

INDEPENDENT STREET CHECKS REVIEW

Location; Rainbow Centre
Notre Dame Ballroom
85 Ste. Anne Road
6:00- 8:00 p.m.

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TRANSCRIPT ORDERED.....June 1, 2018
TRANSCRIPT COMPLETED.....June 3, 2018
ORDERING PARTY NOTIFIED.....June 5, 2018

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JODIE-LYNN WADDILOVE:

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Good evening everyone. My name is Jodie-Lynn Waddilove. I'm Nisabea qua from the Munse Delaware Nation, which is a small first nation in south western Ontario. I'm also a senior lawyer working with the Honourable Justice Michael Tulloch who is the Independent Reviewer for the streetchecks review. And we are here tonight in Sudbury to hear your thoughts on a very important issue.

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But before we begin I would like to begin by acknowledging the land in which we're gathered. Tonight it's the Robinson Huron Treaty Territory and the traditional territory of the Ticanshine and Annishnaubuk. So we want to be mindful and recognize the contributions of the Indigenous peoples of North America, both First Nations, Inuit and Metis. Because the contributions have shaped and strengthened this community, the province and the country. And by acknowledging that we're recognizing and respecting the First peoples of this country. It's also in recognition of their presence in contributions both in the past and the present. So in order to build that respectful relationship our review is acknowledging the traditional territory in which we're gathered. So

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thank you. So before we begin an outline of what
this evening is about, I'm gonna ask Justice
Tulloch to come and say a few words.

JUSTICE MICHAEL TULLOCH:

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Okay, thank you so much Jodie-Lynn. And good
evening ladies and gentleman. Thank you for coming
out and meeting with us this evening. As Jodie-
Lynn has indicated this is our very last public
meeting. This is the twelfth of twelve of these
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meetings. And I can indicate to you that I've been
in Sudbury before and I just love the City. It's a
beautiful, very spacious, or very large land mass
of the city and we've heard lots of positive things
about the city. So we're here to hear what your
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thoughts are on the issues that we're asked to look
into. The issues of police interaction with the
public.

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As indicated I am an Independent Reviewer. I was
asked by the Ontario Government to review a
regulation which regulates police public
interactions. And as such I have been going around
the Province to get feedback from various
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individuals from our various communities who may
have something to say on this particular issue.
Now I'll be reviewing the content of the regulation

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5 and each of you have some information on your
tables, and shortly after I finish speaking Daniel
Dowdy, one of my advisors will be speaking to you
about the logistics of how this evenings session
will unfold and what you are to do with the
10 information that's on your table. But what I'm
asked to do is to review the regulation and to see
whether it reflects the important goal of ensuring
bias free police community interactions. And I
also want to see whether or not the public and
15 police interactions are consistent and conducted in
ways that promotes public trust, public safety and
the public confidence, while at the same time
respecting individual rights and civil liberties.
Now I will also be reviewing the regulation with a
20 view to determine whether or not Police Services
or, which includes the Police Chiefs, Police
Services Boards, to see whether or not they're
compliant with the terms of the regulations and are
following it. Now throughout this process I will
25 be conducting a very comprehensive review to see
whether or not the regulation in and of itself is
doing the job that the government had intended for
it to do. Now in order to assist me in this regard
I put together a team of experts, some of whom are
30 here to help me to do this review. And throughout
these meetings we're gonna be gathering the

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5 information that you give to us to inform us on
what recommendations we should be making to report
back to the Government. So, we're really relying
on you to participate in this process. And we can
10 assure you that if you do participate your input
will have value and it will be reflected in the end
result of our consultative process which will be a
report that we'll be putting together at the end of
November of this year. And we'll be submitting it
15 to the government shortly thereafter and they will
be making it public sometime before January of
2018. So again I want to thank you for coming out.
I want to thank you for taking the time to meet
with us and I want to thank you for participating
in this process.

20 DANIELLE DOWDY:

25 Good evening everyone. Thank you so much for
coming. I'm just gonna run through how this
evenings gonna work really quickly. (French
translation). So thank you for coming this
evening. My name is Danielle Dowdy and I'm with
the review. And this is our last of twelve public
consultations. So we've been right across the
30 Province and we've heard from all kinds of,
Ontario, all kind of folks, different communities

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5 and different stake holders. And it's been a really wonderful experience. We also on our website, we do have a community survey. So if you visit www.streetchecksreview.ca you can take our survey because part of our review is also 10 collecting the actual data. And so it will be very helpful if you go to our website and take the survey.

15 So the way that this works this evening is that we want to hear from you. We want to hear your thoughts on police street checks. We want to hear about your interactions with police. We want to hear your experiences and recommendations on how to improve the regulation. Just as a disclaimer. The 20 regulation does not deal with individual cases. So if you have a personal experience we would love to hear from you, but we're not able to then resolve that situation for you. But it is helpful to us because it's gonna inform our report and the 25 information that we have in our report. So I'm just gonna conclude this introduction right after this. You have some materials at your table. If you could, if you're sitting at a table and you're only two individuals, perhaps the two of you and 30 the three of you could join to make a group because this part is a group exercise. So what we want to

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5 do is have folks work together through the
questions that are on the table. You'll see that
there are notepads, there are pens there. If one
person can write what others are saying and then at
10 the end of that process we'll have a little bit of
time to let us know what your discussions were and
you can share your feedback, your recommendations
and anything else that you would like for us to
know. And so we are on social media. We're
15 tweeting under the hastag-we tweet and post under
the hash tag streetchecks. We're on Facebook,
Twitter, and Instagram. We're also on, this is on
Facebook live, so our cameraman at the back of the
room. If you could wave. So if you don't want to
20 be on camera, that's where the camera is, so make
sure to avoid the camera. But if you want to go
back and have a watch of this or any of our
meetings, they're all on our Facebook account. And
if you see us taking pictures, it's just because
25 we're tweeting. Feel free to go on our account to
see the pictures that we've taken. If you don't
want your photo taken, not an issue at all. If you
see myself or my colleague Presna, Presna at the
back of the room, or Peter, Peter also has a
30 camera, and you don't want your photo taken, just
let them know and they will move right along. All
right. And that's about it.

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5 UNIDENTIFIED MALE:

(Off mike-indiscernible)

10 DANIELLE DOWDY:

It's straight up here. So street checks review is the name our group. So we'll leave this up for anyone that's into social media. So you can hop on to anyone of the accounts there. And again our website is streetchecksreview.ca.

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And if you leave this evening and there's some thoughts that you still want to share review feel free to send us an email at info@streetchecksreview. Thank you so much. And we can just get right into the exercise there. And feel free to take food as well. It's a working discussion. Thank you.

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25 ROUND TABLE DISCUSSION TAKE PLACE

JODIE-LYNN WADDILOVE:

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But some people have to leave and we want to be respectful of your time and it is coming close to 8

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p.m. So we're gonna ask that each person has their spokesperson who's going to speak on behalf of the table and give us your feedback of what was discussed. So we're gonna start with this table over here. Danielle's got the mike. So we're gonna let the person who's speaking report back to the group. So we'll start with the back table.

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UNIDENTIFIED MALE:

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So what would you like me to describe? Everybody's life sucks over here. (Laughter)

JODIE-LYNN WADDILOVE:

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Well I was sitting at your table for most of the session. So I think if you could share with us some of the thoughts about street checks and carding.

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UNIDENTIFIED MALE:

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I guess I'll start with the first question. What was it? Okay, so nobody knew what the hell street checks were. We all thought that meant ride checks at first. I don't know, like obviously everybody's been around here that's been here I would assume

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5 has been falsely accused of you know like
incriminating bull shit that has to sit in court
every week for like two months or three months at a
time. And it sucks. You should do some shit about
that and I don't really understand like
10 everybody's got a problem or an addiction or
whatever like that. obviously Sudbury's really bad.
But to put people in jail for, to check them for
drugs and stuff like that. And we were discussing
that earlier and it just doesn't seem like it's
15 benefiting anybody in that aspect. Maybe get them
help.

JODIE-LYNN WADDILOVE:

20 Mmm-hmm.

UNIDENTIFIED MALE:

25 I don't know. I'm not no teacher or anything like
that, so I'm just representing these guys cause
they didn't want to go up. So that's all I've got
to say.

JODIE-LYNN WADDILOVE:

30 Does anyone else at the table have anything to add?

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5 UNIDENTIFIED MALE:

Not really.

JODIE-LYNN WADDILOVE:

10 Behind you.

UNIDENTIFIED MALE:

Sorry I haven't been ID'd before.

15 UNIDENTIFIED MALE:

20 So I'm just gonna tell about the experience that
happened with me. So me and my brother we were
walking one night and out of nowhere we were
carded. And when I was asked for the reason I
wasn't given any because apparently there wasn't
any. And then I was told about, I asked like, is
something wrong? I wasn't given anything that
25 could help me with why I was carded. And then when
there was nothing wrong and when we were on our way
he literally asked us if we had anything in our
pocket. I said no you can check. And then, that
was nothing either. The thing is when you're being
30 carded for no reason at all and the way they talk
and the way they're doing it it makes you feel as

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if you've done something wrong, as if you are a criminal, even though you're not. Like I was okay, but my brothers not as cool, as calm as me. He was really scared and he was really petrified. Also like we just found out right now that when you are carded and when you have a street check, you're supposed to get a ticket that mentions that you were carded, the badge of the officer and everything that mentions the date and the time. But I wasn't given any of that either. So some things not right. One point I mentioned before was that the police they do go after the bad people and there are reasons for that. But they go after the good people I believe just because it's easier to do that.

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JODIE-LYNN WADDILOVE:

Mmm-hmm.

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UNIDENTIFIED MALE:

There's just no reason. It's just easier. And that's all I have to say for tonight.

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UNIDENTIFIED MALE:

I'd like to add to something.

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5 JODIE-LYNN WADDILOVE:

Okay. Thank you.

10 UNIDENTIFIED MALE:

-just because like, that actually brings me back to something I was gonna say. Like it's just not also racism and a lot of cops are, everybody knows one cop that's racist. It's actually like discrimination against people like there's fucking haters against gay people. I'm not gay or anything, but I dress what ever way I want to fucking dress. Like people judge people all the time. Whether they dress like a fucking gangster or punk, you know what I mean. And I always thought that was an issue growing up because people put me in in that stigma too. You know, and I always, I've dealt with the law pretty much all my life, so I think that's a definite issue. Judgement fucks. Sorry for my language.

25 JODIE-LYNN WADDILOVE:

Let's try to keep the language respectful. Okay.

30 UNIDENTIFIED MALE:

(Off microphone)

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5 JODIE-LYNN WADDILOVE:

Okay. Is there anything else at the table before we move on? Okay. We'll move on to the next table Danielle, which we'll go from the back and work our way forward.

10 UNIDENTIFIED MALE:

Good evening everyone.

15 JODIE-LYNN WADDILOVE:

Hello.

20 UNIDENTIFIED MALE:

Hello. We are just here to get some informations over here. We are the students. We are not, been to Canada since end of September only we came here. And we are finding some interesting thing and there are good things and what other things are going on and what should we keep in our mind. So we are here to get some information. And it's enjoyable and we are getting some information over here. So thank you very much for this program.

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5 JODIE-LYNN WADDILOVE:

Thank you. So we'll go to the next table. Sorry.
Is there more for the table? Sorry, go ahead.

10 UNIDENTIFIED MALE:

15 Hello everyone. Good evening. I still have not
given my achievement exam yet. Like I'm planning
to give one soon. So I haven't gone through that
kind of, like, experience yet. But I want to know
in my country, back in India, there are rumours a
lot, these kind of street checks, police officers
take like for, what to say, without any reason
20 this, that kind of case is also happening here, or
like we got really nice image of police officers
over here. Like they never do anything without
reason, right. Like this, it is a same scenario
here or different scenario here?

25 JODIE-LYNN WADDILOVE:

30 So if you want information about street checks or
carding you can go on our website and there's
information on your table. But we're here tonight
to hear about people's interactions with police

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when it's street checks or carding. So I know you arrived late at your table.

UNIDENTIFIED MALE:

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Yeah exactly. I just came to know from my friend/roommate. I just came back from college.

JODIE-LYNN WADDILOVE

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Yeah. So what we've done is we've asked people at tables to discuss their experiences with street checks or carding. Whether they've had them or not, their views on street checks or carding, and then each table is to report back.

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UNIDENTIFIED MALE:

Okay.

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JODIE-LYNN WADDILOVE:

So someone from your table spoke, which I believe the gentleman from behind you did.

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UNIDENTIFIED MALE:

Okay.

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5 JODIE-LYNN WADDILOVE:

But we can certainly talk to you afterwards about street checks or carding and what it means and to provide you the resources there.

10 UNIDENTIFIED MALE:

Thank you.

JODIE-LYNN WADDILOVE:

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So we'll come forward to the next table.

UNIDENTIFIED MALE:

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We're just here observing. We represent some police association, so we are police officers, so I can only speak from past experiences when I was working the road which is over three years ago now, before the legislation came into effect. I never really had any negative interactions with people. But what I can say is as a result of the new legislation with the receipts and how police officers have to identify themselves with their badge number and how they can be complained about. It leads to a negative confrontation right off the bat. And I haven't been through the new training

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because I've been off the road now for over three years. But I have heard that the training of the new legislation piece was very rushed at the time--

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10 JODIE-LYNN WADDILOVE:

Okay.

UNIDENTIFIED MALE:

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--- of getting it because it was coming into effect in January of 2017.

JODIE-LYNN WADDILOVE:

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Right.

UNIDENTIFIED MALE:

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There was issues with training. But I do know that in speaking with a lot of police officers that we represent---

JODIE-LYNN WADDILOVE:

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Yes.

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5 UNIDENTIFIED MALE:

-as a police association, a lot of people that were proactive in the past have now become reactive.

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JODIE-LYNN WADDILOVE:

Yes.

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UNIDENTIFIED MALE:

I've never really had any negative interactions with people.

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JODIE-LYNN WADDILOVE:

Yeah. If I can add to that. We as a review have met with various police services across the province as well we've heard from the associations. So we have the police perspective on the issue so I appreciate you sharing your thoughts and experiences as a police officer and those of your colleagues. Tonight we're here to hear about the public experiences with street checks or carding. So if no-one else has anything else to say we'll go on to the next table. I think that would be the first table here.

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5 UNIDENTIFIED FEMALE:

I think we had a bit of a, more of a lengthy conversation at our table than some other people did. So I'll try to go through everything that we talked about.

JODIE-LYNN WADDILOVE:

Sure.

15 UNIDENTIFIED FEMALE:

20 Mostly everybody at our table have heard of street checks or carding before. But there was sort of varying definitions of what that meant to people and in what circumstances they thought carding was acceptable or not acceptable. But we did discuss the targeting of individuals based on their race, the neighbourhood that they live in, and like the colour of their skin, or their history. Sometimes the officers already know who they are even though they're stopping them and they're confirming things and they're trying to drive up business. So that's the conversation that we had. "Are you aware of the new regulation that came into effect?" Most of us were not aware of it or just vaguely aware of

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5 it. Do members of the public know enough about the
Regulation? I don't think members of the public
know anything about the regulation, if anything at
all. I work for a non profit organization whose
10 sole purpose is to help people that are in conflict
with the law. And I can assure you that I don't
know enough about it and I'm running this
organization. So I think there could be a lot more
work to educate front line staff as well as
15 individuals who are most likely to be effected by
it. And we had a conversation about the way that
you reach people if you want to educate the people
that are most likely gonna be effected. So,
sometimes doing information sessions aren't likely
20 to get the people out that you need to talk to. So
we talked about going, reaching out and attending
at the community organizations within that
community that work with those vulnerable
25 populations. Going to the people rather than
trying to get the people come to you. Most of the
people that we work with on a daily basis, you
know, they're trying to figure out where their
gonna sleep tonight or where their next meal is
30 coming from. So for them to plan to plan things at
a certain time is just, it's tough. "Do we think
that street checks or carding have benefits when it
comes to public safety?" We had a bit of a

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discussion about it and our sort of consensus was no, there really isn't. Because you're sacrificing the rights of individual people and often times what happens there is even when the officer is successful in kind of figuring out that that person has committed a crime they're laying charges, it's not increasing public safety, like removing that person from the street and arresting them and putting them in custody at that point is not increasing public safety. And in fact it's costing so much money to have people in custody and being arrested on charges when they're not really in that circumstance. Even if they are guilty of an offence they're not a risk to public safety most of the time. So they're drug offences, poverty related offences that these people are being charged with.

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UNIDENTIFIED MALE:

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(Off microphone)

UNIDENTIFIED FEMALE:

That's a debate for another time I think.

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UNIDENTIFIED MALE:

(Off microphone)

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5 UNIDENTIFIED FEMALE:

10 So we also had a discussion about if anyone had
been stopped in the last year. And there was a an
example given. It was a really good example of, it
seemed like an arbitrary stop that didn't make much
sense. We talked about the receipt. I have never
heard of anyone receiving a receipt for being
stopped or carded.

15 JODIE-LYNN WADDILOVE:

Mmm-hmm.

20 UNIDENTIFIED FEMALE:

25 We often get people coming into our office talking
about feeling as if they're being followed by
police to people talking to them, police sometimes
knocking on their door. Looking at bail compliance
what they're saying. But they've received, I've
never heard of anyone receiving a receipt.
30 Anything I missed you guys. Oh, we also talked
about the data base and we honestly could not come
up with a good reason of why if a police officer
stopped someone and they haven't found in that
circumstance that they're involved in a criminal

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5 offence, what reason do they have to keep that
 information, what good reason that information
 could be used for. We couldn't come up with that
 at our table, so. I know you're not here to
10 provide that information, but. And then we, sort
 of the last thing that we came up with is, we don't
 think they should be keeping that information, but
 if they are keeping that information that
 information should be given to the public so the
 public can see who is being targeted in these
15 street checks.

JODIE-LYNN WADDILOVE:

20 Thank you. ((Applause)
 Give the mike back to Danielle. Yes. I think
 this...

UNIDENTIFIED MALE:

25 Yeah I just had a bit more. With my experience
 since 2008/2009 I was targeted by the police all
 the time due to the disability aspect of it all.
 There's racial aspect, there's also disability
 aspect of it as well. Whether there's physical,
30 mental illness we're being picked on and assumed
 upon. One example is Like I know a friend of mine,

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5 the way they walk, because of their disability,
they look and appear drunk so right away an
officers going up to that person are thinking that
they've had too much to drink, so they just ask for
10 ID and wondering if they're right and all. I mean
they're fine. It's just the way they walk.

JODIE-LYNN WADDILOVE:

Yeah.

15 UNIDENTIFIED MALE:

20 And I mean, like she said earlier, the thing about
jail and all, it's costing us more. It's actually
\$140 a day to be in jail versus supportive housing
of \$31 a day to tax payers of Ontario, and these
were 2014/2015 figures. One thing to invest in
more supportive housing unit in partnership with
25 the Katie Mental Health Association. Let them be
the landlord aspect of taking care of the tenants
and then the public housing workers we have right
now of separate housing, for example, could take
care of the property management. That's something
else to work on with the government as well. I
30 understand it was dealt with with Municipalities
during Harris days. That's something to reconsider

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to put it back to provincial responsibilities.
Thank you.

JODIE-LYNN WADDILOVE:

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Thank you.

UNIDENTIFIED MALE:

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I think we have to go back to the distant past,
like if somebody does something wrong they should
suffer for their action and we shouldn't be the
ones that suffer for it. And putting them in jail
for instance while we're suffering for it. If you,
if this is the proper way, but put them on chains
and make them work when they do something improper
that would be, in my opinion, proper because
they're suffering for their actions and we're doing
something that is benefiting us. Either way I
won't argue about this but I see far too many
people who have done something wrong getting good
things happen to them, which is not fair at all.

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JODIE-LYNN WADDILOVE:

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Okay.

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5 UNIDENTIFIED MALE:

10 That's a good segway to what I have to say because
there are some people who are doing those bad
things and getting off with it, the police
officers. Because what they're doing is illegal.
15 If it's illegal it's unlawful. Therefore it's a
crime. When you do that you committing a crime.
You're getting off with a crime. And I think there
must be whatever recommendation we have there must
be consequences for officers who conduct carding,
cause it's illegal. It's unlawful. And therefore
it's a crime. They're getting off with a crime.

20 JODIE-LYNN WADDILOVE:

Thank you. Okay.

25 UNIDENTIFIED MALE:

(Off microphone)

JODIE-LYNN WADDILOVE:

30 Okay, gentleman, thank you for your feedback.
We've heard you. And I think we've got, we've had
feedback from all of the tables. So I want to say
thank you - yes.

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5 UNIDENTIFIED MALE:

(Off microphone)

JODIE-LYNN WADDILOVE

10 Okay. You'll be the last speaker. No, no you'll be the last one and then we'll wrap it up for the evening because we do have to close the hotel room shortly.

15 UNIDENTIFIED MALE:

20 Hello everybody. I was in New Sudbury yesterday and I got pulled over. I don't remember. I didn't see them coming towards me. They were cops in suits. They drove me home. They were nice to me. But some were nice and some were kinda rude. To be honest I've been in and out of jail for about 28 years, off and on. One year here. Six months here. Stupid charges. I'm not happy about it going to jail, but that's 28 years of my life going off and on, in that jail. That's part of my life too. They tell you what time to go to bed. What time to take a shower. What time you got to eat and all that stuff. I don't like that. So I'm sick and tired of jail now so I've been out of trouble almost four years now. So this is the longest I've ever been

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5 out and I don't do, I used to be a big shoplifter,
ripping off the stores and all that, but I don't do
it no more. But I still get bugged once in a while
by the cops. I guess they're doing their job, I
10 guess. What I'm trying to say is half my life is
in that jail over there. So I don't like it at
all. I'll be honest with you, I don't do drugs but
I drink off and on. And I drink on the streets.
Like I'll be just sitting on a sidewalk drinking a
beer and not causing any trouble, but I'm admitting
15 to you, yeah. I'll drink on the street. I'll
drink down the road cause I think it's the booze,
you're not thinking right, your mind, I'm not
thinking right.

20 So you don't care, you know what I mean? That's
what I said here on the paper. Number two. I
don't care. I'm still walking down the street with
a beer and I don't care. I cracked a beer in a
liquor store and I got in trouble for that too. I
was kicked out of the bus stop for 30 days downtown
25 for open liquor. Kicked out the mall; open liquor.
So I'm getting kicked out of everywhere. Before you
know it they'll kick me out of Sudbury too. I just
want to send that message to you guys. They drove
me home cause I was a little bit intoxicated. I
30 was drinking at Tim Horton's. And I don't remember
seeing them coming.

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5 JODIE-LYNN WADDILOVE:

Okay. Thank you.

10 UNIDENTIFIED MALE:

Thank you very much.

JODIE-LYNN WADDILOVE:

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So I want to thank you all for coming out. We appreciate your feedback and thank you for being so open and honest and sharing your stories with us.

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So in terms of our next steps. This ends our public engagement phase. As Danielle mentioned you can still provide your feedback on our website, on line. But we thank you. We've heard your recommendations and your stories and we appreciate your feedback on this issue. Thank you very much.

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10 THIS IS TO CERTIFY THAT THE
foregoing is a true and accurate
transcription of video recordings
from sound recording apparatus

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Michelle Lewis
Certified Court Reporter.

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