

INDEPENDENT STREET CHECK REVIEW

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**LOCATION: Hamilton Central Public Library
Hamilton Room
55 York Boulevard**

March 20, 2018

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JUSTICE MICHAEL TULLOCH.....Independent Reviewer

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TRANSCRIPT ORDERED.....April 6, 2018

TRANSCRIPT COMPLETED.....April 9, 2018

ORDERING PARTY NOTIFIED.....April 9, 2018

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KIKA OJO:

5 Good evening. Hi hello Hamilton friends. I
went to McMaster so I have good memories.
(Cheers) So this will always be one of my
homes. Thank you so much for coming out
10 tonight to this Independent Street Checks
Review consultation, community consultation.
It is really important that members of the
community come out to have their say in this
15 conversation. And we just want to acknowledge
you. I want to acknowledge the elders in the
room. Thank you for being here, for your
wisdom. And also the youth. I notice that
20 there's quite a bit of youth in the room and I
want to acknowledge that it is so important for
being here. And Thank you for being here. We
want to hear your voice. (Applause) Yup. I
25 also want to acknowledge counsellors Terry
Whitehead and Matthew Green for being here.

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5 Thank you so much. (Applause) And police
board members, Donald McVicor(ph) and Walt
10 Jusnivitch(ph). Thank you for being here. So
tonight really is about hearing from you. We
will be brief in our introduction and we will
15 get right into an opportunity for you to be
heard and have conversations at your table and
then bring that conversation, you know, report
back to the large group. You will notice that
20 members of the team are around the room with
white tags so anybody that you see with a white
tag is a member of the street checks carding
review team. And you can ask them questions.
25 They might join your table. They may be moving
around, coming and going, taking notes. But if
you don't see us taking notes not to worry. We
have notes being taken, it is being recorded so
30 we can refer back in a precise way. The other
thing is that there are headsets if you want

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to, if you need french translation. Okay. So
I believe they're by our sound guys over there
in that corner. You can get a head set, or
even if you have hearing impairment and it
would just be easier for you to listen
through the headsets. Please feel free to go
and access a headset as well. Okay. Yeah. So
I'm gonna invite Justice Tulloch to the podium
to welcome you formerly. Thank you. (Applause)

15 JUSTICE MICHAEL TULLOCH:

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Okay, thanks Kika. And good evening ladies and
gentleman. Thank you so much for coming out.
As Kika has indicated we're here to have a
conversation. We're here to hear from you here
in Hamilton. I was here about a year and a
half ago and I can indicate on the last review
that we conducted your input was extremely
valuable to that entire process. And as a
result of that we made recommendations which

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5 largely reflected what we heard from
consultations such as this one, and is now
reflected in legislation which was passed back
in early March. So I want to thank all of you
10 here in Hamilton as a community, and you know
you should give yourself some credit. Okay.
Thank you. (Applause)

15 Now as you've heard my name is Michael Tulloch.
I'm a Judge who sits on the Court of Appeal.
Before I begin with my comments I must first
acknowledge that we're on the land of the
20 traditional territory of a number of first
nations, and these include the Anishanbek, my
diction is a little bit off tonight, but
anyways. The Anishanbek Whodanoshine and
25 Iriquos as well as the Huron Wendat, the
Ojibway chipoway peoples as well as the Metis
and the Inuit. Now I strongly believe that by
acknowledging this traditional territory we're
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5 recognizing and respecting the First Peoples of
this country. And the fact that this
territories covered by the Upper Canada
Treaties. This recognition and acknowledgment
10 is key to any relationship and reconciliation
going forward. Now I'm here this evening in
the capacity of an Independent Reviewer of the
new regulation passed by the Ontario government
15 in 2016 which was put in place to regulate the
police practice of street checks, and more
specifically which was intended to limit or ban
the arbitrary interaction of some police
20 officers with members of the public for the
sole purpose of collecting their personal
identifying information. It's a practice
generically called "carding". I am an
25 independent reviewer, which means my position
is independent of government, as well as
independent of the police. As indicated I was
30 asked by the Ontario Government to conduct this

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5 independent review, and this was back on June
7, 2017. In this capacity I will be reviewing
the content of the regulation to see whether it
reflects the important goal of ensuring bias
free police community interactions. As well
10 the public or police interactions are
consistent and conducted in a way that promotes
public trust and confidence, while at the same
time respecting individual rights in civil
15 liberties. I will also be reviewing the
regulation with a view to determine whether or
not police services, chiefs, and police
services boards are in compliance with its
20 terms and are following it. I will be
conducting a very comprehensive view of this
regulation and in order to do this I put
together a team of professionals to assist me
25 in this regard. A number of whom are here this
evening whom we've heard are wearing tags like
the one that I have. Now since September we've

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5 had a numerous consultations throughout the
Province, the north as well as other parts of
Ontario. And now we've embarked on our public
consultations. Today's consultation in Hamilton
10 marks the sixth of 12 public consultations
throughout the Province of Ontario. I intend
to draw on what I've been learning in these
consultations to formulate a report with
recommendations on the regulation. This report
15 will be submitted to the government on November
30, 2018 and will be made available to the
public no later than January 1, 2019. By way
of background, the regulation is intended to
20 govern the police and public interaction. When
the police is seeking to obtain a persons
public identification in a situations where a
25 legal statutory law, such as the Highway
Traffic Act or the Trespass to Public Property
Act does not obligate the citizen to give the
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5 police his or her information, or where a
person is not being investigated for a specific
crime or is under legal duress. There are
10 situations when individuals are legally obliged
to give their identifying information to the
police if there is statutory authority that
governs. But in other situations then the
regulation applies. The regulation outlines
15 what an officer must do if they ask for your
identifying information. The regulation is not
intended to stop the police from speaking with
the public or the public from speaking with the
20 police. The regulation is intended to stop the
police from randomly and arbitrarily collecting
personal information from members of the public
who they speak with. The regulation also
25 provides information and guidelines on the
storage of information that comes from street
checks, as well it provides the mandatory
30 training for all police on the new rules. The

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5 development of policies and procedures by
police services as well as police services
boards and the public reporting requirements by
the police services. Now with that background
10 in mind I look forward to this evenings
discussion. I look forward to hearing from
you. I ask that you feel free to speak openly
and candidly about your experiences. And I
15 want to emphasize, once again, that this review
is fully independent. We're here not as part of
the Government of Ontario but we're here to
hear from you as citizens and your input will
20 be instrumental in whatever recommendations
that will be going forward. Thank you very
much. (Applause)

25 DANIELE DOWDY: Good evening everyone. I'm just
gonna do a quick run through of the logistics
for this evening.

(French translation at this time)

30 So, thank you all for coming this evening. I'm

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just gonna go through what this evening will
look like for you and give you a brief idea and
then we're get right into the discussions. So
as you know, as Justice Tulloch mentioned,
we're doing public consultations and this is
our sixth one. We're travelling right across
the Province. And it's been really great to
get out and hear from the community and meet
people. So thank you again for coming out this
evening.

UNIDENTIFIED MALE:

Excellent food.

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DANIELE DOWDY:

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Excellent food. And there's still more. So
please feel free to get seconds. Part of our
consultations is a community survey. So if you
go on our website you'll see a pop-up come up
and you're welcome to take the survey. It's
also another way that we're doing consultations
and gathering really specific data on the

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5 regulation and on people's experience. So
please go to our website which is
www.streetcheckreview.ca

10 And as soon as you get there, you'll see this
screen and it will pop up and you can take the
survey.

15 And so the goal of this evening really is to
hear from you and to hear your feedback and
your recommendations into this entire process.
We're reviewing a number of things and part of
it is, part of that includes community
20 feedback. So we want to know what your
experiences have been, what's the impact of the
regulation been. How are you finding, what
recommendations for data collection and for
receipts and a lot of things. You'll see on
25 your tables there is a guide and there's also a
questionnaire, and it kind of goes through the
regulation on things that we like your feedback
on. And just as a disclaimer. The review,
we're not looking at individual cases. So
while you might have a story to share with us,
a personal story, we would love it if you're
30 able to share that with us. But as a review

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5 team, we're not actually dealing with or trying
to resolve individual cases, that's for you to
be able to take up with whatever police service
that you would like to be able to deal with.
Sorry. I'm just running through this really
quick. I'll get to your question after. So
10 yes, just so you know there aren't any, we're
not looking at individual cases. So the way
that this works is as soon as I sit down we're
basically gonna get right into the consultation
part. So, if you're sitting at a table and
it's kind of empty, I'm not sure if some of the
15 ladies at the back if you want to join a table.
Really it's a group exercise. And so it's
going through the questions, working through
them. And if you can appoint a person at your
table to take notes and then report back at the
20 end. We'll have about 45 minutes to an hour
for you all to discuss, and then we'll leave
some time at the end for each table to report
back to Justice Tulloch who will be up at the
front here taking notes on everything that's
25 being said. And just so you know we are on
social media. We're posting under the hashtag
street checks. So you can go on our Facebook
page, actually this is being live streamed on
Facebook live. So Dillon who's on the riser
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with the camera. He waved Dillon. Hi. So he's managing our facebook stream. So that's where the camera is. If you don't want to be on camera it's right there, please avoid the camera. But we're also gonna be taking pictures. So you'll see members of our team with the name tags, we'll be around taking pictures cause we're tweeting and we've got it on Instagram and up on Facebook as well. If you see us, and you don't want your photo taken, not an issue at all, just let us know and we'll move on. But if you want to see what it is that we're posting or tweeting about, you can go on anyone of our pages. So, there's Facebook, twitter and Instagram. And again you can go to our website for any of the information on the upcoming consultations or anything to do with the review to get more information. And if you want to send information to us, if you feel that there was stuff that you still wanted to say and didn't get a chance, you can send us an email, or perhaps you just needed some more time to think through some of your thoughts, feel free to send us an email at info@streetchecksreview.ca. That's it. And thank you so much and have a great evening.

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UNIDENTIFIED MALE:

I just want to ask you a question.
I'm part of the and I have concern(off
microphone)

DANIELE DOWDY:

So what you can do is send us an email with
whatever it is you have-

UNIDENTIFIED MALE:

(Indiscernible)

DANIELE DOWDY:

So send us all the information you have ----

JUSTICE MICHAEL TULLOCH:

Sir, you can address it after, when everybody
else is being addressed.

DANIELE DOWDY:

Yeah. So at the end we are gonna do a report
back portion and people will have a chance to
speak at the table. And if there's anything
extra, feel free to send us an email, we'll
receive your documentation. Thank you.

KIKA OJO:

Thank you Danielle. So for this process, as
Danielle says, if you should populate tables,
so that they're kind of full and we can have
sort of a robust conversation. There is a
sheet on your table that looks like this. I
know you can't really see this very closely.
There's an Engagement Guide. So if you want to

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just want to sort of lift the pertinent questions out of the engagement guide, it's this single sheet, that's two-sided. All right. Probably pick someone to kind of facilitate the conversation at the table, and someone to take notes, and also someone who will present. Right. And you have 50 minutes, 5 0. So it's 6:30 now so at about 7:20 I'll give you like a two minute warning. Okay. And then we'll start the report backs. That good? Every bodies good? Thank you so much

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ROUND TABLE DISCUSSION

KIKA OJO:

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Hello everyone. Thank you so much. Hopefully you've had enough time for everyone to have their say. And if I can remind you—thank you so much. Just gonna remind you of a couple things. One, now that we've gone through the process of the conversation—Hi, hello. I just want to remind you that you can go on to our website and offer more feedback. So, if you, for whatever reason, don't feel like you were heard or you have more to say or whatever, the website information is here behind me. We'd love to hear from you. The other thing I want to remind you of is that Justice Tulloch is an

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5 independent reviewer. So, this is not
connected to the police, any particular police
service at all. And it is not connected to any
particular government. So I just want to remind
the room of that. As you can see there's a lot
of people here and there are a lot of tables.
10 And I want to be as close to our time that we
ought to finished as possible, while hearing
from everyone. So how I've done that,
typically, up till now is given ---- is ask one
person from each table to represent the table,
right, by sharing what was discussed and
15 working in, around the three minute frame for
the report back. I get that that means that
not everything you said will get said in
detail. We would like to take your notes, so
members of our team, so that's the people with
20 the white tags will come around and collect the
notes. So if you don't get to say everything
we will still note everything. Is that fair?
Is that cool? Awesome.
25 So I think were gonna start on this side and
we're gonna move across the room if that's
okay. And I'm just gonna ask, just for the
sake of everyone being able to hear, if it's
possible to only have one conver, or one person
30 talking at a time. That's gonna make the
process happen a bit better and more quickly.

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5 Okay. Thank you so much. So David who has the
microphone, he's the microphone runner and when
he hands the microphone over to someone they
have the floor. Is that fair? Unless I
interrupt them of course. So I'm the time
keeper, I will give you a yellow card when
10 you're at about 20 to 30 seconds left, and
that'll give you a sense to wrap up. Is that
fair? Awesome, thank you. Dave.

UNIDENTIFIED FEMALE:

15 So I think we had a very fruitful and
meandering conversation. So if I could sum it
up. We were positioned differently in the
community which I think contributed to
sometimes the intensity of the conversation. I
think at the end of the day we talked about
20 perception and how those perceptions may be
formed by the colour of our skin, our class
background, the perceptions people may have of
us. Our histories. The story that we tell.
our children. The story that continue to
25 resonate with our kids and may create fear on
the part of some children. So at the end of
the day it was just like, okay, this is a
conversation around different perceptions, I
think, rooted in various forms of power and
30 privilege, but a real sense on part some of
people who are rooted in the community that

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5 while we've got lots of rules and regulations
and policies, that we've got lots of
documentation that perhaps the reality on the
ground is not changing. So documentations have
changed. Attitudes have not. Systems have
not. Some of have some of those comments that
10 I'm making are actually filtered through my own
perceptions too.

KIKA OJO:

Thank you for saying that. You have so much
more time as a table. So did you want to add
anything?

15 MARLENE THOMAS:

I think, my name is Marlene Thomas. I believe
Vilma covered it very well; however, as I kept
saying it starts from scratch. That's the
reason why we have street checks and carding
because no-one listened. And she spoke about
20 rules and regulations, policies etcetera. It's
only on paper. Implementation is where it's
at. And once it's not implemented by the
bodies that need to implement it, we're getting
nowhere and we'll be back here again next year
25 a few months from now. Me personally, I'm
tired of sitting in rooms filled with people.
We all have to do our part, yes, but the rules
and regulations, the Human Rights Code, people
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have, it has to be followed and implemented,
and we'll be all right. Thank you.

5 KIKI OJO:

Thank you. ((Applause))

UNIDENTIFIED FEMALE:

10 We have a lot of points but I think there's
some really important one that came up at the
end of our conversation. We're very concerned
about how people are going to get the new
regulation, how they're going to see it. How
they're going to become aware of it. Not
15 everybody knew there was an event happening
tonight, maybe needs to be marketed better.
But one of the way that we can ensure that that
regulation gets out there is when the police
give a receipt they also give a copy of the
20 regulation to the people. That would be
really-that they're giving a receipt too.
These two points were really important. How do
officers communicate effectively and
respectfully with people who have disabilities
and the tone when they're doing that? And this
25 one also spoke to my heart. You know we're all
in different economic places and sometimes
we're not as aware. Police need more
sensitivity training when potentially
confronting someone in the poverty community
30 who may be hungry and experiencing chemical

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5 imbalances due to hunger or mental health
challenges that are also caused by chemical
imbalances. And I'm so grateful to be sitting
at this table and that we all are able to
contribute to this. And Janine could you think
of anything else to add?

URSELLA SUMMERS:

10 The last point was my suggestion, my name is
Ursella Summers. For those of you that don't
know me, I've been a community activist for
over 30 years. I never support the pollie and
some of the things that they're doing. I'm
15 tired of them harassing people. I'm not being
racist but a lot of people of colour have been
harassed in this City more than the white
people. I can tell you that. And this is true.
So let's stop living in denial. And today I'm
20 here to say what happened to councillor Matthew
Green? I strongly support him. I'm happy that
he took this in consideration and bringing this
awareness to people in Hamilton. (Applause)
25 Because this should never happen and Matthew,
I'm there with you. You see me at City Hall.
You see me in the media. Stop harassing the
youth. I'm at Jackson Square food court every
day. There is some youths coming about 8, 9
o'clock and I don't see the security harassing
30 the white youths. But as soon as those black

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5 youths come in they start ordering them out of
the mall. And this wrong. It needs to be
stopped. And I will never give up my fight and
I will never support the police in all their
wrongdoing. They need to get sensitivity
training and do their job properly. If not get
other people on the job. Thank you.

10 (Applause)

KIKA OJO:

Thank you.

UNIDENTIFIED FEMALE:

15 So we talked a little bit about the fact that
the regulation that's in place has lot of ways
to circumvent it, which defeats the purpose.
We talked about how there are already laws in
place that are stronger than this that
underscore basic human rights that should be
20 enforced rather than pursuing this regulation
that doesn't have teeth in the way that the
Charter of Rights and Freedoms does, for
instance. We talked about legisla, or
education and how although it's important to do
25 anti-oppressive work and to train people that
still doesn't get at the internal issues and
internal racism that a lot of people have. So
how do we find a way to do education that's
30 meaningful while just not giving people

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5 progressive language to hide the fact that
they're racist. We talked about the fact that
even if we teach people to know their rights,
how if you're not in position of power do you
actually have the ability to forcefully ask for
the things that you're entitled to? For
10 instance, a lot of people may know that you
should be getting a receipt. If you're not
getting one and you're not in a position of
power, how comfortable do you feel asking for
it without it being interpreted as being
15 aggressive or combative and having that
actually further and escalate the violence that
you may be facing. We talked about having
officers specific to neighborhoods to possibly
build relationship and the lack of
20 communication with community and actually
teaching them what their rights are. We talked
about again the regulation not working because
it doesn't have teeth and how reformation of a
regulation that is not working maybe isn't the
25 best path to go through because we may just
find ourselves in the situation again. And a
little point that I'll add, I think, in this
discussion. It is really important for white
folks to take a back seat because we're not
30 impacted by car checks the way black and
indigenous folks are and actually just

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5 listening to the suggestions that other folks
in the room are giving us rather than imposing
our own views when they don't actually reflect
negative experiences with police.

KIKA OJO:

Thank you. (Applause)

10 UNIDENTIFIED FEMALE:

Sorry, another white woman. Some of, we have
like five pages of notes, but I think what our
-okay.

KIKA OJO:

15 We can take every, we are racing so we can slow
it down a minute. Thank you. Thank you for
being concerned about the time, I so appreciate
it. But you have some time, so do your thing.

UNIDENTIFIED FEMALE:

20 Okay. First I think in our discussion it was
stated that street checks and carding is just
one tool that can be used by police and it
seems that perhaps it's being overused in place
of better policing technics and investigative
25 technics. So that might be an area to explore.
It always seems like there is or may be a lack
of knowledge about rights and responsibilities.
Sort of particularly like the rights of
community members when being stopped or being
30 carded, and the rights of the police in sharing
information-saying that you don't need to

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5 provide your information and what not is the
regulation. So there needs to be more
awareness about rights and responsibilities of
both community members and police officers.
There seems to be a need for a lot more
accountability, but we thought that the giving
10 out of receipts might be a good first step
because then you have the police officers, you
have their badge number and you might be able
to follow up on that, and you have that
information at your fingertips. And I think it
was said a lot in our discussion that there
15 needs to be a lot more trust between community
members and police officers and perhaps there
needs to be like police officers like
assigned to a community and there and get to
know the community members and more be seen
20 like on their side and looking out for that
community as opposed to being maybe more like
interrogative, or what's another way of saying
it. Yeah, be more partners with the community
I think is what was being said. Is there
25 anything else to be add from the table?

UNIDENTIFIED MALE:

30 So just on the lines of training. We feel that
additional training throughout the police force
will help hold them accountable to those
actions. If we don't have a top down approach

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5 where this is being filtered from the very top
all the way down to the individuals on the
street, this will not work. Providing
additional training to the police officers will
help us build that bridge that we need to come
together as a community. The accountability
10 portion is so key that it is enforced from the
top down. Right now we believe that, one the
individuals at our table this is about trust,
and at this point right now we do not trust the
police department to do the right thing. So
having the accountability from the top down
15 will help bridge that gap between ourselves and
the community. (Applause)

KIKA OJO:

Thank you. Thank you. Another table.

UNIDENTIFIED MALE:

20 We have Mikia and his brother Emanuel- McKia,
okay. And here's the younger generation. We
went through all the questions and he's going
to answer them in order. Okay.

KIKA OJO:

25 Thank you.

UNIDENTIFIED YOUNG PERSON (MALE):

30 So we've asked our table have we all heard of
carding and yes we have. It hasn't been
enforced lately, but we've heard of it. And

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5 we've also been asked what does street
checks/carding mean to us? Well it means that
if you look suspicious or doing something
suspicious the police can come up to you and
ask you your whereabouts and what you're doing.
It does not mean that if you're minding your
own business that they can come up to you a
10 little aggressive or out of the blue and just
ask you for your information. It also does not
mean that they just tell you your rights and
just give you the permission to talk back to
them. Every, people here feel like they're
15 unsafe or they don't have their rights to walk
away or just go back into the crowd, because
they feel like the police will either harass
them or arrest them. Another major concern is
the police in the neighbourhood. It's question
20 six. "When should police stop and talk to
people in the community?" They should only
talk to you if there's suspicious behaviour or
activity and if anything else they can ask you
for your information. But people are only
25 willing to do that if you're friendly, chatting
to them, or more common in the neighbourhood.
People will not talk to you if you're rude or
you look like you're not going to be friendly
to them. It would be beneficial for the police
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5 to interact with the neighbourhoods and get
common ground and know all the citizens that
live there. We also feel that this carding has
not been beneficial to the neighbourhood. It
10 has put out either a racial thing or a group
thing. So they have only been targeting select
groups and not just talking to everyone. We
also feel that with the government having all
of this money and power have not been promoting
this legislation more often. The promote gun
15 violence and all that through t.v. commercials
and radios. But this legislation they keep it
on paper, they talk about it quietly. And it
doesn't have any effect because when you get a
receipt what are you supposed to do. Are you
20 supposed to call them and when you call them
will it go to answering machine? Will they like
bring you to different operators? It doesn't
do anything because then people get frustrated
and they just hang up. But when they give you
a receipt they should be able to go there
25 immediately or have people waiting for your
questions and answering them properly.

(Applause)

KIKA OJO:

30 Wait wait. Dave. Let him hold the mike for
one more second. Are you the president of your
school?

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UNIDENTIFIED YOUNG PERSON (MALE) :

No.

5 KIKA OJO:

Okay. You need to be the president of your school. (Applause) I also want to acknowledge that at that table was a member of Hamilton police. So I just want people to note that this conversation can happen this way, where I think that this young man can feel like he spoke his truth and the police were at the table at the same time, so, police services board, pardon me. A member of the Hamilton Police Services Board. Slightly different.

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UNIDENTIFIED FEMALE:

(Off microphone)

KIKA OJO:

Thank you. Thanks Dave.

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UNIDENTIFIED FEMALE:

Okay. Hi, good evening. I think all of us at our table are really happy to be here and to have open discussions. There are three themes that really stood out as we were talking. The first was that the most vulnerable in our community don't know what they need to know, or they don't need what they need to know. It feels, it felt like, like this table was saying that all of the information is at the top and

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it is not trickling down. It's like an
opposite pyramid. Number two it said, we said
that the police should be involved in not just
violence, harassment, all of the negative
interactions that we see on Youtube or social
media, but that they should also be involved in
good community interaction. So, being present
in school, being present for questions, being
involved in local community activities, not
just for carding people or I guess just causing
commotion. And then our last one was about
getting participants involved, like students at
McMaster and other schools. To create public
service announcements so that we know our
rights so that the communities involved, so
that it's relevant, it's current, it's
knowledgeable. But also that it's accessible.
So not just having it on a website or a random
piece of paper, or talked about behind closed
doors. But it's on social media, it's
available on snapchat, it's available on
Facebook where people can see it, where it's
free for people to see it.

30
KIKA OJO:

Thank you. (Applause)

UNIDENTIFIED MALE:

Good evening Your Honour and good evening

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madame chair. So, Onna(ph) and I were essentially alone at this table, and we didn't come up anything especially profound. We just had a quiet laid back conversation. But a woman at a table previously said at the beginning of her remarks, 'Sorry, another white woman'. I think that that remark is unnecessary because this is a public event that was well advertised in my experience and anybody in this room who's descended from Europe is equal from anyone who has descended from any other continent in the world. So I reject that thinking that somehow I'm a guest in this room, and the room is actually intended for people coming from other parts of the world, that that's not really the-

20 KIKA OJO:

You know that was a white woman that -

UNIDENTIFIED MALE:

I know, I know, that's why I'm saying that.

KIKA OJO:

I'm just checking.

25 UNIDENTIFIED MALE:

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It was unnecessary for her to make that remark as if she needs to apologize for having European antecedents. Otherwise I have nothing else to say and Onna, do you have something?

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KIKA OJO:

5 Okay I'll just—okay. Thank you. That's fine.
I, sorry, go ahead ma'am. You have the floor.

ONNA (ph) :

I think we need more guidelines about this law
because not everyone knows about it and it can
be threatening on some circumstances.

10 Individuals and police should identify
themselves and more training would help.

(Applause)

KIKA OJO:

Thank you. So who has the mike Dave?

15 UNIDENTIFIED FEMALE:

Hello. Good evening. So some of the key
points that we brought out were one of them was
to have like a '911' number for assistance that
anyone across Canada, the Province would be
able to have some assistance. It will give
20 them assistance with next steps. It will give
them assistance with debriefing, unpacking, you
know, what their experience was. If they need
further support to try to help them through
25 with the experience, things along those lines.
Also, we also made some recommendations around
PSA's and advertising that it would be a lot
broader. So whether they be, you know,
30 marquees on different, you know, telephone

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5 broadcast and the subways, you know, on the
buses, things like that, bus shelters, you know
that it would become you know, anywhere people
turn they would access to that information.
Regarding the receipts for the carding. It
would be nice to be even double sided, so that
10 on one side is whatever information that the
police need to gather, but the other side would
show the individual who's now had this
interaction and been officially carded that
they would know what their rights and
responsibilities might be through this
15 interaction as well. So, it sort of levels the
power a little bit more. I think it's also
important to realize that you can not make any
headway without collaboration. We can't do
this in a bubble, neither can the police
20 services or any other stake holder, that we
really need to all come to the table and have
these difficult discussions, and be willing to
give up ground to make ground. Also at one
point and time I can recall that community
25 policing used to mean community policing. That
there was again this interaction and a real
coming together of community with policing.
And somehow or another that has eroded over
time and I think that if we go back to the
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5 roots of that that that will help us through
this process in making headway in the future.
Someone also brought up the point of maybe
having bodycams. So I know when say if I'm
calling into, even talk to my, you know,
financial advisor about something you call a 1-
10 800 number and they tell you that it's going to
be recorded. So maybe there needs to be some
sort of record other than just on paper that
there's a recording of this interaction so that
you're really gonna hear both sides of what
exactly happened. In terms of a data base, it
15 would be nice to have a data base for the
interaction from the person who's been card as
well as the police officer who's making this,
who's issuing the carding, going through the
process of, and then there would be some sort
20 of random sampling to see okay this incident
happened on such a such a day. This is what
the person said. This is what the officer
said. And if there's a lot of-if there is not
a lot of connection between the two stories
25 then I think that would be a way to measure
really how effective this process is and
whether it should be, we know it should be
abolished, but they will then have to be able
to defend on a greater degree how wide is they
30 need to keep this because the evidence it's
showing it's not working and it is not meeting

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the purpose for which they said it needs to be kept in place. And -

5 KIKI OJO:

20 seconds.

UNIDENTIFIED FEMALE:

I think that, I think that's just about it.
Thank you for your time.

10 KIKI OJO:

Thank you.

UNIDENTIFIED FEMALE:

15 Hi everybody. So our table had some good discussion. We went through all the questions. I'm not gonna repeat what everybody else in the room has already said. I'll try to, you know, pick out the things that were different. I've been to a few of these consultations already. Something that was really surprising to me at 20 this discussion, this gentleman right here, I'm sorry what's your name again. Kirk had some experiences with the police when he was a teenager and as we can all see Kirk is a white male supposed to be the, you know, the best thing in America whatever. But he had a lot of 25 bad experiences with the police when he was younger just based on how he looked. You would think, what do you mean? He's a white male. But he was into punk rock, so just based on his 30

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5 dressing and his hair they would harass him a lot, and what were you saying? Put you up against the wall. You'd have to pull your pants down for a search, all this kind of stuff, so that was very shocking to me because usually we hear about this stuff for, you know, a young black males specifically. He made a good statement around that, you know, the experiences that he had while he was a youth, I guess they stayed with him until, you know, he was an adult and still til this day, so he kind of has a chip on his shoulder when it comes to police which possibly he may not have if he didn't have these experiences as a youth. Let me see. For question number two, cause I have a lot of random words here. "What do street checks mean to you?" Some things that our table spit out was like oppressive. Targeted based on appearance, and police are bullies or on a power trip and the public does not trust them. Table. Anything that I missed?

20 UNIDENTIFIED MALE:

25 Oppressive a good word. I know in my personal experience it was routine. It was routine for me to be hassled, targeted, pulled up on. Just, I knew that my experiences at the time that my rights were being violated, but I felt

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5 very helpless. And that, you know, we discuss
this as well. What are you to do? Go to the
police to complain about the police? I think
-sorry?

UNIDENTIFIED MALE:

(Off microphone)

KIKA OJO:

10 Okay, sorry sir. Keep going.

UNIDENTIFIED MALE:

I've been coming now because I've needed to
feel empowered and I think chair lady and
Justice Tulloch.

15 KIKA OJO:

Yeah Justice Tulloch.

UNIDENTIFIED MALE:

20 I was here at the, I've been here at, I think
about half dozen of these meetings now and I
felt it necessary just for myself, for my own
sense of well being, that I had to do something
to fight back to feel empowered because that's
how the police made me feel is disempowered.
And I thank you very much. I've received
25 Justice Tulloch's report. It's long. I've got
it on my computer and I've probably read about
two thirds of it and I agree with a large
percentage of it.

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KIKA OJO:

Sir, I'm just gonna ask you to wrap it up, but
thank you.

UNIDENTIFIED MALE:

Okay.

KIKA OJO:

Is that okay? And just to clarify you're
talking about Justice Tulloch's review, the
police review of the ----

UNIDENTIFIED MALE:

Yeah, and I'm glad that somethings being done
finally.

KIKA OJO:

Yeah.

UNIDENTIFIED MALE:

Cause my experience, I'm going back to the
80's. early 80's now.

KIKA OJO:

Yeah.

UNIDENTIFIED MALE:

When I was a teenager, young man. And I relate
very much to people-people of ethnicity, who
have been targeted and feel disempowered and
disenfranchised by the police because I feel
exactly the same way. I'm trying very hard to
change my impression. I'm cognizant of the
fact that hate doesn't get me anywhere, it just

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5 eats at me. And, but this is a process. And
I'm glad to see something, that it's finally
being addressed.

KIKA OJO:

Awesome.

UNIDENTIFIED MALE:

10 That I have a voice that I hope is being
listened to. And thanks.

KIKA OJO:

You do, and thank you so much. Thank you.
(Applause). This is interesting.

UNIDENTIFIED YOUNG PERSON (MALE):

15 We are all highschool students and all of us
have been stopped by police for no reason and
no charges have ever been laid. So what's the
point of pulling us over if we've never
committed a crime. (Applause)

20 UNIDENTIFIED YOUNG PERSON (MALE):

25 I have been stopped for so many times and
they're just asking me for my ID's or
informations, and I haven't been giving them
informations and after another day they just
came to my school and just asking me for like I
did something, and they don't have any proof on
me. So they just took my phone for no reason
for like four hours and they didn't, they just
told me they don't have any proof on me and the

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5 first time they told me that they have a video
of me doing something. Then after they didn't,
they didn't call me after that. Like what's the
point for getting that?

KIKA OJO:

Thank you.

UNIDENTIFIED MALE:

10 Brothers and sisters I'm not gonna talk very
long because truthfully sitting with these
young brothers was really the whole purpose, I
think, why Justice Tulloch is here. They are
the majority of the targets for this carding.
15 And what we've heard so far is every single one
of them have been targets of the police for no
reason. None of them have criminal records.
None of them have ever actually been spoken to
by the police because of any reasonable
20 probable ground. One boy even had his property
seized and search for over four hours, and
returned to him like it was normal. You know,
this problem is very severe. One of the things
that we also recognize, they're all high school
25 students but they're knowledge about the
Charter of Rights and Freedom was very small.
But this is not really what our nation should
be based on. And so, I just want to tell you
Kings I'm very happy and I'm thankful for you
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sharing this and thank you very much.

(Applause)

5 KIKI OJO:

Thank you. Hopefully you'll be continue to stand beside each like you did. That was nice when you all stood up. Thanks for doing that.

10 UNIDENTIFIED FEMALE:

Good evening everyone.

KIKI OJO:

Good evening.

UNIDENTIFIED FEMALE:

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A lot of what we have talked about has already been said. But I wanted to add two points. One was the culture change that needs to happen within policing. And it's been spoken to already before about the community aspect and what it means to protect but also serve a community. And I think that at our table we talked about, a lot about, how police act on and off duty and how do they build those relationships? How do they get to know community? Well, one, you live in the community. How many of our police officers actually live in our Hamilton community? Two, when you're not in uniform, how are you interacting? How are you building

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relationships? How are you getting to know your community and support them? That's really important. (Applause)

I guess the other thing, we had some difficulty with some of the questions around training because we don't really understand what the training would look like. We need to know more specifics about the training. Because it would be very easy for police officers to do something that looks like compliance on this regulation. Yes, I've read it. Yes, I've talked about it. Yes, I've answered some questions on it. And I can check off that I've done this module out of my 16 and I get my pay raise and away I go. But what does that do to change attitudes? What does that do to change mindsets? It doesn't. What does change things like that are the on-going conversations, are the relationship building, are the leadership from the top down like it's already been said. Having these conversations with officers at every level. We also said that the accountability is very, very important. And maybe that accountability is not just tied to pay or tied to discipline, but also tied to you answer to the community that you serve. And what does that look like? Because all of us

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5 here have a, need to have a voice when things
like what happened to Matthew Green happened.
And if we don't speak up about it, who will?
And we're not confident that a receipt or
documentation or a data base will actually
10 shift any attitudes or mindsets or actually
will empower the people who this regulation is
supposed to protect and serve. ((Applause))

KIKA OJO:

Thank you. You did that table already. Thank
you.

HELENA ALHATAME (ph) :

15 Hi. Thanks for putting this together. Very
informative. Very necessary. My name is
Heleana Alhatame and last year I was actually,
I should say that I got permission from my
table to use my story to contextualize what I'm
20 going to say.

KIKA OJO:

Thank you for that.

HELENA ALHATAME:

25 Last year I was a student masters of Public
Health program at McMaster University and I was
doing a collaborative graduate diploma program
with the United Nations Waters Without borders
program. Recently McMaster University
30 instituted a ban on smoking which would include

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5 the inhalation of medical cannabis. I'm a
medical cannabis user. I'm a medical cannabis
advocate. So they would be banning a root of
medical cannabis administration known as
inhalation off campus property. If I need to
medicate because that is the most affective
10 root for a lot of people to deal with pain and
flashbacks or anxiety from PTSD, they would
have to walk off-campus and violations would
result in penalties. So I organized a protest
along with other Caucasian medical cannabis
advocates in the city. We organized a protest
15 on campus. The campus police showed up and
aggressively disrupted a non-violent protest,
which was very educational. They disrupted it
and came in. Now, what was interesting when
they arrived is that they came straight to me.
20 I was surrounded by white activists who were
involved in organizing the protest, but they
came straight to me. When the Special
Constable arrived he also came straight to me.
I refused to give them my identification when
25 they asked me for ID. I told them I'm not
doing anything wrong. I'm peacefully
protesting. I haven't hurt anyone or incited
anyone to violence, therefore I have the right
to refuse to present you with identification.
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5 So I refused to present it to them. They went
and carded the white man beside me. Well he
gave them his ID, but that's his business. The
next time we organized a protest about a month
later in the health sciences cafeteria which is
joined with the health sciences hospital.
10 Campus security arrived. There was a man
swearing at me in the cafeteria telling me sit
the f down, shut the f up. Nobody wants to
hear what you have to say. When security
arrived they escorted me off campus property
and they followed us all the way out of the
15 building, me and all the other activists that
were there. Before they did that though one of
my co-organizers who was a white man, was
standing right in front of him and said to him,
with all due respect we don't have to leave, we
20 don't have to leave the hospital property and
we don't have to ask for permits. And the
security guard told him that we have to leave
because it's private property and they turned
and carded me first again. And I was further
25 away from him than the white man that was in
front of him. So I filed an application with
the Human Rights tribunal of Ontario for three
accounts of racially motivated carding and one
30 account of police intimidating and harassment

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5 because after that I saw the Special Constable
on campus and he came to me and informed me and
showed me pictures of me that he has on his
phone. And then on top of that he told me that
he follows my non violent political activity on
the siloutted and he has read about me on the
10 news. I have been very public about this on my
Facebook and have received absolutely no
support from the community so far. So my
question now is, what is the point of this
legislation when we don't, for, if we're
15 political descenders, non violent police
descenders and we we're trying to advocate for
our medication not to be banned off campus
property because I don't want to have to be in
pain, and I don't want my academic performance
20 to be disrupted, But they can send their police
to intimidate me and escort me off campus. So
how does this legislation apply then to private
institutions that are administering public
services? That's not clear. (Applause)

25 KIKA OJO:

Thank you. Last table.

HELENA:

So I'm not gonna get a response?

30 KIKA OJO:

So, - hold on. So I didn't make it clear
before. We don't answer questions because ---

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HELENA ALHATAME:

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You didn't say anything. You answered everybody else, but didn't say anything in response to what I just said.

KIKA OJO:

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I'm sorry, I'm not understanding. You asked a very specific question and we don't answer questions. If you notice I never answered anybody's —

HELENA AHATAME:

I know, but you didn't answer the question.

15

KIKA OJO:

They didn't ask questions. I said thank you.

HELENA:

You acknowledged what they said. You didn't acknowledge what I said.

20

KIKA OJO:

I said thank you.

HELENA AHATAME:

And that's it? So we're not gonna have a dialogue about that? You had a dialogue about —

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KIKA OJO:

If you have something to dialogue about. I heard you ask a question and we don't answer questions. So that's how this works, we can't actually.

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HELENA:

(Off microphone)

5 UNIDENTIFIED FEMALE:

Independent consultation. What we're talking about people who are just-I'm okay with that but I want-I thought that was a dialogue but it is not.

10 KIKA OJO:

No, you guys had your dialogue at the table, and then you shared with us and then we say thank you. Thank you.

HELENA ALHATAME:

15 Okay. You're welcome.

KIKA OJO:

Thank you.

UNIDENTIFIED MALE:

(Off microphone)

20 KIKA OJO:

Actually Mr. Sheik has, we had made arrangements to have him -

UNIDENTIFIED MALE:

I can speak.

25 KIKA OJO:

Three minutes. Let's go with three. Okay. Go ahead sir.

UNIDENTIFIED MALE:

30 Your Honour last time when you presented police

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are people, people are police. With that phraseology, Your Honour I appeal to you something. It should be singular, not recommendation. It should be recommendation and implementation. With that one Your Honour I say first, your recommendation and implementation must have to contain minority racial in the police services board, and we don't have a single minority in this senior command. That should change. With your guidance and implementation, that comes to, that eliminates--- That leads to Section 31. Hamilton Police services board is the only service board do not have any policy. We have vice chairman of the board here, I directly (indiscernible). They say that Hamilton police board is not unified. It is divisive. That's why you must recommend and implement all across Ontario. Police Act applies all across Ontario. Yet the practice differently each police (indiscernible). That is number one. Give you an example. Hamilton police services board has a lawyer coming from Ottawa to give advice. We have in Hamilton 537,000 people. We have well reputable police service, but why can't we have that? That's one. And that leads to Section 39. I have been fighting

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years and years, last time I submitted
extensive police Act particularly section 39
(indiscernible). It's all related to the
carding. We must define Section 39. You say
Section 39 say card operating budget should be
separately to the police. Capital budget
should be separate. Yet Your Honour should not
be and it is current operating budget. In the
accounting terminology they're-they don't have-
they charge directly to the bank account. That
is a violation of accounting 101. And I would
be talking to them. They don't listen to me.

15 KIKI OJO:

Okay.

UNIDENTIFIED MALE:

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It is very important they should, just an
example. They have because we don't have
minority racial they take for example, Your
Honour, Hamilton Police Board have action team.
They issue ticket for every Tom, Dick and
Harry. That quota system must eliminate. Your
Honour, it's a pleasure talking to you. I hope
you consider these things. To eliminating
budgeting and Section 31. Thank you.

KIKI OJO:

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Thank you so much. Thank you to everyone who
came out tonight. I just want to remind you of

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5 the on-line option to submit. Everything that
you said, all of what everyone has said has
been recorded, and is available for our review.
So thank you again. Please tell a friend and
if you know people that weren't here tonight
that have something to say, please encourage
them and please see us on line. Thank you so
10 much. Thanks again. And have a great night.

JUSTICE MICHAEL TULLOCH:

15 Okay, ladies and gentleman. I just want you
all to know that we listened very carefully to
all of your submissions. I also listened to
the questions that were posed. And we're not
in a position, like I said earlier, to engage
in any kind of answer question sessions. But
everything that you've said is being noted.
And the point that that young lady made I
20 clearly understand it. And you know, I think
your point is that this regulation the way it's
written it's not applicable to private
institution such as McMaster and your position
is that a lot of the University Police services
they're in effect acting as deputised police
25 officers -

HELENA:

(Off microphone).

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JUSTICE MICHAEL TULLOCH:

5 So I think I understand what you're saying,
right, and it's a much bigger issue that—no,
no, I understand. It's a bigger issue than any
one university. It's exactly the same issues
at all the universities, right. And I think
10 that that's something that I will absolutely
consider. Okay. So I hear you all.

Everything that you've said I've been making
note of and listening and it will be considered
in my recommendations. Okay. So I want to
15 thank you for taking the time to come out.

Your time here was not wasted. We appreciate
the engagement. It's only through this
engagement that we can have better systems that
not only govern us but govern, you know, the
20 police services as well. So thanks again and I
look forward to continued dialogue with all of
you. Thank you. (Applause)

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THIS IS TO CERTIFY THAT THE FOREGOING
IS A TRUE AND ACCURATE TRANSCRIPTION OF
VIDEO RECORDINGS TO THE BEST OF MY SKILL
AND ABILITY

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.....

Michelle Lewis

Certified Court Reporter.

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