

A GUIDE TO

POLICE SERVICES IN TORONTO

**Dedicated to our
Trans Communities**



Throughout this Guide, the Service has used the word “Trans” as an umbrella term to include a range of identities that include, but may not be limited to, gender non-conforming, agender, bigender, genderless, genderqueer, genderfluid, and trans women and men.

Dear Community Member

We recognize this is a very difficult time for you. And we know that past experience with the Toronto Police Service makes it difficult for you to trust us and come to us for help.

This is one of the reasons why crimes, particularly ones of sexual violence, go unreported. But violence against Trans communities is happening at an alarming rate.

This must stop.

The Service is here to help you. We are here to help you because it's the law, and no group should feel like the police will not protect them.

But we cannot do this alone. We need your help. We need you to report crimes to the police - either by calling the police directly or Crime Stoppers anonymously - so we can put the necessary resources in place to protect you and keep your neighbourhoods safe.

The goals of this Guide are twofold:

- provide Trans people with information about how to report crime and what will happen when they do
- provide Trans people with information they can use to protect themselves and get the support they need if they do not want to call police

Because while we would like to find offenders and bring them to justice, we believe it's equally important to support Trans members so they can live their lives free from discrimination and harassment.

It is also important to know this is not legal advice. Every effort is being made to provide precise information, however your rights and a police officer's responsibilities depend on the situation. If, at any time, you are unsure of your rights you can ask the police officer. They are required to tell you.

HOW DO I REPORT A CRIME?

If your life or property is in immediate danger, call 9-1-1. If the crime has already happened and there is no threat to life or property, call 416 808 2222 and the dispatcher will take the details of your call. A police officer may come to see you.

You can report lesser offences such as Damage to a Vehicle, Theft from a Vehicle, or Property Damage (under \$5,000) by using the online portal at <http://torontopolice.on.ca/core/>.

You can also report crime anonymously by contacting Crime Stoppers. Crime Stoppers will never ask for, nor disclose your identity. If your information leads to an arrest, you could be eligible for a cash reward of up to \$2,000. You can contact Crime Stoppers by calling 416-222-TIPS (8477), online at <http://www.222tips.com>, text TOR and your message to CRIMES (274637) or you can download the free Crime Stoppers Mobile App on iTunes, Google Play or Blackberry App World.

WHAT IF I HAVE A DISABILITY? IS THE TORONTO POLICE SERVICE ACCESSIBLE?

The Toronto Police Service is accessible in many ways to people with disabilities. The Service's website, including its online reporting portal, is compliant with the provincial *Accessibility for Ontarians with Disabilities Act*. When a person calls the Toronto Police Service, language translation services are also available and a TTY system for those with hearing loss is in place.

WHAT WILL HAPPEN AFTER I REPORT A CRIME?

Police need to communicate with you. This may be arranged in several different ways including over the phone, by exchanging emails, or by meeting in person. If you choose to meet in person, you can ask the officer to meet at a place of your choice.

CAN I ASK FOR A SPECIFIC POLICE OFFICER TO TAKE MY REPORT? CAN I ASK FOR A MALE OR FEMALE POLICE OFFICER?

Unfortunately, no. However, the Service does have an LGBTQ Liaison Officer, Constable Danielle Bottineau, who can be reached at 416 808 7268, if you need support or have questions. She may also refer you to another police officer who is trained on LGBTQ issues. However, these officers do not work 24/7. If you are in immediate danger, call 9-1-1.

An exception however, is if you are a victim of sexual assault. In this case, you can ask for a male or female officer to take your report and every effort will be made to provide one, based on the operational needs of the Service.

CAN A VICTIM SUPPORT WORKER ATTEND A POLICE STATION WITH ME? CAN THEY STAY WITH ME WHILE I AM BEING INTERVIEWED?

Victim Services Toronto is available to support you. You can contact them even if you decide not to file a report with the police. If you decide to file a report, they can provide you with information about who to contact and what the process will be like. They may attend the police station with you but they cannot stay with you during an interview. This is to protect the integrity of the evidence provided. Victim Services Toronto will support you before and after this process.

WHAT IF THE DISPATCHER DOESN'T BELIEVE ME? OR WHAT IF I AM MISGENDERED?

We know misgendering is a constant struggle for some Trans people. We regret if this has been your experience when dealing with the Service. We will continue to provide training to our members. If you have been misgendered, please correct the Service member.

WHAT IF I WITNESS A CRIME?

If you see that someone is in immediate danger, call 9-1-1. If you want to make a report after a crime has been committed, you can call police at 416 808 2222.

9.1.1 for emergencies
416.808.2222 for non-emergencies

You can also report a crime, or provide information about a crime, to Crime Stoppers. Crime Stoppers will never ask for or disclose your identity. If your information leads to an arrest, you could be eligible for a cash reward of up to \$2,000. You can contact Crime Stoppers by calling 416-222-TIPS (8477), online at <http://www.222tips.com>, text TOR and your message to CRIMES (274637) or you can download the free Crime Stoppers Mobile App on iTunes, Google Play or Blackberry App World.

WHAT IDENTIFICATION WILL I HAVE TO SHOW THE POLICE?

Any document with your name, age, and address can generally be presented upon request. If you are driving, you must provide a government-issued driver's license. If your identification does not match your gender identity you may have to provide a brief explanation.

WHAT IF MY FRIENDS/FAMILY/COWORKERS DON'T KNOW I'M TRANS?

Your privacy is very important to us. Unless they are required by law, a police officer will not disclose that information to anyone without your permission.

WHAT IF I'M A RECENT IMMIGRANT TO CANADA?

Victims and witnesses of crime will not be asked their immigration status, unless there are bona fide reasons to do so. These reasons are:

1. If a victim or witness requires the Provincial Witness Protection Program
2. If required by the Crown as part of disclosure
3. The information is essential to prove the case
4. The information is essential to public or officer safety.

WHAT IF I'M NOT PHYSICALLY INJURED? CAN I REPORT HARASSMENT OR HATE CRIME?

You do not need to be physically injured to make a report to police. If you feel you have been targeted for harassment you can call police.

According to the Criminal Code of Canada, Criminal Harassment is defined as engaging in conduct that causes the other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them. This conduct consists of repeatedly following from place to place the other person or anyone known to them; repeatedly communicating with, either directly or indirectly, the other person or anyone known to them; besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or engaging in threatening conduct directed at the other person or any member of their family.

Hate crimes are criminal offences committed against a person or property that are motivated by hate, bias or prejudice based on several factors, including gender identity or expression. The Toronto Police Service has a dedicated Hate Crimes Unit that could be consulted on the particulars of your case. If applicable, the officers will work with the Ministry of the Attorney General to lay the appropriate hate crime charges.

WILL I HAVE TO TESTIFY IN COURT?

If the accused decides to plead not guilty, you will most likely be required to testify at the preliminary hearing and at the trial. There are resources available to you to help prepare for that process, including the Victim Witness Assistance Program.

Victim Services Toronto
416.808.7066

WILL I HAVE TO PROVE MY IDENTITY IN COURT?

If this information is required, the police officer investigating your case will be your advocate. The officer will speak with the Crown Attorney assigned to your case and the information will be provided in a sensitive way, respecting your privacy at all times.

WILL I BE ASKED ABOUT MY TRANSITION? OR MY DEAD NAME?

This information may be required by the court in order to confirm your identity. If this information is required, the police officer investigating your case will be your advocate. The officer will speak with the Crown Attorney assigned to your case and the information will be provided in a sensitive way, respecting your privacy at all times.

WHAT IS A PUBLICATION BAN? WHO MAKES THAT DECISION?

The following information has been taken from the website of the Ministry of the Attorney General. For more information you visit the site at https://www.attorneygeneral.jus.gov.on.ca/english/pub_ban.php.

"The court may (and frequently must) impose publication bans to protect the fairness and integrity of the case, the privacy or safety of a victim or witness, or the identity of a child or youth.

In addition to the presiding judge's discretion, provisions in various federal and provincial laws, permit or require publication bans. Under the common law, a judge also has the authority to order a publication ban where various principles, including the effects on the accused's right to a fair trial, on the right to freedom of expression, and on the administration of justice, are weighed."

WHAT IF I AM, OR SOMEONE I KNOW IS, IN CRISIS?

If you or someone you know is in immediate danger, call 9-1-1. Police officers will respond. They may attend with a nurse. These are called MCIT – Mental Crisis Intervention Teams – and they are specially trained to respond to people in crisis.

If the officers believe you are a threat to yourself or to the public, they may apprehend you and take you to a hospital.

WHAT IS SEXUAL ASSAULT?

A sexual assault is any unwanted sexual contact. It includes, but is not limited to, unwanted kissing, touching, penetration or attempted penetration. You can be sexually assaulted once or many times. You can be sexually assaulted even if you have engaged in consensual sexual activity in the past. You can be sexually assaulted by anyone; a stranger, a friend, a partner, a doctor or a police officer.

Sexual assault is never your fault.

It does not matter what you were wearing, what you were doing, where you were or who you were with. Sexual assault is the fault of the person who commits the crime.

WHAT WILL HAPPEN AFTER I REPORT A SEXUAL ASSAULT?

In most cases, a police officer will take brief details about the assault to take a report. Depending on the nature of the assault, the officer may ask you to go to the hospital to treat any injuries and to have a Sexual Assault Evidence Kit (for more details see next question). You can choose to go to the hospital or not to have this done. The officer will continue with the investigation no matter your choice.

WHAT IS A SEXUAL ASSAULT EVIDENCE KIT?

A SAEK collects forensic evidence. A specially-trained sexual assault care nurse may collect samples from anywhere on your body including your mouth, vaginal and/or anal cavities, fingernails, and other parts of the body that the offender touched during the assault. If there are signs you may have been drugged, a toxicology kit may be collected. Clothing and undergarments may be collected as evidence. The kit is applied in the same way regardless of gender identity.

We know it can be difficult to find a hospital that is "Trans-friendly". You can choose any hospital you wish to have a SAEK but you may have to wait for a specially-trained doctor or nurse to administer the kit. There are three Sexual Assault Care Centres in the city where doctors and nurses are available 24 hours a day. They are Women's College Hospital, Scarborough Grace, and the Hospital for Sick Children. Once the kit is complete, and only with your consent, is it given to police for testing and analysis by Forensic Identification Services and the Centre for Forensic Studies.

CAN SOMEONE MAKE A POLICE REPORT FOR ME?

Yes, we will accept third party reports of sexual assault. However, in order to conduct a thorough investigation, victims are encouraged to come forward. If no victim comes forward, the information provided by the third party will be kept on file and no further action will be taken.

WHAT IF I WORK IN THE SEX TRADE, CAN I BE SEXUALLY ASSAULTED? WILL I BE ARRESTED IF POLICE FIND OUT I WAS WORKING IN THE SEX TRADE?

Anyone can be sexually assaulted at anytime, anywhere, by anyone. This means a sex trade worker can be sexually assaulted by a client. Any sexual contact that was not consensually agreed to is a sexual assault. If you are victimized during your work in the sex trade you will not be arrested.

WHAT IF I HAVE CONSENTED TO SEXUAL ACTIVITY IN THE PAST, CAN I STILL BE SEXUALLY ASSAULTED?

Yes, you can be sexually assaulted at any time, and you can withdraw your consent at any time.

WHO WILL INVESTIGATE MY SEXUAL ASSAULT?

In a case where the offender is known to the victim, the investigation will be done by the division in which the sexual assault occurred. Cases that are considered high risk and where the offender is not known to the victim will be investigated by Sex Crimes. All officers assigned to investigate a sexual assault have been specifically trained. The Officer in Charge of the case will keep in contact with you throughout the investigation and court process and can help you get support, assistance and referrals.

WHAT IF THE OFFENDER IS NOT CAUGHT?

Unsolved sexual assault cases are never closed. Any information that comes forward will be investigated with the intention of making an arrest in the case.

DO POLICE ALWAYS LAY CHARGES?

Sometimes the police will decide not to lay a charge. This does not mean that the police do not believe you or that the sexual assault did not happen. It may mean that there is not enough evidence to prove a criminal charge in court. If this does occur, the police will explain to you why this happened.

RESOURCES

We recognize that Trans people are as diverse as any other community. One person's experience is not necessarily the same as another's. The Service has done its best to verify these community supports as "Trans-friendly". If you are a community resource that can offer support to Trans people who have been victimized, please contact us.

Sexual Assault/Domestic Violence Care Centre
416-314-2447
1-888-579-2888 (toll free)
www.sadvtreatmentcentres.net

Victim Services Toronto
416-808-7066
www.victimservices.toronto.com

Family Services Toronto – David Kelley Program
416-595-9618
www.familyservicetoronto.org/our-services/programs-and-services/david-kelley-services/

Victim/Witness Assistance Program
www.ontario.ca/attorneygeneral

Criminal Injuries Compensation Board
416-326-2900
1-800-372-7463 (toll free)
www.cicb.gov.on.ca

Rupert Raj
www.rrconsulting.ca/resources

Fred Victor Centre Women's Hostel
86 Lombard Street
416-368-2642
www.fredvictor.org/womens_hostel

YMCA Sprott House
21 Walmer Road
647-438-8383

Egale Canada Human Rights Trust
416-964-7887
1-888-204-7777 (toll free)
www.egale.ca

Trans Lifeline
1-877-330-6366

Toronto PFLAG
416-406-6378
www.torontopflag.org

Sherbourne Health Centre
416-867-3278
www.sherbourne.ca

For the Gender Journeys Program:
Kusha Dadui, 416-324-5078, ydadui@sherbourne.on.ca

St. Michael's Hospital
416-864-3076 or 416-867-3728

Transgender Youth Clinic at Sick Kids Hospital
416-813-7654 x 203569
www.sickkids.ca

Toronto Trans Alliance
www.torontotransalliance.com

Kids Help Phone
1-800-668-6868
www.kidshelpphone.ca

Danielle Bottineau | LGBTQ Liaison Officer
danielle.bottineau@torontopolice.on.ca | 416.808.7268

HOW DO I FILE A COMPLAINT ABOUT A POLICE OFFICER?

You can call or attend any police division and ask to speak to a supervisor and/or you can file a complaint by contacting the Office of the Independent Police Review Director. For more information, go to www.oiprd.ca

In memory of those
Trans people who have
lost their lives
to violence.





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