

INDEPENDENT STREET CHECK REVIEW

Date: March 8, 2018

Location:

Loafer's Lake Community Center
Auditorium 30 Loafers
Lake Lane,
Brampton, Ontario

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ONTARIO COURT OF JUSTICE

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KIKA OJO:

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Good evening. Good evening everyone. Good evening. Hello. Thank you so much for coming and welcome to our publication consultation for the Independent Street Checks review, otherwise known as “carding”. My name is Kika Ojo and I’m your facilitator for tonight. I see some people that I know in the room that I, cause I’m from Peel. Hello . Nice to be back home. I’m gonna be really brief before bringing Justice Tulloch to the podium. First of all I want to start by saying I want to welcome the, acknowledge the elders in the room, and thank you for coming. As well as everybody else, but I do like to specially acknowledge elders. As most of you know this is a series of consultations across the community. And this is our Peel session. In a couple of weeks we’ll be in a number of other places and we’ll continue as we move through the Province through to the end of April.

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In terms of housekeeping we’d really appreciate if you ensure that you’ve signed up, or registered basically your name and email with our staff Roxanna at the door. This is our way of ensuring that we can communicate with you once the report is written and send you the report. We, so also that and Danielle will be going over this. You know and tonight is really about hearing from you and hearing your thoughts about the street checks regulation. And so you know we hope that you’ll engage in that process, but if you have something more to say. If you leave tonight and you think I should have said this as well, or I have this other thought or I know some people that should really weigh in on this conversation we will be sort of sharing

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our social media platforms and our on-line platforms that will allow people to add their voice in a different format. So I think that's really important. So yeah without further ado I'm gonna invite Justice Tulloch up to greet you. Thank you very much.

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JUSTICE MICHAEL TULLOCH:

10 I want to thank you Kika for your introductory comments. I also see the Mayor of Brampton, Your Worship Mayor Jeffrey in the room. We want to acknowledge your presence. And to all of those that are here I want to thank you for coming out. As you've heard from Kika we're here to have a conversation. We're really here to speak about the issue of street checks or the new regulation known as Regulation 58/16 that the Government of Ontario introduced in 2016. Now just before I get into my comments I want to acknowledge that we're here situated on the lands of the First Nations who first stewarded this land for us. I begin by acknowledging that the land on which we gather is the traditional territory of the Anishanbek Whodanoshine as well as the Iriquos and Huron Wendat, the Ojibway, and it's also the home of the Metis people. This territory is covered by the Upper Canada Treaties. I also recognize the contributions of the Inuit and other indigenous peoples and we do this because I think it's important to recognize that, you know, this land has been inhabited for thousands of years by others. And by so doing that they shaped and they

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5 strengthened this particular community. And they've been the steward of this Province to this country as a whole, and so we're grateful to have an opportunity to work on this land in this territory.

10 Now by way of background on June 7, 2017 I was appointed by the Provincial Government to lead a full and independent review of Ontario's regulation 58/16, which outlines Ontario's new rules on police street checks, which is a practice sometimes referred to as "carding". I will be reviewing the content of the regulation and assessing whether police officers, Chiefs of Police, and police services boards are following it. I will also assess whether the regulation reflects the important goal of ensuring that police and public interaction are consistent, bias free, and done in a way that promotes public confidence and protects human rights. Now since my appointment I have assembled a team of both legal experts as well as advisors to assist me and we collectively participated in a number of consultations across the Province. Now today's consultation marks the fifth of 12 public consultations within Ontario. And I intend to

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5 draw what I've been learning from this consultations to write a report with the recommendations on the regulation. Now that report will be submitted to the Government on November 30, 2018 and made available to the public some time before January 1 of 2019.

10 Now as a background for your discussion a street check is when a police officer asks someone for identifying information in a particular circumstance. The regulation applies if an officer asks to identify yourself when they're looking into suspicious activities or
15 investigating general criminal activity in the community. By contrast the new rules under the regulation do not apply if the officer is talking to a driver during a traffic stop, arresting someone, or investigating a specific crime. The regulation outlines what an officer must do if they ask for your identification. The regulation also provides information on the storage of
20 information that comes from street checks, mandatory training for all police officers on the new rules and public reporting requirements. With that background in mind I look forward to this evening. I want to emphasize again that this review is fully independent. As you've heard, I

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5 think some of you know I sit as a Court of Appeal
Judge so I'm not a member of any police service
nor do I represent the police and we are not
agents of the Government either. So we're totally
independent. And I want to hear your views, your
perspectives and your experiences. And we are
10 appreciative of the fact that sometimes some of
these experiences may be difficult. But it's
critically important for us to have your views so
that we can independently assess the situation
that gives rise to this regulation. Now meeting
with you, like I said, is crucial and it's a
15 crucial part of this process. And again I want to
thank you all that are here for coming out to meet
with us. And you can be assured that at the end
of this process your views will be heard and it
will be reflected in the ultimate report that will
20 be written on this issue. So again I thank you
and I look forward to your participation as we
proceed.

DANIELLE DOWDY:

25 Give evening everyone. Thank you so much for
coming.

(French translation takes place at this time)

So I just said if you like to listen in French
we've got a French translator at the back and

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5 there's headsets right beside her and you'll be
able to grab a headset if that's the service that
you're looking for. So thank you so much for
coming. Welcome. My name is Danielle Dowdy and
I'm just going to over the logistics of the
evening as briefly as I can cause I'm very mindful
10 of the time. As Justice Tulloch mentioned we have
been travelling across the Province and we still
have a few more consultations to go. So tonight
is our consultation for the Region of Peel, so
thank you so much for coming out. And what we're
doing at these sessions really is hearing from
15 you, the public and we want to get your views on
the legislation. We want to know if the
legislation has had an impact. If it's addressing
the issues it was created to address. We really
want to really get your input on some of the areas
20 like data collection and training and other items
that are touched on in the legislation. So this
is the purpose of the discussion this evening.
Just as a caveat or as a disclaimer, the review
team, while it's very important for us to hear
25 your stories and to get your experiences we are
actually not here actually to resolve any
individual cases. So if you've had an issue and
you've had a bad interaction and you want us to be

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able to resolve that on your behalf that is not why we're here. We are here to listen to those stories and to have them inform our report and how we will arrive at our recommendations, but we are not here to resolve any individual cases. And so the way that this works this evening is this is the brief intro. We're gonna get right into the round table discussions. You'll see that there are, there's notepads and pens and different, and an Engagement Guide and it's really to help drive your discussion. If you are sitting at a table by yourself or with a few of you if you could join another table because this is a group exercise and this process works in a group setting. So you will need to, sorry to point you out, you will need to join other table or to find somebody to work with. So after, we're gonna give you about 45 minutes to have that discussion and then we're gonna ask that you report back to us what was discussed at your table. So any recommendations that your table came up with, we'd like to hear. Justice Tulloch will be up here at the front taking notes as well as members of our team we'll be taking notes as well on all the feedback that we hear here this evening. And just so you know we are on social media. So we are live tweeting

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5 this evening. If you do see any of us with a name tag here or even with an actual camera like Peter Rehack(ph) these pictures they are for our social media and also for our report. If you, oh and we're also live streaming. So we're on Facebook live right now and the camera's just at the back of the room. You can wave, thank you. If you don't want to be on camera avoid that one, but if you see us taking pictures that's what it's for. It's on our social media feed so you're welcome to go on. We're tweeting under the hashtag street checks as you see up in the corner there. You're welcome to join the conversation, tweet your thoughts or anything, or if you want to see anything we're sharing you can go on our facebook page, on our twitter account, on our Instagram, probably tomorrow we do Linkdin. Cause we usually recap everything on Linkdin there. But you're welcome to join the conversation with us. And with that I wish you a wonderful discussion and a great evening. Thank you so much for coming.

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—ROUND TABLE DISCUSSIONS

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KIKA JOJO:

Awesome. Thank you. So for the remainder of the

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evening we want to hear about all the wonderful
conversations you've had and your feedback to the
questions we've provided you with. We are going
to move from table to table. Dave, my colleague,
who has the microphone, will move table to the
different tables. Hopefully you've selected
someone to be the speaker for your table. Could
be one or two people. We do have to manage time
as you can imagine. Ill just wait until you're
ready.

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UNIDENTIFIED MALE:

Excuse me folks, if you don't mind.

KIKA OJO:

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In order to sort of respect the time we will be
managing how much time each table gets. So it'll
be under five minutes, somewhere between three to
five minutes per table. And we just to remind you
again, so just a couple things. One, this is an
independent review. So Justice Tulloch does not
represent a party, a political party, does not
represent the police. He's independent in his
role. If you don't tell us we can't write it
down. So this process is really about hearing
what the community has to say about this issue so
that Justice Tulloch can be well informed to do

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5 the report. And we can't resolve personal
stories. So that's really really important and at
the same time we appreciate people offering their
stories to provide context for what it is you want
us to know, but understand that we can't resolve
anything tonight. Also with regards to questions
10 you may have, the best we can do is note your
questions. But we actually can't answer them
because again we don't represent the police and we
don't represent the government. So if you're
posing a question understand that you're posing a
question as a point that you'd like us to note.
15 Does that make sense? As opposed to expecting an
answer in the moment. Okay. So I'm gonna do my
best to respectfully moves through with respect to
time. And is there a table that would like to go
first? Oh you have one already.
20 Wonderful. Thank you.

MARK BROWN:

Okay?

KIKA OJO:

Thank you sir.

MARK BROWN:

25 Okay. Mark Brown. I'm from the coalition of black
trade unionist. So we had a number of topics, but
for lack of time I'm not going to go through all
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5 of them. But there's a couple of things that
actually stood out. So we read the questions and
we got as far as number four and it talked about,
you know, are you aware of the regulations and so
on and then we went to number five. But what
stood out is that each and every one of these
10 questions assumes that we are in support of there
being regulations. So I want to make it very
clear, the practice of "carding" needs to stop.
(Applause) Regardless of the regulations. How
it's regulated. How it's worded, what the rules
are. Racism is engraved in Canadian society and
15 you can not expect for any officer to execute
their duties without being influenced to a certain
extent by those biases. So that is a huge issue
for us. The next issue that stood out is the
issue of the historical data collection. You know
20 this is a working class
community and many people have to do security
checks, regular security checks in order to get
their jobs and to keep their job. And when these
historical carding comes up all of a sudden they
25 don't pass the security check, and that is an
issue. And when you factor in that carding
disproportionally effects racialized people.
That's a problem. But getting back to the racism

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5 part of the equation. We're talking about
racialized people here because we're in the
Greater Toronto area. But the moment we move into
another Province or further up north we as
racialized people get replaced with Indigenous
people crying the same thing. The practice needs
10 to stop. (Applause). So while we did go through
the questions we don't want there to be any
misunderstanding that by answering those questions
we're agreeing with the practice. It's not. It
needs to go. Thank you.
(Applause)

15 **KIKA OJO:**

Thank you. Another table. Thank you.

COLE BERASUTO (PH) :

20 Yes hello my name is Cole Berasuto. And I'm the
assistant to M P Ruby Sahoto who's the M P for
this riding here, Brampton north. I'm here with
my colleague Karen as well as a few other people
from the community. So we did answer the
25 questions fairly generally, brain stormed as well.
I'll start with question one which is basically we
have heard of carding, but where does the
information go? Is this data base accessible
through (indiscernible) access to information.
30 Next. Number two, information gathering in

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general is what we think that it would be a part of. Getting to know the constituents in the area that the officers patrol. As far as awareness, we're fairly aware. We keep up with the news and it's been in the news quite a bit, especially in Toronto. Number four, do members of the public know enough about the regulations etcetera. Well the public should be made more aware of their rights of when they're interacting with the police, especially in these type of carding, street checks scenario. Holding consultations regarding ones rights, holding consultations such as this in understanding the regulation are quite helpful. Providing information in different language would be quite helpful as well, especially in this riding. Putting one's, putting the onus on the police forces to provide the above mentioned as well. You know that will help break down that negative stigma that so many of us have had, or still do because of the interactions we've had. Moving on. Number five. "Do you think street checks carding have any benefits when it comes to public safety?" Well to a degree yes, but we could use better tactics and for public safety purposes. Number six. "When should the police stop and talk to people in the community?"

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5 Well, interactions should not only be incidental. Let's increase a positive patrol presence. You know, as a gentleman here mentioned, the police should be as familiar to you as your mail man or woman. You know in the past you had a beat cop, he had one block or two blocks that they would patrol. Now that's not the case. We have 10 different vehicles that they use and they're very mobile. Moving on to number nine. We just kept generally speaking to the matter. So moving onto the receipts aspect. We understand that receipts are not actually consistent province wide. Some 15 of the information is required to be consistent, but we should have a template of every police force using the same template. Number ten, "Do you think that this is an effective way to make sure that police follow the regulation?" Well 20 yes. All receipts and information collected should be consistent in order to make them follow the regulation. That's as far as we got. We generally spoke further.

25 **KIKA OJO:**

Thank you. (Applause)

MICHAEL:

30 Hi my name is Michael from the Boys and Girls of Peel. At our table we had a wide variety of

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5 opinions. Not to go over what everyone has
already gone over. Our concern is the lack of
information that's being provided to the general
public. Through the Boys and Girls we have a
large demographic that can be perceived as being a
10 targeted group and we have a fantastic
relationship with our mobilization units. The
problem is they're just not getting out. So for
example, where are the officers tonight? The
Officers should be here and engaging with the
general public and finding out what's going on.
15 (Applause) As mentioned, where does this data go?
You know, a lot of our youth and I'm sure older
adults they're intimidated, they're scared to give
the information to the officer. So there needs to
be clearer direction on what an officer can ask.
20 What an individual can respond with, so there's no
misinterpretation of why this street check or
investigation on the street is occurring. When
the officers are in the community engaging, be it
through the schools or just through activities you
25 get the boundaries, the boundaries are less.
There's less to overcome. And the area in which
we were in, and we've talked about here is, with
so many immigrants to Canada, there's already the

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5 initial fear of coming in. So we need our
officers to be out there helping these individuals
to understand what Brampton is about, what Canada
about, what they are doing here. And again it
comes down to the communication. The more they
can engage with us, the more they can talk with
us, that's where we need to go. (Applause)

10 **KIKA OJO:**

Thank you.

LETANIA GRANT:

15 Hello everyone my name is Latania Grant. Some of
you may know me. Some of you may not. Question
number one, "Have you heard of street
checks/carding?" I personally feel that question
should have said have you heard of Jermaine Carby?
20 Because a lot of you guys who know Jermaine Carby
he died because of this carding practice. If you
don't believe me there's paperwork that talks
about it. Police shooting of Jermaine Carby began
with carding. Officer testifies at Jermaine
Carby's inquest. So Jermain was carded five
25 minutes from his house and lost his life because
he went to get Burger King, okay. Number two.
"What do street checks/carding mean to you?"
Pursuant to Section 9 of the Charter of Rights and
Freedom it means arbitrary detention and that's

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5 probably why they made this new regulation cause
they realized that they were arbitrarily detaining
people and violating our charter rights. So if
you have a regulation and it violates our charter
rights, the charter will always take precedents.
So I'm not sure why this practice is still
10 happening when it's arbitrary detention. You stop
someone. You're not telling them why. You're not
giving them a right to counsel. These things
shouldn't be happening. Number four. We don't
feel that people know enough about this. We feel
that this should be inside bus shelters, bus
15 sheds. When you go on the subway and you're
sitting there waiting for your stop you should be
able to read about it. High school teachers
should be giving this out. They should be at
community centres. You're hiding information that
20 we should know but then you expect us to know. It
makes no sense. (Applause) "Do we feel that this
has a benefit to the community?" No. It's
causing mental health on some of our young black
men because if you're constantly being harassed,
25 constantly being, you know, racially profiled,
it's gonna take an effect on your mental state at
some point. Even when you're not detained you
still feel psychologically detained because noone,

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5 these little stupid rules now that you have, they
make no sense that oh you can tell, by the way you
don't have to give me your information. Is a
black young man or any type of person that's not
Caucasian gonna feel comfortable to exercise their
rights and on a dark street, on at a black alley
10 knowing what can happen. No they're not. You
shouldn't be talking to them in the first place.
(Applause) It says that you should only, I guess
they can only do it when they have some kind of
investigative purpose. But Constable Senechal
15 admitted that he had no investigative reason to
ask Jermaine Carby for his personal information.
My cousin was a passenger of a car, a passenger of
a car, okay. So the driver gets pulled over.
They took the driver's licence. Insurance,
20 registration, everything was fine. They even
administered a Breathalyzer test and everything
was fine. Once the traffic stop is complete you
have no right to talk to the passenger. If they
did not talk to the passenger my cousin would be
25 here today. So this practice, every time I'm at a
family gathering or a Christmas dinner I don't see
my cousin because of this practice. Because of
this idiot that allows this practice to happen.
Yes your Chief. I said it. She's an idiot.
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5 Because if you're gonna allow people to be
arbitrarily detained to the point where they lose
their life and it's still happening you guys
obviously don't get it. And the only time that
they should be stopping you is when they live in
the community. If they have no vested interest in
10 the community why would they even care to talk to
someone in the community? You're just harassing
us. You come and harass us and then you live in
Barrie where we don't have to see you at a grocery
store where you can actually feel that you have to
be accountable for your actions the day before.
15 I'm sure if you lived next door you wouldn't be
harassing people because you'd be fearing for your
life which they always say they feared for their
life. I'm sorry if you have a gun at your waist
and someone is unarmed and you feel for a life
20 maybe this profession is not for you because
you're a coward, I'm, I get so upset when I think
about the fact of carding. And I'm at a couple of
these meetings saying the same thing because a lot
of people still don't know that Jermaine Carby
25 lost his life because he was a passenger. You
know why cause the t.v. will say known criminal
shot by police. So they don't say that he was
arbitrarily detained, they bring up his past to
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5 justify why they killed him. So this practice
should be stopped. There shouldn't be no
regulation. Half of this stuff contradicts
itself, and it really upsets me that I lost my
cousin five minutes from his house on his way to
get Burger King because an officer that didn't
10 even pull them over originally, an officer that
arrived on the scene for four minutes had no idea
what was happening, shot my cousin three times.
Should this have happened? No. But do we do
anything about it? No. And then what they do
next to try to cover themselves plant a knife that
15 wasn't originally found on the scene. If he's
coming at them with a knife why they felt they had
to shoot him, even though they bothered him while
he was sitting in the passenger seat quietly, and
then all of a sudden a knife came about that
20 wasn't found on the scene. Do you guys not see
what's happening? Like police lie. Police harass
us. Police take advantage of us because they feel
they have power, and you guys allow it by
continuing this stupid practice. Like I have
25 nothing else to say.

KIKA OJO:

Thank you.

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GRANT:

I don't know what else my table has to say, but I'm sure I covered enough.

KIKA OJO:

Thank you. Next table.

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UNIDENTIFIED MALE:

Just a little, appending to what my sister just said. The officer also admitted that-

KIKA OJO:

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Sir. Sir. Can you report back on what your table discussed as opposed to the specificity of-

UNIDENTIFIED MALE:

I'm just putting what we said in context. You said don't repeat ----

KIKA OJO:

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We understand each other.

UNIDENTIFIED MALE:

Okay.

KIKA OJO:

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We understand each other, right, sir?

UNIDENTIFIED MALE:

Can you give me back my minutes that you just -

KIKA OJO:

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We understand each other, right? Thank you.

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UNIDENTIFIED MALE:

5 So the officer said he was conducting the
street check to create a record of interaction to
put (indiscernible) information in a police data
base. What is that? See that's the problem cause
somebody just alluded to that before. You know
10 that creates all sort of problems for somebody,
right? That's an innocent person. That's
targeting people, right? There's no use for this.
And so what I think we also have to have and
that's absent, I didn't see it anywhere.
15 Accountability. Right. If I'm speeding and
there's interaction with me and the cops he's
gonna give me a ticket, and the tickets gonna say
what's the offence and what's the fine. The same
thing should happen to the police officer when
20 those police officer violates our rights there
must be a penalty that is measured according to
the level of the violation. This is absent. So
what we're living here, we're living in the same
conditions of those hunters we talk about, right.
25 We are constitutional hunters, right. Because we
do certain people anything that we want. The
people that we don't consider. We do them
anything we want and we have immunity. That's
what happens in those places that we condemn, you
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5 know. You look at the news and you hear about the
dictator and stuff like that. This is happening
in Canada. Canada is no different. So, I'm
hearing people say that, sometimes we talk like
we're defeated. What we need to do is come
together and you know talk to people around you.
10 You see I came here in all those things, I copied
it all myself. The Judge told me I'm not
permitted to distribute it so I'm not distributing
it. But if you ask for one when I'm outside you
can get one. Right.

15 **KIKA OJO:**

Thank you sir.

UNIDENTIFIED MALE:

Okay then.

KIKA OJO:

20 Thank you. A table that hasn't gone.

MR. STEFENSON:

25 That's a lot of people. Hi my name is Avry
Stefenson(ph). I'm not with no organization, I'm
just a normal person. I don't, I can look at this
and mostly go through everything but I got a story
I can say. One day I went to the gym and I was
minding my own business, I went and worked out.
30 And it was a good workout too. I was walking back
home. I had two police officers stop me and ask

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me questions. They said I look like someone. They didn't say what for or anything. I just answered their questions. I didn't want any conflict between us or anything. I don't recognize the police officers either. I gave them what they wanted. They kept on asking questions like didn't matter in like the 24 hour that they wanted to talk, or where like the crime was happening. I'm thinking in my head like, why are you still asking me questions if it's not even relevant to what you're looking into, or anything. And why am I still sitting here when my home is like five minutes away. That I'm still answering your questions when they don't even matter to what you're trying to investigate, which doesn't make any sense to me. And I'm thinking, what's going through this police officers head that he has to be keep asking me these questions. I don't know anything about him. He doesn't know anything about me, but yet he was still push, trying to find something or try to find a connection to put me in the car. Now I don't know how to do his job and he doesn't know how I live, simple as that. But even from my table, my dads been stopped by a police officer. These certain gentleman has been stopped by a police officer. Maybe it's been

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5 different cause of what they look like, or maybe
not. But why is it that when I'm stoped by a
police officer I'm totally scared. I haven't seen
this guy around. I haven't seen him around the
place. I haven't seen him around my city. It's
just a guy that lives down in Timbuck two or
anything and I don't know nothing about him.
10 Personally for me I don't, I think my table would
agree with this, I personally think they should
have police officers that they should know or know
around Brampton, or know around their city. And
the ones that they can connect with, ones that
15 they can connect and say oh I see someone walking
down, oh, I don't know these guys. I want to see
like oh he goes, I know where he goes. I know
what school. Like I know stuff about him where
it's safe for me to say, oh this is what he was
20 doing, not to be freezing their but, uhm, so no I
want to actually connect, not, I don't want to be
inter, I don't want to be interrogated, I want to
talk to a person. I want to actually be speaking
to a person. A police officer shouldn't be
25 looking at me like a criminal. I should be saying
hey, I'm a person you're a person let's talk. I
shouldn't be scared. I should be very easily
talking normally. Like even this lady was saying
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5 she had an ex that was a police officer and when
he started he was all fine. A couple months after
what the teach in the facility and everything,
he's acting different. What makes what they're
teaching the police officers so different where
they can't even connect to the human race, their
own people where they're coming from. You should
10 be like hey, this is my brother. This is my
sister. Why is it so different now from what
you've learned from law that you can't say hey
okay you're just like me, there's nothing
different. I, you don't seem that bad. I don't
15 now anything about you. Why can't I just talk to
you. Why do I have to throw away my, oh I like to
talk to this person for okay, I got to follow the
rules. Personally, I would think if you're gonna
be a police officer you should know that you don't
20 always have to be threatening, you don't always
have to be this. You only should be threatening
while there's a threat at hand. Other than that I
think okay, you're not my family. You're not
nothing. But you're still a person. And I don't
25 know you. So let's get to know each other. Let's
sit down and get to know each other. In my
school, we have police officers in my school. I'm
not scared of them. They know me. They know I go
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5 to the school. I even had one drop by my
classroom and say hi, would scare off my other
kids. But for me it's just normal. Cause I know
him on that level. Does anyone else know that I
wasn't get scared. No. So why can't police
10 officers stop and say hi to us. Why can't, why do
they always have to be in their cars in the back
alleyways waiting for us, waiting for speeders or
anything. Why can't they be a part of the
community? The community is what builds, is gonna
build everything. (Applause) I don't know about
15 you, but if they're willing to do it, I'm willing
to do it too. And if we're not willing to step
forward together we're not gonna get anything
done. Am I right? Or am I right?

KIKA OJO:

20 Thank you.

Do you want to do this table then? Did this table
go? This table right in front of them, just cause
Dave's on this side of the room. Thank you.

UNIDENTIFIED FEMALE:

25 Full disclosure, that's my son. One thing that
was interesting about that stop for us with him is
that he actually tried to call his dad and I
together. And we were concerned cause there were
numerous messages because we've always told him
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5 connect with us and so we had to have another deep
conversation. We've always had conversations with
him. But we had to have another deep conversation
again. This is what you do. Make sure you take
this. Make sure you remain and so on. One thing
10 that was interesting to me with that connection is
that it counteracted the connections he had with
the police officers previously, because he had
very positive experiences with police officers to
the point where they were recommending him for
going into programs, to become a police officer.
15 But when he was randomly stopped and card, that
really changed his perception and understand that
that's what it's done. And in talking in our
group we looked at number two which was what do
street check carding mean to you. Words like
20 intimidating. Scary. Confusing. Random. That
they feel the need to protect themselves or
individuals, such as children or youth and so on.
I don't think that should be the goal that we
should want to be creating that kind of climate or
25 connection. And then we can keep going on, but I
think in the end our table talked about words of
communication ongoing, building connection, and
relationship. And that really that carding should
not be the focus, but rather building a community
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5 or building relationships. So making that shift
from that, those are the big things. (Applause)
The community was not given much awareness of this
at all. It just slid right in. This is probably
a surprise. I'm sure if you walked on the street
and you asked anybody right now they'll go huh,
10 what? When? Why? They don't know. The people
in here who are speaking right now are the ones
that are taking initiative and so on. But as for
those people who it does effect daily and all the
time, it does not and so on. My group, I'd like
to invite you to share, you had really good
15 connections as well that you wanted ---

KIKA OJO:

You have about a minute sir.

AHMED GIAD (PH) :

20 Ahmed Giad, from the Ontario Federation of Labour.
I want to preface what I wanna say by saying that
you can't improve the practice of carding. It's
just got to be eliminated, and as my sister told
25 you that we have to focus on building communities
and building relationships, you know, having
police officers interact in the community is a
better way to focus their attention rather than
randomly stopping individuals in the streets. And
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5 I put that in quotes. Even the way the
questionnaire, for example, is phrased. When
should police stop and talk to people in the
community. And that comes under police stops.
They're not stopping to talk to anybody. They are
stopping individuals to collect information, to
10 find out where they're going, who they're talking
to, where they're coming from. Even number seven,
"What obligation should police have when they stop
and talk to people?" They're not stopping to talk
to anybody. So like the premise of the actual
question, I think this questionnaire needs to be
15 changed maybe for your upcoming
meetings. (*Applause*) Cause it's making it sound
like carding is actually something friendly,
something that they're, a tool they're using to
engage communities. It's being used to control
20 communities. You know, many of us have been
carded maybe here in the room and we know what the
interaction is like. It's intimidating. It's
scary. A lot of the times you don't know where
your information is going. Some of us like, for
25 example, travelling to other countries. Who are
they sharing the information to? Why am I being
denied at borders and not giving a reason there?
Is it because some of the information is being

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5 shared with other agencies and other countries and their agencies and we are being controlled in those ways as well. So the information being collected needs to be halted. The information, the historical information needs to be deleted and wiped out permanently. And I can go on and on and on. But I don't know if anybody else wants to speak.

10 **KIKA OJO:**

Thank you.

AHMED GIAD:

And I don't know where the moderator is.

15 **KIKA OJO:**

David is right there. Okay, all right, sure.

AMIK BALI (PH) :

Hi there. My name is Amik Bali.

20 **KIKA OJO:**

Sir, can I ask you to hold the microphone closer.

AMIK BALI:

25 My name is Amik Bali and I'm with the United 6. One, well the key points that I kinda noticed that struck me tonight the point of schooling was brought up. So when Police Foundation courses are made throughout Universities and Colleges in Ontario, is the racial bias aspect discussed in those courses, and how is that implemented when it

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comes to understanding that when policing is done? Accountability. Every other profession has some sort of research done saying oh well there's are the set of procedures that we did and these are the outcomes of said procedures. If there is no positive effect of the policies currently in place why are we still implementing them? That question should be asked. Secondly, the research should be done independently that is not associated with any affiliation and science should speak for itself. And policing within the community. Constantly heard that theme. So if the police officers that serve within the community have a better idea of what the community is like, cause they're part of that community. So, representation of the police officers that serve in your division, that live in your division, at least in your city. Know the experiences of the youth and the people that live within the city. And the implementation of these practices, lastly, should be researched and debated if they're having a positive effect. If they are not they should not be continued forward because the science suggests it does not have the effect.

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KIKA OJO:

Thank you. I think this table. You guys ready.
Thank you.

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JULIETTE JACKSON:

5 I won't belabour what everybody else has already
said. Juliette Jackson, Region of Peel. But just
to maybe kind of summarize some of the themes that
we talked about that have been touched on. Bias
is a huge one. At the end of the day all of the
10 government systems that exist in this country are
based on keeping those who are racialized, you
know, impoverished basically. And that needs to
be changed. But with this system specifically the
impact could result in death. So we can't
15 afford, we can't afford to ignore it. Something
has to change. We have to make sense of how we
begin to shift the system. It's not about just
the individuals on whether or not they're good
guys or good people or whatever. It's about how
20 we make sure we begin to change what that system
represents, and it needs to have an anti
oppression lens. We need to move forward with
shifting what people do. How they look at the
biases that they absolutely do have which result
25 in judgement. Which result in informing the
reasons why they actually stop people. So we have
to change that. In terms of our young black men,
the hardest thing to be on this planet as far as
I'm concerned right now is a young black man. And
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5 if they keep feeling that they're always under suspicion it's just like treating someone like an animal, eventually they become exactly what you are accusing them of becoming. And that's what's happening with our youth, it is breaking their confidence. It is changing them. It is forcing them in a position where they move forward in life with mistrust, they don't trust anyone, any system. And they barely trust themselves. And we can't afford for that to continue to happen with our youth, so something has to change.

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15 Accountability, I'm just gonna touch on that again. If every time someone is carded, their name goes into the system and that effects their ability to actually secure a viable job, somebody has to be held accountable for that. We can't allow, (Applause) we cannot allow our youth to be put in a position where they go to school, they get educated, they do everything right, but for absolutely no reason they're painted as criminals. And somehow that prevents their ability to actually grow up, have a family, and support that family. That is part of the systematic racism that exists that must end.

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30 **KIKA OJO:**

Thank you. Thank you Dave.

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BRIAN BOTAQUE (PH) :

5 Good evening everybody. My name is Brian
Botaque(ph). I represent upliftedbeing.com. You
can check it out. What I really wanted to ask
everybody in here cause I mean the law protects
10 all of us. And what I wanted to ask is how do we
use the law to protect ourselves. I personally
I've been, I've had more than a couple
interactions with the police. I've been stopped,
searched, carded. I mean it, to me it's
15 unjustifiable, it's a violation of rights. But in
a more recent incident when I asked the police for
their identification, for their badge and their
business card, you know they provided their badge,
their identification. But when I said business
20 card it's like they started to trip, you know,
like panicked and stuff. You know and it's like,
when it comes to accountability, it's like we have
to empower ourselves with the law so we can hold
them accountable. If we don't know the law and
25 how we can use it to our benefit, you know, how do
we defend ourselves? That's all I want to say.

KIKA OJO:

30 Thank you. Thank you. Is there a table that I
did not get? Oh the back middle table, that's
right, thank you. And they're ready now.

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RAY STEVENS:

5 Hello my name is Ray Stevens. So basically we
have, we just had a general discussion. So I'll
just go through the questions as they are. The
first question. "Have you heard of street checks
or carding?" And unanimously around the table we
10 all heard of it. "What do you think it means?"
What we feel like it's discriminatory. In most
interactions it's not necessary. We feel like
approach matters. Cause a lot of the time it's
how the police officer approach the individual.
And what is the reason for the interaction? We
15 feel like it's racially biased. Racial bias are
formed and some are justified and some aren't.
And we talked about police in the neighbourhood we
feel as if, we feel like there should be community
policing where police from the neighbourhood are
20 actually work in the same neighbourhood that they
live. Only because for the most part they don't
really know the community. And we're all human
and there's a lot of racial bias when it comes to
individuals. The third one says, "Are you aware
25 of the new regulation?" Around the table I think
no-one knew exactly what it was except for the
Mayor. But for the most part we didn't know
exactly what it was, but we've heard of it, but we
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5 didn't know what it was. The fifth one says, "Do
you think checks and carding have any benefits?"
But for the most part, were said yes it might have
some benefits, but it's how it's done, and again
because of racial bias and all these things, it's,
a lot of the time it's not done correctly. When
10 should we be stopped. We felt like we should be
able to interact with the police all the time, not
just when something happened, or they're trying to
investigate. We feel like the police should be,
policing, community policing should be something
that happens where police should be able to
15 communicate with community and just to be human as
the young man says. Number seven says, "What
obligation should police have when they stop you?"
We feel that they should be polite. Mutual respect
should be there. It should be clear and concise,
20 give the details for interactions. And I believe
that's the last question that we got to.

KIKA OJO:

25 Thank you. Did we get everyone? Okay, hi, one
second.

UNIDENTIFIED FEMALE:

30 Hi, thanks, I wanted to wait till the very end
until everyone got an opportunity to give their
input. I just want to, you've been talking about

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5 retention of carding information and stuff like that. And I just want you to know that I've been filing Freedom of Information on street checks for Peel Police, and there is things that you need to know. And I just want to read this?

KIKA OJO:

Sure.

10 **UNIDENTIFIED FEMALE:**

15 After September 25, 2015, Peel regional board meeting, Peel Regional Police tabled a report to a board called Street Checks Process. One part of the report dealt with retention of street check personal information, and the report said street checks record "are typically retained on an indefinite basis unless statutory requirements dictate otherwise. And an environmental scan with surrounding agencies revealed that information collected through street checks processes is also retained indefinitely. And it's written to have the reader conclude that Peel police retain street check records permanently. Freedom of information confirm that's not true. Peel police street check personal information has a precise erase directive as dictated by the forces 2005 records retention schedule. So if you or someone you know are carded by Peel police and that interaction

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5 resulted in no charges your street checks form
information should have been erased one year after
your carding event. Even if you were charged,
your street check form information should have
10 been erased five years after it all cleared the
courts. So they shouldn't have been keeping that
information for the majority of street checks it
should have been erased a year after the event in
case of no charges. On November 18, 2016 Chief
Evans told the Board that so far Peel police have
restricted 24,000 street check document. That's
your personal information. And still had 74,469
15 street check records to restrict. And by restrict
that means permanently, to keep them permanently.
That's 98,469 people now permanently in the Peel
police data base. And I have questions. You're
not gonna answer them. But I still have
20 questions. Questions, how many of those 98,500
street check personal information now restricted
by Peel police should have been erased according
to that 2005 records retention schedule. And now
25 that Peel police finally has fixed the chronic
problems with their niche computer system with
Freedom of information revealed what is the real
Peel police street check break down by race of the
98,500 people that the chief restricted. And also
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somebody mentioned youth. What's the breakdown by race of youth carded and restricted by Peel Police starting at say age eight? How many eight year olds? How many nine year olds? How many ten year olds? That's not an unrealistic question. Also by far the most troubling issue of all has shown that the percent of black people carded by Peel police is not the 20.7 percent, that is about one in five that the Force reported to the Board back in September 2015, but extends beyond 30 percent. Making it about one in every street check reports.

KIKA OJO:

Can I ask you to wrap it up in 20 seconds?

UNIDENTIFIED FEMALE:

Also there's a secret street check report. I will be fast. They write, there are risk associated with the collection of information that include the potential of accusation of discrimination or bias on behalf of police. They also write, this is vitally important when special interest group and/or the media obtain race data on police stops and then do their own analysis. And they've got that in sort of the air quotes. Also they write, later in this report that this type of data, meaning race data will lead to problems through

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5 misinterpretation by special interest groups and
the media, and they also write, this one I love.
This is the author writing this and it says, "as a
side note. If PRP collected data meaning the race
data, statistics, it is potentially subject to
10 release through FOI application and from there
subject to misinterpretation and misuse by special
interest group and by media." They are very
afraid of special interest groups more than
anything else. And I guess the one -

15 **KIKA OJO:**

Can I ask you to wrap up?

UNIDENTIFIED FEMALE:

Yeah.

20 **KIKA OJO:**

And the one, can I just ask for the record just
state what you're reading? Like what is that
document?

UNIDENTIFIED FEMALE:

25 That document it's called, it's from 2014, it's a
Street Checks board report. Around October it was
not meant, even though it was called Street Checks
Board Report, it was actually a report for the
Peel Police brass primarily Chief Evans and Deputy
30 Chief McCord.

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KIKA OJO:

Okay.

UNIDENTIFIED FEMALE:

And I got it through fighting, they fought two
years ----

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KIKA OJO:

Thank you.

UNIDENTIFIED FEMALE:

-it not to be released.

KIKA OJO:

Thank you.

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UNIDENTIFIED FEMALE:

Thank you.

KIKA OJO:

20
David said there was one more person. We'll take
that. Thank you. You know what, sorry, just as
a point of process and this is now the fifth of
these consultations. And we do usually one per
table. So this is gonna be three just for your
table if I allow you to speak sir. Has it not
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been covered? I don't mean to...

UNIDENTIFIED MALE:

I'm fine with that.

KIKA OJO:

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Thank you. Time number two for that table and
then that's it. Thank you.

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somebody said, mentioned that it's very important that officers from the community, I mean officers actually serve the community that they're from then, you know, because then they actually have a vested interest in actually improving the conditions. Lastly I just want to say that I did my, I studied and I did my under grad in northern Alabama, right. Which a lot of people would view as being quote un quote a racist area, you know, so to speak. But in all honestly I have to say that I find Canada to be even more racist than America. And the reason being is that at least, the analogy that I'll make is that at least Canada and the U.S., they're like two alcoholics so to say, let's say that I drink four bottles every single day and you drink two. Right. America at least they have the mind set that at least they're saying you know what I have an issue. You know what I'm saying. I'm racist. They don't deny it whatsoever. However in Canada we live under this naive umbrella of multi culturilism and we say at least we're not like the States, you know. And as a result we never seem to improve anything.

(Applause) Thank you. At the last meeting we were at, where was it at -

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KIKA OJO:

5 Sir, you have one minute okay.

DWIGHT CAMPBELL:

10 Yeah yeah, I'm almost done. The oversight meeting
that we were at, roughly about two years ago we
were speaking about these same sort of things, and
two years later we're still talking about it.
It's just become a very redundant thing. Like
employment, they're still not employing more
people that are reflective of the community.
15 Brampton is 2/3 visible minority, but the police
force, even the city counsellors what not are not
reflective of that. It's just poor, it's very
pathetic when they say that they're actually
talking about making changes. But then they'll
20 sprinkle one person with a turban, one black woman
on a counsel team what not and say that's change
and say that's diversify. It's sickening.

KIKA OJO:

 Thank you.

UNIDENTIFIED MALE:

25 Thank you.

KIKA OJO:

30 So I just want to thank everyone. Thank you. I
want to just say on behalf of the team - Justice

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5 Tulloch, Justice Tulloch. Sorry I didn't see you
before sir. Thank you sir.

JADA MANN (PH) :

10 That's okay. Good evening everybody. So I came
pretty late so I didn't get to partake in the
whole activities that were happening around the
table. But I want to thank my man Victor for
calling me out and everybody that, you know, put
this together. My name is Jada Mann. I'm from
15 Toronto. We've been working in the community for
many years. I'm an artist. A lot of young
people. I've seen a lot of things in my lifetime,
experienced a lot of things with the officers, my
family, especially. So a lot of things have
20 already been said, right, so what I want to say is
it just baffles me that we're here, like I've been
seeing this for years about the carding piece,
I've seen it in the Toronto Star. I'm seeing it
everywhere. It baffles me that we're still here
trying to figure out how to make this thing pretty
25 and how to keep it going. You know what I'm
saying? It's like we're in a democratic society,
not even just a democratic society, we're in
Canada. Social inclusion. Anti oppression. Like
we live on these things, right, so one of the main
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5 reasons we're here is because a particular demographic of our society has had issues, challenges, barriers, life changing experiences with the carding system. Now if you're holding forums and these people are saying it doesn't work in high numbers and we don't want it, I think it's the governments responsibility and as a best practice, and as my man said right here you abolish it, you wipe it out. And if you think that it has impacts that can be recreated in another format for the police, you run a pilot doing, with new ways of doing it. With a smaller demographic and test it out over time. But the majority is saying get rid of it, why are we still here talking about this. I don't understand.

10 (Applause) And that's just coming from a young man from the streets, and I'm feeling it and we're feeling it and I'm seeing what my young people are talking about. And I heard from the older guys that came before me, right, it's just that right now we're in a time where, you know, globally people have awakened, right, and then there's social media and what not. So, lastly to the government, do what you gotta do. The public has spoken. The community, the communities that have been immensely spoken about this has spoken. The

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balls in your court. And that's what I want to say. (Applause)

5 **KIKA OJO:**

Thank you. I just want to offer some closing words before Justice Tulloch closes the night out. It is not lost on the team that having these conversations is challenging and personally difficult for people and you know painful often times. And we just want to acknowledge that and say thank you again for being here and for your participation and for your engagement with this conversation cause we know it's not easy. So, thank you for that. I just wanna remind you of our social media platforms as well as the website and the idea that if you have more to say we are interested in what you have to say and you can submit it using our website

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www.streetcheckreview.ca

And also you can encourage people that you know to participate by doing that. If you would check the website you would see that we have another set of meetings or more meetings to follow. And if you know people in Ottawa, if you know people in Windsor etcetera etcetera, if you would reach out and encourage them to have their voices heard. As I said before we can not report on what we do not

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5 hear. So this is why it's so important for a high engagement or for you to encourage people that you know to come out and be heard. I think that's it for me. Justice Tulloch last words. Thank you.

JUSTICE MICHAEL TULLOCH:

10 Okay, I want to thank you Kika again. And thank you ladies and gentleman for coming out. Thank you for speaking and for letting us hear your experiences and your thoughts. I want to just reiterate that I'm not the government again. I'm not here on behalf of the police either. I'm here as an Independent Reviewer, I'm a Judge. I sit on
15 the Court of Appeal. And so I'm looking at this regulation that the government implemented, and an independent and very comprehensive way to see, you know, whether or not it addresses the intent for which it was implemented. I've heard you very
20 loud and clear and frankly, you know, I want to acknowledge each and every one of your experiences and as Kika has indicated, you know, I too share her sentiments that I know it is very difficult
25 for a lot of you to relate some of your own experiences. I heard that young man, the 16 year old and you know the impact of these kinds of interactions are long-lasting and we've heard that they have you know, in many ways a lot of ways a
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lot of mental and psychological longstanding implications. And these are, you know, these are difficult, and it's difficult for not only the people that are experiencing them, but their families and as well as their communities. And you know I will reflect that in this report. So I want you to know that I've heard you loud and clear and we'll do the best that we can to reflect your message. Thank you. (Applause)

KIKA OJO:

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And with that we say thank you and say good night. Get home safely.

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THIS IS TO CERTIFY THAT
the foregoing is a true and
accurate transcription of my
5 recordings from video recording
apparatus to the best of my
skill and ability

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Michelle Lewis

Court Reporter.

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