

## Greater Sudbury Police Services Board

Ontario Regulation 58/16

"Collection of Identifying Information in Certain Circumstances – Prohibition and Duties"

**October 18, 2017**



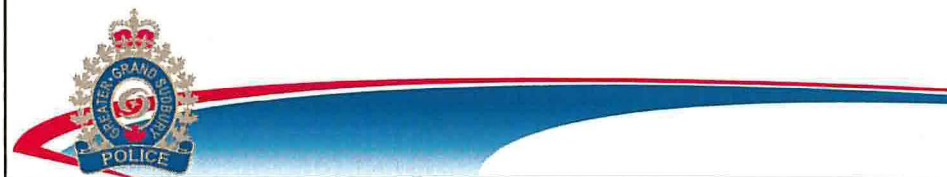
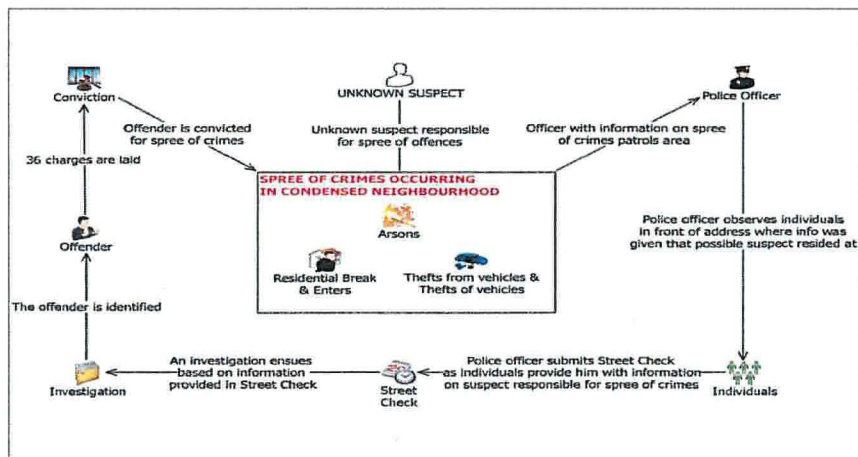
## Agenda

- ✓ Background
- ✓ Sudbury Demographics
- ✓ Overview of the Regulation
- ✓ Timing and Key Implementation Requirements/Training
- ✓ Board Policy
- ✓ Chief's Procedures
- ✓ Management of Information
- ✓ Reporting
- ✓ Sudbury Results To Date
- ✓ Independent Reviewer
- ✓ Next Steps
- ✓ Summary & Questions



## “Street Check” Review

- What is a “Street Check”?
- What is the information used for?
- “Street Check” vs. “Carding”



## Of the Proactive Contacts:

### ➤ 192 “Street Checks” involving 336 people

Race	#	% S/C	% CGS
Aboriginal/Metis	26	8%	8.20%
Black	15	4%	0.60%
Other	2	1%	2.70%
Unknown	58	17%	N/A
White	235	70%	88.50%
Total	336	100%	99.46%



## Overview of O.Reg 58/16

The regulations apply when police are attempting to collect identifying information from an individual during ‘face-to-face’ encounters while:

- Investigating general criminal activity in a community
- Inquiring into suspicious activities to detect offences
- Gathering information for intelligence purposes

The regulations do not apply when an officer is:

- Conducting an investigation into an offence that is reasonably suspected has been or will be committed, or
- In other circumstances that are specifically outlined in the regulation

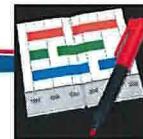
This is to ensure police can continue to do their work safely in some specific situations



## Timing and Implementation – Key Dates

July 1, 2016

- Application and Interpretation
  - Prohibition of quotas as performance measurement tool
  - Police Services Boards and Minister to develop policies related to the application of the regulation including the retention or disclosure of legacy data
  - Direction to Chiefs of Police to develop procedures
- Board Draft Policy was tabled at the June 22, 2016 meeting for consideration. For endorsement and resolution in September



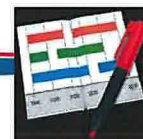
## Timing and Implementation – Key Dates

August 23<sup>rd</sup> and 24<sup>th</sup>, 2016

- The Ontario Police College provides Master Trainer certification to a member of the Training Branch.
- Allows the certification of members of other Police Services to provide in-house training

September 21, 2016

- GSPS Board Policy 027 Adopted– “Collection of Identifying Information in Certain Circumstances – Prohibitions and Duties”

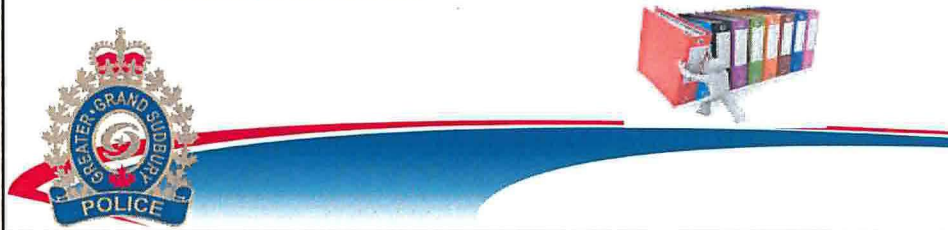




## Timing and Implementation – Key Dates

January 1, 2017 (*continued*)

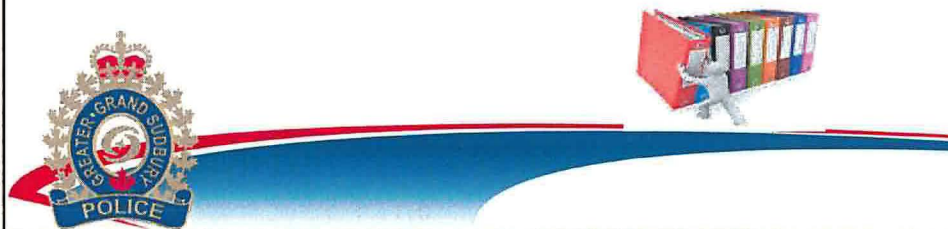
- Officers must offer a document that includes the officers' name and identification number, information on how to contact the Office of the Independent Review Director (OIPRD) if there are concerns about the interaction, and how to access information under MFIPPA
- Officers must keep detailed records about each interaction
- Failure to comply with the regulation could be a Code of Conduct violation for police officers



## Timing and Implementation – Key Dates

January 1, 2017 (*continued*)

- GSPS compliance review plan comes into effect:
  - Audit section of Executive Services assigned carriage of compliance review
  - Monitor the submitted Regulated and Non-Regulated Interactions
  - Ensure in a case of a Regulated Interaction that all duties as directed under OReg 58/16 are complied with



## Management of Identifying Information

Identifying information submitted within 30 days must be reviewed by Chief or designate who will review:

- The police officer's reason for collecting the information; and
- If the police officer indicated that there was compliance with other aspects of the regulation

Officers must keep detailed records about each interaction detailing the interaction and that a documentation card was offered



## Management of Identifying Information

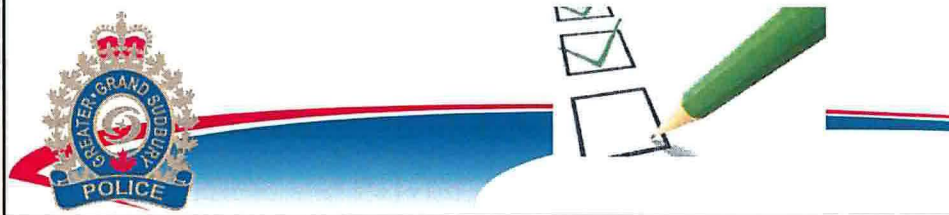
Access to restricted information can only be granted by the Chief of Police on a case-by-case basis for specified purposes (e.g. ongoing police investigation, legal proceedings, complying with a legal requirement, etc.)

Access to identifying information to be restricted five years after it is entered into a police database

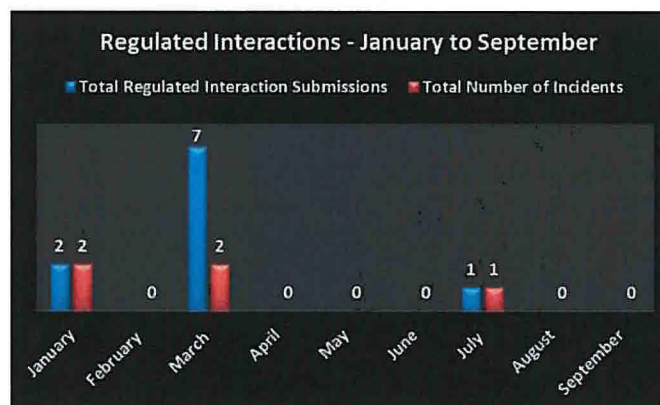


## New Reporting Requirements

- age of individuals from whom information was requested
- neighbourhood or area (zone) where collection was attempted/obtained
- demographic information about individuals from whom information was requested
- If the involved person(s) were male or female
- number of times restricted information was accessed



## Sudbury Results to Date



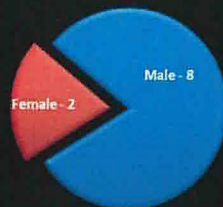
## Sudbury Results to Date

CIICC Racialized Groups in Percentage



## Sudbury Results to Date

CIICC - Gender Breakdown

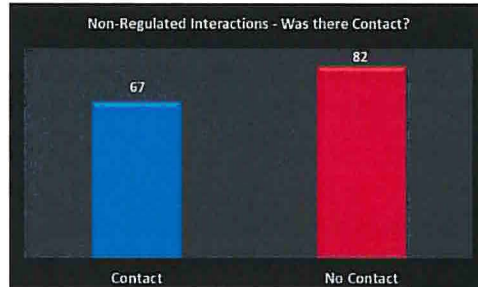


CIICC - Age Groups

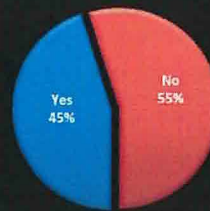




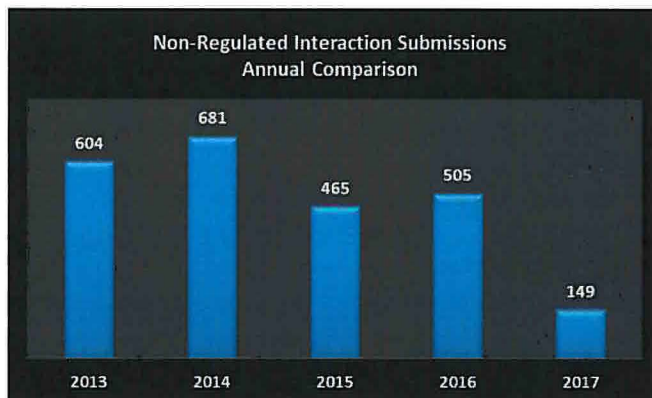
## Sudbury Results to Date



Non-Regulated Interactions by Contact



## Sudbury Results to Date



## Independent Reviewer

- Overview of Justice Tullochs visit:
  - Meeting with the Executive Team to discuss implementation, public education and the concerns and challenges of the organization
  - Will visit with members of the Training Branch to review the provided training including the OPC led Train the Trainer program
  - Discuss with members of Intelligence the impact that O.Reg. 58/16 has had on intelligence gathering practices



## Independent Reviewer

- Meet with Board Chair Vagnini and CAO Baiden to review the Board's role and policy development and expectations
- Explore with members of Executive Services procedure development, implementation processes, audit and reporting processes
- Members of CIT will provide insight into the development of record keeping processes and the creation of a document management system
- Will meet with a group of frontline members to get a perspective of if the Regulation has impacted their daily duties

