toronto Police Services Board initially, at its meeting in June of 1998, failed to

approve the interim complaint procedure as a by-law, pending further review. The main reasons related to the lack of trust and the concerns of accessibility and police accountability that segments of the public have toward the police. This has brought to the forefront community and policing issues that the Toronto Police have been trying to deal with for the past three decades. The challenge is for the police to take leadership in developing a complaints process that is consistent with its vision and mission statements while putting into practice its strategic plan of **participative community policing** for the future. The complex system of policing in society must be looked at with a view to ensuring positive police-community relations while recognizing the balance between **police accountability** and the need for the police to be allowed to do their job without fear or favour.

The interim procedures were approved in the fall of 1998 to be put in Directive (By-law) form. Less serious complaints will be handled at the local level, while a centralized unit will handle more serious complaints. It is now up to the members of the Toronto Police Service, specifically the Professional Standards Unit, to determine what complaints are serious versus less serious and to ensure that the procedures meet the needs of both the public and the police.

The development of an effective system for the public to complain about concerns of police conduct will strengthen community-police relations, and ensure police accountability. Other studies on police complaint systems have usually looked at the perspective of only one of the parties involved in the process, usually the complainants. This study will take a comprehensive look from the perspective of the multiple stakeholders in the police complaints system.

3. The Organization

The Toronto Police Service is an organization of seven thousand employees consisting of five thousand police officers and two thousand non-police officer support staff. Though there are many documents that govern the administration and operations of the police service, there are three that speak specifically to the philosophy and direction that the police service is taking now, and into the future. The vision/mission statement for the police service was completed, in 1997. The 'Beyond 2000 - Strategic Plan' that outlined a community based policing philosophy was approved in 1994, and began to be implemented in 1996. The Interim Routine Order, soon to be replaced by a Police Services Board approved directive, directs how the Toronto Police are to deal with public complaints since the change in the Police Services Act of Ontario on November 27, 1997.

A. Vision Statement

- Our Service is committed to being a world leader in policing through excellence, innovation, continuous learning, quality leadership and management.
- We are committed to deliver policing services that are sensitive to the needs of the community, involving collaborative partnerships and teamwork to overcome all challenges.

- We take pride in what we do and measure our success by the satisfaction of our members and the communities we serve.

B. Mission Statement

- We are dedicated to delivering police services, in partnership with our community, to keep Metropolitan Toronto the best and safest place to be.

B. DOCUMENTATION REVIEW

1. Review of Organizational Documents - The Toronto Police Service

A. Beyond 2000 Final Report - Strategic Plan

This 254 page document, completed in 1994, is the foundation document for the Toronto Police Service. The centrepiece of this long-term strategic plan is that community policing is the philosophy of policing that will be followed. The report outlines the services that will be provided to the public, within a re-engineering of philosophy, structures, systems and processes. The Toronto Police Services Board has approved this report, and many of the recommendations have been, or are in the process of being, implemented.

This Beyond 2000 final report provides the basis from which all strategic planning, staffing, policy, financial, administrative and operational decisions are to be made.

B. Toronto Police Service Routine Order - Interim Procedure for Performance/Conduct and Public Complaints. (Routine Order 1998.03.23-0432-2)

This order outlines the procedures to follow when there is a complaint by a member of the public against the police. It allows for the informal resolution of less serious complaints (defined in footnote page 1.).

1. Informal Resolution

"Informal resolution refers to the mediation and successful conclusion of less serious conduct complaints involving issues which fall into the prescribed criteria. Police officers and complainants must voluntarily enter into a satisfactory agreement. Informal Resolutions of public complaints may be mediated any time during the complaint process, even after adjudication." (Routine Order 1998.03.23-0432: 2)

Unit commanders, supervisors, officers in charge and unit complaint coordinators have all been designated by the Chief of Police to facilitate informal resolutions of public complaints at any time before or during the complaints process. Once an informal

resolution has been completed, no record, other than statistical data, shall be kept by this Service.

The following situations are where informal resolution may be considered.

1. all less serious allegations of misconduct;
2. when a police officer, the chief of police (or designate) and the complainant all agree to resolution;
3. when a police officer does not have a repeated pattern of misconduct;
4. shall not be considered when the complainant has serious injuries or the misconduct meets the classification of serious.

An informal resolution may only occur after a public complaint has been made in writing and signed. The implication of this is that if it is not in writing, there is no complaint, thus it is not called an informal resolution. No statement made by anyone during the attempt at informal resolution can be used in a subsequent civil, or discipline proceeding; this is protected by statute.

2. The Interim Handling of Less Serious Complaints

Section 2 of the interim procedure instructs police officers when receiving a complaint to notify the person to send a written and signed complaint to the appropriate police service or the Ontario Civilian Commission on Police Services (it will be in turn forwarded to the police service) by mail or fax, or to attend the nearest police facility to complain. If a public complaint is received at a police station they shall refer it directly to the officer in charge. If there is an allegation of a criminal offence the officer is further instructed to collect physical evidence.

Section 11, of the interim procedure instructs supervisors to interview a complainant in private; give them their rights and obligations under the Police Services Act; determine the seriousness of the issue; inform the complainants of their options under the complaints process; attempt to resolve the concern to the complainants satisfaction; get them an interpreter if needed; ask them if they wish to proceed with a public complaint, in writing. If during the discussion misconduct is alleged the supervisor will investigate, notwithstanding that there is no complaint.

If the person wishes to complain, the supervisor must ensure that a complaint form is signed; a pamphlet on the complaints process is given to the person; advise the complainant that the police service will investigate the matter; advise the complainant that they will be informed of the results of the investigation; gather and secure evidence; ensure a preliminary investigation is done; ensure serious complaints are dealt with and appropriate notification is made to superiors; if eligible for an informal resolution - do it. If an informal resolution is done the supervisor must ensure that the criteria has been satisfied; all the facts have been obtained; a public complaint has been signed; all parties voluntarily enter into the agreement. If unable to enter into an informal resolution shall forward it to the unit commander for investigation and adjudication.

If the supervisor facilitates an informal resolution it must be done to the satisfaction of all parties; allow the officers to speak to an Association Steward as per the Working Agreement, if requested; allow the complainant to consult with, and have present, a support person, if requested; complete a form of informal resolution and have all parties sign; submit the informal resolution form and all other pertinent documents to the unit commander.

Sections 29 to 60 of this interim procedure outline the responsibility of the local unit commander if the matter is to be investigated. The local unit commander will decide on the disposition of the matter after reviewing the facts and will notify both the complainant and the officer. The unit commander is also encouraged to actively attempt to informally resolve the matter. The unit commander must advise the citizen that, if they are not satisfied with the outcome of a final report, they have 30 days to ask the Ontario Civilian Commission on Police Services to review the decision.

There is currently no method or feedback loop to evaluate the benefits and/or deficiencies in this system.

2. Review of Supporting Literature

The literature surrounding police accountability issues must be considered in relation to the literature surrounding the modern philosophy of policing known as community policing. Inexorably connected to effective police accountability and community based policing is the subject of police race-relations. The nexus between effective police accountability, community based policing, and police race-relations forms the foundation for the manner in which complaints against the police should be prevented, handled, and resolved.

A. Police Accountability - The Toronto Experience

1. The Creation of a Public Complaints Commissioner in Ontario

In 1975, the Maloney report recommended a civilian complaint commissioner to oversee the handling of police complaints in Metropolitan Toronto. In the next four years three other studies (Morand, Pitman, and Carter) recommended that a civilian oversight agency be developed to look at police complaints. These reports and studies all followed highly publicized cases of what was (or was perceived to be) the improper use of police authority and the failure of the police to act properly when faced with the misconduct of its own members. A significant factor in all of these studies was police-race relations. (Ceysens 1997, on: Report of Royal Commission Inquiry into Metropolitan Toronto Police Practices, 1976. Human Resources Metro Toronto Task Force, 1977, and Report to Civic Authorities Metro Toronto, 1979)

In 1981, provincial legislation was enacted creating a public complaints commissioner to oversee complaints in Toronto. This was expanded, in 1990, by the Police Services Act to include civilian oversight of the police in the Province of Ontario (Landau, 1996). What

was also significant with the implementation of the new Police Services Act, was the declaration of principles that directed police services throughout Ontario to, among other things:

- 1) Safeguard the fundamental rights guaranteed by the Charter of Rights and freedoms and the Human Rights Code.
- 2) Co-operate between the providers of police services and the communities they serve.
- 3) Be sensitive to the pluralistic, multiracial and multicultural character of Ontario Society.(Police Services Act 1990:s.1 (2),(3),(5))

The Police Services Act of 1990 outlined not only the importance of how complaints were to be conducted by appointing a complaint's commissioner, but also the principles under which the police were to provide service.

Landau (1996) points out that her research has found that the extent to which the police conduct the investigation is a critical factor in achieving public confidence. This system of a civilian complaint's commissioner was based on a review mechanism that had the police still conducting the initial investigations. Clare Lewis, a Complaint Commissioner under this process, justified police doing the initial investigation by pointing out that:

"The purpose of the Toronto police force complaints legislation is to provide for such accountability and to ensure that the individual who has a complaint about the conduct of a police officer-----will receive fair treatment in its disposition, while preserving appropriate protection for subject officers." (McLeod 1996: 64)

Lewis (1991) justifies having the police involved in the investigation by pointing out that it gives the police a stake in the system, allowing them an important management role, leading to acceptance. He points out that giving the police the initial investigation and review authority, under his monitoring, *"remains a rational and acceptable compromise in a scheme which also grants to civilians ultimate authority to impose discipline upon police..."*(Lewis 1991:160).

The catalyst for the studies, reports, and this police complaints system is the thread of police race-relations. In evidence before the 1989 Ontario Race Relations and Policing Task Force, race-relations experts described police race-relations in Ontario as "deplorable." (Jayewardene and Talbot 1990) This same task force in 1992 concluded that:

"Repeated crises between police and racial minority communities have been terribly debilitating to all. They severely undermine the capacity of police to perform their essential public duty while causing pain and frustration to that great majority of officers who are devoted to performing a difficult task equitably and well. Those crises set community against community, and bear within them the risk of irreversible alienation of some groups, with others entrenched in

indifference. They divert government, police and community from other pressing needs." (The Report of the Race Relations and Policing Task Force 1992:12)

Landau (1996) interviewed 104 complainants under the civilian oversight system in Ontario and found that the mere existence of the Public Complaints Commissioner did not address the concerns complainants had over the internal police investigations of their complaints. If the system that was set up initially to satisfy complainants and strengthen police relations with the community was not satisfying the needs it was set up to address, then alternatives needed to be found.

2. The Demise of the Public Complaints Commissioner in Ontario

For sixteen years the office of The Public Complaints Commissioner in Ontario was hailed to be a progressive reform in the area of accountability (Landau 1996). The Toronto Police, in 1997, had twenty-six police supervisors and managers assigned solely to investigate public complaints, numbering on average one thousand per year, with a yearly cost in excess of two million dollars. The time it took to complete an investigation ranged from months to years. Out of 1124 complaints disposed of in 1996, police misconduct was found in only 17. Very significant in this process was that 364 people withdrew their complaint; the rest were disposed of by classifying them as unfounded, inquiries, frivolous, vexatious, made in bad faith, and other such categories that ended the process. (Metropolitan Toronto Police, Professional Standards Report 1996: 1-3) The number of complaints should be taken in the context that, during 1996, there were about one million nine hundred thousand calls for service, and many other unrecorded contacts between the police and the public. (Toronto Police Service Environmental Scan 1998:192)

The disposition of the complaints registered were only determined after a highly regulated investigation. Landau (1996) explains that the highly legalistic way police conduct the investigation decreases the likelihood that complaints will be substantiated or even dealt with fairly. She quotes Martin (1993:153) as pointing out that "*This approach ensures that conflicts are removed from their contexts, cleansed and analysed into legally remedial issues.*" Landau (1996) goes on further to point out that the police are good at getting complaints out of the system by using different tactics such as discrediting witnesses, discouraging complainants to go on with their complaints, and coercing and encouraging the complainants to withdraw.

It should be noted that at this time many were seeing the system of independent review as progressive and promising (Landau 1996; Cryderman and O'Toole 1986). The mandate and role of the Police Commissioner was further expanded, in 1992, to include the initial investigation of all complaints of racial discrimination by police officers, further increasing the profile of this system. (The Report of the Race Relations Task Force 1992:129).

It was evident that this costly bureaucracy to investigate public complaints was in a reinforcing process (Senge 1990) where the existence of the complaints commissioner,

and the statistics of complaints being cleared, was heralded as the success of the system. In a reinforcing process change does not take place because the participants believe that the system is working well and continually use measurements that, on the surface, appear to support this belief. The weakness in a reinforcing process is that deep problems are not identified until there is a crisis. What was missing, was an effective feedback loop (Senge 1990) that would register customer satisfaction with the process. This was recognized as early as 1990 where it was noted, in reference to the Ontario complaints review system, that, "*No evaluation of the operation has been undertaken, but there is an impressionistic feeling of satisfaction,*" (Jayewardene and Talbot 1990:66)

In November of 1996, Roderick McLeod Q.C. submitted a report commissioned by the Government of Ontario, and in this report he recommended in part:

The existing complaints/discipline systems should be modernized, simplified, and streamlined. The current laws are highly technical, confusing and amount to over regulation. It is time to get back to basics. The framework of the system should be set out in the legislation, and all of the procedural provisions and details should, with some simplification, streamlining and reform, be moved into the Regulations. (McLeod, 1996:3)

Dr. Landau (1996) found in her research that, overall, complainants were highly dissatisfied with their experience of making a complaint against the police. This study was an attempt to ask those in the system that the process was set up to satisfy, the complainant, how they felt. This raised the question that if the existence of the Public Complaints Commissioner did not satisfy the intent of the legislation, then what can be done to the system to fix this.

Landau (1996) suggests that the police must be controlled, be accountable, and that positive police community relations must be sought and maintained in any system that is set up. Thus any system that is created should reflect these principles.

In November of 1997, the Provincial Government of Ontario proclaimed Bill C-105, an Act to amend the Police Services Act. This Act did away with the Public Complaints Commissioner position and gave the responsibility for investigating and adjudicating complaints regarding police conduct, services, and policies over to the police. The only form of redress for someone who feels they do not have satisfaction from the police is to go to the general police oversight body, the Ontario Civilian Commission on Police Services, to ask for a review.

The amended Act adopted some of McLeod's (1996) recommendations, specifically around allowing local police managers to pursue informal resolutions; however, went further by doing away with direct civilian oversight of police complaints.

3. The Future of Complaints Investigation - In Toronto

The police are now faced with a shifting the burden situation (Senge 1990) where a short-term solution to dealing with public complaints, guided by legislation, has been put into place. The police can choose to deal with symptomatic solutions of individual problems or look for fundamental solutions to setting up a complaints system where everyone feels that they have been treated fairly by the process. "*Competent leaders continually try to anticipate as best they can the ripple effect of what they do...or don't do.*" (Portolese 1992) Herman Goldstein (1977) points out the awkward position the police have in society by stating that:

"The police, by the very nature of their function, are an anomaly in a free society. They are invested with a great deal of authority under a system of government in which authority is reluctantly granted and, when granted, sharply curtailed. The specific form of their authority - to arrest, to search, to detain, and to use force - is awesome in the degree to which it can be disruptive of freedom, invasive of privacy, and have sudden and direct impact upon the individual. And this awesome authority, of necessity, is delegated to individuals at the lowest level of the bureaucracy to be exercised, in most instances, without prior review and control.

Yet a democracy is heavily dependent upon its police, despite their anomalous position, to maintain the degree of order that makes a free society possible. It looks to its police to prevent people from preying on one another; to provide a sense of security; to facilitate movement; to resolve conflicts; and to protect the very processes and rights --- such as free elections, freedom of speech, and freedom of assembly - on which continuation of a free society depends. The strength of democracy and the quality of life enjoyed by its citizens are determined in large measure by the ability of the police to discharge their duties." (Goldstein 1977:xii)

Police leaders must recognize this anomalous position as a challenge that must be faced if they truly want to have a 21st century organizational culture that is, as John Kotter (1996) says, externally oriented, empowering, quick to make decisions, open and candid, and more risk tolerant. The Toronto Police have embraced community policing (Beyond 2000 Report 1994) as their way of doing business that embraces all of these characteristics of a 21st century organization.

Radelet and Carter (1994: 362) suggest that "*because the source of police authority is the community, the responsibility for controlling the police also lodges in the community.*" This is echoed by Landau (1996) who points out that many community groups are active in initiating the reform of the police. She gives examples of the Urban Alliance of Race Relations, the Ontario Federation of Labour, the Canadian Civil Liberties Association and the Citizens Independent Review of Police Activities. She further points out that even

if the police deal with complaints thoroughly, they must also be seen to do so by complainants. Radelet and Carter (1994: 364) conclude that:

"As a general rule, in a community where there are numerous complaints against the police and accompanying clamor for establishment of a civilian review board or some other external mechanism for control of police behaviour, there are police-community relation problems and usually other problems of a serious nature. The demand for civilian review is typically a symptom. And the likelihood is that the mechanism for dealing with complaints against the police will strike more at the symptoms than the roots of the problems."

The Toronto Police now find themselves having to contend with this issue as they develop their policies in relation to complaints by the public. Toronto Police Commissioner Sylvia Hudson was quoted in a Toronto newspaper as saying,

"In my community, the black community, I've been getting complaints that people are afraid to go to the police station...to file a formal complaint against a police officer... they feel intimidated and fear their complaints will be used against them (and lead to) trumped-up charges. They fear for their families, their homes...and that their cars will be targeted." (The Toronto Sun Newspaper, June 19, 1998:43)

The vehicle to ensure increased sensitivity, reduced conflict, and to build trust and credibility that has been suggested by the Race Relations and Policing Task Force in Ontario, is community policing. This, they say, will *"allow police forces to become better in touch with their communities and, thereby, find new ways of delivering a more equitable service."* (The Report on Police and Race Relations Task Force, 1992:94)

B. Community Policing

The Toronto Police Service has adopted community policing as the 'way it does business.' The Ministry of the Solicitor General of Ontario has defined community Policing as:

A means of police service delivery which recognizes that the maintenance of order, the prevention of crime and the resolution of crime and order problems are the shared concerns and responsibilities of the community and the police.

Working in partnership, the community and the police participate jointly in decision-making and problem solving. This includes the identification and analysis of crime and order problems; the determination of policing priorities and needs; and, the development and implementation of strategies for dealing with crime and order problems identified. (Community Policing ...Our Future Today 1997:1)

In Toronto this has been summed up into a motto *"To Serve and protect: Working with the Community."* (Beyond 2000 Report 1994: 21) This more fully outlined in the actual .0

Beyond 2000 (1994) document. Some significant portions of this report pertaining to community policing and accountability include:

- ❑ Of paramount importance to the success of Community Policing, and the restructuring recommendations presented in this report, is the leadership role of the Chief of Police and executive command. (pg., iii)
- ❑ Recommendation (1) states that executive management provide more active leadership in the support, communication, and achievement of Force Goals and Objectives.
- ❑ The importance of community involvement is recognized and the front-line officer is the most important element of the organization. The significance of empowering members at all levels of the organization and members of the community is emphasized. This means that those affected by the decisions made about policing priorities will have input into these decisions. (pg., iv)
- ❑ Recommendation (3) - That empowerment be advanced throughout the organization, in order to ensure that decisions are made at the lowest appropriate level.
- ❑ Recommendation (5) - That the local police division be made responsible for the development and implementation of working partnerships with the community, its members and organizations as an essential element of problem solving.
- ❑ Recommendation (8.9) - That civilian representation be ensured on all appropriate projects and committees.
- ❑ Recommendation (16.3) - That a Community - Policing Liaison committee be established in each division. The committee will be expressed as a permanent part of the divisional organizational chart.
- ❑ Recommendation (31.1) - That every current and future action and initiative undertaken by the Force be consistent with its mission, its Beyond 2000 Strategic Plan, and its restructuring initiatives.
- ❑ An indicator of community policing implementation will include increased accountability to local communities by inviting public participation in the planning and supervision of police operations.
- ❑ There is a need for greater accountability between the police and the public. (pg. 6)

The embracing of the community policing philosophy by the Toronto Police Service invites the question of how much of a role should the public have in the development of police policy? Radelet and Carter (1994) point out that police argue that civilians do not have enough knowledge or understanding of the nature of police work and thus, without this foundation, cannot make appropriate informed judgments about police actions. They also point out that, "*the police derive their authority from the community and as such must be accountable to the public for their actions ---like it or not.*" (Radelet and Carter 1994:372)

Herman Goldstein and Frank Remington, in a report to the U.S. President's Crime Commission in 1967, are quoted in Radelet and Carter (1994:127) giving the police two alternative ways to respond to the difficult problems they face:

1. "The first is to continue, as has been true in the past, with police making important decisions, but doing so by a process which can fairly be described as 'unarticulated improvisation.' This is a comfortable approach, requiring neither the police nor the community to face squarely the difficult social issues which are involved, until a crisis---like the 'current social revolution' --- necessitates drastic change.
2. The second alternative is to recognize the importance of the administrative policy-making function of the police and to take appropriate steps to make this a process which is systematic, intelligent, articulate, and responsive to external controls appropriate in a democratic society; a process which anticipates social problems and adapts to meet them before a crisis situation arises.

Of the two, the latter is not only preferable; it is essential if major progress in policing is to be made, particularly in the large, congested urban areas."

C. Police-Race Relations

Though community policing seeks to reach out to the community at large, there is an area of community policing that has with it special challenges to overcome historical incidents, misunderstandings, and lack of knowledge (Asbury 1992). Keith Wiltshire, from the Canadian Centre for Police Race-Relations, himself a visible minority with thirty-four years of police experience has described this as anti-racist community policing. He states:

"An anti-racist police service is more attainable through genuine Community Policing because all factions of the community will be part of the community policing effort. Therefore, community concerns, including allegations of police racism, can be more quickly and effectively addressed." (Wiltshire 1996:7)

Using Barry Oshry's (1996) top-bottom model of systems it is clear how the police as positional leaders in society can be considered the tops. Citizens, particularly those with a complaint against the police and, in particular, those who feel that racism is a factor in their complaint, can be seen as being the bottoms with little to say about how the systems and policies work. Oshrey points out in a system, such as this, the top will fall into burden trying to take care of all the problems and fix them. The bottom, on the other hand, falls into oppression and targets the tops (police) by pointing out all of the problems they are not taking care of and labeling the tops incompetent, insensitive or malicious. He does recommend a solution to this by pointing out that the tops as creators of the system and the bottoms as the recipients should come together with their unique experiences, knowledge, and skills, to create a system where they can equally share in the successes or failures.

This has been echoed in the Toronto experience by The Community Network on Policing Anti-Racism, Access and Equity as a,

"... new proactive relationship between the police and the community...It entails increasing the level of police accountability to the local community...it entails increasing community participation in the police priority setting process...it includes decentralizing the power structure to allow both the community and police officers to have more input in determining how to deal with important issues at the local level. Different communities may have different needs and concerns and the police must address that diversity." (Report of Community Network on Policing Anti-Racism, Access and Equity: Measuring Effective Police Race Relations November, 1998:3)

There are many reasons why there is concern about the police race-relations issue and, with that, many suggested solutions. Dr. Monica Armour (1993) suggests six reasons for crisis or conflict between police and minority communities:

- 1) Historical factors, related to the conflict or crisis;
- 2) Specific incidents or the culmination of a series of events and incidents;
- 3) Views and perceptions of historical factors and the conflict incident or crisis events;
- 4) Language terminology used to describe or deal with the conflict situation;
- 5) Specific behaviour of parties in conflict;
- 6) Media treatment of the conflict or crisis.

She goes on further to suggest that, *"While single events may be traumatic or troublesome, they usually do not generate conflict unless they are perceived to be a part of historic oppression and discrimination against minority people."* (Armour 1993:5)

Asbury (1992) takes a narrower view by listing three areas of mistrust that have led to poor police race-relations in Toronto communities:

- 1) Misunderstanding about the nature of Police Services.
- 2) A history of oppression by police in countries of origin.
- 3) Fear that police will not deal effectively with their concerns.

Cryderman and O'Toole (1986 10,13), break the police community relations problems down into to the concepts of perceptions and communications. They conclude that, *"The real difficulty with our perceptions is that they are culturally determined; we all learn to view the world from the point of view of our own culture."* On the issue of communication they conclude that, *"Thus the different world views of those who live in our country, but are from other cultures, will sometimes interfere with communication because we speak from another frame of reference."*

Statistics Canada reports that in 1996, 3.2 million persons, or 11.2% of the Canadian population, identified themselves as a visible minority. The Toronto Census Metropolitan Area is home to 42% of these people representing 1.3 million persons. This represents about one third of the Toronto areas total population. (Toronto Police Service, Environmental Scan 1998:11)

It must be recognized that there are many cultures making up the community and that there are many reasons for mistrust and poor race-relations. This then leads to the conclusion that though the police can come up with a process that treats everyone equally, they must also recognize that they cannot treat the different cultures as just one client. Chacko and Nanoo (1993) contend that the approach to preventative policing must be client specific with each group having separate and clearly identifiable needs and expectations. Joe DeGeorge of Federal Express stated that, "*The mark of an exceptional company is how it treats exceptions.*" To be an exceptional police service the Toronto Police must reach out to the exceptions in society.

Dr. Armour (1993) suggests that a training program should be developed and delivered to senior police officers on prevention, mediation, and crisis management in the contexts characterized by diversity.

The Report of the Race Relations and Policing Task Force (1992:105) states, "*Community policing...gives all communities the opportunity to understand that each community and its cultural and race representation is different and will require a different policing response to the problems it particularly experiences.*" It is clear that any policy developed for the handling of public complaints must ensure equality of treatment but it must also ensure equity. The Canadian Association of Chiefs of Police in its statement of principles outlines that they will, "*Urge their members to review all complaints of racism, both internal and external, and to develop and institute a process utilizing specially trained and sensitized investigators for the purpose...*" (Canadian Centre For Police-Relations: Community Policing Interesting Practices 1994:112)

Marquis (1993) points out that multicultural issues have now taken an important part in Canadian police administration. Police leaders have attempted to deal with these issues through enhanced minority recruitment, cross-cultural training, and promotion of community policing at the ethnic community level. The new strategic direction for policing is to involve the community in the operations of the police.

By the year 2016, Statistics Canada forecasts that there will be about 3.5 million people in the Toronto area from visible minority groups. This creates challenges for the police in Toronto to continue to be aware of, and respond appropriately to, the many different cultures and their unique sensitivities and perspectives. (Toronto Police Service, Environmental Scan 1998:12)

The literature on community based policing is consistent: the community, including the visible minority communities, must be part of the police policy decision-making system. It is also clear that the police leadership challenge is to continue to move away from an inwardly focused, centralized, slow to make decisions, political, and risk adverse organization. The objective is to continue to move to the externally oriented, empowering, quick to make decisions, open and candid, and more risk tolerant organization (Kotter 1996), that community based policing and 21st century leadership demand. This will be achieved by treating the community equally and equitably by

recognizing, and respecting, the unique perspective of the various cultures and individuals that define the community.

C. RESEARCH CONDUCT

1. Research Methods

This study uses qualitative analysis by way of naturalistic inquiry as the primary research methodology. Some quantitative analysis is also employed in the form of comparative statistics of the previous system of public complaints versus the system instituted in November of 1997.

This naturalistic inquiry took the form of identifying and explaining the complex social structures surrounding the police complaint system. The goal was to ensure that information was gathered by accessing data from the various sources that are involved in, and impacted by, the police complaint system. There were also different methods used to get the broadest perspective and overcome researcher bias. (Patton 1980)

In naturalistic inquiry a variety of viewpoints are sought as the researcher gets close to the issue while drawing on professional experience, values and personal interpretations. This is done by seeking out a variety of viewpoints, using, different methods, to discover what is happening and to verify what has apparently been discovered (Warren 1998). This approach also has an emphasis on recording the perceptions of the participants as to processes and meanings and how these change. It is also important in naturalistic inquiry to consider all variables in a situation with direct, qualitative reports being preferred since it is felt that by limiting a study to quantifying responses it is removed from the words and perceptions of the participants (Palys 1997). In a study such as this, naturalistic qualitative methodology is preferred since the subject of complaints against the police cannot properly be evaluated based on scientific quantitative analysis. Quantitative analysis is partial and incomplete when taken within the consideration that,

“Social reality exists as an unstable and dynamic construction that is fabricated, maintained, and modified by people in the course of their ongoing interaction with each other and their environment. It operates according to a system of meaning embedded in each cultural context and can be understood only superficially without reference to those meanings.” (Stringer 1996:146)

The issue of less serious complaints against the police is fundamentally about relationships within a social reality and a cultural context and it is for this reason that a qualitative naturalistic approach to methodology is being used.

The primary objective of this project was to evaluate the present system for handling less-serious complaints against the police with a view to developing recommendations to improve the process. Using interviews, observations, written submissions, questionnaires, logs, and the content analysis of meetings with the various participants in the process; a multifaceted, multi-perspective, view of the complaint system is obtained. This form of

analysis can also be used to explain some of the changes in quantitative statistical data between the previous complaint system and the present one.

2. Data Collection, Study Conduct, and Research Findings

Data collection was broken down into two domains, quantitative statistical analysis and a qualitative naturalistic analysis.

A. Quantitative Analysis

A quantitative analysis was done comparing statistics under the two complaint systems looked at in this study. Statistics from the year beginning January 1992 and ending December 31, 1996, reflecting information under the pre-Bill c-105 Amendments are compared to a similar period reflecting the post Bill c-105 system. The statistics are broken up into complete 12-month periods. December 31, 1996 was used as the last year of pre-Bill c-105 Amendment statistics, since this is the last year that a full year of statistics were kept under that system. These were compared to the statistics of December 1, 1997 to December 1, 1998 reflecting the first complete 12 months under the new decentralized complaint process. This study was completed using similar time periods showing a direct comparison of the total number of complaints, description of complaint by category, and the disposition of complaint. Since there was a change in the method for handling public complaints the above three general categories were the most suitable for comparison. Other data, not suitable for direct comparison, was also noted such as number of complaints regarding procedures, average number of days active, and the distinction between the number of more serious complaints versus the designated less-serious complaints. The statistical data is taken from the Professional Standards monthly statistical reports and the year end statistical report of the Toronto Police Service.

Findings

A. Quantitative Statistical Analysis

Table 1 Complaints Received	1992	1993	1994	1995	1996	01/12/97 to 01/12/98
Physical Assault	518	367	284	299	219	N/A
Excessive Force						41
Misuse of Authority	106	173	196	185	399	141
Verbal Abuse	263	263	182	201	160	131
Police Procedure	381	413	405	397	132	145
Other (assault/criminal)						132
Policy						12
Service						12
Conduct Serious						149
Conduct Less Serious						417
Total Complaints	1268	1216	1067	1082	910	*590
Percentage Change	+26.7	-4.1	-12.3	+1.4	-15.9	-35

*Shaded area totals are reflected within the Policy, Service, Conduct Serious, and Conduct Less Serious totals.

Table 2 Dispositions	1992	1993	1994	1995	1996	01/12/97 to 01/12/98
No Action Warranted	338	387	512	308	322	128
Criminal Charges	1	10	6	3	0	0
Referred to Police Complaint Board	0	2	4	0	0	N/A
Disciplinary Charge	13	14	3	0	7	3
Counsel or Caution Officer	4	6	2	6	10	N/A
Frivolous, Vexatious or Bad Faith	206	102	140	112	127	104
Informally Resolved	29	37	26	12	2	84
Withdrawn	383	475	407	445	364	113
Change to Inquiry	16	24	51	81	184	N/A
Over Six Month Limit	45	43	64	57	70	42
Third Party Complaint	16	11	7	13	5	22
Not Within Jurisdiction of Act or Multijurisdictional	26	13	12	15	33	8
Unit Commander Discipline						3
Total Dispositions	1077	1124	1234	1052	1124	*507
Average Days Active						66

* Not all files opened in this time period have been closed.

The number of complaints under the new system has dropped dramatically in the one year while the number of informal resolutions has increased. The number of withdrawn complaints has decreased relative in number to the total complaints. There also is a disproportionate increase in the number of complaints designated frivolous, vexatious, and made in bad faith.

B. Qualitative Analysis

The qualitative analysis was broken down into several different methods and instruments:

- 1) A questionnaire to complainants.
- 2) Recorded information from participants in a town hall meeting.
- 3) A questionnaire to officers who investigate complaints.
- 4) Interviews with frontline supervisors who take complaints.
- 5) Interviews from police officers that have been complained about in both the old and present system.
- 6) Written submissions from the Police Association Executive.
- 7) A written submission from the project sponsor on behalf of the Professional Standards Unit,
- 8) An interview with an expert in Police Services Act training.
- 9) A focus group with university students representing a cross section of people from across Canada.
- 10) Interviews with 3 people representing public organizations that have expressed interest in the police complaint process.

1. Complainant Questionnaire

In 1994, Dr. Tammy Landau conducted research into the public complaint system in Toronto by considering the complainant's perspective. This was done under the auspices

of the Office of the Public Complaint Commissioner, and involved the interviewing of 104 complainants. (Landau 1994)

It was felt that to get the proper representation of the many stakeholders in this study, it would be necessary to consider the perspective of complainants who have had their less-serious complaints dealt with under the new complaint system. Consideration was given to replicating the methodology of Dr. Landau, by conducting interviews; however, it was felt that since it was the police conducting the study a less aggressive approach, giving the complainant more control over their involvement, would be used. This took the form of a mail out questionnaire to two hundred complainants who had their less serious complaints resolved between the start of the new process, December 1997, to December 31, 1998.

Considerable care was taken in the developing of the questionnaire, and the covering letter, by ensuring that it was clear that the original complaint would not be re-opened and that this research was being done to improve the way complaints are dealt with in future. There was also care taken to ensure that those returning, or not returning, questionnaires could not be identified, unless they chose to self identify.

There was risk of further, or new, complaints from doing the questionnaire and thus there was a great deal of consultation and discussion in the development of the document. Consultation and feedback was obtained from members of the Toronto Police Service including: Deputy Chief Loyall Cann, Superintendent Don Mantle and members of the Professional Standards Unit. There was further consultation and assistance from Director Kristina Kijewski and Carol Whynot of the Corporate Planning Unit. Police Legal Advisor Rusty Beauchesne and Freedom of Information Director Ray Desjardins were consulted as to the legality and privacy issues. Dr. Tammy Landau of Ryerson University was also consulted and gave guidance and advice on the instrument design, methodology, and questionnaire conduct.

The complainant questionnaire (attached appendix A-1) was prefaced with a letter from me outlining the purpose of the study, ensuring anonymity for the respondents, and outlining that the response was voluntary. The covering letter also allowed the respondent to phone me and be interviewed rather than returning the questionnaire.

The questionnaire questions covered areas surrounding the background of the complaint; the method of making the complaint and the experience of dealing with the officers in the process; the resolution of the complaint; the level of satisfaction of the complainant; recommendations the complainant had for improving the system; also noted were age, gender, and race information, as well as an optional area to identify themselves for follow-up.

In September of 1998, I personally attended the Professional Standards office and examined all of the resolved complaint files under the new complaint system and recorded information on 91 files resolved to that point that were designated less serious. I noted the name and address information, time it took to resolve the file, and how it was

resolved. There were 49 files that had been informally resolved where no identifiers were available to survey the complainants. Helen Ng, the clerk at Professional Standards, was asked to keep the names and addresses of informally resolved cases from this date onward for the sole purpose of the mail out questionnaire.

On October 17, 1998, after approval from the project sponsor was obtained, the 91 questionnaire's were mailed out in large envelopes containing the questionnaire and a stamped addressed envelope returnable to me. On October 20, I left 109 packages, at Professional Standards, to be mailed out to complainants whose less serious complaints had been resolved subsequent to the 91 that I had sent out. The two hundredth package was sent to a complainant on December 21, 1998. I asked that the information to be recorded about the packages sent out include the time it took to complete the investigation and the disposition of the complaint.

There was one complainant who had made numerous complaints about the police that had been all designated as frivolous, vexatious, and made in bad faith that was not surveyed. The project sponsor felt that any contact would precipitate further complaints and complicate other legal processes that were taking place with this complainant.

Previous experience in surveying complainants against the police has resulted in a return rate of about 20% (Brown 1988) and thus it was expected that the return rate would be in this range. One serious limitation to this method was the inability to question 49 of the people who had informally resolved their complaints. This might reduce the number of returns since it can be presumed that those who had come to a satisfactory resolution in their complaint would be more likely to cooperate in a study by the police.

As the study progressed one person surveyed called and asked to be interviewed over the telephone, three others called to discuss the survey further. Two people who seemed to be emotionally disturbed, and identified themselves as such, telephoned me several times regarding the survey. One returned the survey and the other did not. One person sent back the survey, not filled in, saying that they would not cooperate unless it benefited them. Four surveys were returned indicating that the person had moved. A total of 37 surveys were returned, out of the 196 that presumably made it to the recipients, representing a return rate of about 19%.

Findings

Of the 200 people surveyed who have had their less serious complaints resolved between December 1, 1997 and December 31, 1998, Toronto Police Professional Standards records showed that these complaints were resolved as follows:

Table 3

Less Serious Complaint Resolutions of 200 surveyed.	Number	Percentage
No further action.	72	36
Withdrawn	68	34
Informal resolution	38	19
Frivolous, vexatious, or made in bad faith.	19	9.5
Not directly affected.	1	.5
Over six month limit to complain.	2	1
Officer Disciplined	0	0

From the time the complaint was made to the time the file was closed averaged about 3 months, with the longest being 9 months and the shortest 1-day. A study of the records shows that, towards the end of the year, the time it took to close the files appeared to lessen. It also appears that informal resolutions increased in comparison to final reports that indicated no further action. It appears that as investigators are getting more used to the new system that they are closing files quicker and increasing the number of informal resolutions.

I have made some observations notes under various tables. Most of the information is self-evident and is open to interpretation by the reader. I do summarize the findings in a general way, taking into consideration the text surrounding the answers that were provided by the complainants.

Table 4

Number of times complained about the police.	Number	Percentage
One time	31	83.8
Two times	4	10.8
Three or more times	2	5.4

Table 5

How complainants felt about police prior to complaint.	Number	Percentage
Poor	4	10.8
Fair	2	5.4
Neutral	8	21.6
Good	10	27
Excellent	13	35.1

Table 6

How complainants felt about police after involvement in complaint process.	Number	Percentage
Poor	15	40.5
Fair	8	21.6
Neutral	2	5.7
Good	8	21.6
Excellent	4	10.8

There should be a cause for concern that prior to the complaint there was a more positive feeling about the police than after the complaint.

Table 7

Complainants charged in incident leading to complaint.	Number	Percentage
No charges laid against complainant.	21	56.8
Driving/Traffic offence.	11	29.7
Criminal Code Offence	4	10.8
Apprehended under the Mental Health Act	1	2.7

It should be noted that traffic encounters with the police led to a disproportionate number of complaints in the surveys returned.

Table 8

Manner that complaint was made.	Number	Percentage
By attending a police station.	11	29.7
By sending a letter to the police.	22	59.4
By sending a letter to OCCOPS	6	16.2
Other (Letter to City Council, to prison officials)	2	5.8
Total	*41	111.1

- Some complaints were made in more than one manner.

Table 9

Police conduct complained about.	Number	Percentage
Not knowing their job	3	8.1
Verbal Abuse	13	35.1
Not being fair	9	24.3
Physical abuse	3	8.1
Misuse of police authority	12	32.4
Not doing their job	9	24.3
Unprofessional behaviour	15	40.5
Criminal conduct by police	5	13.5
Officer(s) made a mistake	8	21.6
Total	*77	207.9

* Complainants chose more than one category.

Table 10

Complaint Resolution (all answers taken as a percentage of the 37 survey's returned.)	YES %	No %	Not Applicable
Did a complaint investigator contact you?	100	0	
Did you understand the role of the complaint investigator?	91.9	8.1	0
Did you feel pressured by the complaint investigator to withdraw the complaint?	43.2	56.8	0
Do you feel the police complaint investigator took your complaint seriously?	56.8	43.2	0
Did the police complaint investigator treat you in a courteous manner?	78.4	18.9	2.7
Did the police complaint investigator inform you clearly on the status of your complaint?	72.9	27.1	0
Do you feel the police complaint investigator conducted the investigation in an unbiased manner?	51.4	40.5	8.1
Did the police complaint investigator attempt to try to mediate a resolution between you and the officer(s) complained about?	24.3	70.3	5.4
Did you feel pressured into entering into a mediated resolution with the officer(s)?	13.5	64.9	21.6
Do you feel a person not connected to the police should have investigated your complaint?	59.5	40.5	

Complaint Resolution (all answers taken as a percentage of the 37 survey's returned.) continued from page 22.

	YES %	No %	Not Applicable
Do you believe a person not connected to the police should have decided the disposition of your complaint?	48.6	51.4	
Did you receive a letter outlining the disposition of your complaint?	86.5	13.5	
Did you ask the Ontario Civilian Commission on Police Services for a review of the police decision?	24.3	75.7	
Were you satisfied with the finding of the Ontario Civilian Commission on Police Services?	8.1	10.8	81.1
After going through the complaint process, would you file a complaint about the conduct of a police officer in future?	75.7	24.3	
Do you think the Ontario Civilian Commission on Police Services has sufficient authority and resources to review police complaints?	16.2	27	<u>Don't Know</u> 56.8
Do You feel your complaint was resolved within a satisfactory time period?	43.2	46	<u>Don't Know</u> 10.8

Table 11

This series of questions was only to complainants who attended a police station to make their complaint. (Reported as a % of the 18 people who responded to this section of the survey.)

	Strongly Disagree %	Disagree %	Neutral Neither Agree or Disagree %	Agree %	Strongly Agree %
I felt comfortable going to a police station to make my complaint.	16.7	0	16.7	27.8	38.9
I feel I was not given prompt attention at the police station when making my complaint.	27.8	38.9	16.7	11.1	5.6
I was treated with respect by the police supervisor when making the complaint.	11.1	0	22.2	27.8	38.9
The police supervisor explained my various options under the complaints process.	22.2	11.1	0	33.3	33.3
The police supervisor did not try to satisfy my concern before I made a formal complaint.	22.2	5.6	16.7	38.9	16.7
I was given privacy with the supervisor when making the complaint.	27.8	11.1	5.6	33.3	22.2
I was allowed to have someone of my choice present with me when I made the complaint.	16.7	11.1	44.4	22.2	5.6
I was offered the opportunity to informally resolve the issue, to my satisfaction, after making the formal complaint.	22.2	16.7	33.3	22.2	5.6
I felt undue pressure to informally resolve my complaint.	16.7	22.2	50	0	11.1
I felt the police supervisor taking my complaint took it seriously.	22.2	11.1	22.2	27.8	16.7
I did not have a good understanding of how to complain about the police before I made my complaint.	5.6	16.7	11.1	33.3	33.3
I consulted with a professional before making my complaint. (Lawyer, social worker, doctor)	44.4	38.9	16.7	0	0
I was provided with written information explaining my options and rights to the complaints process.	5.6	0	0	55.6	38.9
I found the process of making the complaint easy to understand.	22.2	5.6	22.2	27.8	22.2
I was advised that the police were going to investigate the complaint.	0	5.6	16.7	61.1	16.7

Table 11 (continued from page 23)
 This series of questions was only to complainants who attended a police station to make their complaint. (As a % out of 18 respondents)

	Strongly Disagree %	Disagree %	Neutral Neither Agree or Disagree	Agree %	Strongly Agree %
I believed that someone other than the police would investigate the complaint.	11.1	44.4	5.6	5.6	33.3
I feel that the police superior tried to dissuade me from making my complaint.	33.3	16.7	22.2	11.1	16.7
I was not aware that I could make my complaint at the Ontario Civilian Commission on Police Service.	22.2	33.3	11.1	16.7	16.7
The police supervisor helped me fill out the complaint form.	22.2	27.8	22.2	16.7	11.1
I would have preferred to have a person not connected to the police help me make the complaint.	16.7	22.2	16.7	22.2	22.2
I do not feel that I have a better understanding on the police complaints process after making the complaint.	27.8	33.3	11.1	27.8	0
I was satisfied with the process of making the complaint at the police station.	33.3	11.1	11.1	22.2	16.7

* Only 12 respondents said that they attended a police station to make their complaint, however 18 responded to this section.

Table 12

How the complainants hoped the complaint would be resolved.
 (There may be more than one response from the 37 respondents.)

	Number	Percentage
The officer would apologize.	12	32.4
The complainants' charges would be dropped.	6	16.2
Financial compensation to the complainant.	3	8.1
To have complaint noted in officers' file.	16	43.2
The officers' would be punished.	8	21.6
There would be an explanation about the officer's conduct.	16	43.2
The officer would be prevented from doing it again.	25	67.6
Other (Forced to do their job, charge another person, to be heard.)	6	16.2
Total *	92	248.5

- Complainants chose several resolution options.

Table 13

How satisfied complainants were with the resolution of their complaint.

	Number	Percentage
Not at all satisfied.	19	51.4
Somewhat dissatisfied.	1	2.7
Neutral	4	10.8
Somewhat satisfied.	7	18.9
Very satisfied.	6	16.2
Total *	37	100

Table 14

Age of respondents.	Number	Percentage
Under 16 years old.	0	0
16 to 20 years old.	2	5.4
21 to 30 years old.	5	13.5
31 to 40 years old.	11	29.7
41 to 50 years old.	13	35.2
51 years and older.	6	16.2
Total	37	100

Table 15

Respondent self-description.	Number	Percentage
Not a part of a visible minority group.	24	64.9
Black	3	8.1
East Indian	4	10.8
Deaf	1	2.7
Gay	1	2.7
Poor	1	2.7
Refused	3	8.1
Total	37	100

It is significant to note that, in Table No. 10, a high number felt pressured to withdraw their complaint. There was also a very low number who felt that the investigator tried to mediate a resolution between them and the officer in the incident. A majority felt that someone other than the police should investigate the matter; but were evenly split on whether they think that the police should decide the disposition of the complaint.

In Table No. 11, though it only represents 18 respondents who attended a police facility to make their complaint, the majority felt that they were treated with respect and that the supervisor tried to satisfy their concern before they made the complaint. About half of the respondents' felt that they were not given privacy with the supervisor and, again only half, were satisfied with making their complaint at a police station.

In Table No. 12 it is very significant to note that a relatively small percentage wanted the officer punished. Many hoped that the officer would be prevented from doing it again, it would be noted in the officer's file, they would get an explanation, and the officer would apologize.

The area of greatest concern is that, in Table No. 13, 54% of the respondents were somewhat dissatisfied, or not at all satisfied, with the resolution of their complaint. This coupled with the results from Tables 5 and 6, where 83.7 % of complaints felt excellent, good, or neutral about the police prior to the complaint as opposed to 38.1 % who felt this way after the complaint process, should be cause for concern.

On the whole, respondents did not know how their complaint was resolved. An examination of the text answers given in the surveys showed that those less satisfied were also those who received a final report telling them that there was insufficient evidence to

proceed, the officer had acted properly and was legally justified, or other such explanations that ended the process. There were several respondents who appeared, from the text, to have informally resolved their complaints and they seemed to be the most satisfied.

The respondents were also asked to comment on the level of satisfaction they experienced and to make recommendations for the future handling of complaints.

The comments included being very satisfied that the officer investigating had dealt with the situation in, *"a polite, efficient, and swift manner where the officers involved gave an explanation and I was satisfied to let the complaint rest."* They also included comments about being very dissatisfied because, *"there was no way to discuss the issue with a supervisor, no actual formal meeting. The investigating officer did not believe me and because of it I was punished and insulted. It sounded like the officer investigating just wanted to get it out of the system. ...I wish I could sit down with the officer (complained about) in a neutral setting where there is no power imbalance. I don't feel I have closure."*

One respondent, contacted for follow-up on the survey, described being involved in a traffic accident with her children in the car. Two officers arrived on the scene, one male white, the other female black. The complainant described herself as being East Indian. She says that the driver of the other car was an attractive white female. She describes the male officer as being very attentive to the other driver, while not asking how she or her family were. The male officer then directed them to the collision reporting centre without laying any charges against the other driver, who she felt, should be charged. She was very happy with the female officer and very unhappy with the male officer. She felt his actions were neglectful and racist and decided to file a complaint. She acknowledges that she was very upset when she spoke to the investigator on the phone and demanded he investigate. Sometime after speaking to the investigator she received a letter from the officer in charge of the station saying that the police acted within the guidelines and did not do anything wrong. She now says she cannot put this behind her and acknowledges that, though the officer might have acted within the policy, she still wishes she could ask him why he did not check on the condition of her and her children. She says she was not given the opportunity to talk to the officer, face-to face, and thus is very unsatisfied.

Another complainant, very satisfied with her complaint resolution, explained that an officer was unprofessional and verbally abusive towards her. The investigators took her complaint seriously and found that the officer was experiencing some stress do to other issues. This was explained to her, with the permission of the officer, and she was given the assurance the officer would receive assistance. The investigating officer, and commanding officer, met with her personally at her home and this she says, *"impressed me greatly."* She feels that she received a suitable explanation of the officer's behaviour and that satisfactory action was taken to prevent his behavior from happening again.

Many of the complainants who were not satisfied feel that they were not taken seriously and felt that there was an urgency to close the complaint. Those who were most satisfied

were those who felt listened to; the officer took the complaint seriously, addressed the concerns, spoke to the involved officers and gave an explanation.

The respondents were asked to make recommendations on how the Toronto Police Service can improve their handling of public complaints in the future. The responses included the following:

- 1) That the complainant, complaint investigator, and officer should meet in private so the officer can explain the misconduct.
- 2) A mediator should hold a meeting with the police officer and the person making the complaint, with the police investigator present, so that all sides can be properly heard.
- 3) Investigate the police officer, as you would a citizen accused of a crime, and keep other police officers out of the process.
- 4) The investigator should meet with the complainant; not handle everything over the phone.
- 5) Before making a finding all the witnesses should be spoken to.
- 6) Allow a person to make a suggestion or comment about police policy, without the complainant getting caught up in the whole process.
- 7) There should be someone with knowledge of police procedures, other than the police, negotiating a resolution between the complainant and the police.
- 8) All complaints should remain on an officer's file regardless of the resolution.
- 9) The policy on the resolution options (i.e. withdrawal, and informal resolutions etc.) and how they affect an officer's record should be reviewed.
- 10) An independent organization or committee should investigate complaints.
- 11) Improve training for police officers in social and public administration.
- 12) Establish a task force to follow up on complaints. Approach the communities and advise them and get their perspectives.
- 13) Have an officer who is more objective look at the complaint in the first instance, rather than one from the same division.
- 14) Have the officers at the front desk be more encouraging when a person comes forward to make a complaint.
- 15) Take into account the history of the officer.
- 16) Advise the complainant to provide names of witnesses as soon as possible.
- 17) Citizens should be involved in investigating and controlling their own neighbourhood complaints.

This study should only be considered a small glimpse at the perspective of complainants. There are many people involved in each of the complaints made by the respondents and each has their own viewpoint about what has happened. What becomes most apparent in reviewing the responses is that the complaints that were resolved by legal findings, reported by way of a letter, left the complainants much less satisfied than those resolved by personal contact and discussion.

2. Town Hall Meeting

On July 16, 1998, the Toronto Police Services Board requested more community consultation before finalizing the new complaint process.

The Toronto Police Service Professional Standards Unit arranged a public meeting to be held on September 1, 1998, 7:00 p.m. at police headquarters. Letters were sent to 18 Community Policing Liaison Committees inviting representation. A further 33 letters of invitation were sent to individuals and groups who in the past had expressed an opportunity to speak regarding the complaint process. There was also a press release done announcing the meeting two weeks prior, inviting members of the public to attend and make deputations if they wished.

On September 1, 1998 the meeting was held with about 150 people in attendance. Chief David Boothby, Police Services Board Chair, Norm Gardner, and other Command and Senior Officers, as well as Police Services Board members attended. Richard Kibbel from the Ontario Civilian Commission on Police Services (OCCOPS) was present. The meeting was opened with presentations by the Chief, Board Chair, OCCOPS, Superintendent Don Mantle of Professional Standards and Superintendent David Dicks who is the officer in charge of a field unit that has had some success with the new complaint system

I noted information from presentations by the attendees for the purpose of this study. The presenters included: several individuals who spoke of their experience with the police, a person from the North York Committee of Racial and Social Harmony, a person from the Concerned Citizens for the City of North York, two members of community policing liaison committees, a person from the Coalition for Gay and Lesbian Rights in Ontario, a member of the Canadian Civil Liberties Organization, a member of the African Canadian Legal Clinic, and a speaker who described herself as a member of a non-specified women's rights group. These presentations provided valuable insight into the different perspectives and experience of community members. They also provided contacts for further follow-up by way of interview.

Findings

A. Norm Gardner Chair of the Toronto Police Services Board

He wants the changes to the complaint process to be for the better. He wants Unit Commanders to be more accountable for their officers and have complaints resolved faster in a more efficient way.

B. Chief David Boothby of the Toronto Police Service

The complaint process developed will give the public what they want: an honest and complete accounting, fairness, justice, their reputation intact, and a resolution to their complaint. He also recognizes that officers want fairness, justice, and safety. He stressed

the customer service component of dealing with complaints and members of the public. He stressed that a centralized public complaints unit will remain, while less serious complaints will be the responsibility of the local managers. Most importantly, he wants the public to have confidence in the system.

C. Richard Kibbel a Senior Investigator with The Ontario Civilian Commission on Police Services.

He puts forth that the design of the legislation is to allow the Chief of Police to deal with 99% of all complaints. He stresses that the Ontario Civilian Commission on Police Services is all made up of non-police officers. OCCOPS will review the police handling of public complaints and is independent of the police. He points out that policing is different throughout the province and that local problems should be dealt with locally. People should not have to wait two years to have an answer to their complaint, as was the case in the old system. In the 10 months that the amendments have come into place, OCCOPS has had only thirty requests from across the province for a review.

D. Superintendent Don Mantle - Toronto Police Professional Standards Unit

Under the old act, police managers had no say in how complaints against their officers were handled. They neither had responsibility for correcting the behaviour or satisfying the concern of the complainant. Police managers will now have say in how the complaints against their officers are dealt with, and will be given the responsibility of appropriately handling them. The Professional Standards Unit will oversee and monitor how the complaints are handled. A centralized complaint investigation bureau will be maintained to investigate more serious complaints. The appropriate Deputy Chief will hold the police managers accountable for dealing with complaints appropriately. Superintendent Mantle also gave a thorough overview of the new system during his presentation.

E. Superintendent David Dicks - Toronto Police Service 41 Division.

He reinforces the principle that community policing is for local problem solving and an informal resolution to less serious complaints serves the community and officers in a meaningful way. He states that, "*2 years later for punishment, is too late.*" He pointed out that in the police division that he manages, up to July 31, 1998, 17 of 20 complaints were dealt with by way of informal resolution, to the satisfaction of the complainant and the officer. The average number of days to resolve these complaints was 21. He surmises that one of the primary causes of complaints is that the officers do not know the rules and need more training. Complaints are an opportunity to train the officer, working with the community. This new system allows the police manager to run a unit, and this is what it is all about in community policing. It was pointed out during this presentation from an audience member that serious and less serious complaints should not be confused with important and not important.

F. Samuel Wilkes - North York Committee of Racial and Social Harmony.

He is aware that the Bill c-105 cannot be changed by the police and as such makes the following seven recommendations to the police for the handling of complaints:

- 1) Implement an external audit system with a copy of the results to an external monitoring body.
- 2) A thirty day waiting period for classifying a complaint as unacceptable.
- 3) The mechanism on how a complaint about a Chief or a Deputy Chief is to be investigated should be clearer.
- 4) The Chief should not be allowed to extend the reporting period on the disposition of the complaint.
- 5) The lead officer investigating the complaint should not be from the same division.
- 6) The complainant should be able to put in a victim impact statement, and a Police Services Board member should help facilitate the complaints.
- 7) The Chief should publish a semi-annual report listing officers who have 2 or more complaints.

G. Terry Sawyer - Concerned Citizens for the City of North York

Terry Sawyer put forth that complaints should be investigated by police officers from other units with the disposition then being decided by the local police manager where the officer works. The public should be aware of the procedure for making complaints and it should be clearly posted in every police station. The words "frivolous, vexatious, and made in bad faith" should never be used in describing the disposition of a complaint. It was suggested that the word 'groundless' might be a more palatable term.

H. Remaining Presentations

The other people making presentations all had essentially the same message: police should not be investigating police. They felt that the change in law is wrong and that it is now more difficult to complain about the conduct of the police. Steve Canlan from the Canadian Civil Liberties Organization suggested that perhaps an ombudsman could be appointed. Michelle Williams from the African Canadian Legal Clinic is concerned with the distinguishing of serious and less serious. The system is being made more complicated and people who want to complain do not know what to do. She feels strongly that some people need advocates to help them through the complaint process. Most of the information from these presenters was outside the control of the police, but does show that there are very strong feelings and distrust in a system where the police, police the police.

3. Questionnaire to Unit Complaint Coordinators

In November of 1997, when the Bill C-105 amendments were proclaimed, The Toronto Police Service interim procedure was instituted. This procedure created a position of a

Unit Complaint Coordinator for each of the 17 police divisions as well as other specialized squads. These officers have received training in the new procedure and mediation skills and are assigned to investigate and resolve all less serious complaints from the public in their assigned areas. A questionnaire was developed and e-mailed to the 33 Unit Complaint Coordinators. This questionnaire was reviewed and approved by the project sponsor.

The e-mailed questionnaire provided that the respondents could send their replies by e-mail and request that their identifiers be removed, print a hard copy and mail an anonymous reply, or return a copy and fill out an optional identification area, or not reply at all. The purpose of this questionnaire was to determine their experience with the new process as compared to the previous process, their level of training, how they are presently handling complaints, and recommendations for improving the present process. A total of 11 respondents replied all identifying themselves. Some were contacted personally to give expressed consent to being quoted in relation to the final report. (The questionnaire is appended page A-10)

Findings

Of the 11 unit complaint coordinators who responded to the survey questionnaire the average police service was 25 years, with a high of 31 years and a low of 22 years. Eight of the respondents had never worked in the Public Complaints Investigation Bureau or the Internal Affairs Unit, prior to their assignments as the unit complaint coordinator, and three had worked in the Public Complaints Investigation Bureau. The officers had worked an average of six years in the division where they were unit complaint coordinator, with the high being 15 years and the low being 1 year. Several advised that they did other duties in addition to being the unit complaint coordinator.

The manner that unit commanders selected the officers as the unit complaint coordinator did not appear to have any consistent criteria. The responses seemed to indicate that there was some initial reluctance from most of the respondents to do the unit complaint coordinator job. The majority feels that, after doing this job for a year, it is an overall positive and necessary job. There were mixed feelings as to the job satisfaction.

There were also mixed feelings about investigating complaints against an officer at the same station. One officer described this as, *"If there is a positive outcome then you are the 'hero'. A negative outcome may not bring such a complimentary title."* Some problems reported with the new system, include that some officers are slow to get statements back causing time pressures, having other duties to perform, and that the public does not totally trust the system. A major concern for some officers was that they were also assigned to investigate more serious internal complaints that involved disciplining and perhaps criminally charging other officers. They see this as complicating their reputation in the informal resolution process. One unit complaint coordinator described his experience, at the station level, as allowing for,

“ a much more effective and expedient manner for dealing with less serious complaints. The subject officers can finally put a face to the investigator and have access to discuss the matter personally, as a result, they are likely to be more informed and less intimidated by the complaint. The old system, I believe, had a built in factor of mystique and mistrust and was therefore less effective.”

All of the respondents had training in the new Police Services Act Amendments, the new policy, and mediation skills at the Toronto Police College. They all felt that this training, coupled with their experience, was sufficient. There was further mention of the benefit of seminars put on by the Professional Standards Unit.

All, but one, had been involved in the informal resolution of complaints and they agreed that this was a good experience for all involved. Most of the respondents did not attempt to pursue or encourage complaint withdrawals since they felt that this did not resolve the problem.

The unit complaint coordinators, who responded in this survey, all felt that the new complaint system was working well and also felt that the police officers they have dealt with feel the same. There was also a feeling that complainants who had entered into the informal resolution process felt satisfied. There was concern that those who received final reports were not as satisfied. In reference to final reports one officer said,

“I don't believe the citizens have faith in the system. When they file the complaint and find out that an officer from the same Division is investigating it, they are already apprehensive. When they get the final report and find out that there was insufficient evidence for any punishment to be dealt out, it now only corroborates their initial feelings. You may win the citizen over with your personality, but deep inside they will still feel that justice was not done. One only has to put themselves in their shoes and I think you will come up with the same conclusion.”

It is clear from the unit complaint coordinator perspective that, overall, they feel that the present system is better than the previous system of dealing with complaints. Another officer summed up the complaint resolution options this way,

“If I look at it in a manner as to who am I trying to appease, (I know it is supposed to be the citizen, the officer and the service) but I don't think that is the real world. If it's an informal you appease everyone, if it is a withdrawal you appease the service and the complainant, the officer still is stuck with the fact he has a complaint on file even though it was withdrawn, if it's a final report and goes in favour of the complainant the officer won't be happy and vice versa, if it goes in favour of the officer the complainant won't be happy. You can't win.”

The following are various recommendations that were made by the unit complaint coordinator respondents:

- 1) To keep track of informal resolutions. *“We should keep track of the positive actions and changes to the system made as a result of public complaints.”*
- 2) The unit complaint coordinators should personally visit each complainant within days of the complaint being made.
- 3) An informal resolution should be attempted in all cases as soon as possible to gain the complainants input into the resolution process.
- 4) There should be a greater recognition of the unit complaint coordinator. (Working facilities, opportunity to act in a higher rank.)
- 5) Centralize all unit complaint coordinators.
- 6) Keep all unit complaint coordinators decentralized.
- 7) Have a designated, secure, and quiet office for the unit complaint coordinator in each unit.
- 8) Continue regular training for unit complaint coordinators.
- 9) Have a selection criterion for unit complaint coordinators.
- 10) Continue to support and encourage informal resolutions.
- 11) Simplify the final report format.

4. Front Line Supervisor Interviews

Frontline supervisors, primarily Sergeants and Staff Sergeants, are most likely the first people in the police Service who are faced with a citizen wanting to complain about the conduct of a police officer. Originally five supervisors were to be interviewed, however as the project progressed two additional supervisors asked to be interviewed because they felt strongly about the process. I selected the supervisors to be interviewed by personal knowledge I had about their experience as police officers and their background and interest in improving policing. The only criterion for selection was that they had some experience with both the old and new complaint systems. I explained that their identities would be protected unless they gave expressed consent to allow me to identify them in the study. All seven, after the interview, gave consent to being identified if necessary. Each was interviewed in private, and notes were taken on their responses. An interview questionnaire (appended page A-11) was used to keep some structure to the interview.

Findings

The seven police supervisors interviewed have an average of 24 years police service, with a low of 9 years and a high of 30 years. There was an average of 11 years of police supervisory experience with a low of 1 year and a high of 22 years. The average number of complaints taken under the old system was 9 with a low of zero and a high of 25. Out of the seven supervisors interviewed only four had taken at least one complaint under the new system, while all admitted resolving up to a dozen complaints prior to a formal written complaint being made.

The supervisors found very little they liked about the previous complaint system. Two of the interviewed supervisors said that in some ways it was easy on them. If there was an allegation that was not criminal, all they had to do was write down the complaint and pass it on, never to worry about it again. There were, however, some concerns.

The concerns included:

- a) Taking too long to resolve the complaint.
- b) Too many people involved in the complaint.
- c) Having to take a complaint no matter what the situation was and not being able to satisfy the upset citizen or properly supervise and correct the employees behaviour. An investigation, by someone else, was done to determine if the officer did something wrong, and thus the supervisor could not correct improper behaviour.
- d) Once the complaint was taken, and passed on, there was seldom any feedback.
- e) Complaints had to be taken without any discussion, even if they were clearly without substance. The supervisor was at risk if they tried to resolve the complaint. The previous law said that the supervisor had to take a report on being made aware of a complaint by a citizen.
- f) The whole process was very time consuming with few complaints ever being resolved other than by being designated as unfounded or unsubstantiated.

Under the new system of complaint handling, the supervisors interviewed liked that there was more of an onus on the complainant to take steps to complain, such as filling out the paperwork. They further liked that the amendments allow the supervisor to get actively involved in the resolution of the complaint, giving them more ownership over the problem. One officer looked on the ability for him to deal with citizen concerns about the conduct of one of his officers like this, *" A cup of coffee solves a lot of problems, we are not talking about misconduct issues, but people who are more upset at the situation than they are in the officer."*

All of the supervisors said that since the changes to the process they feel more comfortable with discussing the situation with a person who comes to the station to complain in the hopes of resolving the concern. Many of the concerns that they resolved were misunderstandings or lack of knowledge regarding the law or police procedures and, when explained, the people were satisfied and no longer wished to complain. Some of the supervisors admitted that they resolved complaints under the old system in this manner prior to a formal complaint being taken, though they also realized that they were taking a risk according to the procedure. All of the supervisors realized that if there was a bona fide allegation of misconduct that they would have to take disciplinary action, notwithstanding the person did not want to complain.

Most of the younger supervisors seem very pleased with the new process. One senior supervisor was adamant that he did not want the responsibility of resolving complaints since he had too many other duties to do. He preferred the old system where specialists took care of everything.

All of the supervisors described their training under the new system as minimal. Most had received about a half-hour to one hour lecture from their unit complaint coordinator and then were given a package of documents explaining the process. The newest sergeant

had received more formalized training by way of a sergeant orientation course at the Toronto Police College.

The supervisors had several recommendations to improve the process:

- a) Station duty personnel should be trained to answer questions regarding the complaint process, rather than directly to a supervisor.
- b) A telephone voice mail system should be set up advising people of their options to complain and how the system works. This would assist someone who does not want to go to a police station.
- c) The Toronto Police Service web page should have a place where complaints can be registered on-line.
- d) There should be a language service available for people who want to complain.
- e) Every station should have an area designated for the complainant to be interviewed outside of the view of other police officers. This would be less intimidating. Staff sergeants offices are generally glassed in rooms and can be intimidating to complainants.
- f) It is sometimes very busy in a station, and supervisors are not available for the time it takes to properly deal with a complaint (major incident etc.) It is recommended that there be a provision for the individual to make an appointment to speak to the unit complaint coordinator.
- g) That there should be a retention schedule on less serious informally resolved complaints so that supervisor can track potential problems. This is not to be used for discipline but to make performance decisions and develop officers.
- h) Have a complaint awareness campaign for both police officers and complainants. Continue to have sessions and interviews with supervisors to keep awareness in the forefront.
- i) Recognize that the complaint process, like common law, is evolving and that continually reviewing the system will help improve it.
- j) Ongoing training at all levels in customer service, complaint reduction, and dealing with diversity.
- k) Consider giving ownership of the complaint resolution, in some instances, back to the supervisor that took it or who supervises the officer. This encourages supervisors to be better leaders.

5. Police Officer Interviews

Those most subject to less serious complaints from the public are the uniformed police officers working on the frontline. The criterion for the selection of the officers to be interviewed for this study was that they had been subject to a complaint in both the old and new systems. It proved very difficult to locate such officers. I had considered locating officers through a record search, but was concerned that the officers would be suspicious of a high ranking officer examining their complaint files. This might lead to undue pressure on them to be interviewed. The method I finally used to locate such officers was to ask police supervisors, at the beginning of the shift meetings, to make an announcement to their officers to approach me if they chose to do so. Another problem

identifying officers who met this criterion was that many officers did not know what system their complaint was handled under. Eventually five of the officers who approached me were identified as meeting this criterion, and were interviewed. All five had the purpose of the project explained to them and were told that I would keep their identities confidential unless they gave expressed permission to use their names in the final report. Four of the five officers consented to being identified, if necessary. The limitation to this data is that a more objective manner of locating subjects could not be found. A prepared questionnaire (appended page A-12) was used to give the interview some structure. The information was noted in writing.

Findings

Of the five police officers interviewed there was an average police service of 17 years, with the high being 24 years and the low being 9 years. Under the old system of how complaints were handled the officers averaged about 11 complaints, with the high being about 25 complaints and the low being 2. Each had at least one, and some had two, complaints against them under the new system.

Under the old system of how complaints were handled the officers described liking the fact that the initial investigation was done by another police officer because as one officer put it, "*They know how to investigate and cut through the nonsense.*" On the whole they felt that the public had the perception that there was some fairness to the system because of the public complaint commissioner. None of the officers were ever disciplined because of a complaint and most had their complaints designated unfounded or unsubstantiated.

There was a feeling that the old system caused more mistrust with the public because of the length of time it took to resolve the complaint, and the amount of work, without most having a finding. There was no chance to explain what really happened because of the risk the officer might get in more trouble, so the real truth was never found out. There were some that felt that once the complaint was made, they had very little part in the system. One officer described this as, "*It took too long. Everything was so remote from me... I wasn't sure what was happening.. I had no personal contact with anyone.*" Another felt that the old system pointed fingers right away that they had done something wrong and had to be investigated. There was no real disposition at the end and this was, "*wishy-washy for both me and the complainant. I wish I could have spoken to the complainant because the whole thing was easy to explain. Now I am sure the complainant is not happy, and my supervisors are not sure about me.*"

All the officers described their experience with the new complaint system as good. It is important to note that none of the officers were too familiar with the process and philosophy of the new system. With their limited understanding of the new process they thought it was an improvement over the old system especially in the speed of handling and the reduced bureaucracy involved. Two of the officers said that they had been involved in informal resolutions with the complainants. One of the officers who described his informal resolution as a good experience stated that, "*The citizen has an*

opportunity to put the police on the hot seat and take you to task. It gives an opportunity to vent and resolve it without it being swept under the carpet."

One officer described his experience with the new system as leaving him ecstatic. He describes how he had wrongly arrested a youth for a break and enter and then released him when his error was realized. The mother of the youth was very upset and hired a lawyer, filed a complaint, and demanded that he be fired. He was very concerned about this and felt the mother would understand if she heard the story. He was also waiting to be promoted, and could not be while a complaint was pending. The unit complaint coordinator arranged a meeting between the officer and the mother to try to resolve the complaint. He attended the mother's home and was able to effect an informal resolution to the complaint by explaining to the mother what had happened, and by apologizing. He then went out and played basketball in the driveway with the youth. This left him with a very positive feeling about the process and he is certain both the mother and youth have a better feeling about the police. He contrasted this complaint to one under the old system where he still feels bad because he wanted to explain what happened to the complainant; however, it was investigated and found to be unsubstantiated. He was not pleased with this and believes the complainant would not be happy either.

Most of the officers interviewed shared the concern that the public will have the perception that the system is unfair because the police are in charge of it. There was another concern that more officers might have to be assigned to resolve the complaints if *"we are going to take the time to deal with ground level issues."*

The strongest recommendation raised by three of the officers interviewed was that the matter should be tried to be informally resolved in the first instance. One officer put it this way, *"I think in most cases, before the less serious complaints move ahead. The complainant and the officer should sit down in a calm atmosphere with a neutral third party to discuss the matter without fear of it being used against the officer."* It was further suggested that the police officers should have a follow up interview with their supervisor on all resolved complaints.

It was also recommended that an analysis be done to find out what duties had the highest risk of getting a complaint and then finding strategies to reduce complaints. It was suggested that officers doing traffic enforcement had more complaints and, as such, video cameras mounted in the cars might reduce the complaints.

One of the most interesting discussions during the interviews was with Sergeant Tony Riviere, himself a visible minority, with nine years police experience. He suggested that if the police develop policies that treat everyone equally they would still experience problems unless the equity issues are addressed. He gave an interesting analogy differentiating between equality and equity to illustrate his point.

"If two men, one Christian and the other Muslim are arrested together and held in police custody and each is fed a ham and cheese sandwich for lunch, they have

been treated equally. The concern is that they have not been treated with equity because the Muslim is prohibited from eating ham, thus the Muslim goes hungry."

He emphasizes that when dealing with complainants we must be sensitive to their unique perspectives and consider the cultural aspects of the complaint.

6. Written Submissions from the Toronto Police Association

The Toronto Police Association represents the interests of most of the members of the Toronto Police Service. The executive consists of 8 Directors who have various roles within the Association. In November of 1997, I facilitated training for all of the new unit complaint coordinators. I recognized that unless the Police Association had knowledge of, and supported the new policies, the new complaint system would not work as designed. I invited the entire Association executive to the 8-day training session. Two of the Directors were able to attend most of the training, Andrew Clarke and Doug Corrigan. Both of the Directors expressed their support for the proposed method of handling less serious complaints. Both were asked if they would write on their support.

In the January 1998 edition of the police magazine, News and Views, both Directors wrote about their support for new process of handling of less serious complaints. (News and Views January 1998: 15,18) In October of 1998, I spoke with Director Andrew Clarke and asked if he would consider being interviewed about the new complaint system. He chose to give a written submission instead. It is recognized that individuals who represent organizations must be very careful when involved a study such as this. The concern is that by taking a part in such a study is that they will be perceived to be endorsing any findings or recommendations. It was important to ensure Mr. Clarke that his information was to provide perspective from his unique role in the system.

Findings

Doug Corrigan:

" In November Andrew Clarke and I attended a dispute resolution course at C.O. Bick College. The intent of this course is to empower unit level supervisors to better handle complaints from the public and resolve minor workplace disputes without the necessity of documentation's or suspensions. The skills learned on the course will enable supervisors to participate in a mediated process which would help them resolve disputes on their own, understanding each other's position.

The process is not an escape from employment discipline but is another way of resolving issues such as personal misunderstandings without incurring discipline. The process will be a positive change for our members but always take the time to contact your Association Steward whenever discipline is being discussed. . (News and Views Magazine January 1998: 15)

Andrew Clarke:

"... Conflict dispute resolution is a very useful process, and one area that our Association has pushed for when dealing with complaints that are of a 'non-criminal nature.' Many of our members know how beneficial this type of problem solving can be, as most of our grievances end up in conciliation. In most instances this provides a win-win for both the grievor and the aggrieved.

I might also add that it is our Association that has pushed for this type of remedy when problem solving.

As Directors and Chief Stewards/Stewards, our main concern should be focused on making life as easy as we can for our members when it comes to settling complaints and matters that don't require a 'lets get 'em' attitude which has often been a past practice of management.

... This type of process will be extremely productive. Now, in most cases, persons lodging complaints of a minor nature have a written report submitted at the Unit where the complaint is made and several months later a determination is made as to whether or not the original complaint was founded or unfounded. The process is painstaking, and costly for the investigator (acting on behalf of the service), the complainant, and most importantly the Member, whose life (and sometimes career) is put on hold over something so minor it didn't call for the removal of a 'rainforest' to justify the end result!

I hope this system is given the opportunity to work and we will all reap the rewards. It should provide quicker solutions to many problems which currently arise in our workplace between co-workers, management, and in our dealings with the public."
(News and Views Magazine January 1998:18)

Andrew Clarke (November 17, 1998) in part:

" The following report is provided to assist in evaluating the recently introduced informal resolution process in conjunction with changes to the Police Services Act. As one of two Directors representing uniformed members serving in the field I am directly involved in trying to resolve disputes and conflicts.

Quite often the past mistakes or disagreements, be they between members or members and citizens, were viewed as misconduct and were dealt with as such. In many instances this is still the case.

Alternative Dispute Resolution or ADR recognizes that not every act committed by an individual is a 'preconceived act intended on being 'mean, hurtful, aggressive in nature, or without regard for another person."

In fact ADR offers 'Managers' the opportunity to 'manage' and also assists the involved individuals - our members and service employees - realizing shortcomings within their outward behaviour, which affects their day to day work. ...

Recommendations:

- 1) *Managers should encourage the process that is ADR across the service.*
- 2) *Updates should be provided to members via live link and more importantly, at the unit level by managers, heralding the success of dispute resolution.*
- 3) *I would encourage the Command to reaffirm this process both with the members but most importantly with all managers.*

7. Written Submission from the Professional Standards Unit

The Professional Standards Unit of the Toronto Police Service is tasked with overseeing the handling of public complaints as well as internal discipline. The unit was under the direction of Superintendent Don Mantle, who was transferred to another area during the course of this project. The members of this unit have been responsible for developing and working with the process under the new complaint system. Superintendent Mantle was asked to get together with the members of his unit to respond considering the following question: *At this stage of the development of the public complaint process is there anything more that you feel the Toronto Police Service can do to improve the process?*

It is recognized that the members of this unit have continually been evolving, adapting and developing the process from the beginning. It was felt that a collective viewpoint, by way of written submission from those in the unit, would be the most appropriate way to capture this information.

Findings

Superintendent Mantle of the Toronto Police Professional Standards Unit provided ten items that were identified by his staff as what they will do to improve the complaint process:

- 1) Produce a video to explain the complaint process and promote informal resolutions. The video will be used to educate Service members and members of the community.
- 2) Develop a poster campaign promoting informal resolutions.
- 3) Conduct regular internal/external surveys to identify concerns with the complaint process and take corrective action.
- 4) The Complaints Review Unit will hold regular meetings with Senior Officers, Service members and members of the community to provide education on the complaint process.
- 5) Provide additional training on alternate dispute resolutions to unit complaint coordinators.

- 6) Continue reporting to the Chief of Police, Command Officers, and Unit Commanders to increase awareness of the complaints process.
- 7) Develop customer service guidelines within Professional Standards to assist police officers and members of the community with the complaint process.
- 8) Ensure mandatory attendance of unit complaint coordinators at training sessions.
- 9) Have a mandatory commitment of two years service as a unit complaint coordinator to develop complaint investigation/informal resolution expertise.
- 10) Encourage the Police Association to publicly support the informal resolution process to ensure timely completion of complaints.

8. Interview with an Expert in Police Services Act Training - Chuck Lawrence

Mr. Chuck Lawrence is a former police officer and has been a full time instructor at the Ontario Police College for the last twelve years. He is considered an expert in police management training and has conducted the training for the Bill c-105 Amendments across the Province of Ontario. He done considerable research on the new process and has instructed several thousand police officers in the changes to the Act. He has also had the opportunity to examine how different police services from across the Province of Ontario are responding to the changes in legislation in the development of their local policies. Mr. Lawrence was approached regarding giving an interview and the purpose was explained to him. He readily consented to an interview and had no qualms about being identified in the final project report. The interview was centred around the following question:

The purpose of this interview is to determine your experience with the public complaint process. This study is to make recommendations to improve our processes within the Toronto Police Service. I am doing this project as academic research with the support and direction of the Toronto Police Service Professional Standards Unit. In your opinion, is there anything that the Toronto Police Service can do to improve how it deals with less serious public complaints?

I recorded the information from this interview in writing.

Findings

Mr. Lawrence believes that the Toronto Police Service has to better integrate the existing complaint discipline systems. He believes that everything done with the system has to consider the needs of the complainant, the community, and the officers. He suggests that at the present time the Toronto police are still somewhat focused on the old system of handling complaints and are trying to administratively and bureaucratically close the complaint without meeting the complainants needs. He states that complainants are too sophisticated for that.

He outlines three things that people who deal with complaints must understand:

- 1) Principles of customer service where the complainant and community must be listened to and be involved in the process.
- 2) Community policing - what it really means.
- 3) Leadership and managerial skills to take the proper corrective action.

Complaint resolution must go beyond the specific incident to look at the bigger issues such as relationship building and police-race relations. *"You have to meet the complainant where they are: their culture, their background and experience, and their expectations. You have to look at the root causes of situations and why they take place."*

He also feels strongly that there should be a better selection, and training, process for those involved in the complaint process. All supervisors should be trained in the complaint system and Police Services Act Amendments. He further suggests that the unit complaint coordinators must be experts in the legal issues of the complaint process, mediation, customer service and complaint resolution, and race-relations. This should be topped off by courage, honesty and great communication skills. The focus of these officers should be on results and not processes. He believes that many of the problems with complaint resolutions are because the investigator is focused on the process and not the outcome.

To enhance the resolution options there should be an integration of race-relations officers in the complaint resolution process as a rule, rather than the exception. This can be expanded to include community resources being used to resolve complaints.

He has concerns that there are no records taken of situations where a person approaches a police supervisor and expresses a desire to complain about an officer and the supervisor is able to satisfy the concern prior to a formal written complaint being done. He believes that this pre-complaint negotiation should be recorded on a "Record of Complaint Informally Resolved" form. Keeping records such as this will show that the complaint system is, or is not, working. Further benefits to this are that once a complaint is informally resolved, it is closed. He feels it is better to submit the paperwork and close the matter than take the chance of the complaint being re-opened. He feels that this specific area is one of the main reasons that the number of complaints has dropped drastically under the new system. The complaints are being made, pre-negotiated, and thus, not recorded. It is also absolutely necessary to keep the informally resolved files and information, rather than destroying them as is done now.

He understands that there is concern that records kept might be used for some other proceeding, however he points out that sections 69 (8-10) of the Police Services Act of Ontario protects this information from being used in another civil or disciplinary proceeding.

Mr. Lawrence also points out that there is also a disproportionate number of complaints being withdrawn by complainants. He feels that this creates a risk because withdrawn complaints can be reopened, whereas informally resolved complaints are to both parties' satisfaction and are closed.

He finished by suggesting that all informally resolved complaints should be filed under the complainants' information and also noted in the file should be:

- the officer (s) involved name, rank, and badge;
- the resolution plan;
- signatures to the resolution plan;
- the date of the incident and resolution.

He believes it is necessary to keep this information to:

- demonstrate resolutions are achievable and work;
- show the complainant was dealt with properly;
- show transparency;
- properly evaluate the system.

The dangers for not keeping informally resolved information includes:

- that the only ones on file will be the serious and those from emotionally disturbed people that are difficult or impossible to resolve;
- that it cannot be shown that the system is working;
- that the system cannot be intelligently be defended.

Mr. Lawrence is clear that he believes that the Toronto Police Service has done an outstanding job, and has set the standard for investigating complaints against the police under the new Police Services Act Amendments. He gives his recommendations for the purpose of improving the processes in place.

9. Nominal Focus Group with University Students

In August of 1998, a nominal focus group was held with 8 students from Royal Roads University. These students had a broad background and were from across Canada. None were from the Toronto area. They were asked one question to discuss in the focus group with the view of developing main areas that the Toronto Police should consider in relation to the complaint process.

The question asked was:

The Province of Ontario has removed the Civilian Police Complaint Commissioner and returned the determination of complaints against the police back over to the police. What are the most important things that the Toronto Police can do to ensure a fair and equitable system for handling complaints.

The group was asked to first note what they individually felt was the most important things that should be done. They then posted their answers on a board and as group clustered common themes. The group was then taken through a consensus process to prioritize the most important areas that the Toronto police should consider.

Findings

The nominal focus group of graduate students from across Canada came up with general areas that the Toronto Police Service might want to focus on to ensure a fair complaint process. The following list is in order of priority as by consensus of the participants:

- 1) Enhance police relations by allowing community members to be part of the complaint resolution process. Have members representing the public on a complaint review committee.
- 2) Have regular and public reporting of complaint statistics and information by way of an aggressive public education campaign.
- 3) Increased diversity training for all police personnel.
- 4) Ensure that there is diversity amongst the police officers involved in resolving complaints.
- 5) Have all officers trained and evaluated on customer service and communication skills.
- 6) Have a central registry and analysis department to monitor complaints.

10. Interviews with 3 People Representing Public Organizations that Have Expressed Interest in the Police Complaint Process

As noted in the literature review, police community relations are a significant factor in the complaint process. Police race/minority, relations are the areas where very often the greatest problems in complaints against the police are found. Some data reflecting this was found in the literature review, town hall meeting, the survey to the complainants, interviews with police officers, and the focus group with students. After a great deal of reflection it was felt that, though there was already a large amount of data from many sources in this study, it would be lacking without some specific data from individuals who can speak to the minority interests and racialized groups. Michelle Williams, interviewed below, points out that racialized people are, actually, the majority of people in the world. It was decided that three individuals would be interviewed representing differing perspectives on the minority rights issues. To go more deeply and interview a broader representation of the diverse Toronto community, though valuable, would be too large for this study. The following question was asked:

In light of the Bill c-105 Police Services Act Amendments. What can the Toronto Police do to ensure a fair complaint system?

The following people were interviewed:

A. Michelle Williams of the African Canadian Legal Clinic

Michelle Williams is a lawyer with the African Canadian Legal Clinic. She was contacted by telephone and was asked, based on her presentation in the town hall meeting on September 1, 1998, if she would be willing to be interviewed. She agreed to be interviewed, but did not want her involvement to be taken to indicate that she, or the

organization that she represents, endorses the study, its findings, or recommendations. She was assured that this would be made clear in the final report and a letter (appended page A-13) was sent to her confirming the purpose of the study, why she was being interviewed, and noting her concerns. She was subsequently interviewed in person and I noted, in writing, the contents of the interview.

The limitation I have placed on this specific study is to look at how the Toronto Police Service is handling the less serious public complaints within the new legislation, and then make recommendations for improvement. The challenge I face is the dichotomy of drawing out the information that relates to my specific question without diminishing the importance of the broader issues that may be fundamental for the success of the Toronto Police Service developing a complaint system that is acceptable to all the stakeholders. These findings that I have drawn out of the discussion with Michelle Williams, and material she provided to me, will relate to my narrow question. The reader should be aware that to look at just my findings will be out of context unless it is recognized that there are those in the community who do not believe that the police can police themselves effectively and fairly. Michelle Williams was concerned about the broader issues, and the answers to my narrow question should be taken within the context of a system she believes is flawed. She reviewed the findings related to her interview and granted permission to publish them.

Findings

Michelle Williams feels strongly that the best police accountability mechanism is a totally independent and separate from the police. She provided me with a copy of a 38 page report dated January, 1997, titled, "In Search of Police Accountability: Report of the Community Coalition Concerned about Civilian Oversight of Police." The community coalition is made up of 25 community organizations in Ontario. I was told that if I wished to clarify any of the points in our discussion, that I could refer to this report. These findings will be a synthesis of my interview with Michelle Williams and the aforementioned report. The discussion and report covered broader issues than those in this study, such as the need for independent civilian oversight, investigation of police shootings of members of racialized groups, and the lack of community consultation in the Bill c-105 Amendments.

A major concern with the new way of handling complaints is that there are too many ways to dismiss a complaint. The emphasis seems to be on closing the complaint rather than getting at the heart of the problem. She questions if the police investigators are evaluated on the number of complaints closed versus dealing with the complexity of the complaint. There is also a strong concern over using informal resolutions. She described police as being very powerful and the complainant, largely, without power. Mediation relies on the parties having equal power to come to a mutually agreeable resolution. While she has grave concerns about the use of informal resolutions, at minimum, advocates should be available to help correct this power imbalance. That is not to say that the advocates may not be intimidated. She summed up this concern by saying, *"We have slid into a negotiation paradigm instead of an accountability paradigm. The police still have the power."* The remaining recommendations are summarized as follows:

- 1) There should be no pre-negotiation of a complaint without a formal complaint being first taken. All complaints must be recorded and records kept.
- 2) Informal resolution should only be accepted if the complainant has, from the outset of the process, communicated his/her desire to have the matter resolved informally. The complainant should sign a written confirmation of the desire to engage in informal resolution in order to ensure that s/he is not agreeing as a result of duress, frustration or as a result of undue delay in otherwise resolving the matter. The written confirmation should clearly advise the complainant that s/he has the option to cease the informal process and proceed with the formal complaint process at any point, without penalty or negative repercussion.
- 3) The complainant should have an advocate available to assist throughout the process, which will reduce the potential that the complainant will be coerced into an informal resolution.
- 4) The public should be able to submit complaints regarding systemic practices of the police or particularly egregious patterns of behaviour on the part of officers or police divisions. Because many people are fearful of reprisals, anonymous complaints should be accepted for the purpose of evaluating and improving systemic problems.
- 5) The complaint system must be accessible for all communities. Members of various communities need to be made aware of the present police complaint system. Community legal clinics, health centres, public libraries and various community groups must be informed of the police complaint system.
- 6) A 1-800 number should be available for any and all questions about complaints, and non-police personnel who are friendly, courteous, helpful and willing to take the time to answer all questions should staff it.
- 7) Service providers in community agencies should receive training in the complaint process. These training sessions should focus on preparing service providers to be a source of information and/ or advocates for community members who are faced with having to lodge a police complaint.
- 8) The only way to ensure fairness and equal accessibility throughout the complaints process is through the establishment and funding of an advocacy office whose staff/members will assist complainants through the complaints process and advocate on their behalf. This will need to be funded. Perhaps a respected community agency could be awarded a contract.
- 9) The police race relations units should be integrated, in a real way, to effect institutionalized changes. The complaint system is one area where integration is necessary.
- 10) If OCCOPS sends back a complaint to be re-investigated, it should not go back to the unit that originally investigated it. A centralized body should reinvestigate it. Total independent civilian review is the ideal, centralized police specialists are next and totally decentralized complaint investigations by local divisions is the least desirable.
- 11) Police should investigate complaints made after six months unless there are compelling reasons not to. Many complainants are involved in other legal process and by the time they realize how to make a complaint, the time limit has passed.

- 12) The Police Services Board should automatically update interested people on changes through the use of faxed out regular information.

A. Alan Borovoy of the Canadian Civil Liberties Association

Alan Borovoy is the General Counsel for the Canadian Civil Liberties Association. He has held this position for thirty years. I originally spoke to Mr. Borovoy, in person, at a Toronto Police Services Board meeting and asked him if he would assist me in this study. He asked me to telephone him to talk about it. I telephoned him at a later date and explained the purpose of the study and asked him if he would consider to be interviewed based on the above question. He agreed to be interviewed, without reservation. I interviewed him in person and noted his responses in writing. Before permission was granted to publish the findings of the interview with Mr. Borovoy, he asked that a copy of the results be faxed to him for review and amendment, if necessary. This was done before the findings were published.

Findings

Mr. Borovoy made it clear that whatever he suggests for the Toronto Police Service to improve the manner it handles complaints, *"will be woefully inadequate and take a Herculean effort to work within the flawed system given to them by government. Whatever the Toronto Police do must have the public confidence and Bill c-105 has shaken this confidence."*

He suggests despite this serious impediment, of flawed legislation, the Toronto Police can try to do several things:

A. Structure

- 1) As much as possible to separate complaint handling from general police operations. Have a physically separate, and distinct group, of specialist officers take care of all complaints and announce this to the public.
- 2) Specific centralized specialist investigators should handle all complaints.
- 3) Supervisors who try to settle complaints against one of their officers are in conflict. To reduce the fear or apprehension of complainants it would be better if the local supervisor did not do this. There is a power imbalance that exists between the police and complainants. He recommends using outside agencies in the mediation process to equalize the roles.
- 4) The public will see the system as fairer, if a separate body looks at all complaints.
- 5) He suggests that the police should act as referral agents to social and community agencies. This would assist complainants who need advocates to properly express and present their complaint.

B. Behaviour

To instill public confidence the police should have a more forthright response on its own for revelations of misdoings by members of the police service. When issues come forward that shakes public confidence, the police leadership must step forward and immediately acknowledge where the police were wrong, and explain. There is suspicion by a wide sector of the public that, when things happen, the police protect their own and this undermines the complaint process. Part of leadership is saying, we are wrong. You have to stand up to your own constituency. It is not inappropriate to curry favour with your own people, but you must also show that you are ready to hold your people accountable.

The police should also take the leadership role to ask the government for an ongoing and independent audit body. The police, if they truly want to be open, should take the lead in asking for legislative change and to ask for the appropriate oversight. He suggests that the Ontario Civilian Commission on Police Services is limited as to the part that they play in the complaint process. *"I would like to see a chief of police say that the complaint system is not fair to the people and it should be changed."*

C. Avvy Go of the Metro Toronto Chinese and Southeast Asian Legal Clinic

I telephoned Ms. Go on the advice of Michelle Williams and introduced the purpose of this study to her. She confirmed that she had experience with police complaint system on behalf of people in the Asian community. She is a lawyer and the director of this legal clinic that deals with predominantly Chinese and other Asian people who need legal assistance. She agreed to be interviewed by me in person. I attended her office and interviewed her and noted the findings in writing. She had no reservations with being quoted or mentioned in this report.

Findings

Avvy Go believes strongly that a complaint system where the police do the investigation is wrong. She speaks of a fraternity where loyalty and solidarity exists. She recognizes that these are good traits for teamwork in an organization, however, this requires greater accountability. She tells of her experience with the Asian community where she hears many complaints from people about their dealings with police but, because of their cultural experience, they do not, or will not, formally complain.

Many of the complaints that she is made aware of involve police officers not considering the perspective of the person, who may have poor language skills, and a lack of understanding regarding the legal system. Police officers make decisions based on only partial information by listening to only one side of the dispute, primarily the one who has better language skills and understanding of the system. The person does often not understand the decisions and this leads to misunderstanding, a sense of powerlessness, and poor police relations.

She gives an example of a situation where a Chinese man was acting as an interpreter in a store for another Chinese man who was being investigated for theft. At the conclusion of the investigation the store security advised the police officer that they wanted both the suspect and the interpreters information so that they both could be banned from the store. The interpreter felt this was unjust and gave his information to the police officer with expressed instructions that he did not want the information shared with store security. The officer did share the information, causing the interpreter to be upset. He eventually enlisted Ms. Go as an advocate and filed a complaint. Many months later the interpreter received a letter from the police telling him that the complaint was unfounded and that the police officer had acted properly. An investigator had never spoke to the interpreter, and he was left more upset than before.

Ms. Go says that this matter would have been easily resolved if someone had spoken to the interpreter and listened to his side of the story. He was only seeking an explanation, and perhaps an apology. This did not happen and was resolved on legal grounds, leaving the complainant without an answer. She says that as an advocate for this person she would have been happy to assist in the resolution, if allowed to do so.

She says that improvement in the system might come from the perspective of the police acting as a resource to direct racially disadvantaged people to advocates such as her. The power balance must be leveled to effect proper mediation between complainants and police, and this is where advocates can be helpful.

D. STUDY CONCLUSIONS

1. Summary Observations

The Toronto Police Service is currently in a transition phase in the investigation of complaints from the public regarding police officers. This transition goes beyond policy and procedures to the very philosophy surrounding police accountability in the era of community policing. This change in philosophy is not as simple as choosing one and disregarding the other. It is one where the concept of police accountability, by way of a legalistic process geared towards the finding of fault and then punishment, is somewhat maintained within the community based policing concept of problem solving driven by openness, communication, negotiation, mediation, and relationship building. These paradoxical ideals must be brought together in such a way that the public has confidence that the police are accountable, while at the same time, allowing the public and the police, the opportunity to meaningfully work together to solve and repair individual and systemic problems that lead to bad feelings and alienation.

A. Implications of Police Doing the Investigation

The Toronto Police Service must acknowledge that by them doing the initial investigation and adjudication of complaints, though it may be legally required and practical, a barrier

is created with many complainants and members of the public that must be overcome to give the process the credibility that is required for it to be effective.

B. Reduction in Number of Complaints Since Bill c-105 Amendments

One of the most significant findings is the reduction of complaints recorded since the inception of Bill c-105. The Toronto Police Service Professional Standards Interim Report (1998) suggests that the reasons for the decline include a decrease in the number of police officers, imposition of increased levels of accountability at all levels of the organization, heightened awareness of misconduct and its consequences, emphasis on community-oriented policing, and decreased public contact as a result of additional and expanded alternate response mechanisms. While all of these may be factors it is also fair to conclude that there are many issues that would have been complaints previously that are now resolved by the supervisors in the first instance, prior to a formal complaint being registered. It should also be taken into consideration that there has been a change in the complaint process, with little publicity, and the public is not fully aware of the various complaint options available. There is also now a greater onus being placed on a complainant to put their complaint in writing.

C. Communicating with Complainants Regarding the Disposition of the Complaint

This report can be interpreted many different ways because it represents the synthesis of ideas from what, I hope, is a representation of the many different perspectives involved in the complaint process. The literature review and data can, and will support, arguments that will endorse, with minor modifications, the way the Toronto Police Service is now dealing with less serious public complaints. This study can also support arguments that the system is not working well by focusing on the apparent dissatisfaction of the complainants. When the individual surveys are looked at it becomes clearer that those most dissatisfied have had their complaints resolved by one of the methods that leaves them without any real closure. There are many complaint resolutions available to conclude a complaint and each seems to have its place, however, some create a real feeling of dissatisfaction with complainants. The complainant surveys show that they are not looking for the officers to be punished, they are looking for answers and prevention. Those who get a letter saying that the officer acted properly, or there is not sufficient evidence to support the complaint, and those closed by other classifications such as past six months, or frivolous, vexatious, or made in bad faith do not give complainants the dispositions they were looking for. A greater emphasis must be made to take the extra step to deal with the individual complainants to allow them to come to an informed acceptance of how the complaint is being dealt with.

D. Civilian Oversight by the Ontario Civilian Commission on Police Services

There is concern from many of the stakeholders as to the lack of what seems to be sufficient civilian oversight of the police. The Ontario Civilian Commission on Police

Services has taken on this oversight role, however the existence of OCCOPS has not yet instilled the confidence, in some, that there is sufficient independent supervision of the handling of police complaints. The fundamental question of a 'watchdog' for the police is one that if handled properly, with fairness and justice, would be supported by both the police and the public. If OCCOPS is able to fulfill this role to the satisfaction of all parties remains to be seen. It is in the interest of both the police and the public to cooperate and encourage OCCOPS to take the leadership role in ensuring that police services are held accountable, in a fair manner, for their handling of police complaints, and to let the public know it.

E. Internal Review Mechanisms

This new system of investigating complaints has potentially six internal levels of review:

- 1) The police supervisor at complaint intake;
- 2) The unit commander at every stage of the process;
- 3) The Professional Standards Unit for developing policy, classification, monitoring, records keeping, training, and advice.
- 4) The local divisional unit complaint coordinator for investigating and resolving less serious complaints;
- 5) The respective Deputy Chief for review, monitoring and accountability;
- 6) The centralized complaints investigation bureau for investigating and resolving more serious complaints.

The success of the process relies to a great extent on all of the internal review individuals and units understanding the philosophy behind the complaint process within their own mandate, and then working cooperatively with the other sectors to continually resolve complaints and improve the process. It is also important that the various sectors hold each other accountable for improper or inconsistent practices in dealing with complaints. Divisions with a poor record of complaint resolutions can have a negative impact on the whole police service. Key officers in this process must be selected according to a rigorous selection criterion and be constantly encouraged and recognized for the importance of the work they do. This great responsibility also holds a degree of accountability and scrutiny.

F. Informal resolutions

It is clear that the new philosophy in the investigation of public complaints provides an opportunity for the police and the public to truly strengthen and build a better relationship by openly working through conflict to solve problems. The previous way of handling complaints was an adversarial process where there was usually a loser. The ideal process for all would be to create a win-win process where the police are held accountable while being able to continue to establish better relationships with the constituency of the people of Toronto.

This study addresses the category of complaints from the public about the police that, though important, are legally classified as less serious. These complaints make up almost two thirds of all complaints and this study shows that all of the various stakeholders in this process believe, to different degrees, that there is a place for the informal resolution of public complaints as long as there are safeguards and transparency in the process. Informal resolutions, to date, have taken on several different forms in the Toronto experience. Many complaints are negotiated and resolved without ever going on paper, as seen in the supervisor interviews. The unit complaint coordinators informally resolve some by acting as a go between, between the officer and the complainant. Some are informally resolved by a face to face meeting with the complainant, officer, and the unit complaint coordinator. Some officers have informally resolved the complaint by visiting the complainant after a meeting was arranged by the unit complaint coordinator. We have also seen the unit commander get involved by visiting the complainant and giving an explanation.

The data from complainants, unit complaint coordinators, police officers, and supervisors shows that those who had entered into the process of informal resolutions were more satisfied with the process. Those who received a letter telling them that the officer was justified, or the complaint could not be substantiated, were the least satisfied. The data also shows that complainants, unit complaint coordinators, and advocates from public institutions are concerned about a power imbalance when a police officer mediates between another police officer and a member of the public. There is also concern that both the complainant and police officer must have informed consent before entering into an informal resolution. Advocates and the use of non-police mediators, as well as a communications strategy, both internal and external, are some suggested ways of dealing with the concerns.

G. Complaint Withdrawals

There is still a large number of complaints being withdrawn. It is very apparent that a complaint withdrawal is another form of informal resolution, though it is designated separately under the Act. It would seem to be preferable to have these complaints resolved by way of informal resolution, rather than being withdrawn. There must be a reason for a withdrawal and I would suggest that very often it is because the complainant has been satisfied with the informal resolution steps that the investigator has taken.

H. Record keeping

A major concern regarding the handling of less serious complaints is the taking and keeping of records. Currently no records are kept of complaints successfully negotiated prior to a formal written complaint being taken and if, after a written complaint is taken, it is informally resolved, statistical data is recorded and then the records are destroyed. Without the recording of verifiable information of successfully resolved complaints the Toronto Police Service is put in the position of having only records of the complaints that are resolved by dispositions where the citizen complaining or the police officer will feel that their needs in the process were not satisfied. The positive aspects of this process will

not be able to be proven. There are statutory protections for officers who enter into an informal resolution process and the destruction of records can only hurt the transparency, credibility, and reputation of the police service.

I. Words Are Important

Words are important. This theme came up repeatedly in the research. Legal terms such as frivolous, vexatious, made in bad faith, unsubstantiated, less serious, and more serious are inconsistent with the alternate dispute resolution methods used in informal resolutions. The diverse community in Toronto also has concerns over 'labels' and terminology that may be descriptive by the majority. An example of this was found in the interview with Michelle Williams who introduced the term 'racialized person.'

J. Ongoing Evaluation

To close the feedback loop, there must be a constant evaluation on how the system is working from the perspective of all the people involved in the system. It is not good enough to look at statistics of the increase or decrease of complaints to show the success of the system. Ongoing interviews, public meetings, surveys, and audits are necessary to ensure that the structure, process, training, and personnel involved in the handling of less serious complaints are all functioning in such a way to ensure that the complaint system is working towards building better relationships between the police and the community. Everyone spoken to in this study expressed that it was good that they were being asked to contribute their ideas and opinions to improve the system.

This ongoing evaluation of the system must take into account community perspectives and recognize that conflict between the police and the community is an opportunity to adapt and evolve the way complaints are handled effectively. Community participation is the cornerstone of community policing and this in turn is the cornerstone of the Mission and Vision of the Toronto Police Service. The large and diverse community of Toronto includes within it extremes of opinion, anger and hurt, suspicion, historical cultural perspectives and differing experiences that make reaching a consensus on anything very difficult. Samuel Johnson (Sweeting 1995:159) once said, "*Nothing ever will be attempted if first all objections must be removed.*" The quickly growing Toronto population is also getting more diverse. This is perhaps the greatest challenge for police leaders in developing the complaint process. The police cannot treat all the community as one client, because the community is not homogenous. Proactively and continually reaching out to, and hearing, the various communities within the large Toronto community is essential for the success of the conflict resolution manner of dealing with complaints.

K. Equity Considerations

Recognizing that developing policies for dealing with complaints that ensure everyone's rights are respected and treated equally is a good first step. The policy must go further by allowing for consideration of the complainant's perspective, and this goes to the question

of equity. The complaint system must ensure that there is the clear ability to engage in the complaint process from start to finish and not be hindered by culture, language, fear, education, ability, or circumstance. It is the police that should again show leadership by ensuring the complainant's perspective is carefully and respectfully considered at all times. Participants in this study have suggested advocates, special phone numbers to call, and the use of specially trained race-relations officers. The police are taking great strides to involve, recruit, and have better relations with the many identifiable communities in the city. This must extend to the area of complaint resolution. A Japanese Proverb says, *The reputation of a thousand years can be destroyed in one hour.* Good public relations with a community can be destroyed by a complaint poorly handled involving a member of that community. Ideally, very few complaints should be closed by legal means. Those where the officer has committed misconduct, and those where either the officer or the complainant is unwilling to work together to resolve the problem are the clear exceptions to this. The many successful community based policing initiatives into the various communities are continually at risk unless complaint reduction and resolution strategies are part of the endeavour.

L. Complaints by Emotionally Disturbed People

My experience in this study has also shown that there are those who are emotionally disturbed and thus, very difficult to deal with. This type of complaint may be easy to conclude without much investigation; however, some individuals may get more agitated, resulting in further complaints. A great deal of effort, experience, and training is needed to properly deal with the complaints to determine if they are legitimate and, if not, how to prevent future complaints from the individual. Community based health practitioners may be a resource to draw on to assist with resolving these types of complaints.

M. Unit Complaint Coordinators

The designated experts for dealing with all of these issues are the unit complaint coordinators. This group of officers is pioneering a new, different, and sometimes frustrating process in dealing with complainants and officers within their stations. Each is a police officer that has been trained in an adversarial system of justice where proof and guilt or innocence is the objective. They are now faced with having to deal with situations where proof and guilt will often take a second place to a resolution between parties where there is agreement and closure. This difficult position is compounded by a legal system that also makes them responsible for ensuring that, where there is evidence of misconduct, they are responsible for instituting discipline. To leave this burden on an individual supervisor may not necessarily be the best thing to do. During transitional periods experts are needed to show others the way it is supposed to be done, but beyond this it should be recognized that the duties and responsibilities that they perform should be that of every supervisor.

N. Training and Education (Internal and External)

Education and training for members of the public, advocates, Police Service Board members, Senior Officers, Police Association representatives, frontline police officers, supervisors, and unit complaint coordinators is essential. The training done, to date, is enough to allow the current process to work. Training and awareness must be ongoing so that complaints will be prevented and, when made, will be handled in a manner that everyone understands and accepts. This will lead to a continuous improvement cycle in the evolution of the complaint system.

O. Stakeholder Consultation

I believe the policies that the Toronto Police Service have developed, in response to the Amendments to the Police Services Act, have been courageous and innovative in the methodology, training, and public consultation to date. The openness and willingness to sponsor and cooperate with this study is indicative of the desire to find a complaint system that works for all involved. The leadership of the Toronto Police Service must continue to work together with the public, special interest representatives, police officers, internal review units, the Police Association, OCCOPS, and government. Problems that negatively effect police-public relations must be considered within a global perspective of the total community, so that the public can have confidence in the police, and so that the police can do their jobs, knowing that they have the support of the public.

2. STUDY RECOMMENDATIONS

The various subjects interviewed and surveyed in this study have each made recommendations to improve the complaint process. Each of these recommendations is a sincere attempt by the participants to assist and, as such, must be taken seriously and considered carefully. I will not repeat each, but I do recommend that before any changes are made to the complaint process the various viewpoints in this report should be reviewed to gain a better understanding of the concerns and sensitivities of the participants. In addition, the following is recommended:

A. Community Involvement

1) Formation of a Professional Standards Consultative Committee

The manner of handling all complaints is an evolutionary process responding continually to societal changes and shifting dynamics of police-community relations within a diverse community. The town hall meeting demonstrated that there are people with the desire and knowledge to assist in this development. What is needed is a forum for these perspectives to be heard and considered. Care will have to be taken that such a committee has representation of a broad constituency. This committee should deal with policy issues only and should not adjudicate or comment on specific complaints. I recommend that this committee be co-chaired by the Unit Commander of Professional Standards and a community member.

2) Establish a resource list of advocates and advocacy agencies that have indicated a willingness to help complainants.

Concern has been expressed that there exists a power imbalance between the police and the average citizen. This power imbalance is compounded by the increasing diversity in the community. Police should take the leadership role in connecting complainants to advocates who can somewhat alleviate the power imbalance and overcome the language and cultural issues. This in itself is an accountability mechanism where the involvement of advocates will ensure greater quality control and improvement in the police handling of complaints. Informed advocates working with complainants would remove any mistrust the complainant might have, this would assist in the informal resolution process. It was also suggested that respected agencies could bid for a contract financed by the Toronto Police Services Board, since many of the advocacy agencies do not have the funding to take on this work.

3) Professional Standards develop an ongoing audit process that involves complainants, investigators, officers subject of complaints, and Unit Commanders.

There must be an ongoing assessment of the complaint process from the macro level of policy to the micro level of quality control. There are currently various audit tools in use by the Professional Standards Unit that are quantitative in nature, measuring statistics and data. This study, in a broad way, used some audit tools by way of surveys to complainants and interviews of people involved in the process. This must be ongoing to allow the process to evolve. Results of an audit must also be regularly reported publicly to ensure transparency of the process and to act as the impetus for informed change. A standardized survey to all complainants and subject officers involved in a complaint is suggested. An innovative step would be to enter into an agreement with a University to allow the audit of the system to be done by graduate students on a regular basis. This would give independence to the study as well as providing a documented evolution of the complaint system.

4) Initiate an external awareness campaign focusing on customer service, police-community awareness, and relationships, and complaint resolution.

There is not much awareness of the process to be followed in complaining about the police. Information should be readily available to the public about their options if they are not pleased with the conduct of an officer or the service they receive. This information campaign, led by the police, should take the view that the police do care about what the public thinks, and that they value positive relations with the community. The Toronto Police motto, "To Serve and Protect, Working with the Community," should

be the focus of a customer service campaign and should be recognized and known by the community at large, as well as in every cultural and language group.

- 5) Enter into discussions with the Warden Woods Community Centre Conflict Mediation Service to enter into a pilot project with 41, 42 and 54 Divisions to provide a joint community-police mediation option to the complainant and officer.**

It has been pointed out that true mediation cannot happen if there is concern that the mediator might be biased. The unit complaint coordinators are currently facilitating such resolutions by themselves. There are several community based mediation services in the Toronto area. These agencies generally use trained volunteers from the community, representing a wide range of cultural groups, to mediate between individuals. Unit complaint coordinators should have community-based mediators as a resource to assist them in doing co-mediations. This should be made available to complainants as an option in the initial discussion with the investigator. Suzette Clunis is the Director of Community Services at Warden Woods Community Centre. I spoke to her in the course of this study and she advises that she would be very interested in entering into discussions to begin a pilot project such as this. I recommend that this be tried as a pilot project involving 41, 42 and 54 Divisions due to the close proximity to these divisions to Warden Woods Community Centre.

- 6) Officers from the Community Policing Support Unit become active participants in the complaint resolution and training process.**

The Toronto Police Service Community Policing Support Unit has within its mandate race relations initiatives. There are experts in this unit who have a keen understanding of, and credibility with, many of the various cultural groups within the city. The members of this unit also have a vast network of contacts and resources that can be drawn on to assist in situations where there may be problems between the police and the community. The origin of the race relations component of this unit was created in the early 1980's to assist in complaint resolution. With the changes in policy, and the advent of the Professional Standards Unit, the race relations officers are not now integrated into the complaint resolution process. Complaint investigators need to understand what resources are available to them through the Community Policing Support Unit and the role of this unit should reflect an involvement in the complaint resolution process.

B. Internal Adjustments

I believe that the Toronto Police Service is essentially moving in the right direction in the handling of less serious complaints within the Bill c-105 Amendments. The following recommendations should be implemented to improve the current system based on areas of concern identified in this study

- 7) **The unit complaint coordinators should meet with all complainants, soon after the complaint is made, and again when the investigations is concluded.**

It was important to complainants that their complaints are taken seriously. Making the effort to have a face to face meeting between a complainant and the investigator will show the importance of the complaint. To finish a complaint investigation off with a letter of disposition that is not favourable to the complainant created the greatest dissatisfaction amongst complainants. Where possible, investigators should meet with complainants at the completion of the investigation to explain their findings and offer an opportunity to working towards an informal resolution.

- 8) **A resolution meeting between the investigator, officer and complainant should be arranged as soon as possible, subject to the willingness of the parties.**

This message was consistent throughout the research. The importance of meeting face to face with the person complained about to discuss the issue was very important to the complainants that responded to the survey. Police officers felt that it was important to explain their perspectives to complainants. The issues of an outside mediator, advocates, and the cooperation of all parties must be considered before entering into this process.

- 9) **If an informal resolution was not attempted there should be an explanation in the file as to why not.**

If informal resolutions '*appease everyone*', as one unit complaint coordinator said, then this should be the one of the primary methods attempted for resolving complaints. The file should indicate if an informal resolution was attempted, and an explanation given for why not.

- 10) **Initiate an internal campaign focusing on complaint awareness, avoidance, and customer service.**

This is one of the recommendations made by the Professional Standards Unit. Research in this study has shown that the unit complaint coordinator at No. 41 Division has already taken on this initiative for internal training sessions in that unit. This has been done by way of short videos and has been well received by the officers. The Toronto Police Service has recently embarked on training for all field officers in 'high risk - low frequency incidents.' Public complaints, though they appear to be of low frequency, are a high risk to the police service, officer, and the public. Public complaints should be considered as one of the training packages for this training endeavour.

- 11) **Identify high-risk duties for complaints against the police and develop proactive strategies for complaint reduction in these areas.**

The survey results show that a high number of the complainants had been charged in, or involved in, a traffic incident. It was obvious in this research that these officers are at

higher risk for complaint. Police officers interviewed also mentioned the risk of complaint during traffic incidents. Complaints should be analyzed to determine the incidents where there is a higher risk for complaints, and then a problem solving process should be used to determine ways complaints could be reduced in these areas.

12) Keep all records of informal resolutions as per the complaint file retention policy.

Whenever official files are destroyed suspicion sets in. A process that is transparent also has evidence of what has been done. Files that have been informally resolved show the successful conclusion of a complaint that everyone involved has agreed to. If records are not kept then successes cannot be proven. Mr. Lawrence, in his interview, makes the strongest case for why and how such files should be kept.

13) Record basic information of persons who express concern over the conduct of a police officer(s) but are satisfied prior to a formal complaint being made.

There has been a large drop in the number of recorded complaints and I concluded that one of the reasons is that many of them are being pre-negotiated. Records of such contacts should be kept and a complaint resolution form should be filled out in every case. I recommend that the paper flow be simplified to allow a simple one-page resolution form for such complaints. The reasons stated in recommendation No. 12 apply to this recommendation as well.

14) Professional Standards develop a dictionary of terms to be substituted for the legalistic terms that are considered offensive and contrary to effective dispute resolution.

There are terms presently found in the Police Services Act that are offensive and insulting to some complainants. A standard glossary of substitute terms should be developed with the cooperation of OCCOPS. There is a great deal of concern over the terms frivolous, vexatious, and made in bad faith and other such terms. Substitutes for these must be found.

15) Allow for supervisors to follow through on resolving complaints that they take regarding members in their unit under the direction of the unit commander and unit complaint coordinator.

Complaint resolution should be the responsibility of all supervisors in the Toronto Police Service. This as a value and skill must be developed. The initial supervisor taking a complaint will be familiar with the issue, the complainant, and perhaps the officers. It may be appropriate, under some circumstances, to allow the supervisor to see the complaint through to the end. The complainant need not be bounced around to different police supervisors and the supervisor can ensure and develop proper performance standards for their officers, initiate discipline, identify training needs, identify officer disability, and help resolve problems. This recommendation will cause concern because

of what is, or might be perceived to be, to close a relationship between the supervisor investigating and the officer. Such handling of complaints should be closely monitored and reviewed by internal oversight.

- 16) Complaints resolved by the local division that are reviewed by OCCOPS and sent back to be reinvestigated become the responsibility of the central public complaint investigation bureau.**

This issue was raised in the interview with Michelle Williams. If a division has investigated, made a determination, and was then overruled by OCCOPS; it should not be reassigned to the unit that the complainant has already appealed the decision from. Such complaints should become the responsibility of the centralized public complaint bureau.

- 17) Establish a competency based selection criterion for officers responsible for investigating and resolving complaints.**

The responsibility to effectively deal with public complaints is very great. Currently a group of officers has pioneered this position within divisions, and a core of professional complaint investigators remains in a centralized unit. It takes a special officer to perform such a duty and a criterion should be established to determine what competencies a complaint investigator requires. Consideration will also have to be given to establish working conditions such that this position will attract a suitable pool of officers willing to take such a position.

E. RESEARCH IMPLICATIONS

1. Organizational Implementation

The above recommendations fall within the Mandate of the Professional Standards Unit to take the leadership role for implementation. Many of these changes will not be possible without the approval of the Chief and Command Officers, and the cooperation and support of the Police Services Board. I believe the best first step would be to form a Professional Standards Consultative Committee as soon as possible and have this committee review the other recommendations in this report. These recommendations summarized include:

- Changes to organizational structure by the way of the Professional Standards Consultative Committee to ensure the development of the complaint system is an evolving process.
- Changes to policy in record keeping and audit practices.
- Changes to the culture of the organization by working cooperatively with, and encouraging, community mediators and advocates as well as internal race-relations experts to resolve complaints.
- Changes to organizational learning by taking a customer focus in complaint reduction and resolution. It would include identifying situations of high risk for complaints and developing strategies to reduce complaints. It would also include identifying

competencies for officers involved full time in complaint resolution and developing training to enhance their abilities.

- Changes to the system of handling complaints by allowing local supervisors to follow through on resolving complaints throughout the whole process and allowing successfully appealed complaints to be reinvestigated by the centralized complaints investigation bureau.
- Changes to communications, both internal and external, to create awareness of the complaint process, resolution process, and how seriously the police service values community relations and customer service.

Each of these changes involves leadership to verify if they are truly needed and, if so, to make them happen. I have recommended that the Unit Commander of Professional Standards be tasked with taking this leadership role. To carry these changes through will require involvement of many internal sections of the police service, the Police Association, as well as some outside agencies. The leadership challenge will be to enlist the various agencies and people needed to cooperate to make these changes work, and to identify other changes that are required.

2. Future Research

The implementation of recommendation No.1 will be the first step in creating an ongoing research loop with the various stakeholders communicating and working through issues that effect the complaint process. Future research, within the Toronto experience, will also involve laying the foundation for proper data collection and recording as found in recommendations No. 3, 12, and 13. It is through proper communication, record keeping, and examining historical changes in the complaint process that it will be improved and developed to meet the needs of the public. Future research will also include evaluating the complaint process on a regular basis.

The issues that impact on the relationship between police and the community are vast and impact on every social science. The specific areas that I have identified for future research include:

1) How complaints against the police are handled in other jurisdictions.

As part of the research for this project I glossed over data from many police agencies and how they are dealing with the complaint process. The City of Rochester, in New York State U.S.A., is using community-based mediators to assist in the complaint resolution process, while the Province of British Columbia has just instituted a centralized civilian complaint commissioner. The APEC Inquiry involving the RCMP is currently holding hearings into complaints against RCMP officers presided over by civilians. The issue of dealing with complaints against the police is a global issue with a variety of differing responses. To summarize and report on the various approaches will reveal helpful data for the development of the Toronto process, as well as highlight some of the pitfalls.

2) A comparison on how complaints are handled in large and diverse urban communities versus smaller homogenous communities.

Richard Kibbel from OCCOPs raised this issue at the town hall meeting. He pointed out that policing is different throughout the province and that local issues should be dealt with locally. This raises several questions:

- a) Is policing different throughout the Province?
- b) If so, how do we know?
- c) If so, how is it different?
- d) If so, why is it different?

The answers to these questions can have deep and significant implications to police training, especially in the area of community and race relations. Currently all new police officers are trained at the Ontario Police College based on provincial standards. If there are differences, then perhaps police officers from different parts of the province will require different or enhanced training in certain areas.

3) How complaints are handled by other self regulating bodies compared to how police handle complaints.

Doctors, nurses, lawyers, accountants, and many other public and essential occupations deal with complaints against its own members. Why is there such concern over police investigating and deciding the disposition of complaints against its members? Some would say it is the enormous power the police have, is this true? The experience of other agencies that are essentially self-regulating may give insight into processes that the police might find helpful in resolving complaints.

4) How are complaints from emotionally disturbed people handled.

In this study I had discussions with, and writings from several people who complained about the police who appeared to be emotionally disturbed. It was significant that these complainants had apparently complained several times about police officers. It was difficult, if not impossible, for me to properly assess or use data from these individuals. This area of study requires more research.

5) The issue of police and race relations in regards to complaint resolution.

This study just touched on the area of police-race relations regarding public complaints. This area of research is important, large in scope, and continually evolving. Research is required on an ongoing basis to anticipate and correct problems.

6) The handling of more serious complaints by police.

This study examined how the Toronto Police are handling less serious complaints. The issues identified in this study in many ways are applicable to how more serious

complaints are handled. A more thorough examination should be done to examine how police handle more serious complaints.

7) The handling of internal complaints by the police.

The Bill c-105 Amendments created new procedures on how the police deal with internal discipline. These changes involve police discipline within a system that allows for alternate dispute resolution. Many internal discipline situations call for a range of remedies to correct internal problems. The RCMP has instituted an alternate dispute resolution system for dealing with internal labour relations/discipline issues. This area of dealing with police employee discipline/performance issues will have a profound effect on the morale of the police and the public feeling that the police are under control.

F. LESSONS LEARNED

1. Research Project Lessons Learned

- a) One of the most profound lessons I have learned was the distinction between equality and equity. My initial, and wrong, belief was that as long as everyone was treated equally, then they were also being treated equitably. The literature review, interviews, and my observations gave me a new understanding of what equity means. Equity includes equality, however goes further by looking at the unique perspectives and needs of individuals and groups according to their cultural understanding and then acting to meet their unique requirements.
- b) There is not a great deal of awareness or urgency surrounding the complaint process by other than Command officers and those directly involved in the process. In many respects issues dealing with the handling of complaints are crises driven, with changes coming after only a highly publicized incident. It is hard to keep the momentum for change going without the crisis. I believe that there has been a good beginning to developing the new complaint process and I also believe that there will need to be a strong effort by the police leadership to continue to anticipate problems and take steps to continually improve the process.
- c) Care should be taken when researching a subject that falls outside of the area or department in which the researcher works. When I originally began this project I was responsible for delivering training under the new complaint system. I was transferred during the process to a job function that has little to do with the complaint process. I was then put in the position where I needed permissions and support for different levels and departments affected by this study. As an 'outsider' I had to overcome suspicion and gain cooperation from the various units and people I was dealing with. There is also the issue in the change of personnel in a learning organization such as the Toronto Police Service. The project sponsor was transferred from his position just as the draft of the project report was being written. This project would have been easier to do if it involved subject matter from an area where I directly worked.

- d) Taking on a project where others are currently evaluating, forming, and developing the system concurrently makes it difficult to remain current on the status of the process. While doing this study there is an independent audit of the complaint system taking place and the final directives are being developed. The findings from this study should reinforce the independent audit.
- e) Race/minority relations have to be a factor in a customer service focus in dealing with the public. In my original proposal I avoided addressing the race-relations issue in the literature. While doing the action research I realized that the race/minority issue could not be avoided. I use the terms race and minority because it was apparent to me that some in the research saw the issues according to race, while others saw their circumstances related to being a minority because of financial circumstance, mental health, and sexual orientation. Race is an important consideration in police community relations, however there are other parts of the diverse community that must also be considered because of their unique position.
- f) Dealing with my own bias in this study provided interesting learning for me. Throughout the research I found myself being torn between overcompensating for my bias by taking a critical view of the police in some circumstances, and in other circumstances in this study I found myself defending the Toronto Police Service because of my intense pride in belonging to this organization. I had to several times rewrite portions of this report where my wording was too negative and critical, or too positive and full of praise. I found I had to go back to each piece of research and go over the intent of the participant to refocus myself. In some circumstances I went back to the participant to review the material I wrote about them and invited them to criticize and hold me accountable. I also recognize that there is a limitation to this study by me interviewing supervisors and constables who are subordinate in rank to me. Ideally a person independent of the police should conduct such interviews. Overcoming researcher bias in a study such as this is very difficult to achieve, and the perception of researcher bias will always remain.

In summary, the Toronto Police Service is in the infancy of the evolution of a philosophical and strategic change in direction involving professionalism, public openness, public consultation, and accountability. This direction requires the courage to take risks to include in the decision making the diverse communities that make up the City of Toronto. This is the leadership challenge for now and into the future that will ensure that the Toronto Police Service lives up to its motto, “ *To Serve and Protect Working with the Community.* ”

2. Program Lessons Learned

The program competencies to be demonstrated in the Royal Roads University Master of Arts in Leadership and Training program are described in seven broad categories: leadership, systems, organizations, learning, research, technology, and communications. Specific competencies demonstrated during the course of my major project consist of the first five mandatory competencies and the last five are elective competencies. Under each heading I will briefly list where I believe I demonstrated the competency behaviour.

A. 1c. Provide leadership

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> • A high level of skill is employed in combining one's own leadership style with the leadership style of others. • Leadership is provided by example. • Others are encouraged to achieve excellence with success. 	<ul style="list-style-type: none"> • I gained the cooperation and support of leaders from several different areas of the police service as well as community leaders. • I sought out differing perspectives and took the initiative to identify the need for an evaluation of the process and engage the many stakeholders in the process. • The purpose of the project was to encourage excellence in the way the Toronto Police service handles public complaints.

B. 2a. Apply current systems theories to problem solving

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> • Identify and describe current systems theories relevant to leadership and learning. • Contribute to identifying the nature of problems and strategies for their solution. • Apply current system theories, when appropriate, to assist in solving problems. 	<ul style="list-style-type: none"> • Used system theories in the literature review to emphasize system problems. • Identified major problem as the lack of an effective feedback loop in system. • Identified the perspectives of the various people involved in the complaint system. • The report communicates to the differing parts of the complaint system the perspective of the others.

C. 5a. Identify, locate, and evaluate research findings.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> • Access research in the fields of leadership, systems, organizations, and learning. • Critically evaluate the credibility of that research for its applicability in the resolution of leadership problems using ethical standards. 	<ul style="list-style-type: none"> • A broad variety of research and conceptual approaches were used in the project: Leadership, paradox, systems, organizations and training issues. • Interviewed key people within the organization and recognized leaders from the community and synthesized the information to identify differences in viewpoint and congruencies.

D. 5b. Utilize Research Methods to Solve Problems.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> Plan research and evaluation activities. Undertake research and evaluation. Analyze and report research and evaluation findings. 	<ul style="list-style-type: none"> Action research techniques including a survey, interviews, questionnaires, a town hall meeting, nominal focus groups, and written submissions were planned for and utilized. Electronic technology (e-mail) was used, mailed surveys, face to face interviews, telephone interviews, small group session and a large group session. The large amount of material was evaluated and synthesized into the major project report.

E. 7b. Communicate with others through writing.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> No program sub-competencies identified. 	<ul style="list-style-type: none"> A major project proposal was provided to RRU in August of 1998. Questionnaires and surveys were prepared for participants explaining the purpose of the project and use of the instruments. Letter was prepared and sent to Michelle Williams enlisting her cooperation in project. Letters to project sponsor and Deputy Chief were done giving project updates. Completion of final project report.

F. 1b. Demonstrate leadership characteristics.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> Demonstrate the personal qualities of leadership. Lead or participate in the creation of a shared vision in a group setting. Communicate and adhere to that shared vision. Contribute to a positive group ethos. Value, promote and celebrate diversity. 	<ul style="list-style-type: none"> The vision statement of the Police Service was exemplified through this study. The purpose of this project was to ensure that this vision was translated into the complaint process. The report highlights equity issues and the value of recognizing and responding to diversity. Leadership was also shown by bringing to the forefront the complicated issues surrounding the complaint process and then gaining cooperation of the stakeholders to contribute to the study.

G. 3a. Manage people within organizations.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> Define and initiate structure and function. Delineate roles, responsibilities, and authority processes. 	<ul style="list-style-type: none"> Key people in the process were identified as to their roles and then information gathered from them. Developing the complainant survey required dealing with different functional areas of the police service from the Deputy Chief to the mailroom. The internal accountability levels were expressed in the conclusions area of the report.

H. 3b. Provide consulting services to help organizations succeed.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> • Set strategic direction and evaluate organizational success. • Create organizational mandate and work processes. • Implement continuous quality improvement. • Create a more inclusive workplace. • Choose appropriate flexible relationships between employer and employee. • Evaluate organizational performance. • Provide advice. 	<ul style="list-style-type: none"> • The project report has identified and made recommendations regarding the strategic direction and work processes. • Recommendations have been made regarding record keeping and ongoing audits. • Recommendations have been made to enhance the role of the police supervisor, working conditions of the unit complaint coordinators, and engage the Police Association in the process of complaint reduction and resolution.

I. 7a. Interpret oral communications

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> • No program sub-competencies identified. 	<ul style="list-style-type: none"> • The action research required interviewing police supervisors, police officers, complaint investigators, complainants, and community leaders. Interviews were done by naturalistic inquiry and was interpreted and synthesized for the project report. • Verification of material was done with some participants and found to be accurately portrayed.

J. 7e. Contribute to team success.

Competency Criteria	Demonstrated Behaviour
<ul style="list-style-type: none"> • Contribute to and help others to solve problems, take decisions and plan activities. • Resolve conflicts. 	<ul style="list-style-type: none"> • The recommendations and conclusions in this report deal with reducing and resolving conflict by working cooperatively on the macro level to prevent and reduce complaints. • Recommendations have also been made regarding drawing on internal and external resources to resolve complaints at the local level. • Recommendations for future research has also identified a basis for further study.

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POLICE COMPLAINTS PROCESS QUESTIONNAIRE

(October, 1998)

In November of 1997, the Government of Ontario amended the Police Services Act removing the office of the Public Complaints Commissioner. This caused all police services in Ontario to change their processes and systems for investigating public complaints. The Chief of Police is now responsible for the investigation and disposition of all public complaints. The Ontario Civilian Commission on Police Services is now tasked with reviewing any complaints where members of the public are not satisfied with the police investigation and/or disposition.

Police records show that, since November 1997, you have made a complaint about the conduct of a police officer. The purpose of this questionnaire is to gain your views and level of satisfaction regarding your experience with the Toronto Police Service complaint process and to ask you for recommendations that you may have. This study is being done by Police Inspector Gary Ellis as a university research project and a copy will be given to the Toronto Police Service. This survey is not designed to re-open your specific complaint as it has been adjudicated and dealt with under the provisions of the Police Services Act.

Completion of this survey is voluntary. You are not required to give your name or any other identifiers unless you wish to do so. If you wish to participate further in this study there is an optional area provided on the questionnaire to fill in your name, address, and telephone. All information in this questionnaire will be reported in a manner that does not identify any participants.

Your co-operation in filling out this form is appreciated and valued.

If you have any questions, or would rather be interviewed in person or over the telephone, please call Inspector Gary Ellis at 808-4213.

Please return this questionnaire in the stamped self-addressed envelope enclosed, or to:

The Toronto Police Service
C/O No. 42 Division
242 Milner Ave.
Toronto, Ontario
M1S 5C4
Attn: Inspector Gary Ellis

YOUR COMPLAINT

1) Please check the police division that handled your most recent complaint.

<input type="checkbox"/> 11 Division	<input type="checkbox"/> 23 Division	<input type="checkbox"/> 51 Division
<input type="checkbox"/> 12 Division	<input type="checkbox"/> 31 Division	<input type="checkbox"/> 52 Division
<input type="checkbox"/> 13 Division	<input type="checkbox"/> 32 Division	<input type="checkbox"/> 53 Division
<input type="checkbox"/> 14 Division	<input type="checkbox"/> 33 Division	<input type="checkbox"/> 54 Division
<input type="checkbox"/> 21 Division	<input type="checkbox"/> 41 Division	<input type="checkbox"/> 55 Division
<input type="checkbox"/> 22 Division	<input type="checkbox"/> 42 Division	<input type="checkbox"/> _____ Other (Specify)

2) How many times in the past have you made a formal complaint against the police?
(Check one)

1 2 3 or more

3) In general, how did you tend to feel about the conduct of Toronto police prior to the incident that caused you to complain? (Circle one)

1	2	3	4	5
poor	fair	neutral	good	excellent

4) In general, how did you tend to feel about the conduct of Toronto police after being involved in the complaint process? (Circle one)

1	2	3	4	5
poor	fair	neutral	good	excellent

5) Were you charged with an offence arising out of the incident for which you made your complaint?
(Circle One)

YES NO

If so, What was the offence (s)? _____

6) Did you make your complaint by (Circle the most appropriate answer(s)):

- a) Attending a police station. b) Sending a letter to the police.
- c) Sending a letter to the Ontario Civilian Commission on Police Services.
- d) Other (specify) _____

- 7) In your opinion, which of the following categories best fits the police conduct you complained about?
(Choose √ one)

Not knowing their job _____ Not doing their job _____
 Verbal abuse _____ Unprofessional behaviour _____
 Not treating you fairly _____ Criminal conduct by police _____
 Physical abuse _____ Officer (s) made a mistake _____
 Misuse of Police Authority _____ Other (explain) _____

MAKING YOUR COMPLAINT

Only answer question 8) if you attended a police station to make your complaint, otherwise go directly to question 9).

- 8) Below is a series of statements about how you were treated at the police station when you made your complaint. Indicate your agreement or disagreement with each statement, using the following scale:

Strongly Disagree	Disagree	Neutral: Neither Agree or Disagree	Agree	Strongly Agree
1	2	3	4	5

Circle the number below that best indicates your views on each statement.

- | | |
|--|-----------|
| a) I felt comfortable going to the police station to make my complaint. | 1 2 3 4 5 |
| b) I feel I was not given prompt attention at the police station when making my complaint. | 1 2 3 4 5 |
| c) I was treated with respect by the police supervisor when making the complaint. | 1 2 3 4 5 |
| d) The police supervisor explained my various options under the complaints process. | 1 2 3 4 5 |
| e) The police supervisor did not try to satisfy my concern before I made the formal complaint. | 1 2 3 4 5 |
| f) I was given privacy with the supervisor when making the complaint. | 1 2 3 4 5 |

	Strongly Disagree	Disagree	Neutral: Neither Agree or Disagree	Agree	Strongly Agree
	1	2	3	4	5
g)	I was allowed to have someone of my choice present with me when I made the complaint.				1 2 3 4 5
h)	I was offered the opportunity to informally resolve the issue, to my satisfaction, after making the formal complaint.				1 2 3 4 5
i)	I felt undue pressure to informally resolve my complaint				1 2 3 4 5
j)	I felt the police supervisor taking my complaint took it seriously.				1 2 3 4 5
k)	I did not have a good understanding of how to complain about the police before I made my complaint.				1 2 3 4 5
l)	I consulted with a professional before making my complaint. (Lawyer, social worker, doctor, etc.)				1 2 3 4 5
m)	I was provided with written information explaining my options and rights in the complaint process.				1 2 3 4 5
n)	I found the process of making the complaint easy to understand.				1 2 3 4 5
o)	I was advised that the police were going to investigate the complaint.				1 2 3 4 5
p)	I believed that someone other than the police would investigate my complaint.				1 2 3 4 5
q)	I feel that the police superior tried to dissuade me from making my complaint.				1 2 3 4 5
r)	I was not made aware that I could make my complaint at the Ontario Civilian Commission on Police Services.				1 2 3 4 5
s)	The police supervisor helped me fill out the complaint form.				1 2 3 4 5
t)	I would have preferred to have a person not connected to the police help me make the complaint.				1 2 3 4 5
u)	I do not feel that I have a better understanding on the police complaints process after making the complaint.				1 2 3 4 5
v)	I was satisfied with the process of making the complaint at the police station.				1 2 3 4 5

THE RESOLUTION OF YOUR COMPLAINT

- 9) After your complaint was made did a police complaint investigator contact you in relation to your complaint? (Circle one)

YES NO

- 10) Did you understand the role of the police complaint investigator?

YES NO NOT APPLICABLE

- 11) Did you meet with the police complaint investigator?

YES NO NOT APPLICABLE

- 12) Did you feel pressured by the police complaint investigator to withdraw the complaint? (Circle one)

YES NO NOT APPLICABLE

- 13) Do you feel the police complaint investigator took your complaint seriously? (Circle one)

YES NO NOT APPLICABLE

- 14) Did the police complaint investigator treat you in a courteous manner?

YES NO NOT APPLICABLE

- 15) Did the police complaint investigator inform you clearly on the status of your complaint?

YES NO NOT APPLICABLE

- 16) Do you feel the police complaint investigator conducted the investigation in an unbiased manner?

YES NO NOT APPLICABLE

- 17) Did the police complaint investigator attempt to try to mediate a resolution between you and the officer(s) complained about?

YES NO NOT APPLICABLE

- 18) Did you feel pressured into entering into a mediated resolution with the officer(s)?

YES NO NOT APPLICABLE

- 19) Did you feel your complaint was resolved within a satisfactory time period.

YES NO DON'T KNOW

20) Do you know how your complaint was resolved ? (Please circle one)

YES

NO

(If yes, please explain how the complaint was resolved in a few words. Attach a sheet of paper if you need more space.)

21) What did you hope the resolution of your complaint would be? (Please √ all that apply.)

_____ The officer would apologize.

_____ The officer(s) would be punished.

_____ My charges would be dropped

_____ I would get an explanation regarding the conduct of the officer.

_____ I would get financial compensation

_____ Prevent the officer from doing it again.

_____ To have the complaint recorded in the officer's file.

_____ Other (explain) _____

22) In general, how satisfied would you say you were with the resolution of your complaint? (Circle one)

Not at all satisfied

Somewhat satisfied

Neutral

Somewhat satisfied

Very Satisfied

1

2

3

4

5

23) Why did you feel the level of satisfaction that you indicated in the previous question? Please comment.

24) Do you feel a person not connected to the police should have investigated your complaint?

YES NO

25) Do you believe a person not connected to the police should have decided the disposition of your complaint?

YES NO

26) Did you receive a letter outlining the disposition of your complaint?

YES NO

27) Did you ask the Ontario Civilian Commission on Police Services for a review of the police decision?

YES NO

28) Were you satisfied with the finding of the Ontario Civilian Commission on Police Services?

YES NO NOT APPLICABLE

29) Do you think that the Ontario Civilian Commission on Police Services has sufficient authority and resources to review police complaints?

YES NO DONT KNOW

BACKGROUND INFORMATION

32) Please indicate your age group by checking \checkmark the number beside the correct answer.

1. Under 16 years old
 2. 16 to 20 years
 3. 21 to 30 years
 4. 31 to 40 years
 5. 41 to 50 years
 6. 51 years and older

33) Please check \checkmark your gender.

Male Female

34) Would you describe yourself as being part a visible minority group?

YES NO

If yes, please specify _____

PERSONAL INFORMATION (OPTIONAL)

Are you willing to be contacted for follow-up on your response to this questionnaire? (Please check \checkmark one.)

Yes No

If yes, please complete this section.

Name: _____ Telephone: Home _____ Other _____

Address _____ City _____ Postal Code _____

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS FORM. PLEASE MAIL IT IN THE STAMPED ENVELOPE AS SOON AS POSSIBLE.

QUESTIONNAIRE UNIT COMPLAINTS CO-ORDINATOR

I am currently evaluating the way the Toronto Police Service is handling less-serious public complaints with the view to make recommendations to improve our systems. Your honest and thoughtful response to this questionnaire would be greatly appreciated. If you wish to e-mail me (Gary Ellis) the response I will hold your identity in confidence unless I have expressed permission to use the information. This study is being done with the permission of Professional Standards. You may send me an anonymous hard copy via departmental mail to Insp. Ellis 42 Division if you wish.

Name and Rank: (Optional)

Division: (Optional)

- 1) How long have you been a police officer. _____
- 2) How long have you been doing the Unit Complaint Co-ordinator job?
- 3) Prior to working in the Unit Complaint Co-ordinator position did you ever work in Internal Affairs or the Public Complaints Investigation Bureau? If yes, how long?
- 4) How were you selected for the Unit Complaint Co-ordinator's position?
- 5) How did you feel about taking this position, and why did you feel this way?
- 6) How long have you worked in the station in which you are now the Unit Complaint Co-ordinator?
- 7) Do you perform any other duties other than Unit Complaints Co-ordinator?
- 8) How do you view your role as a Unit Complaint Co-ordinator?
- 9) How do you feel about investigating complaints about officers who work in the same station?
- 10) Have you had any difficulty investigating complaints in the same station you work? Explain.
- 11) What training have you received to investigate public complaints?
- 12) Do you feel that your training is sufficient for your duties? Explain.
- 13) Have you informally resolved any complaints? How many? What is your experience with informal resolutions.
- 14) Have you had complainants withdraw their complaints after dealing with you?
- 15) Do you encourage complainants to withdraw their complaints? Explain.
- 16) How well do you think the present interim complaint system is working?
- 17) How well do you think the police officers you have dealt with believe the system is working?
- 18) How well do you believe the complainants who you have dealt with believe the system is working?
- 19) What problems have you had as a Unit Complaint Co-ordinator?
- 20) Do you believe the present system is better or worse than the one under the Public Complaints Commission? Explain.
- 21) What recommendations can you make to improve the way we handle the less serious public complaints.

FRONT LINE SUPERVISOR INTERVIEW

The purpose of this questionnaire is to determine your experience, if any, with the public complaints process. This study is to make recommendations to improve our process. You will not be identified in this study unless you give expressed consent.

- 1) How long have you been a police officer?
- 2) How long have you been a police supervisor?
- 3) Did you take a complaint from a citizen under the old complaint system? (Pre-Bill c-105)
 - a) If yes, approximately how many?
 - b) Describe your experience with the previous system in terms of what you liked about it.
 - c) What, if anything, did you not like about the previous complaint system?
- 4) Have you ever taken a complaint from a citizen under the new complaint system? (Bill c-105)
 - a) If yes, approximately how many?
 - b) Describe your experience with the new system in terms of what you like about it.
 - c) Describe your experience with the new system in terms of what you do not like about it.
- 5) What training, if any, have you had regarding the new public complaint system?
- 6) In regards to “less serious” complaints by citizens, do you feel that you have the authority to resolve the concern of the citizen, other than officer misconduct, prior to a written formal complaint being made?
- 7) Can you suggest anything that would improve how the Toronto Police handles less-serious public complaints?

POLICE OFFICER INTERVIEW

The purpose of this questionnaire is to determine your experience, if any, with the public complaints process. This study is to make recommendations to improve our process. You will not be identified in this study unless you give expressed consent.

- 1) How long have you been a police officer?
- 2) Can you describe your experience with the public complaint system prior to the new Police Act amendments.
- 3) a) What was good about the previous complaint system?
b) What, if anything was wrong with the previous complaint system?
- 4) Can you describe your experience, if any, with the public complaint system since the new Police Act amendments.
- 5) a) What is good about the present complaint system?
b) What concerns, if any, do you have with the new system?
- 6) Do you have any recommendations regarding how the service investigates public complaints?

Michelle Williams
African Canadian Legal Clinic
330 Bay St.
Toronto, Ontario
M5H 2S8

Dear Michelle:

Pursuant to our telephone discussion of November 12, 1998, I am writing this letter to confirm an interview time with you on December 3, 1998, at 11:00 a.m., at your office.

I am presently doing an evaluation study on the police public complaints process in Toronto with a view to make recommendations on what can be done to improve how the Toronto Police Service handles the complaints that have been classified less-serious.

This study is being done with a two fold purpose:

- 1) To report to the Toronto Police Service the results of an evaluation from the perspective of stakeholders on how well the process is working in Toronto since the Bill C-105 amendments in November of 1997. Superintendent Don Mantle of the Toronto Police Professional Standards Unit is the project sponsor. The view is to make recommendations to improve the process.
- 2) I am using this evaluation project as the basis to satisfy my requirement for a major project thesis to complete my Master of Arts in Leadership and Training through Royal Roads University located in Victoria, British Columbia.

In my literature review in this study I have identified three primary domains that I believe impact significantly on the process: police accountability, community policing, and police race relations.

The primary methodology for this study is qualitative in nature and strives to achieve triangulation by reporting on the perspective of complainants, police officers, community members, and special interest advocates.

The reason I have asked to interview on this matter had its genesis in the thoughtful and articulate presentation that you made during the meeting at police headquarters on September 1, 1998. I also have had assistance from Dr. Tammy Landau in this project and she recommended you as an interview candidate.

The police are faced with a difficult situation with the removal of civilian oversight and thus I seek to ask you only one question in the interview:

In light of the Bill c-105 Police Services Act amendments to the Police Services Act, what can the Toronto Police do to ensure a fair police complaint system?

I understand that by granting this interview that you will be giving a valuable perspective that in no-way indicates that you, or your organization, endorses the evaluation report, any of its findings, conclusions or recommendations.

I am keenly aware that this is an evaluation by the police on how the police, police the police and, as such, I am making great efforts to report the findings of this study in as fair and unbiased fashion as is possible.

I do not believe that the police, in isolation, can develop a policy that will satisfy the needs of the community. I ask for your valuable perspective and insight to be included in this study.

If, after consideration, you decide that you do not wish to take part in the study please call me at 808-4213.

Thank You

Gary Ellis
Inspector
42 Division

INTERNAL CORRESPONDENCE

TO: Deputy Chief L. Cann FROM: Inspector Gary Ellis
Executive Support Command 42 Division
DATE: 98-10-24
YYYY/MM/DD

RE: Evaluation Project of the Interim Complaints Process

The purpose of this report is to give you an overview and update on the evaluation project that I am currently doing on how we are presently handling less-serious public complaints under the interim procedure since November 1997.

In April of 1997, I joined the Police Services Act Part VI committee chaired by Supt. Don Mantle of Professional Standards. This committee was tasked with developing procedures for the Toronto Police Service to respond to changes in the Police Services Act related to discipline and public complaints. I was very involved in this committee and worked very closely with Supt. Mantle and the rest of the working team to develop an interim procedure that was ready and put into place when the provincial government implemented the changes, in November of 1997.

I was also responsible to ensure that investigators, unit commanders, and front-line officers received the necessary training to help us adapt to the new changes. Through seminars, written material, training courses, and live-link this was accomplished.

The committee recognized at this time, though there was some public consultation, that this procedure was an interim one and that because the concepts were new and untested that there would have to be some evaluation and ongoing quality improvement built into the process.

In July of 1997, I commenced a course of study at Royal Roads University located in Victoria British Columbia. This course of study leads to a Master of Arts Degree in Leadership and I am scheduled to graduate in may of 1999, pending successful completion of this project. To get into this course I had to be sponsored by my employer, and at that time Supt. Rod Spencer with the knowledge of Deputy Chief Robert Kerr, agreed to sponsor me. This

sponsorship consisted of allowing me to work on job related projects to satisfy some of the course requirements, including providing me with a final masters project that involved action research that would benefit my organization.

I have now successfully completed all of my course work towards the degree and am left only with the major project.

In May of 1998, I approached Supt. Mantle and asked him if an evaluation of how we are handling the less serious public complaints would be valuable to the Service. He advised me that it would and also agreed to be the project sponsor, subject to your approval. You approved this project, in principle on May 4, 1998. I subsequently have completed a project proposal that has been accepted by the University and have commenced the project. My university project advisor is Charles Pascal, former Deputy Minister of Education for Ontario, current Director of the Atkinson Foundation, and an Associate Professor at the University of Toronto.

Supt. Mantle has reviewed my proposal, a copy of which I have also given you, and strongly supports and sees the benefits of this project.

The **objective** of this project is to provide a report to Professional Standards and Royal Roads University that will include:

- 1) An evaluation of how the current system of dealing with less-serious public complaints is working from both a historical and stakeholder satisfaction perspective.
- 2) Recommendations for improvements to the police complaints system in Toronto.

I plan to have this report completed by March of 1999.

The **benefits** to the Service for this project are many, including: helping us in the development of the Service Directives to ensure compliance with the law, ensuring the Service's commitment to customer satisfaction, and meeting the strategic direction of community consultation in developing Service policy.

On September 1, 1998 there was a Town Hall style consultative meeting held at police headquarters where it was suggested by one of the deputants that the police need to look at their system by way of a customer survey.

It is felt by Supt. Mantle and myself that it is better for us to discover any flaws and needed improvements to our process than someone from outside the Service.

The **methodology** for the project includes speaking to, by way of interview or questionnaire, representatives from the police (front-line officers, front-line

supervisors, unit complaint co-ordinators, Professional Standards personnel and trainers), the public (specifically representatives from special interest groups), and complainants who have had their complaints resolved. There will also be an analysis of comparative statistics.

A literature review looking at the works of those who have done research into **Police Accountability, Community Policing, and Police Race Relations**, will also be included in the final report.

Status to date:

- **Complainant Survey** - A complainant survey was developed and reviewed by Supt. Mantle, Corporate Planning, and you. Legal Services and Freedom of Information were consulted and as such, 90 questionnaires to members of the public were sent out on October 17, 1998. Questionnaires will continue to be sent out until December 31, 1998. This questionnaire will look at their knowledge, satisfactions with, and suggestions to improve how we deal with public complaints.
- **Town Hall Meeting** - On September 1, 1998 a Town Hall meeting was held at Headquarters sponsored by the Command and Board. Ten deputation's were heard from community members and information noted.
- **Questionnaire to Unit Complaint Co-ordinators** - Thirteen Unit Complaint Co-ordinators took part in a questionnaire giving their perspective of the complaint process.
- **Interviews with Front-line Supervisors** - Six front-line supervisors have been interviewed as to their experience with the complaint process and recommendations.
- **Interviews with Front-line Officers** - To date two front-line officers have been interviewed. It is hoped that at least another three officers will agree to be interviewed.

Interviews will continue with front-line officers. Further interviews will be done with personnel from professional Standards and members of the community who have shown an interest and concern over how the Service deals with complaints. The timelines for this project are on schedule and the information gathered to date will provide valuable material for analysis and making recommendations.

Gary Ellis
Inspector
No. 42 Division

MAJOR PROJECT LOG

August 17,1998	Major project proposal approved by Gail Gibson Ph.D.
August 20,1998	Charles Pascal Ph.D. confirmed as project advisor.
August 24,1998	Provide S/Insp. Les Bruce from the Police Public Complaints Bureau with a copy of major project proposal. Request names and addresses of all less serious complaints resolved since December 1997 to present. He agreed to make information available.
August 31,1998	S/Sgt. Stenton from Professional Standards contacted to set up when and how complainant information could be obtained. He advises that names and addresses are available for all less serious complaints except those that have been informally resolved. Paperwork on informally resolved complaints is destroyed after statistic data captured. I request that he keep names and addresses from this point on so that I can survey. He agrees.
September 1,1998	1) Town Hall Meeting (Public consultation meeting) held at police headquarters. Approximately 150 people present. Panel consisted of Chief David Boothby, Police Commission Chair Norm Gardner, Assistant Commission Chair Judy Sgro, Richard Kibbel a Senior Investigator with the Ontario Civilian Commission on Police Services, Police Commissioner Sharene Shaw, and Superintendent Don Mantle of the Toronto Police Professional Standards Branch. Presentations done by Chief Boothby, Chair Gardner, Richard Kibbel, Supt. Mantle, Supt. David Dicks 41 Division. Deputation's made by 10 people including Chris O'Keefe (community member), Samuel Wilkes (North York Committee of Racial and Social Harmony), Terry Sawyer (Concerned Citizens for the City of North York), Carol Johnson (33 Division Community Policing Liaison Committee), Tom Warner (Coalition for Gay and Lesbian Rights in Ontario), Steven Canlan (Canadian Civil Liberties Organization), Michelle Williams (African Canadian Legal Clinic), George Cristoff (41 Division Community Police Liaison Committee). Information was obtained on the perspectives and concerns of the various deputants. Information was provided to the community as to the proposed process and the keeping of the PCIB as a centralized body.
September 1,1998	Met with Tammy Landau Ph.D. regarding information on her previous research with complainants in police complaints. Arranged to call her on Tuesday September 8,1998 regarding setting up a meeting.
September 1,1998	Met with Inspector Margo Boyd Professional Standards regarding project and her co-operation. Set up attending Professional Standards on Tuesday September 8,1998 for the purpose of gathering information of complainants for survey.
September 2,1998	Work on survey for mail out to complainants.
September 7,1998	Complete first complete draft of mail out survey.
September 8,1998	Send copy of draft survey to Supt. Mantle, S/Insp. Bruce, Insp. Boyd, S/Sgt. Stenton for feedback. Arrange to meet Clerk *(Helen) at Professional Standards to get complainant information September 9,1998. Call Prof. Tammy Landau. she shared her experience and thoughts regarding the study I am doing and her previous experience. I faxed her draft of survey for feedback.
September 9,1998	Attended Professional Standards. Met with Helen Ng who is charge of the records and files for the public complaints. I culled through almost 300 files and found 91 less serious that were resolved. I further confirmed that a further 49 had been informally resolved and that all records were destroyed. I listed the names addresses and dispositions of the 91 files for the purpose of survey. Several will not be followed up due to the problems of return mail from outside of the country. Helen will assist in sending out questionnaire starting next week on all resolved less serious complaints, including informally resolved. She will keep a

	<p>statistical log for me outlining disposition and file sent. I will provide her with questionnaires and stamped self addressed envelopes and larger envelopes by next week. Questionnaires to be sent until December 31,1998.</p> <p>Received feedback from S/Insp. Les Bruce, Insp. Boyd, S/Sgt Stenton and Sgt. Badowski on questionnaire. Appropriate changes made. Supt. Mantle on holidays until September 14,1998.</p> <p>S/Sgt. Stenton reviewed and approved questionnaire to be sent to Unit Complaint co-ordinators.</p> <p>Attended mail room and spoke to Bruce Alexander (supervisor) as to obtaining stamped self addressed envelopes by next week.</p>
September 10,1998	<p>Sent out e-mail questionnaire to 33 Unit Complaint Co-ordinators. Label approx. 90 envelopes for mail out complainant questionnaire.</p> <p>Two returned immediately.</p> <p>Professor Tammy Landau called and has reviewed questionnaire for complainants. She has some suggestions. I will meet with her Tuesday September 15/ 98 at 3:00 p.m..</p> <p>Called Project Advisor Charles Pascal and updated and updated on progress to date. I will e-mail him info on progress, instruments etc.</p>
September 11-14/98	<p>Work on survey, envelopes, addressing etc. Start to receive responses from Unit Complaint Co-ordinator questionnaire.</p>
September 15,1998	<p>Met with project sponsor Superintendent Don Mantle. presented with Major project proposal, questionnaire for Unit Complaint Co-ordinators(approved), mail out questionnaire draft. He will advise regarding mail out questionnaire.</p> <p>Met with Prof. Tammy Landau. Discussed major project proposal, her experience with doing previous projects on police complaints system. various research methodologies, and she made excellent suggestions regarding questionnaire for police complainants.</p>
September 16,1998	<p>Supt. Mantle made recommendations improve questionnaire. He will take revised questionnaire to Deputy Chief Cann tomorrow for approval to mail out.</p>
September 17,1998	<p>Further consultation with Supt. Mantle regarding questionnaire to complainants. Will attempt to have meeting with Deputy Chief Cann on Tuesday 22 September 1998 regarding approval to send out.</p>
September 19,1998	<p>Finish labeling and stamping Complainant survey.</p>
September 20,1998	<p>Work on questions for interviews. E-Mail project advisor, Charles Pascal an update on work to date. Feedback obtained that I am on the right track.</p>
September 22,1998	<p>Met with Project Sponsor, Supt. Don Mantle and Deputy Chief Loyal Cann regarding complaint survey and project. Survey is approved pending it being reviewed by the Director of Corporate Planning (Kristine Kijeswski), Freedom of Information Manager Ray Desjardins, Police Legal Advisor Lawyer Rusty Beauschesne, a letter from me to the Deputy Chief outlining: the anticipated project outcomes, the involvement of Professional Standards, the benefits of the research to the Police Service, the results of the legal opinions and corporate planning review. The survey can be sent out if all of these things are satisfied.</p> <p>Met with Director of Corporate Planning Kristine Kijeswski and gave a copy of questionnaire. She will review and get back to me.</p> <p>Called Freedom of Information Manager, Ray Desjardins. He sees no problem with survey to complainants.</p>

September 23,1998	Contacted Police lawyer, Rusty Beauschesne, he sees no legal problems with conducting survey to complainants as described to him.
September 25,1998	Spoke with Kris Kijewski. She has targeted to complete her review of questionnaire for October 2,1998.
September 27,1998	Developed interview questions for front-line supervisors.
September 28,1998	Develop draft interview questionnaires for special interest individuals and police officers who have been complained about, Chuck Lawrence (Ontario Police College), Professional Standards,
September 29,1998	Spoke with Director Andrew Clarke of the Toronto Police Association. Asked him if he would consent to an interview asking his opinion representing the Police Association of how the new complaints process is working as far as less-serious complaints and also any suggestions he may have regarding improving the system. He advised me that he would provide me with a written response to these two questions. Updated Supt. Mantle on legal opinion of Lawyer Rusty Beauschesne. He advises that when Kris Kijewski has given final approval of questionnaire he will run it by the Deputy Chief one more time.
October 5,1998	Call Kris Kijewski, review of the questionnaire to complainants will be completed by October 9,1998.
October 7,1998	Met with D/C Cann. Fully supports project and would like to see questionnaire to complainants out soon. Met with Supt. Mantle and advised questionnaire due to be returned from corporate planning by Friday. He will review before I send out to complainants. I will also e-mail him draft of interview questions of special interests, supervisors, officer complained against.
October 8,1998	Literature review material obtained from internet.
October 9,1998	Spoke with project sponsor Supt. Don Mantle, suggestions as to information for interviews sent on October 7,1998. Small changes made. He is concerned that complainant surveys must get out soon. I am awaiting Corporate Planning approval.
October 15,1998	Called by Kris Kijewski, Corporate Planning has done a review of complainant questionnaire. She and Carol Whynot reviewed and have made several recommendations. Questionnaire is suitable to be sent. She will return to me. Interview two front-line supervisors regarding complaint process.
October 16,1998	Edited questionnaire to complainants received from Kris Kijewski numerous suggestions for changes to be adopted. Questionnaire changed, all suggestions from Corporate Planning adopted and changes made. Copy delivered to Supt. Mantle for final approval to be sent out. Letter of thanks sent to Kris Kijewski, Carol Whynot, with copy to Deputy Chief Cann and Supt. Mantle. Interview one front line supervisor. Interview one front line police officer.
October 17,1998	Supt. Mantle called me with final approval to send out complainant questionnaire. Prepared copies of questionnaires, stuffed envelopes, and mailed out about 90 questionnaires. Also stuffed envelopes for Helen Ng at Professional Standards to be delivered to her October 20,1998 to mail out until December 31,1998 questionnaire to all persons with less-serious complaints that have been resolved.
October 19,1998	Interview front line supervisor. A total of four have been done, one more to do.
October 20,1998	Deliver envelopes and surveys sealed and ready to go to Helen Ng, clerk at Professional Standards. She will mail out until December 31,1998.

	Send update on activities to Charles Pascal - Project advisor.
October 21,1998	Received e-mail reply from Charles Pascal. He agrees that I will change proposed methodology by not looking specifically at other police services methods. Focusing on Toronto alone is big enough.
October 22,1998	Completed last of five front-line supervisors interviews. Completed second Constable interview. Received first mail out complainant survey.
October 23,1998	Interviewed front line supervisor who approached me, knowing about the study, wanted to take part. Total of six front-line supervisors for the study. Complete update and status report to Deputy Chief Cann and Supt. Mantle.
October 26,1998	Interview another supervisor. This is more than the total originally mentioned in the proposal, however, it is becoming clear how pivotal the front-line supervisor is to the complaint's process and the information gathered to date is deep and insightful. Seven supervisors interviewed to date. Telephoned by person who was sent complainant survey, asked to be interviewed over phone. Excellent interview -- she consented to give name and be contacted if any further information needed. Interview police officer # 3, consented to be identified if needed. Interview police officer #4, did not consent to be identified. Called by public complainant from Vancouver who has questionnaire and will return. He also felt it necessary to vent to someone verbally. He advised during conversation that he has complained against the police many times and is under the care of a doctor for emotional problems.
October 27,1998	Called Cynthia at the Canadian Centre for Police-Race Relations (1800-461-1123). Discussed project with her. She will send resource material to me. Called survey respondent who requested on returned survey that I call him. Left message. Interviewed fifth police officer that had complaints under old and new system. Officer is also a member of a visible minority. There was a major learning in this interview regarding the concept of being treated equal and equality. Police officer interviews complete. Interview set up for Chuck Lawrence for October 29/1998 at noon. Research for literature review domain on police race-relations.
October 28,1998	Spoke to Unit Complaint Co-ordinator in other division who advises of informal resolution he just did involving a race complaint. It was a great experience for both the officer and complainant. He will ask officer if he will consent to interview with promise of anonymity if wanted. Spoke to public complainant who called me. He wanted to discuss complaint system and questionnaire. Information noted.
October 29,1998	Public complainant who received survey wanted to know if she put her name on it would it be used for anything else other than to call her back for clarification purposes. I asked her to make that clear if she filled out her name and I would destroy that portion after going over her survey and after clarification if necessary. Interview Chuck Lawrence who is the provincial expert on Police Services Act complaint training in Ontario.

November 2,1998	E-mailed Gerry Nixon regarding use of human subjects in my study. Received answer that I was OK to continue in the manner I was going.
November 3,1998	Attended Racism Audit Committee briefing. Gained insights into anti-racism efforts and programs.
November 4, 1998	Updated status of project and early findings to Supt. Mantle. Asked for written submission on changes that Professional Standards can foresee as necessary to improve process. He will confer with Professional Standards staff and provide me with a submission ASAP.
November 7,1998	Complete amended Literature Review with Police Race-Relations domain added in.
November 8,1998	Start to format major project final report. Completed up to Research Conduct - Research methods.
November 9,1998	Work on major project report, complete up to data collection methods.
November 10,1998	Met with Professor Tammy Landau. Discuss project to date. Good feedback on research methodologies to date.
November 11,1998	Work on methodology section of final report. Met with Susette Clunis Director of Warden Woods Community Centre and Scarborough Conflict Resolution and Mediation Service. Discuss pilot project possibility of their service assisting in police complaint mediations where appropriate and complainant wishes non-police office. She strongly supports and encourages this partnership.
November 12,1998	Obtained David Brown article on British experience researching public complaints, from Dr. Landau. Called Michelle Williams from the African Legal Clinic. Regarding her being interviewed in study. She has tentatively agreed pending a letter from me outlining the study and releasing her organization from any endorsement on the findings. Meeting tentatively set up for Dec 3,1998. Called Alan Borovoy from the Canadian Civil Liberties Organization and left message for him to call me regarding an interview. Called Avvy Go, Executive Director of the Metro Toronto Chinese and Southeast Asian Legal Clinic. Appointment set up to interview her Friday November 20,1998.
November 13,1998	Drafted and sent letter to Michelle Williams from the African Canadian Legal Clinic to confirm interview.
November 14-15/98	Work on draft final report data collection and research methodology portion.
November 16,1998	Called by Alan Borovoy of the Canadian Civil Liberties Association. He was briefed on the project and agreed to be interviewed by me on November 27,1998 at his office.
November 17,1998	Received written submission on behalf of Professional Standards from Supt. Mantle. Received written submission on behalf of the Police Association from Andrew Clarke.
November 18-19/98	Work on findings area of final report for research completed to date.
November 20,1998	Interview Avvy Go from the Metro Toronto Chinese and Southeast Asian Legal Clinic.
November 21-22,1998	Do research findings area of final project report to date.
November 23-26/98	Work on final project report area on findings and quantitative analysis of statistics.
November 27,1998	Interview Alan Borovoy, General Counsel Canadian Civil Liberties Assoc. He wants me to fax him what my findings of his interview are for review and consultation before giving approval to publish. I agreed.

November 28,1998	Write findings from interview with Alan Borovoy
November 29,1998	Develop tables for results from complainant survey.
November 30,1998	Fax findings to Alan Borovoy for approval on publishing.
December 1,1998	Called Charles Pascal, Project Advisor, update on progress. On track, keep going. Complete stats portion of quantitative analysis.
December 2,1998	Discuss police complaint system with Police Service Board member, Sylvia Hudson.
December 3,1998	Interview Michelle Williams from Canadian African Legal Clinic. Permission required before publishing findings. I will fax her copy for approval. Call Alan Borovoy and left message as to approval to publish findings from his interview.
December 4,1998	Synthesize interview of Michelle Williams.
December 5,1998	Begin to enter stats from complainant questionnaire into final report.
December 7,1998	Fax Michelle Williams copy of proposed findings from interview for approval. Call Helen from Professional Standards, she has about fifteen complainant survey's left. Approx. 185 sent to date.
December 8,1998	Call Alan Borovoy for approval for use of his interview results. He advised of some minor changes, and gave permission to use material once changes made. I will fax him amended findings and he will call only if there is a problem. Changes made. Michelle Williams also called and advised some minor changes. She will fax them to me. She has given permission as long as changes made. I will fax her copy and she will call me only if there is a problem. Changes made.
December 9,1998	Faxed revised findings to Michelle Williams and Alan Borovoy. Alan Borovoy called back with one more small revision. Permission to use material given subject to final correction.
Dec 10-13//98	Work on draft report.
December 14,1998	Information that project sponsor is being transferred to another function prior to completion of project. He is on holidays. I will follow-up with him to see if project sponsor change is in order. Spoke to Supt. Paul Gottschalk who will be taking over Professional Standards on January 11,1998. Advised him regarding the project. Spoke to Sgt. Riviere, showed him the proposed section of report where he is quoted. He is satisfied and gave permission to name him in final report.
December 14-20/98	Work on draft report.
December 21,1998	Called Helen Ng, she advises last survey of 200 being sent out today. She will send me copy of statistical information of surveys she has sent out. Thanked her for her assistance.
Dec 28-Jan 12/99	Work on draft report
January 13, 1999	Crunch survey results and tables. Complete first draft. Telephoned Charles Pascal to drop off first draft in the evening.
January 14, 1999	Charles Pascal advised that draft is acceptable with minor revision. Feedback given as to revisions required.
January 15,1999	Work on revisions. Provided Supt. Mantle (Project Sponsor) with revised draft
January 18,1999	Supt. Mantle Project Sponsor advises that draft is acceptable with very minor revision. He will sign off on it today.
January 19,1999	Supt. Mantle signed off as project report acceptable.
January 20,199	Charles Pascal signs of cover sheet as project report being acceptable.
January 21,1999	Send project reports to Royal Roads and distribute internal reports.