

**IN THE MATTER OF SECTION 210(10) OF THE *COMMUNITY SAFETY AND
POLICING ACT, 2019*, SO 2019, c.1, Sch.1**

CST. JOSE PEREZ

APPLICANT

- and -

TORONTO POLICE SERVICE

RESPONDENT

INTERIM DECISION

Adjudicator: D. Stephen Jovanovic

For the Applicant: Sandip Khehra, counsel

For the Respondent: Elizabeth Glasbergen, counsel

Conference date: June 22, 2026

1. The Applicant submitted an Application for the Appointment of an Adjudicator to the Ontario Police Arbitration and Adjudication Commission (OPAAC), dated May 19, 2026, for a Police Discipline Adjudication to appeal a suspension without pay. The Application was made pursuant to subsection 210(10) of the *Community Safety and Policing Act, 2019* (CSPA).
2. The facts set out in the Application are as follows:

On March 27, 2026, the Applicant became subject to conditions of judicial interim release pursuant to s. 515 of the *Criminal Code*. The Applicant continued to be suspended with pay after the March 27, 2026 release order. On April 10, 2026, the Applicant became subject to a new release order. On April 22, 2026, Chief Demkiw notified the Applicant that he was suspended without pay, effective immediately, pursuant to s. 210(1), paragraph 2 of the *CSPA*. Chief Demkiw cited the following specific conditions of the Applicant's judicial interim release from April 22, 2026:

- Not to have access to any electronic device unless under the direct supervision of your surety.
- House arrest unless you are in the direct and continuance company of your surety or for medical emergencies involving yourself or your surety.
- You will be subject to GPS monitoring by Recovery Science Corporation monitoring program and agree to abide by all of its rules and protocols by providing your signature on the GPS Rules and Protocols which will be attached to the release order as Schedule "A".
- Not to be in the City of Toronto except: To attend and report to the Toronto Police Service; to attend Counselling; to attend Toronto Police Association office; to attend Legal Counsel's office; to attend court. You are not permitted to travel to or from the Toronto Police Service, the Toronto Police Association, Legal Counsel's office, counselling or court without your surety.

3. The grounds for the Application are set out in the Request for the Appointment of An Adjudicator. I was subsequently appointed as the Adjudicator by the Chair of OPAAC.
4. On June 8, 2026, I was advised by counsel for the Applicant that the Applicant was entering a residential treatment facility and that he would "no longer proceed with the appeal." On June 11, 2026 I was advised by counsel for the Applicant that the Application may be brought "at a later date."

Counsel for the Respondent raised issues as to the timing of an Application and the scheduling of a hearing. The parties requested this conference call to resolve these issues.

5. Counsel for the Applicant advised that the residential treatment program was for three months with a report expected to be delivered within thirty days thereafter.

Sections 65(1) and (2) of Reg. 404/23 under the *CSPA* provide the following:

(1) No later than 90 days following the day the adjudicator is appointed by the Commission Chair to hold the merits hearing, the adjudicator shall ensure that the merits hearing commences.

(2) The timeline in section (1) applies unless the adjudicator extends it due to exceptional circumstances.

6. The parties submitted that exceptional circumstances applied and I agreed. We discussed the potential financial ramifications of delaying the hearing. The Applicant is entitled to be present at any hearing. He is unable to do so at the present time. As requested by the parties, the commencement of the hearing will be deferred to October 19, 2026. A videoconference call will be held at 9:30 am on that date to discuss further scheduling and I remain seized of the matter.

Dated and Issued June 22, 2026.

“D. Stephen Jovanovic”

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