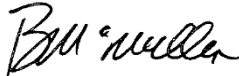




# COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 8, 2023
<b>SUBJECT:</b>	Court Security and Prisoner Transportation Program Agreement for 2023 (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

Each year, the Province requires the City to enter into a new agreement in order to access the funds made available for the Court Security and Prisoner Transportation (CSPT) Program. Authorization was provided through Report FCS21036 for the General Manager, Finance and Corporate Services, to be able to execute this agreement between the City of Hamilton and the Province as represented by its Solicitor General, in a form satisfactory to the City Solicitor.

As a condition for receiving the Provincial funding, the agreement requires the City to:

- Use the funds only for eligible activities; and
- Report back to the Province using the Annual Financial and Performance Measurement Report template provided (this report to be prepared by Hamilton Police Service).

By entering into the 2023 Transfer Payment Agreement with the Province, the City will receive funding amounting to \$4,958,267 for 2023 to help offset the cost of providing court security and prisoner transportation. The 2023 Hamilton Police Service (Police) budget estimated this provincial funding to be maintained at the 2022 level of \$4,895,063. The higher allocation for 2023 will result in an additional recovery of \$63,204 for the Police compared to the approved budget.

**SUBJECT: Court Security and Prisoner Transportation Program Agreement for 2023 (City Wide) – Page 2 of 3**

By entering into the Agreement, the City of Hamilton will receive partial reimbursement from the Province of Ontario for eligible services and activities under the Court Security and Prisoner Transportation (CSPT) Program, in accordance with the terms and conditions of the agreement effective January 1, 2023. The Agreement sets out the criteria for eligible services and activities.

Table 1 shows details of the funding received by the City from 2012 to 2023 and the budgeted CSPT expenditures incurred by the City. The funding shortfall has been increasing over the last few years and for 2023, there is an anticipated funding shortfall is expected to be \$3,059,456.

**Table 1  
CSPT Funding and City Expenses – 2012 to 2023**

Year	Total Provincial Funding \$'000	City Expenses \$'000 Budget	City Share of Provincial Funding \$'000	% of City Expense Funded by Province	Funding Shortfall \$'000	City Share % of Provincial Funding
2012	17,800	5,017	705	14%	(4,312)	4.0%
2013	35,700	4,871	1,410	29%	(3,461)	3.9%
2014	53,500	4,779	2,115	44%	(2,664)	4.0%
2015	71,300	5,067	2,546	50%	(2,521)	3.6%
2016	89,200	5,792	3,182	55%	(2,610)	3.6%
2017	107,100	6,315	3,601	57%	(2,714)	3.4%
2018	125,000	6,467	4,201	65%	(2,266)	3.4%
2019	125,000	7,177	4,947	69%	(2,230)	4.0%
2020	125,000	7,411	5,055	68%	(2,356)	4.0%
2021	125,000	7,839	5,173	66%	(2,666)	4.1%
2022	125,000	8,114	4,895	60%	(3,219)	3.9%
2023	125,000	8,018	4,958	62%	(3,059)	4.0%
<b>Total</b>		<b>76,866</b>	<b>42,788</b>		<b>(34,078)</b>	

Although total funding from 2018-2023 has been maintained at \$125,000,000, the City of Hamilton's apportionment has fluctuated slightly over that period as a percentage share of the total CSPT allocation.

The funding amount of \$4,958,267 for 2023 represents approximately 4.0% of the available funding.

## **BACKGROUND**

Commencing in 2012, the Ontario government began reimbursing a portion of Court Security and Prisoner Transportation (CSPT) costs to help municipalities fund the service in their jurisdictions. The City of Hamilton is responsible for the costs of providing security for court premises during hours of court operations and security of persons attending court and / or the costs of transporting prisoners and custodial minors (i.e. persons between twelve and seventeen years of age) between correctional institutions, custodial facilities and court locations for the purposes of court attendance. The CSPT Program will provide a maximum total of \$125,000,000 for 2023 province wide.

An expenditure-based model was used to determine allocation for 2023. Funding is allocated based on each municipality's relative share of the total 2021 CSPT cost across the province. For example, if a municipality's CSPT cost represents 1% of the total provincial CSPT cost, then it will be allocated 1% of the available funding. For the current funding period 2023, the City of Hamilton's funding allocation is \$4,958,267 (4.0%). Based on this allocation model, the City's proportionate share of the funding will vary from year to year based on the relative spending for CSPT by other municipalities in the Province.

Ontario is the only province in Canada where legislation dictates court security be paid for with municipal property tax dollars and delivered through local police service boards via police chiefs.

Funding is conditional upon the execution of the Agreement for 2023 between the Province and the City by March 17, 2023.

### **Delegation of Authority**

Each year, the Province requires the City to enter into a new agreement in order to access the funds made available for the CSPT Program. In the interest of operational efficiency, authorization was sought (FCS21036) for the General Manager, Finance and Corporate Services, to be able to execute similar future agreements between the City of Hamilton and the Province as represented by its Solicitor General, in a form satisfactory to the City Solicitor.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Communication Update – Letter from the Province dated February 24, 2023, outlining the details of the funding offered for 2023 for Court Security and Prisoner Transportation along with terms and conditions.

CP/dt