

Hamilton Police Services Board				
Reconciliation of Salary increase-Contract Contingency ,Merit Increase, Performance budgets from 2013 to 2015				
Name	Dept.I.D. Centre	2013	2013	2013
Description	Dept.I.D.	Appendix "A" and Letter \$ 2,836,130.00 Column 1 contingency account 52870 per Budget and approved by PSB	Per actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 52870	Per actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711
Police Services Board	376005	3,070.00	1,700.00	0.00
Office of Chief	376105	18,660.00	9,710.00	16,705.39
Professional Standards	376110	45,020.00	12,500.00	18,549.99
Risk Management	376111	4,660.00	2,630.00	0.00
Media	376115	3,490.00	2,060.00	479.11
Communication Co-coordinator	376120	5,130.00	2,620.00	5,173.34
Community Relations	376125	3,810.00	2,090.00	2,071.16
Finance	376130	18,790.00	6,550.00	12,917.52
Legal Services	376131	10,250.00	5,230.00	10,386.94
Quality Assurance	376145	3,440.00	2,630.00	6,269.10
Planning and Research	376150	8,430.00	4,450.00	6,690.98
Deputy Chief	376202	12,180.00	6,210.00	12,619.74
Div.No.1 - Administration	376204	11,300.00	5,970.00	16,099.12
Div.No.1 - Head quarters Staff	376206	14,060.00	8,240.00	6,432.65
Div.No.1 -Patrol Support	376208	729,970.00	388,650.00	378,439.99
Div.No.1 Marine Unit	376210	18,160.00	10,620.00	11,354.61
Div.No.2 - Administration	376212	10,280.00	5,390.00	9,453.83
Div.No.2 - East End Bld.Station	376214	14,000.00	8,240.00	1,612.17

Reconciliation of Salary
Contingency from 2013 to 2015

Div.No.2 Patrol Support	376216	613,880.00	330,490.00	336,562.36		
Div.No.2 Administration	376220	11,470.00	6,110.00	8,184.09		
Div.No.3 - Mountain Building Staff	376222	14,000.00	8,240.00	9,133.17		
Div.No.3 - Patrol Support	376224	688,240.00	363,940.00	366,365.06		
Div.No.3 - Dundas Building	376226	13,970.00	8,240.00	2,168.67		
Investigative Services - Administration	376300	15,660.00	8,000.00	11,765.36		
Victims of Crime	376302	94,260.00	58,610.00	51,376.53		
B E A R Unit	376305	74,260.00	44,170.00	49,153.89		
Investigative - Fraud	376306	48,290.00	27,820.00	35,551.50		
Crime Stoppers	376310	11,460.00	3,160.00	3,067.44		
Investigative - Major Fraud	376312	75,410.00	47,130.00	53,145.26		
Investigative - Vice Drugs	376314	92,890.00	57,700.00	51,911.21		
Investigative - Intelligence	376316	149,290.00	92,040.00	95,097.79		
Investigative - Forensics	376318	80,830.00	47,160.00	45,781.49		
Investigative - Crime Analyst	376320	0.00	0.00	4,822.11		
Court -Serv - Court Branch Doc.	376330	84,820.00	49,010.00	72,046.32		
Court -Serv - Court Branch Sec.	376332	422,290.00	87,400.00	129,587.17		
Victims Services	376340	3,680.00	1,960.00	674.35		
Youth Services Co - coordinator	376342	4,140.00	2,380.00	2,371.02		
Deputy Chief	376405	13,230.00	6,990.00	11,356.82		
Support Serv.- Administration	376420	19,990.00	10,110.00	28,690.13		
Support Serv.- Emergency Responses	376425	49,360.00	29,380.00	31,722.09		
Support Serv.- Traffic	376430	66,770.00	37,990.00	43,026.71		
Support Serv.- Canine	376435	14,240.00	8,430.00	8,436.60		
Support Serv.-Victim Services	376440	10,930.00	6,050.00	7,300.03		
Crime Prevention	376445	16,570.00	9,720.00	46,214.65		
Support Services - Communications	376450	280,100.00	142,010.00	218,580.26		
Administration	376451	6,350.00	3,230.00	6,406.56		
Mounted Unit	376452	18,030.00	10,620.00	8,801.34		
Action Unit	376454	120,470.00	88,540.00	88,236.57		
Volunteer - Co- Ord Auxiliary Unit	376455	1,220.00	1,000.00	1,444.75		
Operational Planning	376505	4,140.00	2,380.00	2,486.98		
Secondments	376520	23,730.00	13,730.00	7,250.76		
Human Resources - Administration	376525	56,050.00	20,280.00	60,811.69		
Cadet Program	376526	0.00	0.00	272.90		
Human Resources - Recruitment	376530	11,780.00	6,820.00	14,512.80		
Traffic Branch	376535	30,170.00	17,360.00	15,804.28		
Administration Services	376540	7,250.00	3,650.00	7,379.32		
Facilities -Fleet Administration	376550	5,520.00	2,810.00	5,664.90		
Facilities Buildings Station 10	376600	68,210.00	12,630.00	12,606.66		

Reconciliation of Salary
Contingency from 2013 to 2015

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Facilities Buildings Station 20	376606	3,280.00	1,590.00	1,412.48		
Facilities Buildings Station 31	376608	4,240.00	2,120.00	1,940.35		
Fleet - Operations	376622	21,890.00	11,990.00	11,710.58		
Procurement Branch	376632	12,890.00	7,290.00	29,771.56		
Property and Evidence Branch	376633	20,740.00	7,260.00	11,392.90		
Supply Services - Graphics	376634	5,860.00	3,300.00	3,317.62		
Record Services Records Administration	376650	20,810.00	11,170.00	15,937.81		
Record Services - Firearms	376652	3,820.00	2,220.00	4,536.28		
Record Services - Data entry	376654	26,560.00	15,080.00	21,236.59		
Record Services - Rec Doc	376656	109,090.00	61,200.00	91,372.98		
Record Services - Access to Information	376658	6,000.00	3,470.00	1,528.50		
Record Services - Computer Services	376659	99,850.00	37,510.00	34,498.33		
Total		4,592,680.00	2,326,980.00	2,699,683.21		

Reconciliation of Salary
Contingency from 2013 to 2015

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

Reconciliation of Salary
Contingency from 2013 to 2015

Hamilton Police Services Board				
Reconciliation of Salary increase-Contract Contingency ,Merit Increase, Performance budgets from 2013 to 2015				
Run Date August 25,2015				
Name	Dept.I.D. Centre	2014	2014	2014
Description	Dept.I.D.	Appendix "A" and Letter \$ 3,047,305.00 Column 1 contingency Budget account 52870 per Budget and approved by PSB A/C 52870	Per Actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 51703	Per Actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711
Police Services Board	376005	2,370.00	2,370.00	0.00
Office of Chief	376105	13,720.00	13,720.00	15,979.50
Professional Standards	376110	17,660.00	17,660.00	23,332.30
Risk Management	376111	3,790.00	3,790.00	8,876.40
Media	376115	2,990.00	2,990.00	3,722.67
Communication Co-coordinator	376120	3,660.00	3,660.00	3,629.66
Community Relations	376125	2,900.00	2,900.00	4,977.44
Finance	376130	29,730.00	29,730.00	10,663.04
Legal Services	376131	7,330.00	7,330.00	7,286.15
Quality Assurance	376145	3,790.00	3,790.00	6,838.15
Planning and Research	376150	6,220.00	6,220.00	7,997.85
Deputy Chief	376202	8,730.00	8,730.00	8,832.84
Div.No.1 - Administration	376204	8,440.00	8,440.00	10,958.13
Div.No.1 - Head quarters Staff	376206	30,230.00	30,230.00	23,367.25
Div.No.1 -Patrol Support	376208	47,470.00	47,470.00	911,623.75
Div.No.1 Marine Unit	376210	12,480.00	12,480.00	29,893.75
Div.No.2 - Administration	376212	7,630.00	7,630.00	8,025.94
Div.No.2 - East End Bld.Station	376214	12,000.00	12,000.00	20,578.11

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

Div.No.2 Patrol Support	376216	1,142,510.00	1,142,510.00	765,094.11
Div.No.2 Administration	376220	8,320.00	8,320.00	7,310.38
Div.No.3 - Mountain Building Staff	376222	12,000.00	12,000.00	20,363.04
Div.No.3 - Patrol Support	376224	1,072,070.00	1,072,070.00	901,294.15
Div.No.3 - Dundas Building	376226	0.00	0.00	14,172.30
Investigative Services - Administration	376300	10,160.00	10,160.00	-2,218.62
Victims of Crime	376302	53,330.00	53,330.00	118,915.15
B E A R Unit	376305	63,200.00	63,200.00	100,364.18
Investigative - Fraud	376306	213,150.00	213,150.00	72,276.72
Crime Stoppers	376310	4,230.00	4,230.00	-262.31
Investigative - Major Fraud	376312	119,530.00	119,530.00	123,130.79
Investigative - Vice Drugs	376314	11,800.00	11,800.00	148,850.17
Investigative - Intelligence	376316	17,020.00	17,020.00	204,316.52
Investigative - Forensics	376318	67,040.00	67,040.00	115,156.63
Investigative - Crime Analyst	376320	0.00	0.00	14,203.98
Court -Serv - Court Branch Doc.	376330	780,620.00	780,620.00	127,671.26
Court -Serv - Court Branch Sec.	376332	0.00	0.00	211,465.26
Victims Services	376340	0.00	0.00	-153.39
Youth Services Co - coordinator	376342	3,440.00	3,440.00	16,751.40
Deputy Chief	376405	9,020.00	9,020.00	16,666.19
Support Serv.- Administration	376420	14,230.00	14,230.00	13,401.89
Support Serv.- Emergency Responses	376425	41,110.00	41,110.00	74,055.96
Support Serv.- Traffic	376430	23,820.00	23,820.00	95,010.99
Support Serv.- Canine	376435	10,220.00	10,220.00	18,872.91
Support Serv.-Victim Services	376440	8,390.00	8,390.00	22,597.26
Crime Prevention	376445	14,080.00	14,080.00	689.07
Support Services - Communications	376450	17,680.00	17,680.00	322,610.09
Administration	376451	4,550.00	4,550.00	4,563.57
Mounted Unit	376452	18,700.00	18,700.00	30,142.52
Action Unit	376454	62,670.00	62,670.00	193,005.10
Volunteer - Co- Ord Auxiliary Unit	376455	4,700.00	4,700.00	-19.23
Operational Planning	376505	3,440.00	3,440.00	5,670.53
Secondments	376520	6,590.00	6,590.00	30,086.06
Pan Am Game	376523	0.00	0.00	43,724.77
Human Resources - Administration	376525	69,750.00	69,750.00	50,228.97

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

Cadet Program	376526	0.00	0.00	13,523.40
Human Resources - Recruitment	376530	0.00	0.00	18,389.12
Traffic Branch	376535	4,490.00	4,490.00	51,216.70
Administration Services	376540	7,490.00	7,490.00	5,847.86
Facilities - Fleet Administration	376550	5,940.00	5,940.00	3,947.84
Facilities Buildings Station 10	376600	44,080.00	44,080.00	32,212.35
Facilities Buildings Station 20	376606	2,280.00	2,280.00	3,375.86
Facilities Buildings Station 31	376608	2,970.00	2,970.00	4,663.10
Fleet - Operations	376622	16,780.00	16,780.00	28,223.50
Procurement Branch	376632	10,210.00	10,210.00	25,553.61
Property and Evidence Branch	376633	10,190.00	10,190.00	13,517.12
Supply Services - Graphics	376634	4,610.00	4,610.00	2,110.68
Record Services Records Administration	376650	20,410.00	20,410.00	26,528.28
Record Services - Firearms	376652	129,280.00	129,280.00	10,332.55
Record Services - Data entry	376654	20,570.00	20,570.00	27,611.19
Record Services - Rec Doc	376656	6,070.00	6,070.00	117,774.26
Record Devices - Access to Information	376658	8,200.00	8,200.00	3,736.22
Record Services - Computer Services	376659	53,740.00	53,740.00	74,573.25
Total		4,455,820.00	4,455,820.00	5,449,698.19

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

Summary 2014				
		Appendix "A" and Letter \$ 3,047,305.00 Column 1 contingency Budget account 52870 per Budget and approved by PSB A/C 52870	Per Actual accounting records and Available Funds Report strictly for Salary Contingency budget A/C 51703	Per Actual accounting records and Available Funds Report strictly for Salary Contingency Retroactive Payment Charged to carry forward A/C 51711
Actual amount recorded in the books PSB is not aware of this		4,455,820.00	4,455,820.00	4,455,820.00
Less:				
Summary page 51 from Budget book and PSB Website		-4,455,820.00		
Per Appendix "A" PSB 13- 127 memo dated 2013December 16 Item 6.3 strictly for Salary Contingency page 3 of 7 of the memo Paragraph 2 Appendix "A"			-3,047,305.00	
Actual Contingency in the Actual AFR Report				-5,449,698.19
Difference		0.00	1,408,515.00	-993,878.19

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

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

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

Media	376115	5,510.00	5,510.00	3,871.88	
Communication Co-coordinator	376120	7,080.00	7,080.00	6,750.58	
Community Relations	376125	5,640.00	5,640.00	2,662.29	
Finance	376130	104,090.00	104,090.00	16,624.06	
Legal Services	376131	14,180.00	14,180.00	13,553.42	
Quality Assurance	376145	7,030.00	7,030.00	4,410.98	
Planning and Research	376150	12,030.00	12,030.00	9,386.77	
Deputy Chief	376202	18,470.00	18,470.00	15,637.36	
Div.No.1 - Administration	376204	17,920.00	17,920.00	8,973.30	
Div.No.1 - Head quarters Staff	376206	0.00	0.00	0.00	
Div.No.1 -Patrol Support(no budget)	376208	0.00	0.00	476,248.70	
Div.No.1 Marine Unit	376210	25,480.00	25,480.00	14,175.90	
Div.No.2 - Administration	376212	15,760.00	15,760.00	11,610.36	
Div.No.2 - East End Bld.Station	376214	22,070.00	22,070.00	9,106.75	
Div.No.2 Patrol Support	376216	1,457,630.00	1,457,630.00	395,444.16	
Div.No.2 Administration	376220	16,040.00	16,040.00	11,162.30	

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

Div.No.3 - Mountain Building Staff	376222	22,070.00	22,070.00	14,039.72	
Div.No.3 - Patrol Support	376224	1,678,160.00	1,678,160.00	403,459.59	
Div.No.3 - Dundas Building	376226	2,520.00	2,520.00	1,806.73	
Investigative Services - Administration	376300	20,510.00	20,510.00	13,749.09	
Victims of Crime	376302	135,290.00	135,290.00	75,970.26	
B E A R Unit	376305	248,930.00	248,930.00	65,397.00	
Investigative - Fraud	376306	260,000.00	260,000.00	52,149.02	
Crime Stoppers	376310	8,080.00	8,080.00	11,289.41	
Investigative - Major Fraud	376312	186,940.00	186,940.00	67,287.22	
Investigative - Vice Drugs	376314	120,960.00	120,960.00	62,203.48	
Investigative - Intelligence	376316	111,350.00	111,350.00	119,069.64	
Investigative - Forensics	376318	126,330.00	126,330.00	64,906.98	
Investigative - Crime Analyst	376320	2,340.00	2,340.00	11,580.73	
Court -Serv - Court Branch Doc.	376330	850,920.00	850,920.00	79,257.05	
Court -Serv - Court Branch Sec.	376332	124,790.00	124,790.00	102,482.78	
Victims Services	376340	0.00	0.00	0.00	
Youth Services Co - coordinator	376342	6,360.00	6,360.00	7,447.36	
Deputy Chief	376405	21,110.00	21,110.00	9,126.60	
Support Serv.- Administration	376420	29,580.00	29,580.00	26,049.80	
Support Serv.- Emergency Responses	376425	79,350.00	79,350.00	35,301.39	
Support Serv.- Traffic	376430	86,290.00	86,290.00	66,154.02	
Support Serv.- Canine	376435	20,500.00	20,500.00	12,251.79	
Support Serv.-Victim Services	376440	16,270.00	16,270.00	6,615.14	
Crime Prevention	376445	34,810.00	34,810.00	16,414.51	
Crises Response Unit No Budget	376446	0.00	0.00	4,911.47	
Support Services - Communications	376450	183,700.00	183,700.00	134,974.34	
Administration	376451	8,690.00	8,690.00	7,191.84	
Mounted Unit	376452	31,940.00	31,940.00	13,223.48	
Action Unit	376454	185,640.00	185,640.00	156,191.06	
Volunteer - Co- Ord Auxiliary Unit	376455	6,770.00	6,770.00	-675.57	
Operational Planning	376505	6,360.00	6,360.00	3,478.66	
Secondments No Budget	376520	0.00	0.00	12,662.62	
Pan Am Games Secondments No Budget	376523	0.00	0.00	39,820.95	
Human Resources - Administration No Budget	376525	0.00	0.00	42,097.03	

[illegible]

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

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

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

Pan-Am Games

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

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

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

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

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

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

Appendix "A" to Report FCS18030

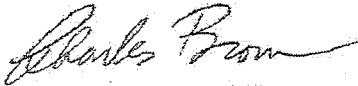
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Subject: Investigation of Whistleblower Allegations (Case 2016-001)

Page 3 of 3

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

I trust you will find this information satisfactory.



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

cc: Brian McMullen
Rick Male
John Randazzo

From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: July 10, 2017 11:43 AM
To: Ferguson, Lloyd; 'Shekar Chandrashekar'
Subject: RE: New Police Association Contract

Will do.

Lois

Lois Morin

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

From: Ferguson, Lloyd
Sent: July-10-17 11:06 AM
To: 'Shekar Chandrashekar'
Cc: Morin, Lois
Subject: RE: New Police Association Contract

Negotiations have not started yet but probably will late this fall.

Thanks for bringing the vacation issue to my attention.

Lois can you put this in our negotiation file so we can review prior to the commencement of negotiations.

Councillor Lloyd Ferguson
Ward 12 Ancaster
905-546-2704
<http://www.hamilton.ca>

ITEM 10

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

Sent: July-10-17 8:25 AM

To: Ferguson, Lloyd; Whitehead, Terry; juchniewicz@juch-tech.com; Office of the Mayor; Omazic, Drina; don.macvicar@arcelormittal.com; Eric J. Girt; dkinsella@hamiltonpolice.on.ca; Morin, Lois

Subject: New Police Association Contract

Members of the Hamilton Police Services Board

There have been statements that the negotiating of a new Police association contract for 2017 is underway. With that, as a concerned Private Citizen, I would like to bring to the attention of your Board that at present, only Hamilton Police get **two additional** weeks of vacation at the time of retirement.

In my research, no other Police association or Municipality, including the Hamilton Fire association get such a generous benefit.

As a concerned taxpayer of Hamilton, I am bringing it to your Board's attention so that you might consider the elimination of such a generous benefit effective with this new contract.

Respectfully submitted for your consideration

Shekar, Private Citizen.

January 11, 2016

Taxpayers' interests obscured by Hamilton police and board



Hamilton Spectator

By Shekar Chandrashekar

Just weeks before his retirement, Police Chief Glenn De Caire saw his contract renewed, amid some controversy. Some members of the Police Services Board have never seen the contents of the employment contracts of the Hamilton chief and deputies. I was able to obtain copies of the contracts only through freedom of information and the Information Privacy Commissioner of Ontario. When the chief's contract was extended, did the board members actually look at the contents of the contract?

I have a difficult time understanding why generous benefits have continuously been approved for police officers such as annual merit increases which apply after the top rate has been reached, plus two additional weeks of vacation at the time of retirement. This clause is also contained in the contracts for Hamilton police deputies. It is unusual, in comparison to other police services, that our police services has a lawyer that reports directly to the chief. This raises questions about who drafted employment contracts for the chief and deputies, whether the contracts were excessively generous to them, and whether the contracts were sufficiently scrutinized by the Board.

The chief and deputies use departmental vehicles seven days a week, 24 hours a day, including for personal driving and vacations. Yet the chief and deputies also receive a substantial car allowance.

One wonders what role the police board plays when you see a former deputy walk away on retirement with over \$128,000 in accrued vacation pay — a payment that did not receive police board approval. The payment became apparent through a freedom of information request. The accrual of vacation time was based on a contract clause allowing accruals based on "exigencies." Disclosure of just exactly what those exigencies were is still pending on an appeal to Ontario's adjudicator at the Information and Privacy Commission.

40 ITEM 15

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Until city council stepped in and ordered a separate audit of the police services, its board had continually resisted having an external audit of their financial operations in spite of the fact that their annual gross budget is over \$154 million. The former deputy chief and the police services accountant claimed that an external audit would cost \$250,000. It is now apparent that the actual cost of such an audit will be approximately \$10,000 depending upon the scope of the audit. Why was incorrect misinformation provided to the police board? Twenty per cent of the residential levy goes toward the police budget, therefore an external audit should be an obvious requirement to ensure accountability.

According to an agreement entered into between the Hamilton Police Services Board and the Hamilton Police Association, police services continue to pay the association president his salary, including the employer's share of benefits. At year-end an invoice is sent to the association by police services to recoup both the salary and the employer share of benefits. As a result of the reimbursement, the salary and benefits do not impact the police. Yet the budget continues to include the president's salary and does not show the offsetting reimbursement. Why?

A more thorough disclosure of revenues received also needs to be implemented. For example, there is no apparent disclosure of revenues received from the proceeds on the auctioning of unclaimed stolen property. The receipt and disbursement of those funds should be subject to the same approval process as are transactions from other police services accounts, and this account should be part of the external audit.

It is easier to get blood from a stone than get information from Hamilton Police Services. Freedom of Information requests are turned down forcing concerned citizens to pursue the request through the Information Privacy Commissioner of Ontario. Even at that point, requests can be unsuccessful and an appeal to the adjudicator required. Other services are very willing to fulfil freedom of information requests.

I have obtained employment contracts, policies and bylaws from several Ontario police services and boards. Other police services have discussions before the full board regarding the terms of the employment contracts of their chief and their deputies. Other police services boards have instituted bylaws and policies concerning financial and management matters. Hamilton has only one bylaw. Hamilton police board is alone and unique in their isolation.

The current board chair has stated in the past that the board is perceived as being dysfunctional. The board is often divided. The mayor, who is a police board member, is to be credited for playing the role of diplomat. The police board should be acting in a transparent manner and they should be accountable to the taxpayers of Hamilton.

The author is a retired civic employee and concerned citizen.

FCS 18030

Hamilton Police services

ITEM 7

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

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

Private Citizen Detail response attached

Media Release

Police Chief Glenn De Caire Retires Effective January 17, 2016

For immediate release: December 18, 2015
Hamilton, ON

The members of the Hamilton Police Service continue to perform with excellence and professionalism and I remain extremely proud of the efforts that each member has put forth in delivering community based police services to our diverse communities across Hamilton. Our partnerships in the community are strong and we are working together to enhance community safety, revitalize the city, encourage investment and growth and we, as a community, are doing amazing work together.

I have been proud to work with such great colleagues in this Service as we raised our enforcement levels, drove the Crime Rate down to the lowest levels, enhanced service, created innovative projects in mental health response and helped victims of crime.

Our Service has delivered the lowest percentage budgets while producing the highest levels of productivity and professionalism which is all delivered by the women and men, civilian and sworn of the Service. The last three budget requests have been the lowest percentage requests of the last 17 years while maintaining the excellence of our service delivery to the citizens.

The Service conducted a focused review of corporate policy over the last 4 years and was the first police service in the province of Ontario to receive a report of 'No Recommendations' when audited by the Ministry of Community Safety & Correctional Services.

I am very proud that we as a Service are complemented by the Community Policing Volunteers, Auxiliary Officers and Volunteers in many other sections of the Service that provide excellent quality service to the community and our collective efforts over the last years has resulted in the Service winning major provincial, national and international awards. These awards cross over the breadth and depth of our organization from Victim Services to Front Line Officer enforcement to Investigative Services and the Training Branch. The work of our organization has been recognized on the international stage.

The Service also remains proud of our Retirees Association and the many former members who continue to volunteer their time to enhance the police relationship with our citizens and honour our rich history.

Sir Robert Peel's "Principles of Policing" remain as salient today as when they were written in 1832. The most important principle states that the success of policing is not the response to crime, but the absence of crime. Our job remains to deliver on that very principle.

The dedication and effort of our members has made our roads safer with increased enforcement, lowered citizen involved collisions, and arrested more impaired

The information contained herein is intended for the named recipient only and is confidential. If you receive it in error, please notify us immediately by telephone and return this document by mail.



Hamilton Police Service

For more information, contact:

Catherine Martin
Corporate Communicator
905-546-4764
cmartin@hamiltonpolice.on.ca

Authority:
Chief Glenn De Caire
Chief of Police

Police Headquarters
155 King William Street
P.O. Box 1060
LCD 1
Hamilton, Ontario
L8N 4C1
Phone: 905-546-4925
Fax: 905-546-4752
Web:
www.hamiltonpolice.on.ca

8

drivers than ever before and all done with pride and professionalism. Our ACTION Strategy, Bail Compliance Unit and Social Navigator Program are innovative strategies designed to assist the most vulnerable and the entire Service has produced a Violent Crime Severity decrease of 19% in 2012. This is recognized in the Statistics Canada 'Police Reported Crime in Canada 2012' report as the city with the greatest single decline in Violent Crime Severity in the nation.

I am extremely proud of our Service and the policing excellence that has been delivered to the citizens of Hamilton by our members. I am honoured to serve in Hamilton and have worked hard every day to represent the members, the community and the Board to the best of my abilities while carrying out the Business Plan.

With the great achievements of our members and the community based policing approach entrenched in quality service delivery, the stage is set for a bright future.

Having made many positive contributions to our success, it is time for new leadership that will continue to enhance the great organization that we are. I will retire from the Hamilton Police Service effective January 17, 2016.

Our organizational structure is aligned for the future with current Command commitment to enhancing the administrative programs to support strategic deployment of resources that will continue to produce outstanding results in the most efficient manner. We are committed to develop our Human Resource Information System, Time and Resource Management System and fully integrate Service wide Crime Analysis. The HPS Crime Prevention Strategy is based in sound research and excellence in delivery of service to the community. We have invested in the development of our senior staff for succession.

All the essential parts are in place.

This is an amazing community of dedicated people and the community is served by professional members, civilian and sworn, of the Hamilton Police Service.

We are a proud Police Service and we remain committed to the relentless pursuit of offenders, enhancement of community safety and the protection of victims of crime.

Glenn De Caire
Chief of Police
Hamilton Police Service

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2

RETIREMENT AGREEMENT made this 25th day of JANUARY, 2016.

BETWEEN:

HAMILTON POLICE SERVICES BOARD

(Hereinafter called the "Board")

-and-

GLENN DE CAIRE of the City of Hamilton,
Province of Ontario

(Hereinafter called the "Chief")

Whereas Glenn De Caire is an employee of the Hamilton Police Services Board hereinafter referred to as (the "Board") and holds the office of the Chief of Police of the Hamilton Police Service hereinafter referred to as (the "Service");

And Whereas the Board and Glenn De Caire hereinafter referred to as (the "Chief") entered into an agreement on the 19th day of November, 2009 (hereinafter referred to as the "Agreement") for the purpose of defining and confirming the salary, employment benefits, retirement provisions and working conditions of the Chief;

And Whereas Article 22 of the Agreement provides that the parties to the Agreement may make amendments, changes or alterations to the Agreement by mutual consent and in writing;

And Whereas the Board and the Chief wish to make amendments to the Agreement as hereinafter set forth;

Now Therefore in consideration of the mutual covenants herein contained, the parties hereby agree as follows;

1. The Chief will retire from the Hamilton Police Service effective January 17, 2016,
2. The Chief will be on holidays from January 3 – 17, 2016 which constitutes two additional weeks leave in the year of the members retirement as per the Senior Officers Association agreement Article 4 (1) (h),
3. The Chief will retain the residential office consisting of the computer and printer and this property is transferred in ownership to the Chief,
4. The Chief will have the account of the Service cellular phone transferred to him and this property is transferred to the ownership of the Chief,

5. The Chief will be offered the opportunity to purchase the current police vehicle at a price to be determined at black book minus discount for the vehicle having been used as a police vehicle,
6. Article 7 – Medical Coverage remains in full force and effect as per 7.01 (c) in that the Board agrees to pay 100% of the premium payable for providing the Chief of Police, his spouse, or his widow, until he or she attains the age of sixty-five (65), an extended health and dental plan as provided under the Agreement,
7. Article 8 – Life Insurance remains in full force and effect as per 8.02 in that ‘From the date of the Chief’s retirement in accordance with the provisions of Ontario Municipality Employees Retirement System (OMERS) from the Service to the date he reached sixty-five (65) years of age, the Board will pay 100% of the premium cost for a policy of life insurance on his life in the amount of two and one half times his annual salary at the date of his retirement’,
8. Article 14 – Health Benefits Following Retirement remains in full force and effect as per 14.01 in that ‘The Board agrees to provide to the Chief and his wife and legal dependents (as defined in Article 5.01 herein above) upon the Chief’s retirement in accordance with the provisions of OMERS and until the Chief reaches age 65, medical, dental, vision, drug, hospitalization and health coverage in effect for Senior Officers of the Service at the time of his retirement. Further enhancements or additions to these benefit plans will be at the discretion of the Board’,
9. Article 16 – Legal Indemnification remains in full force and effect as per Article 16.01 to Article 16.08 and specifically that Article 16.08 stipulates that ‘The provisions in respect of legal indemnification under this Article survive the termination of this Agreement’,
10. Salary increases matching the Senior Officers Association for 2013, 2014, 2015 and 2016 are applicable including any back pay for those years,
11. The Board, on May 12, 2015 and confirmed in the 2014 Performance Evaluation of the Chief which was signed on October 1, 2015, accepted and recognized the accumulated vacation from 2010 to 2013 inclusive which amounts to 544 hours; adding 108 hours in 2014 and 144 hours in December 2015. The total accumulated vacation time as approved by the Board will be paid in money to the Chief in the amount of 796 hours at the rate of pay at the time of separation,
12. Vacation entitlement for 2016 will be prorated and paid to the Chief in money at the time of separation as per Article 4.06 of the Agreement,
13. The Chief remains entitled to the same benefits and entitlements as the Senior Officers Association, including retirement benefits and improvements up to and including January 17, 2016.

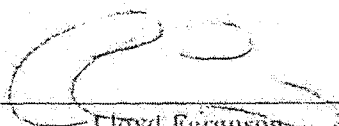
Hamilton Police Service

FOI

14. All Legal Fees associated to the negotiation, resolution and settlement of these contracts are to be paid for by the Board.

IN WITNESS WHEREOF the Board has caused this Agreement to be executed by the Chair and the Chief has hereunto set his hand and seal.

HAMILTON POLICE SERVICES BOARD



Lloyd Ferguson,
Chair of the Board



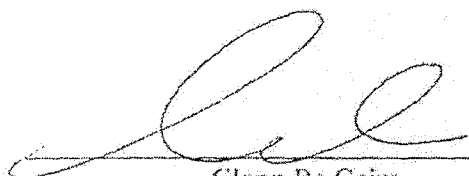
Lois Morin, Administrator
Witness

January 21, 2016

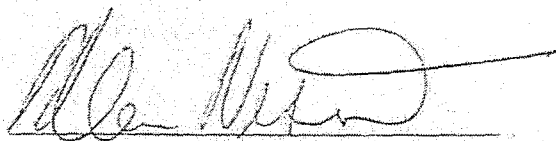
Date

Hamilton Police Service
FOI

Chief of Police



Glenn De Caire
Chief of Police



Mr. Marco Visentini
Witness

JANUARY 25, 2016.

Date

FW: Shared from Twitter: Computer perk for retiring
Hamilton chief clashes with other Ontario services - Latest
Hamilton news - CBC Hamilton

WJ

Walt Juchniewicz

Reply

Fri 03-18, 7:59 PM

You

Photos

You replied on 2016-03-18 8:22 PM.

Warmest regards,

W.B. Walt Juchniewicz
Chairman, CEO
JUCH-TECH INC.

From: Ferguson, Lloyd [mailto:Lloyd.Ferguson@hamilton.ca]
Sent: Thursday, March 17, 2016 9:24 AM
To: Whitehead, Terry <Terry.Whitehead@hamilton.ca>; 'Walt Juchniewicz' <juchniewicz@juch-tech.com>
Cc: Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; Madeleine Levy <justmadeleine@sympatico.ca>; 'Stanley Tick' <stan@smtick.com>; Macvicar, Don F (don.macvicar@arcelormittal.com) <don.macvicar@arcelormittal.com>; Morin, Lois <Lois.Morin@hamilton.ca>
Subject: FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Here you two are saying it was wrong to provide Glenn with his computer. You both supported it when the decision was made. Here I am trying to carry the position of the Board and you go in a different direction. Not nice

Councillor Lloyd Ferguson
Ward 12 Ancaster
905-546-2704
<http://www.hamilton.ca>

RETIREMENT AGREEMENT made this 25th day of JANUARY, 2016.

BETWEEN:

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(Hereinafter called the "Board")

-and-

Hamilton Police Service
FOI

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Province of Ontario

(Hereinafter called the "Chief")

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Hamilton Police Service

FOI

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HAMILTON POLICE SERVICES BOARD

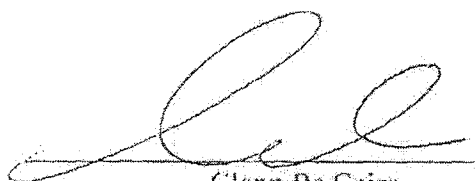

Lloyd Ferguson,
Chair of the Board

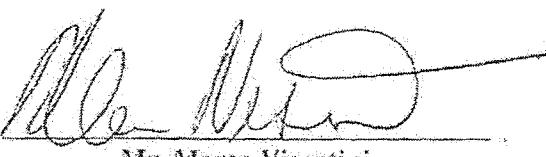

Lois Morin, Administrator
Witness

January 21, 2016
Date

Hamilton Police Service
FOI

Chief of Police


Glenn De Caire
Chief of Police


Mr. Marco Visentini
Witness

JANUARY 25, 2016
Date

improvement of De Caire in his capacity as Chief of Police for the City of Hamilton.

6. Articles 13.01 and 13.02 (Clothing) are deleted and replaced with the following:

13.01 The Board agrees to provide to De Caire an annual allowance for uniform replacement or plain clothes in the amount of \$1150.00. Any enhancement to this amount shall be consistent with the benefit conferred to the Senior Officers of the Hamilton Police Service.

13.02 The Board agrees to provide to De Caire an allowance for cleaning clothing of \$400.00 per annum. Any enhancement to this amount shall be consistent with the benefit conferred to the Senior Officers of the Service.

7. Article 17.01 (Equipment) is deleted and replaced with the following:

17.01 The Board agrees to provide De Caire, at its own cost, a cellular telephone as well as at his place of residence, a computer, a printer, and a modem. This equipment remains the property of the Board. De Caire shall be reimbursed by the Board for costs associated with the operation of such equipment.

Hamilton Police Service

FOI

HAMILTON POLICE SERVICE

File# 16-0096

March 2, 2016

Mr. Mirle Chandrashekar
39 Haddon Avenue South
Hamilton, ON L8S 1X5

Dear Mr. Chandrashekar:

I am responding to your request for general information pursuant to the Municipal Freedom of Information and Protection of Privacy Act, our file # 16-0096.

As per your access request we have processed a copy of the retired Chief's original and amended contracts as well as a copy of his final retirement terms. You have been given full access.

Further to this request you have been given details of the final vacation entitlement payment. There were no payouts or bonuses given.

You have been given access to a page showing the accounting transaction listing the actual account showing the final payment.

A copy of this record may be obtained by attending the Cashier's Desk at the Records Office of the Hamilton Police Service, 155 King William St, Hamilton, Ontario, between the hours of 8:30 a.m - 6:00 p.m, Monday through Friday. You will not be required to take a number. Just simply attend the Cashier's Desk for pick up of your record.

You will be required to present this letter and two pieces of identification (one with a photo, i.e., Drivers Licence) prior to obtaining the record. Note, health cards or SIN cards are not acceptable.

The fee for photocopying is \$3.20.

I am responsible for this decision. If you have any questions, please contact this office at (905) 546-4727.

You may request a review of this decision by the Information and Privacy Commissioner, 2 Bloor Street East, Suite #1400, TORONTO, ON M4W 1A8.

You have 30 days to make this appeal.

In the event that you wish to launch an appeal, please provide the Commissioner's office with a copy of this decision letter. In addition, you must send a \$25.00 (or \$10.00 for personal information) appeal fee to the Commissioner's office. Please include the fee in your letter of appeal. Appeal fees should be in the form of a cheque or money order, payable to the Minister of Finance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Darlene Shepherd".

Darlene Shepherd
Coordinator
Freedom of Information Branch

Retired Chief De Caire's Retirement from the Hamilton Police Service

Retired Chief's De Caire received his vacation entitlements based on his approved contract with the Hamilton Police Service Board.

He received;

1) \$84,442.18 (716 hours) for his carried forward vacation (Pre-2015) approved by the Board. (NOT IN PUBLIC MEETING)

2) \$48,627.37 for his 2015/2016 earned vacation per his approved contract with the Hamilton Police Service Board. It consists of the following;

- 7 weeks vacation
- 2 weeks in the year of retirement
- 1 week command Leave
- 14% of his employment income for the period
January 1-January 16, 2016.

The Hamilton Police Service does not have access to the Chief's pension information and calculations. The pension is managed by OMERS and they are not part of our Service.

Hamilton Police Service
FOI

AAA_USER_TRANS_DEPTID - AP,AR,GL Trans with View

Fiscal Year: 2015
 From Period: 1
 To Period: 12
 Business Unit: HAMTN
 Account: 57706
 Department: 376105
[View Results](#)

Download results in : [Excel Spreadsheet](#) [CSV Text File](#) [XML File](#) (1 kb)

View As:

	JV ID	JV DT	Acct	Dept	Amount	Descr	Vendor/Cust/Descr	Invoice/Group/Affiliate	Voucher/Item/Source	InvDt/PostDt	Seq	Vendor/Cust/Oprid	GL Unit	JV Line	Product	Por
1	0000439806	31/12/2015	57706	376105	133069.560	Vacation Pay	UBIAGION - To accrue retired C.		PDL	31/12/2015	0	UBIAGION	HAMTN	1		GRU

Hamilton Police Service
 FOI

FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Walt Juchniewicz

Reply

2016-03-18

You

Photos

You replied on 2016-03-18 8:22 PM.

Warmest regards,

W.B. Walt Juchniewicz
Chairman, CEO
JUCH-TECH INC.
+1-905- 575-3236 Desk
+1-905-575-4157 Fax.
+1-905-577-2431 Mobile
+1-905-573-6556 NOC

From: Ferguson, Lloyd [mailto:Lloyd.Ferguson@hamilton.ca]

Sent: Thursday, March 17, 2016 9:24 AM

To: Whitehead, Terry <Terry.Whitehead@hamilton.ca>; 'Walt Juchniewicz' <juchniewicz@juch-tech.com>

Cc: Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; Madeleine Levy <justmadeleine@sympatico.ca>; 'Stanley Tick' <stan@smtick.com>; Macvicar, Don F (don.macvicar@arcelormittal.com) <don.macvicar@arcelormittal.com>; Morin, Lois <Lois.Morin@hamilton.ca>

Subject: FW: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Here you two are saying it was wrong to provide Glenn with his computer. You both supported it when the decision was made. Here I am trying to carry the position of the Board and you go in a different direction. Not nice

Councillor Lloyd Ferguson
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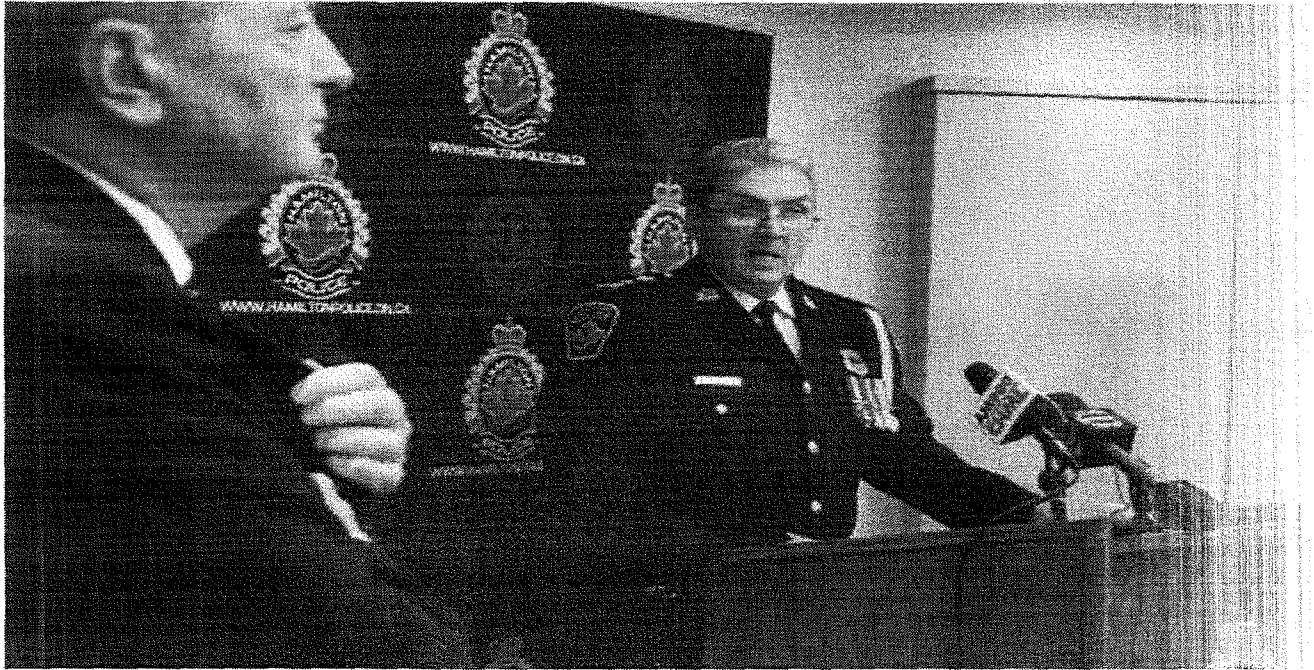
CBC March 15, 2016

Kelly Bennet

Hamilton police board let retiring chief keep police computer, phone

Board didn't examine computer's contents before transfer

By Kelly Bennett, CBC News Posted: Mar 15, 2016 3:16 PM ET Last Updated: Mar 15, 2016 3:16 PM ET



Lloyd Ferguson, Hamilton Police Services Board chair, said he wasn't concerned about any information that may be on the hard drive of a police-issued computer the board allowed former Chief Glenn De Caire, right, to keep when he retired. (Samantha Craggs/CBC)

Former Chief Glenn De Caire got to keep his Hamilton Police-issued computer and cell phone when he retired but the service's governing board did not wipe any sensitive information that might be saved on them before transferring ownership.

The transfer raises questions about the security of police information and the oversight and safeguards of the Hamilton board.

2/16

And while Hamilton Police Services Board members say they have faith and trust in the integrity of the former chief, a privacy and data security expert says that's not good enough.

'It's not that we don't trust the former police chief. It's that accidents happen.' Ann Cavoukian, Executive Director, Privacy and Big Data Institute, Ryerson University

Ann Cavoukian, Executive Director of the Privacy and Big Data Institute at Ryerson University and a former Information and Privacy Commissioner of Ontario says the issue isn't one of trust but of the board needing to have sound policies and practices for protecting sensitive information.

Until he retired in January, De Caire used a computer and printer in his home office issued by the service. His contract stated that the equipment belonged to the board, which oversees the service and is responsible for hiring the chief.

But when De Caire retired, the board transferred ownership of that computer and a cell phone over to him.

The transfers are listed in De Caire's retirement agreement, which CBC Hamilton obtained via a Freedom of Information request.

- Chief Glenn De Caire leaving Hamilton Police for McMaster University
- 6 years with Chief Glenn De Caire: Highlights and controversies

There's no mention in that agreement about any steps the board took to examine the contents of the equipment before turning it over to De Caire, or to wipe any sensitive materials or documents from it.

'I don't think he'd use it inappropriately. He's a former police chief'

Coun. Lloyd Ferguson, who chairs the Police Services Board, told CBC Hamilton the board "pulled the plug on the VPN," cutting off De Caire's access via that computer to police servers and internal records systems, including where ongoing sensitive files would be stored.

Mayor Fred Eisenberger, who sits on the board, said that VPN cutoff was the more critical issue.

But the hard drive was not examined or wiped, he said.

"I don't think there was an overriding concern about the content in his own laptop," he said.

Eisenberger said any employee who had "nefarious" intentions would have other ways to export information from a work computer. He said there's a "level of faith and trust" that goes into the equation.

3/7

Ferguson agreed.

"I don't know whether he downloaded anything," Ferguson said. "I trust Glenn and I don't know whether he would've saved anything to the hard drive."

Even if he did, Ferguson said, "I don't think he'd use it inappropriately. He's a former police chief."

Other high-level police officials who have left the service in recent years have also received their home computers, Ferguson said.

De Caire, who became chief in 2009, is now in charge of security and parking at McMaster University. He did not return requests for comment about the computer and phone.

Not about the monetary value

After years of use, the hardware isn't worth much, Ferguson said.

But it's not about how much the computer is worth monetarily, said Cavoukian.

"It's not about the hard drive or the value of the equipment," she said. "It's about the wealth of potentially sensitive police information that resides on the hard drive or the cell phone."

Cavoukian said the board should have a "written policy about the transfer of information when someone retires."

"I would ask them specifically, do they have a written policy relating to the records that may still appear in the hard drive that is now in the exclusive possession of the former police chief?" she said.

The question may be moot when a departing employee has time to make photocopies, export files to an external hard drive or forward emails to himself or herself. Beyond that, police officers take oaths of secrecy and confidentiality.

But the question is not about the trustworthiness of the person who leaves the position, Cavoukian said.

It's about the board taking steps to ensure its information is protected from a breach.

"It's not that we don't trust the former police chief," she said. "It's that accidents happen."

"Police are there to protect us and to make sure that the information is secure," she said. "I don't want to suggest otherwise, but nonetheless this material has to be governed by strict policies and protocols."

Eisenberger said he's not concerned about the former chief keeping the laptop.

"I'm sure there wasn't anything too sensitive from what I understand," he said. "Going forward he cannot access anything on the VPN, which is a far more critical issue."

kelly.bennett@cbc.ca | @kellyrbennett

Computer perk for retiring Hamilton chief clashes with other Ontario services

'Steps would be taken to ensure that no operational information is compromised': Durham Police

By Kelly Bennett, [CBC News](#) Posted: Mar 16, 2016 5:59 PM ET Last Updated: Mar 16, 2016 5:59 PM ET

Coun. Lloyd Ferguson, right, spoke at a 2014 press conference with former Hamilton chief Glenn De Caire, who retired from the service in January. (Samantha Craggs/CBC)

Hamilton's handling of a computer given to its chief when he retired is at odds with how many major police services in the province say they handle the equipment and data entrusted to their top officials.

Former Hamilton Police Chief Glenn De Caire was allowed to keep his work computer when he retired – without its hard drive or contents being examined or scrubbed first – CBC Hamilton revealed Monday. In Durham, the chief and deputy are provided computers and phones in the course of their duties.

But when they retire, they're required to turn it in.

"Any equipment that is provided to the Chief or Deputy, would be returned to the Police Service upon retirement, unless a special arrangement was made, and steps would be taken to ensure that no operational information is compromised," said Anita Longo, executive assistant at the Durham Regional Police Services Board.

When the chief and deputy chiefs at York Regional Police retire from or leave the service, their contracts stipulate that they'll return "all property and equipment provided," said Mafalda Avellino, executive director of the York Police Services Board.

Hamilton's police oversight board didn't require former chief Glenn De Caire to turn in his computer and phone when he retired in January.

They transferred ownership to him instead, according to De Caire's retirement agreement with the board, which CBC Hamilton obtained under a Freedom of Information request.

- Hamilton police board let retiring chief keep police computer, phone
- What do you want in a new police chief? Hamilton board seeks public input

The board cut off De Caire's access to police servers, but did not examine or scrub the contents of the equipment.

Coun. Lloyd Ferguson and Mayor Fred Eisenberger, who sit on the board, said they have faith in the integrity and trustworthiness of the former chief. But Ann Cavoukian, executive director of the Privacy and Big Data Institute at Ryerson University and a former Information and Privacy Commissioner of Ontario told CBC Hamilton the issue isn't one of trust but of the board needing to have sound policies and practices for protecting sensitive information.

Two other members of the board said Tuesday they thought police equipment and the protection of data was an important issue that warrants careful consideration.

37 20

Retiring officers turn in equipment elsewhere

The policies of Durham and York resemble policies in Toronto, Ottawa and Peel, according to a retired city accounting employee police financing watchdog named Shekar Chandrashekar.

Coun. Lloyd Ferguson, chair, Hamilton Police Services Board

Chandrashekar asked other services in the province about the equipment policies after he separately obtained a copy of the former chief's retirement agreement. He shared the responses with CBC Hamilton.

Insp. Stu Eley from Toronto Police Service told Chandrashekar that the chief and deputies are required to be available 24 hours a day, and that they're provided with cell phones and computers.

But when they retire or leave the service, that equipment is turned in, he said in an email.

That's the same in Ottawa, said Carol Brunet, Freedom of Information analyst with the Ottawa Police.

"All equipment (clothes, use of force, computers, telephones, printers, etc.) are returned upon retirement by all members," she said.

In Peel, the chief and deputies have the option of purchasing the equipment from the service "at market cost, unless the board deems otherwise," said Fred Biro, executive director of the Peel Police Services Board.

If they do buy it, though: "Any confidential information would be deleted prior to the executive members commencing retirement," he told Chandrashekar.

'We need to be paying attention'

The board disbanded its short-lived governance committee last year.

Coun. Terry Whitehead, member, Hamilton Police Services Board (Samantha Craggs/CBC)

Coun. Terry Whitehead, a member of the police board, said Tuesday a matter like this was an example of a policy for which the board should be consulting best practices from around the province.

Whitehead emphasized that he was sharing a personal opinion and doesn't speak on behalf of the board.

He said he imagined the board would discuss the public response to the computer provision at an upcoming meeting.

"Our job's not just to govern but we're also the eyes and ears and we need to be paying attention to what the general public is saying and to anything the media is revealing," he said. "We need to make sure we're aware of those issues and we talk about those issues."

Another member of the board, business owner Wail Juchniewicz, sits on the board as a citizen appointee. He said at his telecommunications company, employees turn over phones and computers when they leave the company — in part so that they're around if the company is ever called to produce them in a regulatory or legal setting.

"The reality of it is that if you're an employee of the company, any intellectual property that was created or devised on any device, whether written or on a hard drive or on a thumb drive is the property of the employer," he said.

"You just never know what you're going to need, in the future down the road."

Have your say: What do you think of the board's decision to give the chief his work computer and phone when he retired? Leave a comment below or a message [on our Facebook page](#).

kelly.bennett@cbc.ca | [@kellyrbennett](#)

From: Madeleine [<mailto:justmadeleine@sympatico.ca>]

Sent: March 16, 2016 7:56 PM

To: Madeleine Levy

Subject: Shared from Twitter: Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

Computer perk for retiring Hamilton chief clashes with other Ontario services - Latest Hamilton news - CBC Hamilton

January 25, 2016

The Spectator's View: Chief's retirement package should be public



DE CAIRE

Scott Gardner/The Hamilton Spectator
Former chief of police Glenn DeCaire at his retirement announcement Dec. 18, 2015.

Hamilton Spectator BY Howard Elliot

The subject today is Hamilton's police services board. It deserves praise for one decision, and criticism for another. Harsh criticism.

Let's start with the negative so we can end on a relative positive. The decision to keep the amount of departed chief Glenn De Caire's retirement package a secret stinks. It reeks of an arrogant, high-handed throwback attitude to some darker era where information was the property of the ruling class and peons had no business knowing it. Unfortunately, it's not surprising coming from the police board, which in too many cases seems to live in that throwback world.

There is little doubt The Spectator will eventually get the details of the package by using Freedom of Information legislation. The police board knows that. So refusing to provide any details is nothing more than giving the middle finger to the public. Eventually, the law will require disclosure, but there's no way the board is going to make that easy for taxpayers and the media.

Let's be clear: Every retirement dollar not contributed by the chief himself is public money. How in the world can the board justify fighting to keep that secret? We know how much the chief made — \$228,519 plus \$18,901 in taxable benefits. We would not expect to know the details of discussions that took place behind closed doors, the to and fro, the back and forth that can legitimately be concealed because it is personnel related. But withholding the end result is not

60 23

responsible or in keeping with modern transparency and ethical standards. Interestingly, when The Spectator asked for details of former chief De Caire's new contract with McMaster University, we were told the same thing. Some university executives will see it, everyone else has to use Freedom of Information legislation. So the police board has company in the Dark Ages.

All that said, let's also acknowledge the board made a good decision by deciding to look for De Caire's replacement internally before looking outside the department. That makes sense. Without getting into names and personalities, there is no doubt that the senior ranks of the police service include more than one qualified candidate. So it is logical to start there.

Some will argue this is a result of De Caire's polarizing reign. He made some innovative decisions, but had strained relationships with his own service and significant parts of the community. Maybe. But the important thing is to get the right candidate, and if that candidate is internal, the choice will have other benefits including continuity and knowledge of the community.

Regardless of who the new chief is, a key attribute will be a commitment to transparency, accountability and inclusivity. Can the board be trusted to ensure that? Given the retirement secrecy, this could be like putting the fox in charge of the henhouse.

Howard Elliott

RE: YES or No ,PLEASE

Stu Eley

Reply

To:

'shekarfamily@hotmail.com';

Cc:

Mark Pugash <Mark.Pugash@torontopolice.on.ca>;

Sat 2016-03-12 12:57 PM

You forwarded this message on 2016-03-18 8:02 PM

Boomerang

Good afternoon Mr. Shekar,

Mr. Pugash referred this enquiry to me to provide an answer. Thank you for your enquiry. I can advise you that the Chief and Deputies as part of their responsibilities are required to be available 24 hours a day. To enable that availability I can confirm that they are provided cell phones and computers for their use wherever they are. These devices are paid for by the Service's budget. I can also advise that all their Service issued equipment is turned in when they retire or leave the Service.

Please contact me if there are further questions you may have.

Inspector Stu Eley

Executive Officer

Office of the Chief of Police

416 808-7075

From: Mark Pugash

Sent: Friday March 11, 2016 1:21 PM

To: Stu Eley

Subject: FW: YES or No ,PLEASE

Can I let him know the Chief's Office will provide an answer?

Mark Pugash

Director of Corporate Communications

Toronto Police Service

t: 416 808 7088

e: mark.pugash@torontopolice.on.ca

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

Sent: Friday March 11, 2016 6:12 AM

To: Mark Pugash

Subject: Re: YES or No ,PLEASE

+ 25

Good Morning Mr.Pugash
Please,just a reminder
Shekar

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: March 9, 2016 1:25 PM
To: mark.pugash@torontopolice.on.ca
Subject: YES or No ,PLEASE

Good afternoon Mr. Pugash
Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.
If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.
Looking forward to your response,

Shekar, Private Citizen

 2.6

RE: Yes or No ..please

Biro, Fred

Reply

To:

Shekar Chandrashekar <shekarfamily@hotmail.com>;

Fri 2016-03-11 11:29 AM

You forwarded this message on 2016-03-18 8:02 PM

Boomerang

Mr. Chandrashekar:

In response to your e-mail, the Chief of Police and Deputy Chiefs of Police are provided the necessary equipment by the Board to properly discharge their duties. Upon retirement, the Chief and Deputy Chiefs can purchase the electronic devices provided to them at market cost, unless the Board deems otherwise. Any confidential information would be deleted prior to the Executive members commencing retirement.

I hope that adequately responds to your enquiry.

Regards,

Frederick Biro

Executive Director

Regional Municipality of Peel Police Services Board

10 Peel Centre Drive

Brampton, ON L6T 4B9

Phone: (905) 458-1340 Fax: (905) 458-7278

Email: Fred.Biro@peelpoliceboard.ca

27

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: March 11, 2016 6:11 AM
To: Biro, Fred
Cc: Andrea.Schulz@peelpolice.ca
Subject: Re: Yes or No ..please

Good Morning Mr.Biro
Please,just a reminder
Shekar

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: March 9, 2016 1:34 PM
To: Fred.Biro@peelpoliceboard.ca
Cc: Andrea.Schulz@peelpolice.ca
Subject: Yes or No ..please

Good after noon Mr.Biro

Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.
If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.
Looking forward to your response,
shekar

FW: Yes or No please

FOI Analyst

Reply

To:

'shekarfamily@hotmail.com';

Cc:

Fedec, Wendy (City of Ottawa) <Wendy.Fedec@ottawa.ca>;

Kennedy, Lynn (City of Ottawa) <Lynn.Kennedy@ottawa.ca>;

...

Thu 2016-03-10 11:07 AM

You forwarded this message on 2016-03-18 8:02 PM

Boomerang

Good Morning Mr. Shekar,

I have contacted our Executive Office and was advised that all equipment (clothes, use of force, computers, telephones, printers, etc) are returned upon retirement by all members.

Regards,

Carol Brunet

FOI Analyst

Ottawa Police Service

613-236-1222 ext 5379

foianalyst@ottawapolice.ca

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

Sent: March-10-16 9:47 AM

To: Brunet, Carol E

Cc: Kennedy, Lynn (City of Ottawa); Fedec, Wendy (City of Ottawa)

Subject: Re: Yes or No please

Thank you

I hope Ms.Fedec and Ms.Kennedy will simply respond "Yes" or "No" thus it does not require to go through FOI .Also, I have received responses from other PSB

Thank you

shekar

From: Brunet, Carol E <BrunetC@ottawapolice.ca>

Sent: March 10, 2016 7:35 AM

RE: Yes or No,Please

Anita LONGO

Reply

To:

'Shekar Chandrashekar' <shekarfamily@hotmail.com>;

Thu 2016-03-10 9:06 AM

You forwarded this message on 2016-03-18 8:03 PM

Boomerang

Good Morning,

The Chief and the Deputy are provided the technological equipment necessary to perform the functions expected of them. Any equipment that is provided to the Chief or Deputy, would be returned to the Police Service upon retirement, unless a special arrangement was made, and steps would be taken to ensure that no operational information is compromised.

Regards,

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

Sent: Wednesday, March 09, 2016 1:30 PM

To: Anita LONGO

Subject: Yes or No,Please

Good after noonMs.Longo

Would you please let me know whether the police chief and deputies have been supplied, at the cost of the Polices Services Board, with a cellular telephone as well as a computer, a printer, and a modem at their place of residence.

If so, what happens upon their retirement? Does your Board allow them to keep them even though they contain operational information.

Looking forward to your response,

shekar

730

RE: Yes or no, please

Avellino, Mafalda

Reply

To:

Shekar Chandrashekar <shekarfamily@hotmail.com>;

Wed 2016-03-09 2:41 PM

You forwarded this message on 2016-03-18 8:03 PM

Boomerang

Good afternoon Mr. Chandrashekar,

The information you are requesting is in the Chief's and Deputy Chiefs' contracts. I have highlighted the provisions below:

10. Automobile, Cellular Phone and Computer

10.1 The Chief shall be provided with an automobile for his personal use and use at work which shall be, in the opinion of the Board, equivalent to a full size, four door sedan, equipped with a police radio and personal mobile communications device. The Board shall pay for all operating expenses for the personal mobile communications device and automobile, including fuel, maintenance and insurance. The Chief shall be responsible for any taxable benefit arising out of his personal use of the automobile and the Board may make appropriate deduction from salary to effect such taxable benefit.

10.2 The Chief will also be equipped with a laptop computer which he may remove from the workplace and use for business purposes as required, as well as incidental personal use.

13.3 Upon notice being given to the Chief under clause 13.2(b), the following shall occur:

- (a) following the last day of the Term of Appointment, the Chief shall forthwith cease exercising any and all authority as Chief of Police of the Police Service;
- (b) the Chief shall return to the Police Service all property and equipment provided to him as a member of the Police Service or as Chief of Police.

Deputy Chief Crawford contract:

10. Automobile, Cellular Phone and Computer

10.3 The Deputy Chief shall be provided with an automobile for his personal use and use at work which shall be, in the opinion of the Board, equivalent to a full size, four-door sedan, equipped with a police radio and personal mobile communications device. The Board shall pay for all operating expenses for the personal mobile communications device and automobile, including fuel, maintenance and insurance. The Deputy Chief shall be responsible for any taxable benefit arising out of his personal use of the automobile and the Board may make appropriate deduction from salary to effect such taxable benefit.

10.4 The Deputy Chief will also be equipped with a laptop computer which he may remove from the workplace and use for business purposes as required, as well as incidental personal use.

13

13.1

13.2

13.3 Upon notice being given to the Deputy Chief under clause 13.2(b), the following shall occur:

(c) following the last day of the Term of Appointment, the Deputy Chief shall forthwith cease exercising any and all authority as Deputy Chief of Police of the Police Service;

(d) the Deputy Chief shall return to the Police Service all property and equipment provided to him as Deputy Chief of Police;

(e) the Deputy Chief shall return to the rank he held immediately prior to his appointment as Deputy Chief pursuant to this agreement; and

(f) the Deputy Chief shall be credited for service during his appointment as Deputy Chief, and will retain all rights and benefits accumulated under the Senior Officers' Working Agreement in respect of such service.

Deputy Chief Carrique Contract:

10. Automobile, Cellular Phone and Computer

10.5 The Deputy Chief shall be provided with an automobile for his personal use and use at work which shall be, in the opinion of the Board, equivalent to a full size, four-door sedan, equipped with a police radio and personal mobile communications device. The Board shall pay for

32

all operating expenses for the personal mobile communications device and automobile, including fuel, maintenance and insurance. The Deputy Chief shall be responsible for any taxable benefit arising out of his personal use of the automobile and the Board may make appropriate deduction from salary to effect such taxable benefit.

10.6 The Deputy Chief will also be equipped with a laptop computer which he may remove from the workplace and use for business purposes as required, as well as incidental personal use.

14

14.1

14.2

14.3 Upon notice being given to the Deputy Chief under clause 13.2(b), the following shall occur:

- (g) following the last day of the Term of Appointment, the Deputy Chief shall forthwith cease exercising any and all authority as Deputy Chief of Police of the Police Service;
- (h) the Deputy Chief shall return to the Police Service all property and equipment provided to him as Deputy Chief of Police;
- (i) the Deputy Chief shall return to the rank he held immediately prior to his appointment as Deputy Chief pursuant to this agreement; and
- (j) the Deputy Chief shall be credited for service during his appointment as Deputy Chief, and will retain all rights and benefits accumulated under the Senior Officers' Working Agreement in respect of such service.

I hope this assists with your request.

Best regards,

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

17250 Yonge Street | Newmarket, ON L3Y 6Z1

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

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

Confidentiality Note

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

33

From: Shekar Chandrashekar [mailto:shekarfamily@hotmail.com]
Sent: March-09-16 1:29 PM
To: Avellino, Mafalda
Subject: Yes or no,please

Good after noon Ms.Avellino

I hope every thing is going O.k.

Next time when we are visiting our daughter both my wife and I might pop in and say
Hello

Would you please let me know whether the police chief and deputies have been
supplied, at the cost of the Polices Services Board, with a cellular telephone as well
as a computer, a printer, and a modem at their place of residence.

If so, what happens upon their retirement? Does your Board allow them to keep them
even though they contain operational information.

Looking forward to your response,
shekar

THIS AGREEMENT effective as of the 1st day of April 2014.

B E T W E E N :

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Community Safety and
Correctional Services

(the "Ministry")

- and -

Hamilton Police Services Board

(the "Police Services Board")

WHEREAS in 2015, the 17th Pan and Parapan American Games (the "Games") will be held in various venues throughout Ontario;

AND WHEREAS the Hamilton Police Service will implement additional security measures in order to promote greater security and public order during the Games;

AND WHEREAS Ontario intends to provide financial relief to the Police Services Board for incremental, extraordinary, justifiable and reasonable security expenses incurred specifically in support of the Games;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

ARTICLE 1 – INTERPRETATION AND DEFINITIONS

1.1 *Interpretation.* For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the recitals and the headings do not form part of the Agreement; they are for reference only and shall not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency shall be to Canadian dollars and currency; and
- (e) "include", "includes" and "including" shall not denote an exhaustive list.

1.2 *Definitions.* In the Agreement, the following terms shall have the following meanings:

- (f) shall not request reimbursement of any Eligible Costs in respect of which it has requested or received reimbursement from TO2015.

2.4 *Supporting Documentation.* Upon request, the Police Services Board shall provide the Ministry with proof of the matters referred to in this Article 2.

ARTICLE 3 -- TERM OF THE AGREEMENT

3.1 *Term.* The term of the Agreement shall commence on the Effective Date and shall expire on the Expiry Date, unless terminated earlier pursuant to Articles 12, 13 or 14.

ARTICLE 4 -- FUNDS AND CARRYING OUT THE PROJECT

4.1 *Funds Provided.* The Ministry shall:

- (a) subject to terms and conditions of the Agreement, reimburse the Police Services Board for its Eligible Costs up to the Maximum Funds for the purpose of carrying out the Project;
- (b) pay the reimbursement directly to the Police Services Board through transfer payments in accordance with the payment schedule attached to the Agreement as Schedule D; and
- (c) deposit the Funds into an account designated by the Police Services Board provided that the account resides at a Canadian financial institution.

4.2 *Reimbursement – Unforeseen Extraordinary Circumstances.*

- (a) Subject to subsection 4.2(b), if, during the term of the Agreement, one or more of the following extraordinary circumstances arise:
 - (i) the occurrence of Acts of God in the nature of thunderstorms, flooding, or extreme weather;
 - (ii) the ISU has identified material increases to the applicable threat levels; or
 - (iii) TO2015 has made material operational changes to the Games

then, to the extent that the events listed in (i), (ii) or (iii) are of such magnitude as to fall beyond the scope of the ISU-Approved Operational Plan, the Budget set out in Schedule B and the approved business case, and the Police Services Board incurs additional costs attributable to an event listed in (i), (ii) or (iii), ("Extraordinary Circumstances Costs") which would otherwise be Eligible Costs in accordance with Schedule C but which have not been provided for in the Maximum Funds set out in this Agreement, the Police Services Board may submit claims for reimbursement of Extraordinary Circumstances Costs. The Ministry will review any such claims in accordance with Schedule C. Where the Ministry approves the reimbursement of the Extraordinary Circumstances Costs, the Ministry shall amend the Maximum Funds accordingly.

- (b) Reimbursement by the Ministry pursuant to subsection 4.2(a) is conditional upon the Ministry receiving funding for this purpose from TO2015 or from Treasury Board.

4.3 *Limitation on Payment of Funds.* Despite section 4.1:

- (a) the Ministry is not obligated to provide any Funds to the Police Services Board until the Police Services Board provides the insurance certificate or other proof as provided for in section 11.2;
- (b) the Ministry's payment of Funds is conditional on the police service signing and complying with the ISU Concept of Operations dated January 10th 2013. In the event that the police service sign one or more revised ISU Concept of Operations subsequent to January 10th 2013, the Ministry's payment of Funds is conditional on the police service complying with such subsequent ISU Concept of Operations;
- (c) the Ministry's payment of Funds is conditional on the Police Services Board submitting invoices and Reports in accordance with the requirements and Timelines set out in Schedules D and E;
- (d) the Ministry is not obligated to provide Funds until it is satisfied with the invoices, Reports and supporting documentation.
- (e) the Ministry may adjust the amount of Funds it provides to the Police Services Board based upon the Ministry's assessment of the information provided by the Police Services Board pursuant to section 7.1;
- (f) if the Ministry determines that amounts reimbursed exceed the amount to which the Police Services Board is entitled, the Ministry may withhold an amount equal to the amount of the overpayment from future reimbursements under this Agreement; and
- (g) the Ministry may adjust the amount of Funds it provides to the Police Services Board if, pursuant to the provisions of the *Financial Administration Act* (Ontario), the Ministry does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement. If the necessary appropriation is not received, the Ministry may:
 - (i) reduce the amount of the Funds and, in consultation with the Police Services Board, change the Project; or
 - (ii) terminate the Agreement pursuant to section 13.1.

4.4 *No Changes.* Subject to subsection 4.5(a), the Police Services Board shall not make any changes to the approved business case, the Timelines and/or the Budget without the prior written consent of the Ministry.

THIS AGREEMENT effective as of the 1st day of April 2014.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Community Safety and
Correctional Services

(the "Ministry")

- and -

Hamilton Police Services Board

(the "Police Services Board")

Hamilton Police Service
FOI

WHEREAS in 2015, the 17th Pan and Parapan American Games (the "Games") will be held in various venues throughout Ontario;

AND WHEREAS the Hamilton Police Service will implement additional security measures in order to promote greater security and public order during the Games;

AND WHEREAS Ontario intends to provide financial relief to the Police Services Board for incremental, extraordinary, justifiable and reasonable security expenses incurred specifically in support of the Games;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

ARTICLE 1 -- INTERPRETATION AND DEFINITIONS

1.1 *Interpretation.* For the purposes of interpretation:

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- (c) the recitals and the headings do not form part of the Agreement; they are for reference only and shall not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency shall be to Canadian dollars and currency; and
- (e) "include", "includes" and "including" shall not denote an exhaustive list.

1.2 *Definitions.* In the Agreement, the following terms shall have the following meanings:

SCHEDULE B
BUDGET

BUDGET	2014/15	2015/16	TOTAL
Planning Staff Salaries & Benefits	\$640,000	\$381,000	\$1,021,000
Planning Resources	\$173,000	\$28,000	\$201,000
Operational Personnel	\$0	\$2,556,000	\$2,556,000
Operational Resources	\$0	\$250,000	\$250,000
Demobilization Resources	\$0	\$0	\$0
TOTAL:	\$813,000	\$3,215,000	\$4,028,000

Hamilton Police Services
FOI

Re: Yes or No..Please Pan Am Game

Lauren Hanna

Reply

Tue 6:09 PM

You

Boomerang

Dear Mr. Chandrashekar,

Thank you for contacting our office to share your concerns about Hamilton Police Services Claim with respect to the Pan and Parapan Am Games.

We welcome comments and audit suggestions from the public, and take the material that we receive very seriously. As such, I have shared your correspondence with our Assistant Auditor General who was responsible for the audit of the Pan Am Games costs. They will review and, if applicable, incorporate these issues in the selection and planning of our future audits.

Please note that we do not have jurisdiction to audit municipalities. However, the concerns you raised are related to our recent report and provincial funding. I would refer you to page 28 of our report, which notes that PwC audits were done in accordance with the agreements to determine expenditures eligible for provincial reimbursement (pg. 28 of our report). We would encourage you to submit to us any additional information that you have indicating the costs reported to PwC were in excess of the ones actually incurred/reported by the Hamilton Police Services Board. You can submit this information to comments@auditor.on.ca.

Sincerely,

Lauren

Lauren Hanna

Coordinator, Strategic Initiatives & EA to the Auditor General

Office of the Auditor General of Ontario
20 Dundas Street West, Suite 1530 | Toronto, Ontario, M5G 2C2
Office: (416) 327-2706 | Mobile: (647) 825-
1853 | lauren.hanna@auditor.on.ca | lauren.hanna@auditor.on.ca

**Ministry of Community Safety
and Correctional Services**

Office of the Deputy Minister

25 Grosvenor Street
11th Floor
Toronto ON M7A 1Y6
Tel: 416-326-5060
Fax: 416-327-0469

**Ministère de la Sécurité communautaire
et des Services correctionnels**

Bureau du sous-ministre

25, rue Grosvenor
11^e étage
Toronto ON M7A 1Y6
Tél.: 416-326-5060
Télééc.: 416-327-0469



MC-2016-1245
By e-mail

MAY 12 2016

Mr. Shekar Chandrashekar
shekarfamily@hotmail.com

Dear Mr. Chandrashekar:

Thank you for your e-mail regarding the expenses billed by Hamilton Police Service to the Province of Ontario for Pan/Parapan Am Games security.

The ministry can confirm that the Hamilton Police Service submitted expenses of \$2,774,197 for reimbursement. We are currently reviewing the submission for eligibility under the terms of the Cost Contribution Agreement that was signed by the Police Services Board and the ministry prior to the Games. Only those costs that are eligible according to the Cost Contribution Agreement will be reimbursed.

Thank you for writing.

Sincerely,

Matthew Torigian
Deputy Minister
Ministry of Community Safety and Correctional Services

Good afternoon Shekar,

My apologies for how long this took but please see the responses below.

1) Can Police Services bill the Province for expenditures outside of those covered by their contract?

In accordance with Schedule "C" of the agreement, only incremental costs required for Games security are eligible for reimbursement by the province. In the event of an unforeseen, extraordinary circumstance, requiring the police services to incur costs over and above those pre-approved in the agreements, Section 4.2 provides that municipal police services may submit additional expenditures to the Ministry claiming reimbursement for these costs under the terms of the agreement. These costs may be approved by the Ministry for reimbursement provided that they are consistent with all other terms and conditions of the agreement.

2) Shouldn't each Police Services have submitted a budget concerning anticipated Pan Am costs to their respective board for their approval? and what happens if they are under or over that budget? Must they return excess funds to the Province if they spent less than the budgeted amount?

The Ministry will defer to the Board and Police Service on their internal approval process. The Pan Am agreement is between the Police Services Board and the Ministry. Under these agreements, only actual expenditures incurred that are consistent with the budget outlined in the agreement and supported by detailed invoices submitted to the Ministry, will be eligible for reimbursement (see Sections 4.1 and 4.3(c)).

Regards,

Brent Ross
Spokesperson
Ministry of Community Safety and Correctional Services
P: 416-314-7024

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: November 24, 2015 1:49 PM
To: Brent.Ross@ontario.ca
Subject: Fw: What I had submitted to Hamilton Police Services Board

Good after noon Mr. Ross

This is further to our telephone conversations today. I have read a few Police Board contracts with respect to Pan Am Games. Those contracts clearly state that each Police Board is subject to an audit by the province and therefore each police board must retain those records pertaining to their Pan Am costs, including invoices, costs of preliminary planning, number of officers involved in planning and so forth. All other expenditures for officers will be incurred under their regular Police Services Budget. No excess expenditures should be billed to the ministry. Mr. Ross, please have a financial analyst read and analyze the attached documents concerning Hamilton Police Services expenditures on the Pan Am games.

I have the following two questions:

- 1) Can Police Services bill the Province for expenditures outside of those covered by their contract?
- 2) Shouldn't each Police Services have submitted a budget concerning anticipated Pan Am costs to their respective board for their approval? and what happens if they are under or over that budget? Must they return excess funds to the Province if they spent less than the budgeted amount?

Mr. Ross.. always respectful

Ontario Private Citizen

Shekar

39 Haddon Ave. South

Hamilton, ON. L8S 1X5

Tel: (905) 525-3082

E-mail: shekarfamily@hotmail.com



HAMILTON POLICE SERVICES BOARD

OUTSTANDING ISSUES as of June 21, 2018

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
1. Other Business	May 26, 2016	That Member Whitehead work with the Board Administrator to implement the use of Electronic devices for monthly agendas.	PSB 16-001 – Ongoing	2 nd Quarter 2018
2. Body-Worn Camera Steering Committee Second Year Report (PSB 16-127)	November 16, 2017	That the Board approve that continued investigation occur prior to accepting, rejecting or engaging in a Body Worn Camera pilot deployment program.	Ongoing	
3. Statistics on Sexual Assault Data Collection	February 9, 2017	The Hamilton Police Services to review all unfounded sexual assault cases dating back to 2010, and that Chief Girt be requested to report back to the Board as soon as possible on the findings	Ongoing	
4. Request from Shekar Chandrashekar, to Provide a Deputation to the Board	May 10, 2018	That the request from Mr. Shekar Chandrashekar be referred to the Police Services Board Budget Subcommittee.		3 rd Quarter 2018

4.5(p)

5.1



Hamilton Police Services Board Deputation Request Form

(Request to appear before the Police Services Board)

****Please note** - The information on this form will be published on a public agenda and therefore released to the public and media.**

Your Name: ROBERT BURGESS

Firm / Organization:
(if applicable) _____

E-mail Address: RBURGESS@INJUSTICE.ONTARIO.CA

Home Phone: 789 768 4276

Fax No.: _____

Business Phone: _____

Mailing Address: 949 KING ST E HAMILTON ONT L8M
1C1

Details of Deputation to be discussed including a summary and the objective(s) of the presentation:

SEE ATTACHED

Will you require a LCD Projector: ☐ Yes ☒ No
(Please note, you must bring your own computer)

Have discussions or correspondence taken place with a member of the Hamilton Police Services Board or the Administrator? If so, with whom and when?

Please submit the completed form either in person, via fax or e-mail to:

Administrator
Hamilton Police Services Board
155 King William Street
P.O. Box 1060, LCD1
Hamilton, ON
L8N 4C1

Fax: 905-546-4720
E-Mail: lois.morin@hamilton.ca

Deputation Hamilton police services board

I have written to members of the Hamilton police services board and asked questions but they say that they cannot answer my questions. Because the board said that they cannot.

The Mayor of Toronto has talked to the news about asking for some kind of inquiry at the next Toronto police services board meeting about the way the Toronto police handled the investigations into the gay men that were murdered in Toronto.

So my question is if the Mayor of Toronto can talk to the news media about the Toronto police then why can't the members of the Hamilton police services board talk to me about the Hamilton police? Without me speaking at a board meeting.

Thanks Robert Burgiss

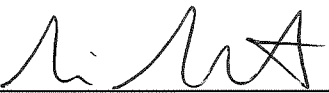
HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2018 June 21
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *2017 Year-End Surplus Allocation Plan*
PSB 18-082

RECOMMENDATION:

That the Hamilton Police Service Board approve the Allocation Plan for the 2017 Operating Budget favorable variance (surplus) of \$611,711.



Eric Girt
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – See details in Appendix A

STAFFING – n/a

LEGAL – n/a

BACKGROUND:

In accordance with the “Operating Budget Surplus/Deficit Policy”, the City of Hamilton Finance Department closed the 2017 HPS Operating Budget surplus of \$611,711 to the Police Tax Stabilization Reserve; a standard operating procedure at year-end. Based on operational requirements, the following allocation plan is proposed:

2017 Operating Surplus Variance: \$611,711**1. Naloxone - \$23,000**

Recently approved for Service deployment to the front line and specified areas (Custody, Forensics, Vice & Drugs, Property, Courts), the product is currently supplied free of charge through Public Health, however, funds are required for officer belt pouches for Naloxone deployment, and storage containers in Courts and Property.

2. Intelligence Investigations – \$394,000 (\$294,000 net of pending Provincial grant)

Intelligence investigations were formally facilitated by the OPP; however, that service is no longer available to Hamilton Police Service (HPS). These funds are required to set up internal services to support Intelligence Investigations. This project is a joint venture with the Criminal Intelligence Service of Ontario, the RCMP and a number of Ontario Police Services. The total startup costs are expected to be \$394,000 for related equipment and monitoring costs. HPS will be applying for a Proceeds of Crime grant for approximately \$100,000 to offset the initial startup costs.

3. Carbines - \$90,000

HPS needs to implement a Carbine Program which requires Carbine Firearms including 26 Colt C8 Carbines, lights, magazines, ammunition, and range rental costs. For further information, PSB Report #18-076 – Patrol Carbine Colt C-8 Program, will be presented to the Board this month in conjunction with this report.

4. ION Scanner - \$45,300

With the ongoing Opioid crisis and risks associated to the presence of Fentanyl, HPS needs a portable ION Scanner to identify trace amounts of Fentanyl and other analogues at suspected crime and exposure scenes. It can also be used to check vehicles, equipment, and any surface that can be swabbed for contamination.

Early and quick detection of potential harmful substances can greatly assist with member health and safety, scene containment, and investigative issues that may arise due to Fentanyl exposure, and defer costs associated with holding scenes pending analysis of suspected substances.

5. BriefCam Video Analyzer - \$22,000

BriefCam is a software application for investigations that rapidly analyzes motion within video files. It is capable of distinguishing between people walking, running or cycling, or between cars, pickup trucks, and large transport vehicles. In addition, it is capable of distinguishing gender with a high degree of accuracy. The benefit is to save/reduce hundreds of hours or more of video review time by investigators.

This software was deployed at the Las Vegas shootings to analyze in excess of 50,000 hours of video. The FBI determined this analysis, which manually would have taken 8 months to analyze, was examined/analyzed and ready for search queries in 8 days.

The startup costs for licensing, installation, and training is expected to be \$22,000, with an annual maintenance cost of approximately \$17,500.

6. Balance transferred to Police Capital Reserve - \$37,411 (\$137,411 with pending Provincial grant approval)

Provided no Provincial grant monies are received as referenced in Item 2 above, it is recommended the balance of \$37,411 be transferred to the Police Capital Reserve to assist in funding future capital expenditures needed by the HPS.

This allocation plan will provide HPS with the opportunity to strategically allocate funds to address needs in policing in 2018 and future years.

EG: JR

Attachments: *Appendix A*

cc: Dan Kinsella – Deputy Chief – Operations
 Anna Filice, Chief Administrative Officer
 Frank Bergen, Deputy Chief – Support
 John Randazzo, Chief Accountant – Finance

Hamilton Police Service**Appendix A**

Budget Variance Report

Year Ended December 31, 2017

YTD Budget % : 100.00%

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