

Independent Street Checks Review  
Ottawa, Ontario

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**INDEPENDENT STREET CHECKS REVIEW**

Location; Ottawa Ontario  
Bronson Centre  
Mac Hall 211  
Bronson Avenue

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KIKE OJO:

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My name is Kike Ojo. I'm your facilitator for tonight. And this is the Independent Street Checks Review Community Consultation, or public consultation. Just to kind of give you a brief sense of what's gonna happen this evening. I'm just gonna open up and then Justice Tulloch will come and officially welcome you and tell you about the review. At that point, after which my colleague Danielle Dowdy will come up and give you some information, some more technical and logistical information. I'll pop back up to get you started and basically what you're going to be doing is engaging with the people at your table around the questions that are at your table. So there's some information at your tables that you're gonna be working with. You'll have some time to do that together and then we'll do a report back across the room so that everyone gets heard. And there are members of the team, you'll notice people with white tags, they are the team members. So we are paying attention, taking notes to support Justice Tulloch's review. And the other thing I think that's really important is that if you would prefer to listen in French that there are headsets

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at the back and real time translator at the back of  
the room as well. So without further ado I'm gonna  
pass it over to Justice Tulloch to welcome you.  
Thank you. (Applause)

10 JUSTICE MICHAEL TULLOCH:

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Good evening ladies and gentleman. I want to thank  
Kike for that introduction. I too want to echo her  
sentiments in thanking all of you for coming out,  
not withstanding the inclement weather. I can  
indicate to you that Ottawa, well aside from it  
being the Capital of Canada and being a very very  
important City, it's dear to our hearts. You have  
been a very important contributors to the last  
review process that we engaged in on the Civilian  
Oversight of policing review. And so we're here  
again to get your input on this new review that I  
have embarked upon from back in September. Now  
before I begin I want to acknowledge that we are on  
the land which is the traditional and seated  
territory of the Algonquin Anishnabek Peoples. I  
also recognize the contributions of the Metis and  
Inuit and other Indigenous peoples have made, both  
in shape and in strength in this community, the  
Province and the country as a whole. Now by  
acknowledging this traditional territory we're

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recognizing and respecting the first peoples of this country. It is also the recognition of their presence and contributions both in the past and the present. However, we must recognize that acknowledging the traditional territory of these lands, it is only the beginning to recreating a respectful relationship with the Indigenous peoples in Ontario and in Canada.

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My name is Michael Tulloch and I'm a Judge who sits on the Court of Appeals for Ontario. Now, I was asked, as indicated a few months ago back in June to be an Independent Reviewer of the regulation regulating street checks. Which means my position is independent of both the Government and the police. Having said that, I want to acknowledge that Chief Bordeleau is here and as well as Eli El-Chantry Chief of Police and the Chair of Ottawa Police Services Board. We thank you for coming out. I want to also acknowledge all the members of the Ottawa public that is here, the leaders of various organizations, which I think it's critically important for us to hear your voice and for us to hear your perspectives on the issue that we'll be discussing tonight. Now as an Independent Reviewer I will be reviewing the content of the regulation regulating the practice of street

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5 checks. And I will be doing this to see whether it  
reflects the important goal of ensuring bias-free  
police community interactions, as well as the fact  
10 that whether or not police and public interactions  
are consistent and conducted in a way that promotes  
public trust and confidence, while at the same time  
respecting individual rights and civil liberties.  
I'll also be reviewing the regulation with a view  
to determine whether or not police services,  
15 Chiefs, and Police Services Boards are in  
compliance with its terms and are following the  
terms of the regulation. Now I will be conducting  
a very comprehensive review of this regulation, and  
in order to do that I have assembled a team of  
20 experts together, a number of whom are here this  
evening. And you will see them by virtue of the  
fact that a lot of them are wearing a white name  
tag. Now since September we have been engaged in a  
very extensive consultation process throughout the  
Province. Now we've embarked on our public  
25 consult, this is the 11<sup>th</sup> of our public  
consultations. And we're doing 12 of these  
meetings. And so certainly you guys are towards  
the end, but you're definitely not the least of the  
consultations. We have one more next week which  
30 will be in Sudbury. I intend to draw in what I  
have been learning from these consultations to

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5 formulate a report with recommendations on the  
regulation. Now this report will be submitted to  
the Government on November 30, 2018. And it will  
be made public, or made available to the public  
sometime thereafter and certainly no later than  
10 January 31, 2019. Now by way of background, the  
regulation is intended to govern the police and  
public interaction. When the police is seeking to  
obtain a person's identifying information in  
situations where a legal statutory authority or law  
does not oblige the citizen who is being questioned  
15 of his or her personal identifying information, his  
name to provide it. So for example, if you're  
stopped pursuant to the Highway Traffic Act by a  
police you are under legal and statutory obligation  
to provide your personal identifying information.  
20 If you're being investigated on someone's property  
that is not your own, the police under the Trespass  
to Property Act has the rights to ask you for your  
personal information. So in those types of  
situations it's not arbitrary and as citizens  
25 you're obliged to provide your personal  
information. Now the regulation outlines what an  
officer must do if they ask for your personal  
identifying information. The regulation is not  
intended to stop the police from speaking with the  
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5 public, or the public from speaking with the  
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 provides  
10 information and guidelines on the storage of  
information that comes from street checks, as well  
it provides the mandatory training for all police  
on the new rules. It also includes, which includes  
the development of policies and procedures by  
15 Police Services as well as Police Services Boards.  
And it also provides the requirement for the public  
reporting by the police services of the  
interactions that they engage in and the data that  
they collect. Now with that background in mind I'm  
20 looking forward to hearing from you this evening.  
Like I said before, your comments, your  
suggestions, your experiences are what we will be  
relying on to compile our report and to make the  
necessary recommendations to the Government. So  
25 your voice is very very important to us and we ask  
that you feel free to have an open and frank  
dialogue. And when you report back to us I will be  
making notes which reflects the seriousness in  
which I take your views. And I will ensure that  
30 your recommendations, your comments and your  
experiences are documented and reported back.

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Again I want to thank you for the sacrifice that you've made to come out here this evening. You know at first we thought that we wouldn't get a lot of people because of the weather, but it's obvious that you are all engaged and concerned citizens. So again I thank you for your presence. (Applause)

DANIELLE DOWDY:

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Good evening everyone. (French translation) So my name is Danielle Dowdy. I'm with the Review team. I'm just gonna go over really quickly the logistics of this evening. So as Justice Tulloch mentioned we have been on tour throughout the Province. We've been to 12, well we've got 12 city schedules and next week will be our 12, tonight is out 11 visit. Part of the consultations processes also are our community surveys. So if you go to our website you'll see [www.streetchecksreview.ca](http://www.streetchecksreview.ca). You'll see that there's an opportunity to take a survey, and part of the consultations, it's not just hearing from folks, but it's also a heavy emphasis on a data collection piece. And so this survey here will assist us with that. So when you have a moment we ask you to just go to our website and complete our survey.

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5 So the point of the public consultations really is  
to hear from folks. We want to know hear your  
opinion and recommendations and thoughts and  
experiences on the regulation and is it still going  
10 on. You know, what is the impact of the  
regulation? And any thoughts that you would like  
to share with us. Just as a disclaimer, the review  
team, we will not be looking at individual cases.  
So if you have a story or an experience to share,  
15 we would love to hear that experience, and it's  
really important for us, and it will inform our  
recommendations in our report. But we're not in  
the position to actually resolve that situation for  
you. So there's different mechanisms that are in  
20 place already and we encourage you to follow those  
up. But the review team does not actually deal in  
individual cases.

25 And so the agenda for this evening, we're going to  
be, this is the introduction. And then you'll see  
on your table there's different, you'll see there's  
a pad. There are pens. Lots of paperwork. So you  
see an Engagement Guide and also a Public  
30 Consultation Questionnaire. So we're gonna ask you  
work to just work through those questions in the  
Public, on the questionnaire. You don't have to  
work through them systematically if you don't want

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5 to. If at your table there's one question that you  
really want to drill down into, that's perfectly  
fine. But we ask you to go through, the questions,  
they really mirror the regulation. And so you'll  
see that what we're, what it is that we're  
10 reviewing by the themes that are kind of presented  
in that questionnaire. There's gonna be about 45  
minutes to an hour to do that exercise at your  
table. And we're gonna ask that you elect somebody  
to actually take notes. And once that hour has  
15 passed we're gonna have a report back, a time to  
report back. So if someone at your table can just  
report back the conversations that you had and  
share with us the really salient points on the  
discussions that you had. And Justice Tulloch will  
20 be at the front of the table, at the front here of  
the room, taking notes on everything that he's  
gonna be hearing.

25 And just so you know, we are on social media. We  
tweet under the hashtag street checks. We're on  
Face book, Twitter and Instagram. We're actually  
on Face book live right now. So if you look at the  
back of the room there's a gentleman Andrew, if you  
can just wave. So this is where the camera is for  
30 the live stream. If you don't want to be on camera  
just be sure to keep your back to the cameraman

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5 there. You'll also see some of our teammates,  
again those of us with these tags. We'll be taking  
pictures. These photos are for our social media  
feeds. If you don't want your picture, if you see  
someone taking your picture, and you don't want  
10 your picture taken just let us know, not an issue  
at all and we'll move on. But if you want to see  
where the pictures go that's where they go. So we  
live tweet every meeting and you're welcome to join  
in on the conversation. If there's anything that  
you would like to share join us on social media  
15 there. And again so our website is  
streetchecksreview.ca and if you don't have, if you  
leave this evening and you still have more thoughts  
on things that you want to share with us, you've  
had time to reflect on the discussions that were  
20 had we're accepting email submissions at  
[info@streetchecksreview.ca](mailto:info@streetchecksreview.ca) and we're accepting  
those until May 31. So you have a bit of time. If  
you go away this evening thinking there's still  
some things that I would like to say and share. And  
25 that's it. Thank you so much for coming out this  
evening. We really appreciate it. Again there's  
food over this way. Okay. And we'll get started.  
Thank you. (Applause)

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KIKE OJO:

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Thank you Danielle. Thank you Justice Tulloch. So this is your time now. So if you're at a table and it's either you by yourself or there's only two people at your table, you might want to join a more populated table. That will probably help the process. As Danielle stated you will be talking about the questions at your tables. You do not have to go through the questions one at a time. You can use your discretion as a table. It's best if you pick someone to take notes and also pick someone in advance to do the report back so that there's not a fight at the end. And I will pop back up at about 7:35, so just shy of an hour, to get us moved on to the next and final, to the last phase which is the report back phase. Does that make sense? Is everybody good? Okay, so some of us will be floating around for the first few minutes just to make sure you're settled. And I'll be back up at about 7:35. Thank you.

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AT THIS TIME REPORT BACK

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MIKE OJO:

We are ready to start. Thank you. Thank you so much. Is there a table that would like to go first? Awesome, and there's Dave. So let me just say a couple of things. Dave one second. So thank you everyone. Thank you. So for this portion, yes, we're going to be keeping it to about four minutes per table. I typically give a "yellow card", quote/unquote at about the 30 second mark. That will be your indication to start to wrap up your points for your table. Really consider paying close attention to what other tables are saying. Thank you so much. Thank you. So that we can keep the flow going, and it's easier for us, in particular Justice Tulloch, to hear what people are saying if everyone else is sort of quiet. So we will ask people to respect that one request. So we have a table ready to go and you can take it away. Thank you.

MIANA RAJAOLLOU (PH) :

Hi there. My name is Miana Rajalou and I'm a member of the public. I'm just going first cause I have to leave at 8. So just to let you know what our table talked about. Everyone obviously had heard about the street checks, that's why we're here today. But most didn't know of the regulation

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beforehand unless they had worked specifically in that area. And I guess part of the conversation was also that this was less of a topic in Ottawa, maybe not quite as heightened sensibility around it as there was in Toronto. But one of the people at our table did talk about, a lot of people probably don't know that they're part of the regulation when they're interacting with police. So that can be maybe why they also are not aware that it exists. The people at our table agree that there could be some benefits to the street checks that, you know, can help ensure the safety of the people around there. But unfortunately what has happened over the years is that this has been used to primarily target people of colour. And that it's used in an arbitrary and subjective way so that their, so that people were nervous about interactions with police. And I thought one of the most interesting things at our table was that there, well I mean I guess I knew this intellectually, but I hadn't really heard it. But there's a specific black experience with interacting with police officers and it's something that I just haven't had. So I really appreciated that. We skipped around a little bit. But one of the things that we looked was how to increase awareness among people because there's no way that people in the public know about the regulation.

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5 They probably know about street checks, definitely  
don't know about the regulation and how we can  
increase awareness around that. One of the things  
that we wanted, that we suggested starting with, is  
10 looking at the demographics of the people who are  
actually targeted by street checks or by carding  
and trying to access them in those ways. So for  
people who are young, looking at their social  
media, looking at how to reach out to people that  
way and to schools, at Colleges and Universities.  
15 For people who are older, probably the news, like  
the local news I guess, on t.v. Community  
associations. Talking to parents and saying hey  
like this is part, this is something that we all  
need to be aware of. One of the things I'm just  
20 adding now, sorry guys, is looking at vulnerable  
populations. If they are the ones that are more  
likely to be in touch with the police on these  
things. So like at food banks, at shelters, at  
community centres, etcetera. One of the things  
25 that was interesting on this topic specifically was  
kind of a disagreement about, or a question about,  
who should lead this awareness. And should the  
police do it? Should they just be part of it?  
Should there be a third party who leads it and  
30 tries to help rebuild the trust between the  
policing community and the public? So this was

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5 something we didn't, we agreed to disagree on  
because we weren't quite sure where that line would  
be and honestly who's gonna fund it, right. So  
that was something to put out there. And then we  
talked about training and about whether it is  
10 useful to have training on this. Everyone agreed  
obviously, you want training on this for your  
police officers. But one area that we thought  
probably needed a lot more support was on the  
monitoring and oversight of the regulation and the  
15 implementation because there are police officers  
out there who intentionally, or maybe carelessly,  
aren't following the regulation. But they're not  
self reporting that they're not following the  
regulation. And then the people who are being  
20 carded either don't know their rights or don't know  
how to go about accessing a remedy for this. So  
we, yeah. Those were are suggestions, but  
essentially monitoring and oversight, so yeah.  
(Applause)

25 KIKE OJO:

Thank you. Who's the speaker for that table?  
Thank you.

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UNIDENTIFIED FEMALE:

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I'm just gonna keep it brief, but we spent a lot of time talking about trust and how it's very difficult to implement a regulation for a police force when there's a severe lack of trust in communities. So I think I'm just gonna keep it there. But we wrote some notes down and we'll pass it along.

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KIKE OJO:

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Okay that's great. Thank you. We'd like that.  
(Applause)

LATANIA GRANT:

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Hello everyone. My name is Latania Grant. I'm going to answer a couple of your questions. Have you heard of Jermaine Carby? That's what number one should say because Jermaine Carby actually lost his life because of the street check. "Police shooting of Jermaine Carby began with carding officer testifies." My cousin lost his life because he was the passenger of a vehicle. This policy, or this new regulation that you guys are talking about that has to do with kind of condoning street checks, it says that it's only supposed to

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be during, or these things should only happen during a traffic stop. My cousin was the passenger of a vehicle during a traffic stop. They satisfied all the information that they needed from the driver in this traffic stop and still chose to card my cousin. Now Jermaine Carby would have never lost his life if this practice had not been implemented or even created. So this is something that we think should be struck down, not just fixed. These things---(Applause) Nobody wants to be carded. Nobody wants to speak to officers, if they don't want to speak to them, you guys shouldn't be forcing yourself to speak to us. There's a lot of things in this that makes no sense, you know because everything here is just contradicted by the last couple sentences. So my family actually feels the pain of losing a family member to this practice, and it's unfortunate. We just flew in from Toronto cause I wanted to be here in the Capital to be able to show people that these things are effecting our community. Fourteen of the, there's 14 recommendations and in my cousin's corner's inquest, and the majority of them had to do with urging training for the cops on unconscious bias. Carding effects more racial, more black people or Indigenous people than it effects anybody else. We're the ones that are racially profiled.

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5 We're the ones that are stopped. We're the ones  
that are harassed. And it needs to stop. Someone  
died. Someone lost their life because of this. So  
any officers that's in the room, you need to  
realize that because of this policy or regulation,  
10 someone lost their life. Every time you go to a  
family dinner, you're gonna see your family. I'm  
not gonna see my cousin because he died by the  
hands of a cop. People are supposed to, people who  
are supposed to serve and protect, they're now  
15 harassing and murdering us in the streets and  
that's why there's that disconnect. We'll never  
feel safe to speak to an officer because they have  
an attitude of, their attitude just, I can't even  
explain it. It's just like empowering, I have a  
20 gun. You know, have to listen to me or else I'm  
going to shoot you. That's not what should be  
happening. Cops should be trained on how to deal  
with people who have mental health. My cousin had  
mental health issues. They did read this when they  
25 pulled his name up on ICON. But they chose to card  
him and I'm just very upset about this. That's why  
I had to be here today. I had to show you guys  
that this actually effected somebody personally.  
This is not just something we talk about, street  
30 checks and carding. Someone died. Someone lost

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their life because of this, so it needs to end.

(Applause)

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KIKE OJO:

Thank you.

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UNIDENTIFIED MALE:

Thank you. First of all I want to say thank you to the sister and folks from coming from Toronto for giving that story, and sorry to hear about your cousin. Condolences. That speaks to, we answered, first of all our understanding of the carding is that it's a tool and like a gun it can be used for good or bad, right. So, we spoke to the question of what do you do, what does street checks carding mean to you? And pretty much unanimously everyone is saying the way it's being used is, or the affect of it is it's like a surveillance tool that is targeting our civilians with no clear mission. It's a tool used to control certain communities, especially youth, black youth which is obviously the case there. A targeted tool. It marginalises our community. It's no longer being used as an intelligence tool. It's an extension of bias and other population-what's the, control and it engenders fear. And it's, right, and it's often, yeah, right, and the way it applies it's illegal.

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5 Right. Cause it's violating the Charter of Rights.  
Do we think it is useful? We think it's, again as  
a tool and again I want to point out, we have a  
former police officer at the table? It could be  
10 useful again, but the way it's being used it's  
being abused. Going on number three. Are you  
aware, yeah people are aware of the new regulation.  
In terms of how to make folks aware, okay folks  
touched on a lot of things, we're gonna get into.  
Community meeting, actually using the churches  
15 mosques, synagogues and schools. Community  
organizations and community media. Do you think it  
has any benefit at all? Again, it was, we had some  
people saying if used properly, yes. But it has  
good intentions but it's not getting us, at the  
20 moment it's not getting us where we want to go the  
way it's being used. And it's no benefit at all if  
no crime has been committed. Number seven. What  
obligation do police have when they do card people?  
They should identify themselves and say why they do  
25 it. They should be respectful they should be  
applying this, using this tool equitably and  
legally. Have you been stopped? The receipt, what  
do you think of the receipt. What do we think of  
the receipt. It should have the key info. Why  
30 the, the information the police took and why they  
were-how long the information will stay in the

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system. But again we had, again our former police officer told us that the reality is that the police don't like this type of paper work and what they'll do is they get around doing it. So they, as much as we want that information the receipt, if they're not doing the receipt that's not gonna achieve that. Number ten. Recommendations. How to maximize compliance. Good supervision including disciplinary action. If the tools not being used properly we want strong disciplinary action. We want to diversify the senior leadership of the police force. Right because, everything, yeah the whole thing, all the police force. Yeah. We want to know more about how they share information between the local and the provincial police forces. We want a study done, we want a study done on how effective the process, even when used properly is at all for achieving its goals. And how, what was this one? The data by June 1. What's this one?

UNIDENTIFIED FEMALE:

So the data that's been collected since before the regulation was put in place, what happens to that data? Because a lot of it was collected illegally and unlawfully. So we just want to know if that data will be purged. (Applause)

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KIKE OJO:

Thank you.

GARDEEP (PH) :

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Hello everybody. My name is Gardeep. I'm from  
United Six. Now before we start answering these  
questions, there's one very crucial point that we  
like to make. That this survey, this  
questionnaire, does not address. Now this survey/  
questionnaire is asking us about what we think  
about these regulations. Well it's an important  
fact to know that we all want carding to be banned.  
15  
Carding must be banned. (Applause) That's what we  
want to see. It's not good enough to have a  
regulation. Having a regulation does not do  
enough. We need to see it banned completely. All  
right. Now we're gonna start answering these  
20  
questions. (Laughter) So number one. Yes we here  
do know what carding is. Now if you go on the  
street, you go into a random place, anywhere in the  
city and you ask a random person. Do you know what  
carding is? They'll say, what are you talking  
25  
about? And also if you ask someone who has been  
carded before, in many instance a lot of them  
don't know what carding is. You have to explain  
what it is, being randomly being pulled over. Ask  
for your information. They'd be like, oh that's  
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what happened. A lot of folks don't know that

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5 they're being carded. It's true. What does  
carding mean to us? It means being stopped and  
asked for identification without cause. But we're  
being stopped because of suspicion. There's  
10 suspicion that we might be a criminal, that we  
might be doing something wrong. Now what does the  
suspicion mean? Now say we start asking a police  
officer why are we being pulled over. Why are we  
facing this? Then there's gonna be a push back.  
Then that makes us suspicious. (Laughter and  
15 Applause) But isn't it our right to ask a police  
officer why we're being pulled over? That's a big  
issue. Number three. What about the new  
regulation? Here in our table, some of us knew  
about it, some of us didn't. Now if we're mixed  
20 over here, what about the general public? The  
general public don't even know what carding is so  
how are they gonna know what the new regulations  
are? And we also answered number five. Do you  
think carding has any benefits? We answered no.  
25 (laughter) Straight up no. It has the opposite  
affect that actually. I can give you an  
interesting story. I asked someone about their  
perspective of police officers after being carded  
multiple times. And this is what he told me. He  
30 said, you know what? I don't trust police  
officers. If there's a crime going on in my

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5 neighbourhood I don't want to call a police  
officer. I'd rather go personally myself to try  
and take on the person who's trying to break and  
enter into a person's house. I wouldn't call a  
10 police officers unless I really need to. And  
that's the scary thing about this is that when  
carding happens, when peoples face on numerous  
times, peoples trust in police officers goes down.  
I know personally who wanted to become police  
15 officers. They're young individuals. They're good  
individuals. They're trying to do good for their  
community. But they've been stopped by the police  
officers. They've been handcuffed and put in the  
back of a police car when they didn't do anything  
20 wrong. Their information was taken down and  
they're like, you know what, I don't want to be a  
police officer anymore. The police are terrorizing  
me. Why should I be a police officer anymore?  
They lost their interest. I'm one of those persons  
25 who actually lost interest in being a police  
officers. I wanted to be one. And I lost my  
interest because this is one of my reasons why I  
lost interest. Now this is our recommendations.  
Recommendations. Retention of the data period. We  
30 don't want the data to be in a police officers  
anymore. There's evidence of the data being used

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5 to prevent people from getting employment. There  
is evidence. It is actually happening. So I heard  
stories of folks who went to go apply for jobs.  
When they do a security clearance it comes on their  
10 record. You've been carded, you had police  
interactions. Even though they didn't do anything  
wrong that comes up, and that makes the employer  
very fishy. So when they go for a security  
clearance they don't get their job and that really  
15 impacts racialized minority community groups. Next  
important point. This is very important because  
this needs to be taught especially in high schools  
and it should be going to the public. Education to  
the public of what a police interaction should be.  
A lot of us don't know how to interact with police  
20 officers especially when we're being carded. When  
you're being randomly pulled over I'm gonna tell  
you this. It's very scary. It can be very very  
scary, especially when you don't know what you're  
doing. When you see a person walk up to you who  
25 has a gun on the side, a baton on the other side,  
and you're being pulled over for no reason. You  
look at them, they have authority. I have nothing.  
When you're facing a racial incident with a random  
person people will step in. When you're having  
30 interaction with a police officer when you didn't

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5 do anything wrong, no-one is gonna step in. So you don't know what to do in that interaction. So we're gonna ask you to train the public, tell them what they can do in this incident.

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11 Sir, I'm gonna ask you to give your maybe one or two last important points ad we'll take your notes, okay.

12 UNIDENTIFIED MALE:

13 Okay sure.

14 KIKE OJO:

15 Thank you.

16 UNIDENTIFIED MALE:

17 Okay, I'm just gonna give my last point. Carding needs to be banned. Just to clarify carding needs to be banned. (Laughter and applause)

18 KIKE OJO:

19 Thank you. You can take the mike, you can take the mike ma'am.

20 UNIDENTIFIED FEMALE:

21 So our last one will be Police Services Board should be held legally accountable for the training that the officers take and results of the carding. (Applause)

22 KIKE OJO:

23 Thank you.

24 UNIDENTIFIED FEMALE:

25 Okay. So we felt that there was confusion about

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5 what the street checks are. What's a street check  
and what's just stopping an individual? And I  
don't think that there's clarity, there certainly  
wasn't clarity at our table. We struggled through  
10 it a bit. So that is confusing. And that does not  
to be clarified for the public and it's a difficult  
thing to grasp onto. One of the things that we did  
feel was the public certainly does not know and  
that one of the ways that's a bit long term would  
be to start in the schools and educating the  
15 students on a yearly basis as to what this all is  
and what their rights are. Educating the general  
public is important, but if we start in the schools  
then maybe in the future people will have a better  
understanding as they get it ingrained in them.  
20 And for people coming to the country, new comers as  
well. They get a lot of information, but this is  
one of the parts that they should get. And it  
should be available in a number of languages,  
brail, recordings, etcetera, as well as in work  
places. We did think that there was some benefits  
to the street checks or carding. That it is an  
25 intelligence gathering both past and future. And  
it's a proactive policing and it does act as a  
deterrent. There are cons to it though. It can  
trigger people who have been carded before or who  
have been in conflict with the law before or anyone  
30 who's stopped by the police, it's intimidating.

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And it's a bit scary and we all react differently. And so police need to understand that, that even if you're stopped in a car for whatever reason, you're nervous. It's important that the police should be out there having a positive presence in the community and that's the way to build a trust. So walking around and talking to everybody at every opportunity is important in building that relationship. And it also helps them know the people in the community. And so community policing is an important part of knowing who's who in the community and when things aren't quite right in the community. Okay. So when police stop and talk to people we suggested that they should give a business card all the time, even if it's a positive interaction give the business card because then you've got something to go home with. Just telling the name or reading the badge isn't very good because by the time an hours passed you may have forgotten that. So just handing out business cards all the time would go a long way. And it gives the person the ability to contact the officer back again. And again it builds a relationship. They must respect the right to privacy. Tell the people their rights if you're asking questions and respect peoples decisions if they don't want to talk to the police. And one question. Is when collecting identification how is that going to be used? This

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5 was something we talked about at length is how is  
it gonna be used? How long is it kept for? Who  
has access to it? And how do we get the  
information on what's recorded about us? Some of  
the people in the group said yes they had been  
stopped. But it was in a car so as we understand  
10 it that that is not actually carding. If it was in  
a traffic stop. Even though there was questions  
about why the traffic stopped happened.

15 KIKE OJO:

Can I give you a yellow card ma'am? So like 30  
seconds.

20 UNIDENTIFIED FEMALE:

Okay, we'd like to see about the receipts. That  
was the big thing we talked about cause you're  
asking about your thoughts on it. We haven't seen  
a receipt. So that would be important on that. And  
we suggested that the police should have the video  
cameras on themselves. And that would go a long  
way to providing a lot of information about how  
those interactions, it's almost like an audit of  
the interactions. Thank you. (Applause)

25 KIKE OJO:

Thank you.

30 CALVIN LAWRENCE:

My name is Calvin Lawrence. I'm an ex-police  
officer of 36 years. If you see my hat you'll see  
it says Minimize the Conflict. So that is my goal.

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I've been working on it since 1970 between the police and black communities. The first thing that I would ask is, I work from the ground up. I work from the ground up, not from the top down. So if you want to know some information first thing I would say is what does the Charter say? What does the Criminal Code say about street checks? So you get that down. Now, Privacy Act. Privacy Act has what they call a PIA, Privacy Impact Assessment. Look it up, Privacy Impact Assessment. Some police organizations have to do it. Some police organizations just may do it. But if you want to get the trust of the community, if you do a Privacy Impact Assessment then you will find out exactly, all those questions you had gathering information. Who gets the information? What are the ramifications in relation to a new process under the Privacy Act? Now in a landmark decision *R. v. Brown*, Justice John Mordenn writes unanimous Court of Appeal affirmatively recognizes that racial profiling is a reality in policing in Canada. That's *R. v. Brown*. So it's not me saying racial profiling is a reality, it's the courts that are saying that. So it has to be looked into as a possible process. In the *Vice* Newspaper it says, police forces in Ontario have been sharing information obtained through the practice known as carding with federal police organizations,

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5 intelligent services according to the new report,  
according to the 2014 document, The Toronto Star  
the information is sharing intelligence with the  
Canadian Security Service and the RCMP and the  
Ontario Provincial Police. But if you use that  
process and I'm telling you now you'll get all your  
10 information. Now if you want to know why not just  
put the form up here that the police use to fill  
in. If you want to know why not get the form, if  
they put it in their notebooks, or do they fill out  
a form, put it up there and show everybody.  
15 There's no secrets. Right. All right. Put the  
form up there.

20 Lastly, I'm an ex police officer. If people are  
out there in the game then they're gonna be  
searched for by the police within the law. If  
they're not and they're being picked on then you  
simply ask, am I free to go until you get an  
25 answer. And if you're arrested and you did  
nothing, then it's SEIS, Sue Everyone in Sight. If  
you're in the game, I'm gonna try and put you in  
jail. It's as simple as that. Thanks. (Applause)

25 PAUL:

30 Thank you Calvin. Good evening folks. My name is  
Paul, I'm going to pick up a bit on what Calvin  
said and what the group concluded. We were very  
sceptical about the data collecting. We're not  
sure on where this data goes. Who it's shared

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5 between and how long it's kept. Just some  
clarification in that area would help the public.  
And we were also not very pleased with the level  
of, or the effort that the Provincial Government is  
taking to share this information with the public.  
10 I'm sure when it comes time for voting they know  
how to get to us. But when it comes to regulations  
as such, it's almost hard to know what's going on.  
So not many of us were aware of this regulation and  
of carding actually in itself. And so again more  
money and more effort in getting this knowledge out  
there to the public. We concluded, I think based  
15 on a conversation in a simple cost benefit analysis  
that carding overall is just ineffective. I don't  
think, we don't think it's effective enough to be  
kept as a policy, and I think we all agree that it  
should be stopped and ended as many others have  
20 said here. And that would probably sumar, actually  
I just share an example from an anonymous person  
who was stopped in front of their house and asked  
for ID to prove that he lives there. As if the  
onus is on him in this situation. So, it gets a  
25 bit complicated in the relationship between police  
officers and the individuals being carded. And for  
that matter we feel that  
it takes away from the public trust in the police  
system, and again it simply becomes ineffective.  
30 Thank you.

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KIKE OJO:

Thank you so much. (Applause)

LITS (PH)

Hello my name is Lits(ph) and I'll be speaking for my table here. And I mean just in an effort to be conscious of time. I think I'm just gonna stick to what hasn't been mentioned or quickly go over what was mentioned.

KIKE OJO:

Sure.

LITS:

So I think our table really discussed going back to community policing. So having officers being part of the community interacting positively before they resort to carding. So if people in the community are used to interacting with the police in a positive way then they're more likely to trust the police. And I think we mentioned earlier people that don't trust the police don't call the police. And therefore that's an issue. And I think something else that we, there was a lot of confusion here as to when does the regulation apply. When does it not apply? When are people required to talk to police or to give their information and when they're not? And it goes back to what has been mentioned a lot of times. The need for education. So, education not only with the police in terms of when they can or cannot, you

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5 know, card or street check, and then education  
within the community in different spheres. So  
youth, people with mental issues. Marginalised  
communities so they're aware of their rights. And  
something that was mentioned is that despite the  
10 benefits of this practice it should never trump  
human rights. So I think that's what needs to be  
at the base of all the interactions. (Applause)  
And something else that we talked about is with  
data collection. So, with regard to I think the  
15 last point on the report that's gonna be made  
public every year is who's being inter, sorry,  
who's interacting with police. So data on race.  
Areas of the city that have more interactions.  
Again mental health issues. Whether it's the first  
20 interaction, more than one interaction and whether  
these people have criminal records or not. Not  
that it justifies, but I think the more we know  
about who's being stopped, who's being carded,  
who's being street checked, the better we can, you  
25 know, have a hold on it and regulate it. And  
something that was mentioned, I think at the table  
over there is not only do police need training, but  
they need to be held accountable. So if they are  
misappropriating this practice they need to be, you  
30 know, punished or if they need more training or

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whatever it is. So there need to be not only training, but also tools to make sure that they're being held accountable and oversight as well.

KIKE OJO:

Thank you. (Applause)

10 UNIDENTIFIED MALE:

So at our table here we had nine participants. Some of them have vacated, standing against the wall. But we had a very hearty discussion I think is the best way to describe it. Many of the topics that we covered, we tried to use the questionnaire as a framework, but I'm just gonna touch on a few things. So bear with me as we go through this novel here.

15 KIKE OJO:

Four minute novel.

20 UNIDENTIFIED MALE:

Four minute novel. (Laughter) I'll read quickly.

KIKE OJO:

Thank you.

25 UNIDENTIFIED MALE:

30 So in 2010 here in Ottawa there were 8240 street checks. In 2011, 6748. 2012, 6950. I'll speed up here to give you an idea of where street checks are at now. In 2017 there were six street checks. So from 2010 to 2017 we went from 8240 to six. The

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5 whole purpose of this street check was to gather  
intelligence, right. Valuable intelligence is what  
we heard. So if it was so valuable how do we go  
from 8240 to six? Somethings not working. And  
that's what came up at our table here. The process  
10 is flawed. It's not to say that the street checks  
and gathering of intelligence is wrong, cause it is  
preventative in some cases. But the process  
clearly is flawed. So on the notion of data bases,  
that's what really came up. Where is this  
15 information being stored? In 2010 they weren't  
issuing receipts. There was no self, there was  
really no process like what we have here today. So  
what we heard in our discussion is that the data  
base that was held in 2010 and correct me if I'm  
20 wrong, is in a separate data base where old data is  
stored and it followed the retention policies of  
that time. So the outstanding question is, what do  
we do with that data now? If it didn't follow the  
regulations today, what do we do with that old  
25 data? The verdict is still out. Next, we talked  
about awareness. We're very good at doing street  
checks but we're not so good about informing young  
people about their rights. So we said the focus of  
this exercise should really be about informing  
30 young people about when and how to interact with  
police officers. And what their rights really are.

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5 The school was one of those stakeholders. So we  
wanted to see from these recommendations that the  
school board, they Ministry of Education is invited  
to these conversations. So they're not happening  
in siloce. The social detriments of health are  
10 right across all sectors. So we can't talk about  
street checks and not talk about how it impacts  
your health. You can't talk about street checks  
and not talk about how your awareness is in your  
school system. (French speaking) So suspicion is  
15 subjective. If you stop me at 17 years old and you  
don't know your rights your hands might start  
shaking. You might have a crack in your voice. Is  
that grounds for further questioning? Or is that  
grounds to let that young boy home? Awareness.  
20 Now on the curriculum, this was a great point. We  
said there should be a 'Know your Rights'  
components in the same way we do EQAO testing to  
test about math and literacy we should apply the  
same vigour to ensuring that our young people know  
25 their rights. The system is already there, just  
expand the curriculum. Finally, in this report it  
says the annual report should be shared on line  
using the Internet and in any other means. But the  
problem is not many people have access to the  
30 internet and that's not good enough to get this

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5 information out there. So we do believe that data  
collection is important, but you have to ensure  
that the information is shared. So I'm gonna end  
on this point, on data collection. So someone said  
10 how long do we keep the data for? Well we were  
lucky cause we had Chief Bordeleau at our table  
here. So we asked him that exact same question.  
He said data is stored for five years. Correct me  
if I'm wrong at any point. Data collected prior to  
15 five years ago is frozen. We don't know what  
frozen means. So after this conversation ask the  
Chief what frozen actually means. I'm not sure.  
(Laughter) Who stores this information? That was  
the question we wanted to address. In this  
20 document here it says that the data base is under  
police control. But we had some other suggestions.  
Maybe the Human Rights Commission should store this  
information. Maybe Universities. Maybe the  
Independent Review Director. I don't know. Anyone  
25 but the police essentially is what it boils down  
to. We should all have access to this information.  
Now not all points were bad. We said good points  
on this.

KIKE OJO:

Sir, can I have maybe two of those points and -

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UNIDENTIFIED MALE:

5                   Where's my yellow card?

KIKE OJO:

                  This is it.

UNIDENTIFIED MALE:

10                  Okay. Just making sure.

KIKE OJO:

                  And can we take the notes out of your beautiful  
                  novel.

UNIDENTIFIED MALE:

15                  You're gonna have to chase me down for that.

KIKE OJO:

                  Thank you.

UNIDENTIFIED MALE:

20                  The good points. Number ten. A Chief of Police  
                  shall ensure that no performance targets based on  
                  any of the following factors is used to evaluate  
                  work performance of a police officer on his or her  
                  force. We thought that it was good. You should  
25                  not be rewarded for doing exorbitant amounts of  
                  street checks. It doesn't make sense. That  
                  shouldn't be a metric that you use to evaluate  
                  whether someone should get promoted or not. But  
                  what I do want to acknowledge is qualified people  
30                  being promoted. Well here in Ottawa we had a very  
                  important promotion that took place and I think

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it's very timely to announce this. It's already  
out there but I think we should mention it here.  
Isabelle Granger(ph) was promoted to inspector.  
(Applause) Was she promoted because of the quantity  
of her street checks? Or was she promoted because  
10 of the content of her character? Her  
professionalism. Her qualifications. And if  
that's the grounds we're using to promote our  
officers then that is how we should do for all of  
these recommendations. So thank you very much for  
my time, you can steal my book later.

15 KIKE OJO:

(Applause) Awesome. Thank you.

UNIDENTIFIED MALE:

20 I just want to make one very quick point about  
awareness. I'm from Nova Scotia. I'm here from  
the Police Commission, president of police  
association Nova Scotia police(inaudible). I'm on  
the Board of Canadian Police Governors. Last year  
I was carded in Halifax and I had no idea what my  
rights were.

25 KIKE OJO:

Thank you. Point made.

UNIDENTIFIED MALE:

30 So what about the general public?

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KIKE OJO:

Point made. Thank you. Thank you. (Applause)

UNIDENTIFIED FEMALE:

10  
Good evening everyone. (French) Unfortunately members of our table did have to leave, but what resinated with the table was, they had a few questions. The question that we're now thinking about after hearing everybody is will banning street checks really make a difference? We need this review to actually find a way to stop racial profiling of racialized and indigenous communities.  
15  
How do we stop racial profiling? How do we legislate how police should do their jobs? Can we do that? Is that even possible? How do we change the police culture? And something that we came up with was tangible training. But not just talking points or another box that you check off, but something that actually works. But also laws on racial profiling because rules and policies are easily broken and always broken. But there hasn't been anything done to actually like, what are the consequences for that? Relationships we found are a two way street. Attitude is a huge thing. There needs to be a crack down on the actual practice and not just the naming of the practice because the practice name changes all the time. And it's the same thing every time. (Applause) Essentially the  
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25  
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5 behaviours need to change. There needs to be more  
accountability and transparency. The public should  
be aware of things, and they need to know what's  
going on. The goal of the police organizations, as  
mentioned before, is building relationships, but  
10 carding destroys that. Lines are blurred on the  
issue of carding and street checking, especially  
around the new regulations. Clarification is  
definitely needed. We, as the members of the table  
agree that education and training is needed for the  
police. But also on the public what their rights,  
15 especially for the vulnerable communities.

Racialized and priority neighbourhoods. Because  
essentially these are the people who are effected,  
but yet they don't seem to know their basic rights.  
Receipts seem to be a good idea but no-one at this  
20 table has heard of it or seen it. And if there are  
gonna be receipts it needs to be standardized  
across the Province or across the country. It  
shouldn't be different for each Province or  
different between each police organization. It  
25 should be uniformed. It should be simple to  
identified and know what a receipt is. And yeah.  
(Applause)

30 KIKE OJO:

Thank you. Thank you so much. So on behalf of  
myself and the team Justice Tulloch will have the

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5 last word. I just want to say this was a fruitful  
conversation. You all, you know, this has been  
number 11 out of 12. So we've been through it. So  
this has been really a high and high quality  
10 conversation we just want to say. So thank you  
Ottawa. And thank you for again pushing through  
the weather to be here today because I think you  
believe, like we do, that this is an extremely  
important issue. And you needed to have your say  
and be heard. And Justice Tulloch over to you for  
15 your last word. Thank you.

15 JUSTICE MICHAEL TULLOCH:

20 Thanks again Kike for facilitating this portion of  
the discussions. Again I want to thank each and  
everyone that is here in this room that, like I  
said, made the sacrifice to be here and to engage  
in, in my view, a very positive and thought  
wrenching discussion on a very very difficult  
issue. For those of you who participated it's a  
25 real issue for you and I've heard you all loud and  
clear. And your thoughts, your comments and your  
recommendations will be, well I have been writing  
them down by the way. And I would ask that you  
also submit them to us so that we can capture  
30 pretty much everything that you have said. And I  
can assure you that it is gonna be reflected. It's

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5 gonna be considered by me and reflected in some  
way, shape or form in the report that will  
ultimately be written at the end of this review.  
For those of you that have come far, outside of the  
Province, I understand there are people here from  
10 across Canada. I want to welcome you to Ontario  
and certainly thank you for coming out to this  
consultative process. Those of you who have  
travelled outside of Ottawa, again we thank you for  
making the sacrifice to come. And you know it's  
important that we have this conversation. It's  
15 important that the community understand. Not just  
the community, but the police and the community  
have a dialogue. And a very very honest and open  
dialogue on these issues, because unless there is  
this dialogue then we're not gonna have any kind of  
20 meaningful solution to the impasse on this  
particular issue. So I'm hopeful that at the end  
of the day we will put our minds together and come  
up with a meaningful solution that does not in any  
way disproportionately effects or disproportionately  
25 discriminate against segments of our communities  
and our society and that everyone understand that  
these sentiments are real to the communities that  
are voicing them. Again I thank you very much for  
your comments and have a safe trip back to wherever  
30 your from. Thank you. (Applause)

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

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Michelle Lewis  
Certified Court Reporter

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