



**Presentation to the Standing Committee
on the Legislative Assembly
by the
Police Association of Ontario**

Bill 28, Mandatory Blood Testing Act

November 23, 2006

My name is Bruce Miller and I am the Chief Administrative Officer for the Police Association of Ontario (PAO). I was also a front-line police officer for over twenty years prior to taking on my current responsibilities. With me is Constable Natalie Hiltz of the Peel Regional Police Service.

The Police Association of Ontario represents over 30,000 police and civilian members from every municipal police association and the Ontario Provincial Police Association. We appreciate the opportunity to provide input into this important process.

We are here today in support of Bill 28 and to stress the need for effective mandatory blood testing for individuals who may have infected emergency workers, victims of crime and Good Samaritans.

We would like to acknowledge the hard work that was done on this issue by Simcoe North MPP Garfield Dunlop who had his ground breaking Private Member's Bill proclaimed in 2003. The legislation was the first of its kind in Canada.

Since the introduction of Mr. Dunlop's legislation, many stakeholders have come together to share their experiences, which, in turn, have helped to shape the legislation introduced by the McGuinty government.

The Minister of Community Safety and Correctional Services Monte Kwinter introduced legislation last November, which we believe achieves the right balance of protecting emergency responders, victims of crime and Good Samaritans and those who placed them at risk.

A number of years ago I performed CPR on an individual who unfortunately did not survive. The coroner was concerned that the individual may have had spinal meningitis and ordered an immediate autopsy that confirmed his suspicions.

I was called at home late at night and told to attend the local emergency ward to begin treatment, which I did. If the individual had survived, I may not have been privy to the same information.

I will now ask Natalie Hiltz to tell you her story.

I am a Police Constable with the Peel Regional Police Service. I want to tell you about an incident that happened to me. I was 26 years old and in my rookie year. The day was Saturday, June 14, 1997. It was eight in the morning and was the start of what I thought would be a routine day.

I was sent on a domestic disturbance call with another officer. We arrived and separated the two people that were involved. I was dealing with a female who pushed me and ran. I chased her and she bit me on my left hand while I was arresting her. She broke the skin and it was bleeding.

It turned out that she had bitten someone else before I arrived. I was told that she was a well-known prostitute. She was a heavy intravenous drug user and crack addict. She was a street person and was believed to be HIV positive. She looked sick and her gums were bleeding. I knew that I was in trouble.

I immediately went to Credit Valley Hospital where I was told by a doctor that my risk of contraction was high. He advised me to take the drug cocktail and told me that it was 80% effective. The person who bit me refused to be tested.

I believed that my life was in danger. The hospital needed me to pay for the medication before they would begin treatment. I called my fiancé who brought down a credit card so that I could pay for the drugs that could save my life.

The side effects were severe. I had chronic fatigue and nausea. The emotional effects were worse. The doctor warned me that the drugs could cause cancer or birth defects. I worried about the effects on my loved ones.

I was able to get through the ordeal thanks to the support from my fiancé, my family, my friends, my co-workers and my police association and police service.

My story had a happy ending. I have been given a clean bill of health. My fiancé is now my husband and we have two wonderful children.

I am here today because I went through hell and I want to do whatever I can to lessen the burden for those who will surely have to go through what I went through.

Now I can't give you figures on the risk or number of exposures. I can only tell you of my personal experience.

It turned out that the person who bit me was in fact HIV positive. I would have had to take the medication in any event. I can't tell you what I would have done if the person had been tested and had been given a clean bill of health.

I can tell you that I would have based my decision on consultations with my physician.

I can tell you that I would have been able to make an informed decision with all the possible information.

I can tell you that it would have taken away a lot of the uncertainty.

I can tell you that the emotional toll is high and that it is human nature to think the worse. We need to be able to make informed decisions based on all the possible information. I hope that the legislation can move forward as quickly as possible.

Thank you Natalie. I don't know how much more I can add after your presentation. Your story underscores the need for the legislation to move forward.

- The police officer that is bitten and is then told by the offender that he or she has Aids should be able to make an informed decision on treatment
- The sexual assault victim has the same common sense right.
- A Good Samaritan who performs mouth-to-mouth resuscitation on an individual has the right to know whether or not he or she has put his or her own health at risk.

We have countless examples of deliberate attacks on police personnel by people with, or claiming to have HIV, and other diseases. Rubber gloves and universal precautions only reduce the risk.

We have had members spat upon, deliberately bitten and exposed to free flowing blood and other bodily fluids by an attacker or individual. I know because it happened to me numerous times.

Lax federal laws and inadequate legislation and sentencing provisions only serve to increase the incidents. We need to protect victims and those who protect us.

We respect the right to privacy but at some point that right must be balanced with the needs to protect society.

Mandatory blood testing would allow individuals to make properly informed decisions about post exposure treatment. The so-called "drug cocktail" that is administered to post-exposure victims brings its own well-documented medical risks.

We are also informed that physicians will treat a person more aggressively if they know that the individual who may have infected the person tested positive. This legislation can help to save lives.

We have reviewed the legislation in detail and are not proposing any amendments. In closing we would like to thank Garfield Dunlop and Minister Kwinter for all their efforts and we would call on the members of all three parties to move this legislation forward as quickly as possible.

Thank you and we would be pleased to answer any questions that you may have.



Mandate of the Association

The Police Association of Ontario (PAO) was founded in 1933 and is the official voice and representative body for Ontario's front-line police personnel. Our membership consists of over 30,000 police and civilian members from every municipal police association and the Ontario Provincial Police Association (see attached for a complete listing of member associations).

The Police Association of Ontario promotes the mutual interests of Ontario's front-line police personnel in order to uphold the honour of the police profession and elevate the standards of police services.

The core objectives of our Association are to:

- Provide progressive and effective leadership and representation on policing issues;
- Deliver flexible and innovative services providing resource and support to our member associations;
- Deliver training and educational programs to foster enhanced association leadership; and,
- Encourage cooperation and unity within our membership.

Community Service

The Police Association of Ontario and its affiliates across this province have a long history of community support and involvement. Whether through the work of our individual members or through the efforts of a local association, many charities, minor sports programs and assistance programs for people of all ages, have benefited from our efforts.

The PAO believes that our "Kids and Cops and Canadian Tire Fishing Days" is another example of this community spirit. We have partnered with Fishing Forever, a non-profit organization, whose principal focus is recreational fisheries conservation and securing the future of fishing in Ontario. The PAO has committed over two hundred thousand dollars to this program over the last several years and to date have taken thousands of young people fishing for the day with police personnel. The PAO was honoured last year with the Rick Amsbury Memorial Award for its contribution to fishing and youth in Ontario.



Sharing Our Expertise

Our unified voice has always been a key resource to government on all matters related to policing. Building on our shared goal of making Ontario communities safer, we have worked with successive governments on a number of important policy files sharing our experience and expertise.

Notable amongst our past achievements is the revitalized Police Services Act. Our Association worked along side other police stakeholders including representatives of Ontario's Chiefs of Police, Police Services Boards and municipalities to forge a consensus on how best to transform Ontario's police services. Working with elected members on all sides of the Legislature on this important initiative was particularly rewarding.

In recent years, our Association has been advocating for a number of new initiatives that would improve community safety and protect police personnel including:

- ❑ Measures to address the escalating problem of violence in our communities posed by gangs, drugs and guns in particular;
- ❑ Implementation plans for the 1,000 new officers;
- ❑ Revitalizing the Ontario Municipal Employees Retirement System (OMERS) to better reflect the contribution of police and fire fighter personnel;
- ❑ Passage of the "pull to the left" law that requires vehicles to slow and pull to the left when approaching a stopped emergency vehicle.

Moving Forward: Developing The Work Plan

While proud of our past accomplishments, we understand that police services are constantly in transition. By responding to changing public expectations, we can ensure that Ontario's police services remain responsive, effective and accountable. At present, we are anxious to work with government on a number of important policy matters including:

- ❑ Maintaining Ontario's strong system of civilian oversight.
- ❑ Improve pension portability for police personnel through a divestment agreement with the Ontario Pension Board and OMERS.
- ❑ Standardizing Ontario's usage of private security personnel.
- ❑ Improving Bill 105 regulations (The Blood Samples Act) to ensure officer and community safety.



PAO Member Associations

Amherstburg	Kingston	Sarnia
Aylmer	Kirkland Lake	Saugeen Shores
Barrie	LaSalle	Sault Ste. Marie
Belleville	Leamington	Shelburne
Brantford	Lindsay	Smiths Falls
Brockville	London	South Simcoe
Chatham-Kent	Michipicoten Twp.	St. Thomas
Cobourg	Midland	Stratford
Cornwall	Niagara Parks	Strathroy
Deep River	Niagara Region	Stirling-Rawdon
Dryden	North Bay	Sudbury
Durham Regional	Ontario Provincial Police	Temiskaming Shores
Elliot Lake	Orangeville	Thunder Bay
Espanola	Orillia	Timmins
Essex	Ottawa	Toronto
Gananoque	Owen Sound	Waterloo Regional
Guelph	Oxford Community	West Grey
Halton Regional	Peel Regional	West Nipissing
Hamilton	Pembroke	Windsor
Hanover	Perth	Wingham
Kenora	Peterborough-Lakefield	York Regional
	Port Hope	

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The Police Association of Ontario – a Resource for Government

The PAO has a history of working with government to ensure safe communities. Our unified voice has always been a key resource to government on all matters related to policing. The PAO web site is located at www.pao.on.ca. It contains all of our media releases, position papers and other information on policing and community safety. We would also encourage you to contact our office should you need any further information. Some of the material includes:

- ❑ PAO federal and provincial submissions on pre-budget consultations.
 - ❑ Public opinion polling information on community safety issues.
 - ❑ Presentation to the Standing Committee on Finance and Economic Affairs on Bill 40, The Emergency Service Provider's Insurance Protection Act.
 - ❑ Submissions to the Honourable Patrick LeSage, Q.C., The Police Complaints Review.
 - ❑ Presentation to the Standing Committee on Justice Policy on Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds.
 - ❑ Presentation to the Standing Committee on Justice Policy, Bill 128, Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2005.
 - ❑ Presentation to the Standing Committee on Justice Policy, Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999.
 - ❑ Presentations to the Standing Committee on General Government on Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act.
 - ❑ Presentation to the Standing Committee on General Government on Bill 53, An Act to revise the City of Toronto Acts, 1997 (nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto.
 - ❑ Presentation to the Standing Committee on Justice Policy on Bill 56, An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997.
 - ❑ Presentation to the Standing Committee on Justice Policy on Bill 107, An Act to Amend the Human Rights Code.
 - ❑ Presentation to the Standing Committee on Justice Policy on Bill 14, An Act to promote access to justice by amending or repealing various acts and by enacting the Legislation Act, 2005.
 - ❑ Presentation to the Standing Committee on General Government on Bill 148, An Act to amend the Highway Traffic Act respecting seatbelts.
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