

INDEPENDENT STREET CHECKS REVIEW

DATE: April 9, 2018  
LOCATION: St. Clair College for the Arts  
201 Riverside Drive West  
Windsor Ontario  
0600-0800

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INDEPENDENT REVIEWER.....JUSTICE MICHAEL TULLOCH

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your tables and then you'll have some time to  
discuss the issues at your tables, and then there  
will be a report back that I'll facilitate, a  
report back process. And that will be the evening.  
So without further ado I'm gonna invite Justice  
Tulloch up to welcome you. Thank you.

10 JUSTICE MICHAEL TULLOCH:

15 I want to thank you Kike for your introduction.  
Good evening ladies and gentleman. I want to thank  
all of you for coming out this evening. My name is  
Michael Tulloch and I'm a Judge who sits on the  
Court of Appeal for Ontario. Before we begin I  
would like to begin by acknowledging that the land  
20 on which we gather is a traditional territory of  
the Tawona Derona Anishinabe as well as the Who  
Danoshine peoples. I also recognize the  
contributions of the Metis and Inuit and other  
indigenous peoples who have made contributions to  
these territories both in shape and in strength in  
25 this community, the Province and the country as a  
whole. Now by acknowledging this traditional  
territory we're recognizing and respecting the  
first peoples of this country. It is also the  
recognition of their presence and contributions  
30 both in the past and the present. However we must

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5 recognize and acknowledge in the traditional  
territory of these lands is only the beginning to  
recreate in a respectful relationship with the  
indigenous people in Ontario and Canada. Now I'm  
here this evening in the capacity of an Independent  
Reviewer of the new regulations passed by the  
10 Ontario Government in 2016, which is put in place  
to regulate the police practice of street checks  
and more specifically which was intended to limit  
or ban the arbitrary interaction of police, or some  
police officers with members of the public for the  
sole purpose of collecting their personal  
15 identifying information. I am an Independent  
Reviewer, which means my position is independent of  
the government as well as independent of the  
police. Now, as indicated, I was asked by the  
Ontario Government to conduct this independent  
20 review on June 7, 2017. I will be reviewing the  
content of the regulation to see whether it  
reflects the important goal of ensuring bias-free  
police community interactions. As well, the police  
and public interaction are consistent and conducted  
25 in a way that promotes public trust and confidence,  
while at the same time respecting individual rights  
and civil liberties. I will also be reviewing the  
regulation with a view to determine whether or not  
Police Services, Chiefs, and Police Services Boards  
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5 are in compliance with its terms and are following  
it. I'll be conducting a very comprehensive review  
of this regulation. And in order to do that I have  
put together, or assembled a team to assist me in  
this regard. Now since September we have been  
10 engaged in a very extensive consultation process  
throughout the Province, and now we've embarked on  
our public consultations. Today's consultation in  
Windsor marks, I think it's the ninth out of 12  
consultations. I intend to draw on what I have  
been learning from these consultations to formulate  
15 a report with recommendations on the regulation.  
And this report will be submitted to the Government  
on November 30, 2018 and be made available to the  
public no later than January 1, 2019. Now by way  
of background, the regulation is intended to govern  
20 the police and public interaction. When the police  
is seeking to obtain a person's identifying  
information in situations where a legal statutory  
duty, such as the Highway Traffic Act or the  
Trespass to Property Act does not engage and where  
25 the persons that is being interacted with by the  
police are not legally obligated to provide that  
information. Now, in situations where the Highway  
Traffic Act or the Trespass to Property Act is the  
basis of the demand for personal identifying  
30 information, then citizens are obliged and

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5 obligated to provide their personal information to  
the police. Also, in situations where someone is  
under what's called an investigative detention  
where they're being specifically investigated for a  
crime or when someone is being arrested, they are  
obliged to provide their personal information to  
10 the police. Now, the regulation outlines what an  
officer must do if they ask for your identifying  
information when the intended to randomly your  
identifying information. The regulation is not  
intended to stop the police from speaking with the  
public or the public from speaking with the police.  
15 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  
information and guileless on the storage of  
20 information that comes from the street checks. As  
well it provides the mandatory training for all  
police on the new rules, the development of  
policies and procedures by police services, and  
Police Services Boards, as well as the public  
25 reporting requirements by the police services. Now  
with that background in mind, I look forward to  
this evening. I want to emphasize, once again,  
that this review is fully independent. We are not  
here as a part of the Government. But we're here  
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5 to listen to what your experiences are, what your  
views are on this particular regulation. And I can  
assure you that at the end of this process, your  
voices will be heard and we will reflect whatever  
we heard that is able to enhance the review  
process. So again thank you very much.

10 (Applause)

DANIELE DOWDY:

15 Good evening everyone. Welcome to our young folks.  
Before we get started I'm just gonna....(French  
translation). So I'm just gonna run through this  
really quickly so that we can get started since the  
time is a bit far gone. So welcome to our  
20 consultation. We have been travelling the Province  
of Ontario, and we're really happy to be in Windsor  
this evening. Part of our consultation is not just  
hearing from you in these public meetings, but also  
in a variety of ways. So on social media, but also  
you'll see we now have a community survey on our  
25 website. So if you go visit [streetchecksreview.ca](http://streetchecksreview.ca)  
you have the option to fill out a survey so that we  
can also analyse that data on your experiences.  
The purpose of our public consultations really is  
to hear from folks to see how the regulation is  
30 working, to hear your recommendations and any

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5 suggestions, any advice that you have for us. And  
so you'll see that there's a lot of paperwork at  
your tables. We're gonna to ask you to do just a  
little bit of work this evening in working together  
to answer some of the questions that we're trying  
to solve, or we're trying to find answers to with  
10 this review. Just as a disclaimer, the review does  
not deal with individual cases. So if you've had a  
situation, in particular with the police, we would  
love to hear that, cause that's helpful and it's  
very informative for us and it helps us to  
understand kind of the context of what's going on.  
15 But we're not here to actually resolve any  
individual cases. That's still, there's still  
different avenues for you to be able to pursue to  
get that resolved if that's the case, but that's  
not with our review. And so the way this is gonna  
20 to work, we're just running through the  
introduction now and then we're gonna get right  
into the round table discussions. So you'll see  
that there's an Engagement Guide on your table.  
And there's pens and there's also paper. We're  
25 gonna ask you to go through the questions. You  
don't have to go through them one by one. If  
there's a question that your table is really  
interested in that you really want to focus on feel  
free to do that, but there's a set of questions  
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5 there that mirror the regulation and we're gonna  
ask you to answer those questions to the best of  
you ability in your group discussions, and then  
once that is done, we're gonna allot some time for  
a report back. So each table will appoint a person  
to report back what you discussed, and we'll be  
10 here taking notes and Justice Tulloch will be here  
listening and taking notes as well. And we are on  
social media as well. We are tweeting and posting  
under the hashtag streetchecks. So we're on  
Twitter, we're on Facebook, we're on Instagram.  
15 Feel free to join in the conversation, to tweet  
about, or post anything that you see there. You'll  
see all of our social media accounts are up here.  
By that same vain we're also live streaming this  
evening on Facebook live. So our webcam is  
20 actually right at the back of the room. If our  
webcam guy can wave. Thank you. If you don't want  
to be on camera that's where the camera is. You'll  
also notice that some of us will have our phones  
and we're taking pictures. We're actually tweeting  
and we're posting. If you don't want your picture  
25 taken, it's not an issue, just let us know and  
we'll move it along. But that's where the pictures  
are going. So feel free to check back on our  
account to see, you know, if you see us taking your  
picture, that's where it is. And also if you have  
30 any questions after this evening you can always go  
to our website and get all the information there.

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5 Our live streams are posted on our website and if you have any, anything that you'd like to share with us further that you didn't get a chance to share this evening feel free to send us an email at [info@streetchecksreview.ca](mailto:info@streetchecksreview.ca). And that's it. Thank you so much for coming and we wish you a very fruitful discussion. (Applause)

10 KIKE OJO:

15 Okay. So just before we kick off I'm just gonna give you a couple instructions. So this is table work. So if you are alone at a table please relocate so that you can have people to speak to about the subject matter. It works probably best if you select someone to take notes at the table and someone to be the reporter, report back person when the time is up. So think about that. So again if you're alone at your table if you would relocate and also pick someone to be a scribe and pick someone to be a reporter. We will start the conversation again around 7:30. So if you would sort of plan for that. And I guess really consider ensuring that everyone around the table has an opportunity to speak. Really consider what we call social location. So if there are people around the table who express that they have this experience in their lives, they should, you know, have some space to tell their stories. And so if you would sort of

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consider who's holding space at your table that  
would be really effective and important. Okay. So  
we will be back to you at 7:30 to start the report  
back process. Okay. Thank you.

10  
ROUND TABLE DISCUSSIONS

15  
KIKE OJO:

20  
Thank you so much. Hopefully you had a fruitful  
discussion. It is 7:30 and it's time for report  
backs. Hopefully you've selected someone to do the  
reporting. Thank you. Thank you so much for your  
attention. This is the good part where you get to  
share. So my only request is that while a  
particular table has the floor that we're all  
listening to that table. That's my only request.  
So are we prepared? Are we ready? My colleague  
Dave who has the microphone in his hand there.  
Dave would you wave please. Thank you. The man  
with the mike. He's the definer of who gets to  
25  
speak. So sorry I'm just no noticing a table that  
hasn't acknowledged we are ready. Thank you so  
much. We're ready. So Dave has to the mike. He's  
the definer of who gets to speak. So Dave has  
30  
selected a table. So each table will have about

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5 three minutes. I will give you a yellow card which  
is your indication that you have about 30 seconds  
if you've gone on, okay. And we're hoping that you  
can make that work. So think about what you want  
Justice Tulloch to know. I want to remind everyone  
10 that this is an independent review of the street  
checks regulation, otherwise known as carding. So  
what that means is that Justice Tulloch and the  
team do not represent the government. Do not  
represent any particular police organization.  
We're ready to go. Thank you so much sir.

15 UNIDENTIFIED MALE:

20 This is in point form. So please excuse me if I  
have to ad-lib into this. So the first question we  
did many discussions on was, what does carding  
mean. We talked a lot about training and  
recruitment. We don't hear so much in Windsor.  
We've heard about more in Metropolitan Toronto. I  
25 know I myself I've have said that. Rural versus  
urban differences. Look for implicit/explicit  
biases at recruitment. We talked about the RCMP  
and gender bias in the Military as well in the  
gender. Someone had mentioned in our group,  
nothing has changed. All that's happening is  
30 ongoing consultations. We don't seem to be seeing

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5 anything happening in actions where it needs to be.  
And discussion about there should be an  
accountability. A civilian oversight not just the  
10 police investigating the police themselves, but an  
actual is civilian oversight that is, civilian  
oversight that is arms length from the police. And  
remove politics from policing. We had a quick side  
note about this meeting. For example, it was not  
advertised adequately. There should have been more  
15 public information. I know I found out just  
quickly through Facebook. The benefits. I think  
I'm going with public carding. What could be good  
for carding. Benefits for public safety. A base  
for starting investigations. However there should  
be relationship building. Talk to the people.  
Don't just ask them who they are. Just for  
20 community policing. Just talk to them. Don't  
insinuate. Okay. Don't need to know their names.  
And then we talked about the receipts. Not sure  
what the purpose is. Is this effective? And the  
data needs to be publically available. There's a  
25 lot of talk. They're saying, from what we  
understand, when they take down our names that goes  
into a database. What's that data base used for?  
And is that data base accessible by the public? We  
did also discuss a lot about racism as well.  
30 (Applause)

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5 KIKE OJO:

Thank you.

10 UNIDENTIFIED FEMALE:

Okay. So at our table we had the pleasure of actually having three police officers here. So we got a lot of intell in regards to the use of carding and the collecting of intelligence. So this gave us, I think, a deeper perspective as to why police have used carding in the past. However, we did have some concerns in regards to how long these cards be in place and what there use would be afterwards. So whether that be through on, whether they be used in the future for ongoing investigations is questionable and how long they are going to be on the record. So I'm not sure if the committe had anything to put towards that. Also we did talk specifically about Windsor policing services. And from talking these gentleman we see that this might be a larger issue in Toronto; however it definitely still effects smaller communities I believe. Windsor is not a city with one type of people, so therefore these implicit biasses obviously do play a factor in the day to day interaction with police. Oh, in regards

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5 to training. We did also have some question in  
regards to the training the police do have in the  
academy and then also policing on a yearly basis.  
So, these gentleman did mention that they do do  
these type of training based on topics every year  
in which they have to conduct 40 hours of training.  
10 However whether that is efficient is questionable.  
And then also we did take a look at the specific  
legislation and we questioned whether it has  
impacted the services offered by Windsor police or  
Windsor Police Services. And we decided that  
there's no changes that have come out of this  
15 legislation and I think, sorry we thought that the  
legislation just offers more opportunity for  
confrontational interactions with police as people  
are now more aware of their right to question to  
police and yeah. If anybody else wants to add from  
20 our table. That's good. That's all.

22 KIKE OJO:

Thank you. (Applause)

25 UNIDENTIFIED MALE:

30 First and foremost I'd like to give thanks for  
providing space for us to gather and conjure  
collective intelligence around this important

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issue. Many of us in the room know that so called racialized groups, specifically to the history, black and Indigenous communities have been abused since first contact on this continent. You know and we gather here today to reflect on the perpetuation and maybe some solutions around these things. First question "Have you heard of street checks and carding"? Collectively our table says yes. But one of the comments here was yes, but I thought it was a joke. Like in a world like this is that something. And it is and it's sad. Knew it was happening, felt like it was harassment. Found it unhelpful. Nothing positive about it. Doesn't make me feel safe. Targets low income areas. Second question. What do street checks and carding mean to you? The answer that we have here collectively is that it perpetuates labelling and everything that's attached to that and also pointless. Question three, "Are you aware of the new regulations that came into effect January 1, 2017"? And also, where did you learn about it? We have a collective no, didn't know about it. Don't know my rights. They don't know how to interact with us. By them we're referring to police officers and people in those positions of authority. Question four, "Do members of the public know enough about the regulations?" Do

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5 members of the public know enough about their  
rights when interacting with police. If not, what  
could be done to approve awareness of rights and  
regulations. The first answer to that was no. But  
following that was, we need more education in the  
10 schools. And I think this was in regards to our  
rights as civilians when dealing or interacting  
with people in positions of authority, particularly  
police officers. Communities and community  
centres, like having that information accessible.  
And for five, under the heading of Police Stops.  
Do you think that police checks and carding having  
15 any benefit to public safety? No benefit. More  
reason to hassle minorities. Question six. When  
should police stop and talk to people in  
communities? I felt all the time. You know, they  
should drive with their window down and they should  
20 be full of like waves and smiles, those sorts of  
things. You know there should be that sort of  
accessibility. You know I don't know that police  
officers always need to be in riot gear. You know  
it's threatening. Quite frankly it's threatening.  
25 They should be involved with the community. You  
know they should be making random visits and I'm  
not sure those visits should be random. I think we  
should know when they're coming because sometimes  
they catch you off hand, you're like, I don't know  
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5 who they're here for. And you know unfortunately  
that's the way a lot of us feel when we see that  
uniform come into the room. They should be  
pleasant and they should always, they should always  
say hi. And number seven, "What obligation should  
10 police have when they stop and talk to people?"  
They should treat people with mutual respect. I  
know that they understand they have a certain  
authority over people and when they go into  
communities they have a certain responsibility, but  
15 respect should be the number one. You have to give  
respect to get respect. And that's where we  
stopped. Thank you.

20 KIKE OJO:

Thank you.

25 UNIDENTIFIED MALE:

Oh, we have another comment at the table.

30 KIKE OJO:

Sure.

UNIDENTIFIED FEMALE:

The last question was have you ever been stopped by  
the police in the last year. Yes is the answer.

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5 A lot of people at this table. We had similar  
experiences with police. Most were negative. And  
we came to the tables, a lot of us feel  
uncomfortable when we're approached by the police  
officers. Sometimes it's not even, even if they're  
10 still the same skin colour that looks the same way  
as me I see their badge first before I know the  
persons character. So, we were stopped by police  
because there was an interaction at a car towing  
place. And the altercation happened and the people  
called the police to come, right. So we got  
15 stopped on the way going home. And the police  
officer pulled us over and he asked if we had our  
licence, you know, and insurance. But the person  
who was driving didn't have their insurance on  
them. So, but they had an expired one. The police  
20 officer instead told the guy, you don't have it,  
I'm pretty sure you don't. You know, back to the  
car. When he came back he asked us if we had any  
guns in the car. It was myself, my boyfriend and  
his mom. So obviously when you're asked that  
25 question it's kind of like, either raising of 'a',  
racial profiling. B, why do you think we would  
have any guns or anything like that in the car.  
So, the officer felt like we were threatening, so  
he told us that you know, we're gonna tow your car.  
30 You need to grab all your belongings out of it. We

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5 grabbed everything and the three of us were  
arrested in the middle of the street and they made  
us sit down. I felt more so embarrassed because it  
wasn't just the police officers that were there.  
He called three more cops to come over. And it was  
10 just more so like a public humiliation over  
misunderstanding and not knowing my rights or who  
to call or like the understanding of the situation,  
period. So I feel as if though a lot of police  
officers do come with aggression. And just from  
15 personal experiences I don't feel as if this is a  
good change, like no positive is gonna come from  
it. Thank you. (Applause)

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KIKE OJO:

I just want to, while Dave is making his way to  
another table, I just want to acknowledge that  
these conversations are difficult. And that for a  
lot of people it is reliving of experiences that in  
many cases are dramatizing and I just want to, you  
know, thank you because at the end of the day if  
you weren't willing to go back there in your mind  
to recount then we wouldn't be able to learn  
collectively from your experiences and your  
stories. So, you the team acknowledges that we're  
asking you to go back and relive and often time

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relive trauma and tramatizing experiences so, and  
we know. So thank you.

KENNY BATTABO (PH)

10  
My name is Kenny Battabo I represent Youth  
Connection Association. Judge here is supposed to  
be the spokesperson, but for some reason he chicken  
out. (Laughter) I wish he could be the person to  
talk because I think the young people are the ones  
most effected. And just from hearing them seems to  
15 affirm, you know some of the things they talking  
about, I try to explain to them anyways. They  
don't seem to understand what carding means. So I  
try to explain to them, meaning street check and I  
was asking them, anything like that happen to you?  
20 And they told me sitting down here, the three boys,  
told me that it happens to them. It happens to  
them at the park where the police, we just rolled  
down the window and we're asking them, you know,  
what are you doing outside. And then they talking  
25 about 8 o'clock or 8:30. Also they told me that it  
happens at the park. It happens to them at the bus  
station where the police asking them if they  
recognize somebody they're looking for. Then I was  
asking them, how does it make you feel? All of  
30 them saying here that they find it so creepy that

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5 the police will be asking them such a thing and  
then ---here is saying they feel very afraid. And  
also they indicated that they feel they being  
watched all the time. This is what the boys are  
telling me. I just asked them and this is what  
they're saying, And then I was just asking them how  
10 does it make them feel, you know, and they didn't  
know anything about the street check and they  
telling me there's no education whatsoever. No  
education in schools. Nobody is telling them about  
all t his that is happening. And just to let you  
know my organization Youth Connection a few years  
15 back there was something very very similar to what  
you guys are doing. I made a presentation. Based  
on t hat we approach the Chief of Police at the  
city at the time Glen Stanard(ph). And then we  
developed a brochure it's called Know your Right.  
20 In the brochure there's everything that the young  
people need to know at the time we developed close  
to thousands and thousands that was sent to the  
school to form the civic education. But  
unfortunately that has been forgotten. And then we  
25 asked the present chief to see if we can develop  
something similar because this is something that  
all these children need to know. And just listen  
to the young girl that just talk. There's no  
education. We need to go back to school. We have  
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5 all this, our diversity officer who happened to be  
black officers they should be going to the school  
to provide education on this very issue that you  
guys talking about. Anyways that's all I have to  
say just based on what the kids are talking about.  
Thank you. (Applause)

10 KIKE OJO:

Thank you.

15 JOY HURST(ph) :

15 Hello Joy Hurst here. First I'd like to say as  
far as getting the message out I've been following  
the Judge himself since the SIU was here. And the  
information has been everywhere. I've shared it.  
20 All the organizations have shared it. And I think,  
because when we started sharing it, of course it's  
been a while back cause they plan well ahead. And  
by the time it gets here, maybe some people forgot.  
I don't know. But we have a nice crowd here and I  
25 really appreciate everybody being here and being  
part of this and of course we appreciate the Judge  
and his staff. But the first thing I'd like to say  
about the carding I personally, and some of us at  
the table don't feel it's a good idea. From  
30 personal experience of talking to the youth from

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5 our organization the collision, some of the  
children had been stopped, not, they weren't  
carded. They were stopped and asked, is that your  
bike? Of they're with a bunch of white children,  
and they get asked, do you have weed on you? So  
10 carding, street checks, targeting certain classes  
of society. These are all the answers we came up  
with together. We have a paralegal here with us,  
and he has a great perspective on things. We also  
must understand that sitting at my table here we're  
15 very diverse. So our opinions are gonna come from  
different perspectives, and that's what we must  
understand as we sit here today. Everybodies  
experience is different. Okay. Now I'm gonna go  
to number two. "What do street checks mean to us?"  
And we just answered that. It's kind of like  
20 harassment actually. Are we aware of the new  
regulations that came into effect? I learned from  
it from the judge and his findings you know through  
his research. And then we follow him and we share  
it with our youth in our organization. That's how  
25 we find out about it. I live here in Windsor. I  
work with the diversity officers. I've never heard  
of this. But I will say that our diversity  
officers have come out to us. They have been part  
of our programming with our youth. They've stepped  
30 up with new programming that's coming up. But I

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5 think the only way our youth is gonna find this out  
or even us as adults, when these new laws come into  
place. This is a very important law, these laws  
that are coming out. They should be going around to  
the different schools. Boards of Education. Have  
10 an assembly with all the youth and explaining what  
these new laws are. Because otherwise we're not  
gonna know until something happens and our rights  
are deprived from us cause we don't know our  
rights. So, I think it should be brought to a  
public forum such as this, but within our own  
15 cities because you guys can't do it all. You can't  
be everywhere all the time. So, just while you  
guys are having this, now we're gonna take this  
information, we're gonna bring it to our  
organizations that we have here in Windsor. But  
20 this is how we have to find things out. We don't  
get this from the local police or local leaders to  
bring this down to our people. We just don't get  
it. And we have a lot of issues with our youth  
coming to us with these type of complaints where we  
25 had to organize programs to teach them their rights  
as black children. We shouldn't have to do that to  
anybody, or it should be as a whole. But we have  
to teach black children these type of rights  
because of what's happening to them. They have  
30 nowhere to go with it. But now we're making these

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avenues available to them. Not recognizing smaller—oh yes. One of the things, one of the issues that we have in our area is we have a lot of towns, smaller towns, Lemington, Essex, Amigsburg. And a lot of these issues aren't recognized there because there's such a smaller amount of black people in these towns. So they just have nowhere to go. I mean they just deal with it and I think it's sad because we're not reaching out to our communities like we should. I'm sure up in Toronto or the bigger cities there's a lot of cities on the outskirts that don't get that attention they need, because it's a smaller amount of people that are going through this so they don't get the attention or recognition. So that's one of the big things we have here. And do you think this is an effective way to make sure that police allow, I mean follow the regulation? Okay. We have a couple of questions regarding this application/interpretation thing here. Actually it contradicts itself. Because if you look at it number one, part one, application and interpretation, it almost contradicts itself you know in the law that's written there. And so there's loop holes all throughout that. You know, they have it written there, but if you look through it. And we have our legal assistant here that kind of brought it to our

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attention. But there's loop holes all in there so  
yeah they have it written one way, but there's  
other ways they can get around that. You know what  
I mean. So again, carding, absolutely not. Street  
checks, we don't think it's appropriate. We are  
already being harassed, our youth are already being  
10 harassed. This is just giving them the legal way  
to do it as far as we're concerned. Thank you.

(Applause)

15  
KIKE OJO:

Thank you.

20  
UNIDENTIFIED FEMALE:

Good evening everybody. I'm a table with a young  
brothers and some young sisters. Thankfully they  
don't have too many negative experiences with the  
25 police. And they didn't have too much experience  
with this carding legislation. However I asked  
them, what's their general opinion about police and  
there was a consensus that they're pretty much  
bullies. So even though there's that, they don't  
have negative experiences they feel that the police  
are bullies a little bit. Furthermore they feel  
that when they're in groups, two or three or more  
of them, they feel a little targeted by the police  
30 and that they felt that they're seen as being up to

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5 no good more often than not. And I briefly  
explained just because you're in a large group of  
people shouldn't equate to you being up to no good.  
Someone brought up an example of the Dollarama  
being beside the highschool and sometimes police  
10 officers kind of harassing a little bit in terms of  
well if you're not buying anything in the store why  
are you here? Secondly, basically I ask them about  
the community resource officers that are in the  
schools. I asked their opinions on how they felt  
15 about that. Again not too many negative  
experiences. They said they don't really see too  
many of the resource officers unless they have to  
do a presentation or things like that. But there's  
not too much engagement between the students and  
20 the police officers. Going back to education of  
rights, like some people have already mentioned.  
These young folks did not know that they could  
refuse to give their name and information if  
they're not directly related in a crime or doing  
25 anything bad. So again reiterating that education  
is key. And one of the last thing we discussed is  
I just asked them, well if you could build the  
perfect police force in Windsor, what would that  
look like? And the answer that came back is just  
30 more diversity because if t here's that cultural

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sensitivity it's more likely to diffuse situations  
instead of causing aggression if you see someone  
more like you. And that's pretty much it from our  
table. (Applause)

10  
KIKE OJO:

Thank you.

JADEN OJO MAXWELL

15  
Hi my name is Jaden Ojo Maxwell. I'm representing  
this fine group of young men here. When I came to  
this session of the streetchecks, this question was  
obviously asked if any of these gentleman know  
about street checks and have they been stopped by  
the police. Three out of the eight of the  
gentleman have actually been stopped at this point  
20  
and time and don't have any idea about what the  
street checks are. So some of the gentleman have  
experienced, some haven't. When it came to the  
street checks and what being stopped by members of  
25  
law enforcement means to this group the answers  
kind of varied, but it did kind of resignate around  
fear, which is unfortunate. Some of them said that  
their first instinct is to run based on just  
30  
natural instincts. Others, their natural instinct  
is just to be afraid. Others their first natural

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5 process is this person may be racist. Another  
thought process is that officers in general are  
people to be weary of. Some more so in the States  
than here, but they're just right off the bat a  
negative connotation when it comes to law  
10 enforcement and the youth in the community. Which  
I think that is something, the main thing that we  
have to be focussing on because kind of weed out  
that negative connotation when a youth sees an  
officer, doesn't have to be a negative I've feeling  
or a scary feeling. And the first negative process  
15 should not be to run because that obviously sets  
yourself up for failure the way I see it. When it  
comes to whether anybody was aware of the street  
checks I don't think so and how do we make it more  
apparent for the youth to become more aware?  
20 Obviously being a group of younger males we all  
understood and came to the consensus that we should  
be all utilizing things like the television and the  
internet like Google and social media and this kind  
of information should be a lot more out there, and  
25 a lot more in people's face, that this is something  
that you knew even though these regulations is  
being put forth now and being regulated and now  
they're not necessarily new practices. So this is  
something that should have been ut there more and  
30 people should not be finding out about this now, it

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5 should be things that are easily accessible. When  
it comes to question five as to whether or not  
street checks have any benefit towards the  
community at all? Luckily this is a very  
optimistic group of young men and there was a lot  
of yes' around the table; however, it does take  
10 some kind of context. Some of the young boys  
thought that, sorry young men, thought that there  
was no reason to be doing these street checks, but  
another, a few others said that when it comes to a  
matter of safety they would rather that if there  
are crimes going on in their community that there  
15 are officers there to be asking the necessary  
questions because these men are aware that if there  
is something bad going on questions need to be  
asked to find the answers. Now when it comes to  
the point and time in the context of asking  
20 questions that's where it varied. And there was an  
understanding that unless there is an active crime  
or an active investigation being taken place, there  
shouldn't be a reason for just asking for  
information. So I believe the general consensus  
25 came down to there was an appropriate time and  
place for those kind of acts, and it should more so  
be when there is an active investigation, not just  
to find the information. Now in terms of when it's  
30 appropriate to be stopped by an officer, law

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5 enforcement, once again there was kind of a years  
or nothing where this group of men understood that  
there are times and places where it is necessary to  
be stopped by law enforcement to be asked necessary  
questions, such as in the event that a crime that  
10 just took place, or some very valuable information  
that the police are trying to prevent a crime. But  
when it comes to when and how people should be  
stopping, once again and with this group, they were  
very much stern that unless there is a crime they  
15 don't feel the need to be stopped, they don't feel  
the desire to be stopped because it right off the  
bat it puts them in a mind space where they have to  
ask themselves, should I be afraid. Should I run.  
Am I in danger? Once they get into that fight or  
20 flight mind set the decisions we make right off the  
bat aren't necessarily our core decisions. They're  
just reflexes so often times we can get in trouble  
for no reason aside from acting in a way that we  
weren't able to control. When it comes to question  
25 eight when it comes to have last year luckily they  
have not and when it comes to the thoughts on the  
whole process of the receipts and being, I  
explained to the gentlemen understanding that at  
this point and time it is so that if stopped and if  
30 requested for certain information there is an  
obligation, and the law enforcement is now obliged

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5 to provide a receipt to be able to show the  
interaction and if need be have some necessarily  
come up and say what happened with it and a lot of  
the gentleman here did like the sound of that.  
They weren't necessarily aware that that's the  
10 case, but now that they are aware of that I feel  
like I saw a a few faces of relief to know that if  
something does happen, there is an avenue now to  
explore the means to have necessary penalties,  
people taking account of. Cause often times if  
15 noone feels there's anything gonna come out of  
complaining, it's just a waste of time. So now  
that there is an understanding that there is a  
process and there's a procedure to go through and  
be provided with a receipt and to follow through  
20 the necessary median, it sounds like this group of  
young men would like the idea of that. And -

25  
KIKE OJO:

Is this your last one Jaden? Do you have a lot  
more?

30  
JADEN OJO MAXWELL:

No, one more.

KIKE OJO:

Okay. Thank you.

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JADEN OJO MAXWELL:

5

And the last thing when it comes to being approached by law enforcement. The main thing when it came to being approached is just the fundamentals that these, at least this group of young men they would like to be approached with respect. They would like to be approached with manners and to not be approached in an aggressive manner. And so long as that can be done everyone here thinks that, you know, we can interact as humans and move forward.

10

15

KIKE OJO:

Can you tell me about the age group of, cause I think this table, most of the youth that came in from the M H 800 program are around the same age. Is that right?

20

JADEN OJO MAXWELL:

We are 12 to 14 I believe here, right.

25

KIKE OJO:

That's good to, that's good context. Thank you. Thanks. (Applause)

30

UNIDENTIFIED MALE:

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5 Thank you so much. The one question here were you  
ever stopped in the year 2017? And the answer is  
yes. I've been stopped and profiled even though I  
do community work or things like that to thee  
10 police officers at work everybody looks alike,  
right. So the biggest thing was how do they come  
and ask you for your ID, right. They come at you  
really aggressive, they come at you thinking that  
you already done something just because you're from  
a certain neighbourhood in Windsor. And the  
15 biggest thing here is to change that. Police come  
with more respect. Again we said it at a few  
different tables. The same common thing is that if  
they come with more respect and ask nicely, maybe  
the young kids will answer nicely, right, will give  
20 them their ID. But usually they come really really  
aggressive not knowing where we come from, and it  
makes it so hard for us. And the table over there,  
the young ladies over there, they live in the same  
neighbourhood. I'm talking about you guys in the  
25 back. And they always tell me in our  
neighbourhood, the police actually know who these  
kids are. Or who the trouble makers are, or who  
the drug dealers are, right. But they seem to  
question the other kids who are trying to do well,  
30 right. It happened to me when I was a young kid.  
The YMCA used to be on Victoria Street and I had to

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5 walk across Oulette, which is busy clubs and things  
like that. There's a lot of police officers. As  
I'm walking home from the YMCA to home playing  
basketball with my backpack. They asked me for my  
ID. I was a young kid I didn't have no ID. Next  
10 thing I knew they were arresting me putting me on  
the back of the thing. And then later on found out  
that I was just a kid trying to walk home. So the  
big mistake of thinking that these kids are trouble  
makers and just because they look like the other  
kids, that's the misconception that's going on  
15 right now. And if they can come with more respect.  
And the one thing that the police can so,  
Obligations that police have when they stop and  
talk to people, or when should police stop and talk  
to people in the community? I think if the police  
20 officers come and host things like barbecues and  
not come in uniform, right, and talk to the people  
and talk to these kids. We've been running a  
program for eight years like I spoke to you guys,  
but no police officers have ever came to the  
25 program, they seem like we have to go and find  
them. Or they only come to our area when there's  
something going on or they're looking for somebody,  
right. But they don't come to our area on a  
positive note, right, they don't come to the area  
30 to talk to the kids or play basketball with the

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kids or host different type of fun activities in the neighbourhood for the kids. I think if they did hat, came to see who's good and who's not, by coming to these things we could have a better neighbourhood and we can have, you know, a safer place and we can work together. Cause the biggest thing here is hopefully what I'm thinking is the police are trying to have a safer neighbourhood for these kids. So I think that if everybody can work together we could all be on the same page.

(Applause)

15  
KIKE OJO:

Thank you.

UNIDENTIFIED MALE:

20  
25  
30  
I'd like to personally thank Your Honour and those in your crew here for coming, for spending your time, and going across Ontario and making this a matter of public concern. I'm a licenced Social Worker. I've been a Social Worker for 30 years. I work in the downtown area. I work in a mission, Salvation Army, St. Vincent Dopaul(ph). I live at 920 Oulette. And there's a lot of things that need to be done. Tonight I want to mention about due process. And there was a man that left the

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5 mission. He was 74 years old. He had no drugs on  
him. He had no guns. No knives. He was just  
walking down Oulette, down the street and a police  
car drove up, two officers jumped out, grabbed him,  
he's 74 years old. He's a senior citizen by  
10 himself. And they grabbed and threw him on the  
ground and they twisted his arm and his bone popped  
out of his shoulder. And he was left there on the  
ground screaming and crying and he, I came there  
just shortly after that. We got him in Hotel Do.  
Got his arm in a sling. And the point that I'm  
15 trying to maker is that that officers would not  
tell him who they were. They would not say what  
their badge number was, what department they were  
in, or anything like that. I took him to a lawyer  
downtown and we contacted the police department,  
20 and they would not say who the police officers  
were. What their shift was, what their name was,  
what their badge number was. So it seemed to me  
that he still has not received any money from a  
lawyer for a settlement or anything. And their  
25 excuse was, well we thought he was somebody else.  
And this guy is so obvious, there's no-one else in  
Windsor that looks like him.

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5 The second thing I want to mention is about is the  
four quardrent system where they take a city and  
they divide it in four quarters. They put eight  
police officers in each quarter. And I feel that's  
a discriminatory way of doing it. Because if  
10 there's eight police officers that work together  
everyday in the police cars. They know their  
families, their wives, their kids. And if you  
happen to do something against one of those eight  
police officers in that area, you've got seven  
15 other police officers on your case. And I'm  
suggesting rotation of officers. That no officers  
should be together year after year, month after  
month, in the same neighbourhoods, that they should  
rotate them and have them as that. I had a  
20 suggestion, I don't know it's crazy, but there are  
boats that come up the river and I was gonna  
suggest a Carnival Cruise line to park up here and  
have like a treatment centre, or a place where  
people could come to do their needles and get some  
25 help. And I talked to the port authority and you  
can get a boat up through the docks with 550 rooms  
on it and just a place where it could be, create  
jobs as well. But to have a place where they could  
come and not commit suicide or whatever, but I  
30 don't know how you'd maintain it. But we have  
talked to Brian Masy, Lisa Gretzy, we been to the

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5 meetings in our neighbourhood and we've tried to be informed. So again I want to close on a positive note. I think this is a good thing. But the kids today it's a different, it's a different day than when we grew up.

10 And so I just want to thank each one of you for taking your time tonight and giving us a chance to express our feelings. But I feel that this poor guy really needs to get some help. Some legal help. Some money in a law suit for what they did to him. He'll never be the same again. And he's a senior citizen, 74. So there's no need for what happened. And that's the kind of thing I think could be avoided. (Applause)

15  
20 KIKE OJO:

Thank you.

UNIDENTIFIED MALE:

25 Hi everyone. First of all, thank you very much for holding this. This is an amazing session. We had a great conversation at our table here. Had some really awesome young men with us. And I think right off the bat when we started with the first  
30 question it ended up becoming more of an

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5 educational piece. Because many of the young men  
didn't know much about street checks or carding and  
what not. So as we were sort of going into the  
conversation and having, going through the guide  
lines and what not, some key points that were kind  
10 of really echoed throughout the conversation  
throughout the room came up. But something in  
particular that was interesting was many of the  
young men were saying there could be really some  
positive impacts of this, but there are also  
15 different opportunities to make mistakes, and there  
are opportunities that things can go wrong and  
there's, it's important to have proper checks and  
balances if this were to work. Essentially really  
putting that, the importance of the police  
20 understanding the individuals in a community and  
the community understanding the police that are  
essentially within that community as well. Very  
much throughout the conversation there was that  
echoing point of understanding who's in the area  
25 and really getting to know one another and building  
that rapport. So just kind of like what TJ was  
saying beforehand that you can have that  
understanding exactly of are the officers in the  
neighbourhood and that nuance can really be  
30 understood. There were, I think in terms of the  
definition of that. For many of the youth there

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5 were wondering about what the definition of street  
checks and carding, and when asked if they again,  
when we had that conversation, if many of their own  
friends and students would know those definitions  
and know what their rights were and know what there  
10 requirements were. Many of them said that it would  
be unlikely. But that they're getting some  
information from different shows like Let's Talk.  
I think that's what you were saying. And different  
kind of conversational points at school. So that  
was really heartening to hear. The other big piece  
15 I think was I think hands down when it came to the  
question about whether or not they've been stopped  
by police in the last year. Three of the young men  
had brought up that yes they had in different  
circumstances. And all them was good enough,  
20 nothing ended up being good enough that came out of  
those interactions. But having this conversation  
now that they didn't know about what their rights  
were in those situations and what their  
requirements were in those situations. Looking back  
25 on it, they did have some questions about whether or  
not this stop was a legal stop, right. And I think  
that's a fair thing to wonder now that you have  
that new information, you can kind of use that  
going forward. So I think that's really important  
30 that we were able to learn that today, good thing.

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Another big piece I think was the conversation that we had with respect to the police stops whether or not they were arguments in terms of the benefits of it. Or if they're in negative pieces. And again, I think I might have mentioned this beforehand, but there are arguments for both sides. That sure it could help, it could speed up some of the investigations, but it definitely could be abused, and it definitely could be used in a negative way. For example, like racial profiling. And it could have an impact, a life long impact if someone who was falsely accused or in that type of a situation. I think that with the young men that are in the room that have come out today and have explained the different situations that they've had and young women, it's important to understand that you know we don't want to have that as, have that on their record, or their legacy, even though their reality is they're doing everything they can to be on the straight and narrow type thing. They're involved in their communities. They're active in their neighbourhoods and they're really showing great pride and they're, again, boosting up our neighbourhoods. Many of the youth here are from Glengarry and again like Marhi(ph) kind of pointed out, the young women over here too. They're from the Glengarry area as well. And so they're really

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5 proud of that, that's a really important thing that  
we have these individuals who are informed, that  
are getting informed and they're part of our  
community. So I'll just end it off on that. And  
again thank you very much.

10 KIKE OJO:

Awesome. Thank you. (Applause)

15 ABIO ABIFILLALLI: (PH)

My name is Abio Abifillalli. Again thank you very  
much for this great event, which is well needed.  
I'm gonna try not to answer the questions that have  
been answered the way we answered them.

20 KIKE OJO:

Thank you.

25 ABIO ABIFILLALLI:

30 Just to save time. So to add to what was said. We  
go to the last question, the final thoughts. We  
believe that people need to be, not just the  
officers, even the community, need to be  
deprogrammed of what they were raised with. The  
information that was passed onto them informally

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5 about certain groups, about certain races. Because  
that effects everybody, including our police  
officers. They are human beings too. So we  
discussed the carding, whether it's of benefit or  
not. We discussed it at length. And we know that  
10 it could be useful. For example the RIDE program  
that they do to check if we're drunk or not.  
Nobody ever complains about that because it's  
everybody. But carding became an issue when certain  
people felt victimized. So if, so for our final  
thought we feel that a lot is being done to train,  
to train our police officers, but a lot more needs  
15 to be done. We need to be having some real deep  
heart to heart discussions where people can  
actually, you know, examine themselves. Say what  
do I really think about the Metis? What do I  
really, grandpa tell me about these people? And we  
20 need to get deprogrammed of those negative  
conceptions that effect the judgement when it's  
time to do their jobs. So, we feel that's what's  
coming out. And in addition to that, it also comes  
from the community. Two young black boys who are  
25 delivering the National Post, within the first week  
there were so many phone calls made to the police  
because National Post gets delivered at 5 a.m. So  
these, you know in a very white neighbourhood it's  
like. So again this is home for all of us. We will  
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5 recommend some you know get together so we get to  
know who we are. Get to know who your neighbour is  
and just forget whatever fear you had of somebody  
that looks different from you. We also talked  
about the need to solicit feedbacks rather than  
10 make the communities that have been negatively  
effected, rather than make it an added burden for  
them to say here, come, come and listen to us, the  
government should reach out to them and say hey, we  
want to hear from you. How are we doing? Are you  
seeing any improvement? Are we doing better  
15 because we want to make sure that we do it right.  
Just those words alone are comforting and  
encouraging. So that we get to see the police as  
more and more, as part of us as friends for the  
people who are there for our sake, which I believe  
20 they are. And they're doing an awesome work  
especially in Windsor, no doubt about that. We have  
the best. But they can even get more best if  
there's such a thing. And then we also thought  
about empowering people through knowledge. Let  
25 people know that you can do this, you can do this.  
So when they are stopped give information and also  
listen. And people already talked about respect.  
And the last one we talked about the community  
outreach. Yes, I'm a leader of an organization.  
30 We have so many other organizations presented here.

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5 We can organize event and bring them, but it would  
be nicely actually for them to actually say hey we  
want to deliver this work shop. We want to speak  
to you in the layman term what this new regulation  
means. We would to do it on this particular day or  
we will be available in the next four weeks. Pick  
10 your date. Let them reach out to us and we'll make  
it happen. We will reach out. They will reach  
out. Also to go through, somebody mentioned the  
schools. The schools. The churches. Wherever. I  
really feel that we need to work together to bring  
this problem to an end. And to conclude-

15 KIKE OJO:

Okay.

20 ABIO ABIFILLALLI:

20 We decided that carding brings fear, anger,  
frustration anf the feeling of helpless ness and  
humiliation. All those are negative. Even though  
there can be some benefits to carding the  
25 disadvantage is the problems it brings are just too  
many. So that it's better to do away with it.  
Thank you. (Applause)

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KIKE OJO:

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Thank you. I believe that concludes the report  
backs. Again on behalf of Justice, well Justice  
will come up shortly. I just want to, I just want  
to thank you. This was a great process. Again we  
acknowledge that these conversations can be  
difficult. We thank you for—oh, there's a hand up  
sorry. Dave. Is there a microphone.

15  
UNIDENTIFIED FEMALE:

20  
Thank you very much for this opportunity and for  
bringing this event here. I have a question that I  
think wasn't selected on the pre selected questions  
that were asked. Personally I see this is as an  
opportunity to be educated and to be informed  
citizens. And I'm wondering since we different  
parties here, like police officers here and even  
citizens here. I'm wondering in terms of the  
cating process, does anyone have a positive  
25  
experience about that in terms of all that? Maybe  
even in terms of the police. Maybe any benefits  
that have come out of the carding that maybe this  
can also be a process of being informed as a  
citizen or as a normal community member. Because  
30  
for me maybe there was a reason why the police

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thought about this process. But I'm wondering has there been any benefits, have there been any positive impacts that have come from that because as I said from our table we notice that most of the police data is not available, it's not for public consumption. So maybe for those who are already in the system, maybe it's not the first for this meeting, for this meeting. But at the same time I'm wondering since this meeting is about carding, is there any positive outcome of this?

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KIKE OJO:

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So, the questions, if you check the question list. I don't know if you were able to revise that ma'am. The question list would have drawn any, any amount, a variety of experiences to the center. So people would have had the ability to answer whatever their experience is. So I think that answers your question in the sense that people shared what their experiences were. Okay. Thank you so much.

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Again on behalf of myself thank you, and the team. Justice Tulloch has the last word. I just want to remind people that you can follow us on line and also you can continue to engage with the process. If you have a thought that you didn't remember, or

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you didn't get to express today, you can check us  
on line and also you can share that information  
with people that aren't here today. Because we're  
going to be reviewing everything that we get from  
you via the website, okay. So please do check us  
out. And justice Tulloch has the last word.

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(Applause)

JUSTICE MICHAEL TULLOCH:

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Again I want to thank each and every one of you for  
coming out. You know Windsor is a very important  
community, it's very diverse. It's one of the most  
and oldest diverse communities in Canada. And you  
know I think we all want to ensure that our  
relationships, the citizen and the police  
relationships are harmonious and the interactions  
20  
are positive and beneficial to both the community  
as well as to the whole concept of public safety.  
But there has to be an understanding that each and  
every one of us is individuals. As citizens we  
have certain civil liberties and rights and those  
rights and civil liberties need to be respected.  
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So it's always a balance, right between the issues  
of public safety and that of the respect for  
individual rights and liberties. And at the end of  
the day this is what this is about. It's about  
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5 public police interactions. And you know I've  
heard and I've listened very carefully to all the  
comments that have been made. And some of them are  
extremely difficult. And I echo Kike's comments to  
each and everyone of you wherein she acknowledged  
10 how difficult it may have been for some of you to  
go back deep down into your memories to bring up  
some of these most emotionally, and you know, heart  
wrenching I would think experiences. But we're  
hoping that at the end of this process we will come  
to some understanding as to how to proceed on a go  
15 forwards basis with a very positive police  
community interaction model. You know there's all  
sorts of anecdotal information out there. What I  
can assure you is that I will be done a very  
comprehensive not only review but study of the  
20 whole issues, and you know we will report back in a  
very clear, very concise and an objective way. And  
I'm hopeful that at the end of this process we'll  
be able to answer a lot of these questions and  
outline a path forward so that we as a community,  
25 throughout Ontario can be true leaders in police  
community interactions. Thanks again for your  
contributions. (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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