Race, crime and policing
2002-2019
TORONTO STAR
“The colour yellow — used by Toronto police this week in describing a suspect of Asian descent — has already caused embarrassment at police headquarters.”
— Toronto Star, Feb. 18, 1999
Race and crime

2002
**AN INVESTIGATION INTO RACE AND CRIME**

**Singled out**

Star analysis of police crime data shows justice is different for blacks and whites

**Telling numbers**

Police reports show that a black person in Toronto arrested on a single drug possession charge was less likely to be released at the scene than a white person arrested on the same charge.

- **76.5%**
  - Police release of black people
- **51.8%**
  - Police release of white people

**Managing Editor's notebook**

Black arrest data by Toronto police are treated more lightly than data on arrests for other crimes. But people charged with simple drug possession are taken to police stations more often than those charged with the same crime.

Once at the station, accused blacks are detained in dehumanizing cells for hours. A justice system that does not recognize the impact of race is a system that discriminates against blacks.

Proponents of the Star's investigation said the data shows the need for reform in the criminal justice system. The findings also highlight the need for more research on the impact of race on police discretion.
Police target black drivers

Star analysis of traffic data suggests racial profiling

Black drivers confronted by the flashing lights of a police cruiser often worry if they're being pulled over for the colour of their skin.

Officers deny that happens.

Now, for the first time, empirical evidence suggests police have indeed been targeting black drivers in Toronto.

Police traffic offence data, obtained and analyzed by The Star, shows a disproportionate number of blacks ticketed for violations that routinely surface only after a stop has been made.

These “out-of-sight” traffic offenses include failing to update a driver’s licence with a change of address, driving without a licence, driving without insurance, or driving while under suspension. Police usually discover such violations only after a motorist has been pulled over. And, in the absence of any other charge, it isn’t clear why drivers involved in these offences were stopped in the first place.

It’s assumed random checks would generate a pattern of charges that mimics the racial distribution of drivers in society as a whole. So the rate at which minority drivers are charged is often used, in the U.S., as a bellwether for racial profiling.

Canadian authorities refrain from studying the issue. Toronto’s police services board has ordered its officers not to analyze raw race-based crime data, arguing racists might use the resulting statistics to stigmatize ethnic communities.

Police follow that rule, and don’t record race statistics for the purpose of ethnic analysis. They do, however, list skin colour in most arrest reports when describing a person charged. It’s routine in arrests for major

Students
Police chief calls for race relations probe

Justice Dubin to study treatment of black suspects

BY MICHELLE OLIVARI AND JENNIFER QUINN

One of Canada’s most respected judges will investigate race relations policing in the Toronto Police Service, following recent high-profile shootings that showed blacks were treated somewhat unfairly by police.

- Shooting of Dublin police, 03
- Deeds on deathbed, 04
- Chief’s own words, 05
- The Star’s Friendly, 05

Police Chief Julian Fantino announced yesterday that he has asked the innovative, experienced and non-partisan Superior Court Justice of Ontario to conduct an independent science-based with community leaders and main recommendations that could improve our performance in this area.

Fantino spoke publicly about the Chief’s investigation by the Independent Police Review Tribunal, which was set up to probe.

“I have never denied that there are instances of inappropriate action taken by a small number of our officers and our professional conduct is second to none,” he said. “We do, however, have a rapid or corrupt police force.”

When told of the findings in an interview, the Chief said the report has given us “a reality check” and that it will help us improve in areas that need improvement.

“While we have always had incident reports of incidents that need improvements in areas where there are incidents, we do have a history of not taking action when we should,” he said.

Chief’s review was requested by the Liberal government in Ontario, which said it hoped to improve the service.

Fantino’s bold move on right path

Chiefs of Ontario have been planning to take an independent look at the race relations problems that have been going on in the service.

Fantino’s plan is to hire the best and brightest of the community to come and talk directly with him.

And the chief himself has his own ideas on how to improve the service, including at the heart of the inquiry.

All good steps.

And all necessary steps, backed by promises that he won’t make any form of promise and that he will act decisively on any recommendations that are made.

Fantino’s view, however, is that it is not enough to have a process in place to address these issues.

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It is not enough to have a process in place to address these issues.
Life and death on mean streets

Toronto’s patrol area 2302 has highest number of violent charges

Kevin King stands on the fenced-in asphalt where he earned his neighbourhood passport.

There are garbage piles in the corners, and four poles cast long shadows through the centre of the basketball court. And there was a time, he says, when 50 sweaty teenagers owned this area, playing ball long after the streetlights of Kipling Ave. and Panorama Court came on.

King, having just emigrated from Jamaica at the age of 14, quickly found the troubles he was having fitting into the Rexdale community vanished on this paved square. "It's tough because it takes a while for the area to accept you. I was a baller so I earned it at the court. It was the only way I had friends."

Around 1996, no one's quite sure of the date, the basketball rims were removed. The court was shut down after complaints, from the surrounding neighbourhood, about noise. So teenagers brought together by the ball started going their own ways. King went on to become a community activist and now, at 22, holds a college degree in business marketing.

A short baller named Garcia, who compensated for his height with quick feet on the court, was shot and killed in a Kipling highrise during a birthday party. Another player was shot but survived.

Jughead used to play with them too. On a cold March night in 1998, Jughead, known to police as Jermaine Miller, shot an undercover officer in the chest and arm during a drug deal. Detective Constable Russ Lillie survived. Miller was convicted and remains in jail.

There are more than 200 police patrol areas in the city. Po-

Moscow hostages: ‘We were all waiting to die’

Harris a no-show as Eves pays tribute
“This is not another study or an investigation of the police services. Rather it is an opportunity for the commission to look into the effect of profiling.”

OHRC Chief Commissioner Keith Norton, in announcing a province-wide inquiry into the impacts of racial profiling, Dec. 9, 2002
Police union sues Star over race-crime series

7,200-member group seeks $2.7B damages in class action lawsuit

Star stands by stories as fair, balanced and accurate

PETER SMALL
STAFF REPORTER

The Toronto Police Association has launched a $2.7 billion class action libel suit against the Star for its series spotlighting the force's treatment of blacks.

"Accusing the members of the Toronto Police Service of racism is a very serious allegation and if such a serious allegation is going to be made, the accusers will be called upon to prove it," Tim Danson, the association's lawyer, told a news conference yesterday.

He said he thought that the case is appropriate for a jury to decide, particularly since it's the community's view that is important. "The police really want to put this in the hands of the public in the form of a jury."

Danson said regardless of whether the association loses the case against the Star, "there are some things worse than losing and that's not even trying."

When asked whether the lawsuit, regardless of its success or failure, may create a libel chill that would cause media to think twice about criticizing institutions whose employees have powerful unions, Danson called that concern "somewhat speculative."

He added that the Star has gone well beyond fair comment in its series. "This was a direct and frontal attack to the quintessential core of what it is to be a police officer."

The charges examined by the Star are part of a much-larger Toronto police story that has gone national.
Ruling favours Star

Highest court kills $2.7B class-action libel suit
Toronto Police Association's third straight loss

NICOLAAS VAN RIJN
STAFF REPORTER

A $2.7 billion class-action libel suit against the Toronto Star by the Toronto Police Association over a landmark 2002 series on racial profiling is dead following a decision by the Supreme Court of Canada denying the association leave to appeal an earlier court decision.

As is usual in such cases, the country's highest court gave no reasons for its ruling yesterday.

The association sued for libel following publication of the controversial Race and Crime stories in October 2002, alleging the series painted each and every member of the Toronto Police Service as racist.

In an initial action in the Ontario Superior Court, the police union argued the stories implied all police officers were "racists" and "bigots," but Mr. even hint "that every member of the service is a racist or bigot."

When the association took the case to the Ontario Court of Appeal in June 2004, it met with a similar fate.

That court ruled "it is plain and obvious to us" the stories are not capable of suggesting every member of the Toronto police is racist or engages in racial profiling.

During arguments before the appeal court, association lawyer Tim Danson contended: "We are talking about the most sensational, concentrated, intense and prolonged attack against a class ever."

Neither Danson nor association head Dave Wilson responded to calls for comment after the Supreme Court's decision was released.

Yesterday's Supreme Court decision is the third loss in a row for the association, which had been seeking $375,000 ener Award for meritorious public service journalism, the National Newspaper Award, and the Canadian Association of Journalists' award for computer-assisted reporting.

The investigative team comprised reporters Jim Rankin, Scott Simmie, John Duncanson, Michelle Shephard and Jennifer Quinn; Star library and research services manager Andrea Hall and Matthew Cole, a leading Geographic Information Systems specialist at the Star. Greg Smith was series editor.

The team used a police database to show that blacks charged with simple drug possession were taken to a police station more often than whites, and black suspects were held overnight for a bail hearing twice as often as whites.

In his June 2003, decision, Cullity found that the stories do not imply that all officers have racist attitudes. As well, he found, they do not suggest every officer — or anyone in particular — engaged in discriminatory conduct.

In fact, the judge noted, Star columnist Royson James said in one instance...
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Leaf GM’s son killed in U.S. car crash

Brendan Burke, 21, who broke homophobic barriers in hockey, dies in accident in Indiana

KEVIN MCCRAW
kfalla@star.com

Brendan Burke — the youngest son of Leaf general manager Brian Burke — has been killed in a car accident in Indiana.

“We are saddened to report that Brendan Burke, our youngest son of Leafs president and general manager Brian Burke, sustained severe injuries in an auto accident...,” the Leafs said in a statement Friday night.

The family asks for privacy at this difficult time.

Brendan Burke, 21, and Mark A. Ready, 18, of Bloomfield Hills, Mich., died at the scene of a two-vehicle accident in Wayne County, Mich., around 2:45 p.m. Friday. Heavy snow was falling at the time.

Investigators said Burke was driving northbound on U.S. Highway 95 in a 2009 Jeep Grand Cherokee when, according to witnesses, the vehicle slid sideways into an oncoming 1997 Ford truck driven by Michael Morland. 24, of Lynn, Ind. Morland was not hurt.

Wayne County is close to the Indiana-Ohio border, about 100 miles southeast of Cincinnati.

The father-son relationship made headlines throughout Canada and the North American sporting culture in November when Brian Burke revealed to the media that his son was gay.

The public admission of homosexuality by Brendan Burke, a former NHL player, was an important step in overcoming homophobic fears and barriers in the sports world.

RACE MATTERS FIRST IN A SERIES ON POLICING IN TORONTO

When good people are swept up with the bad

SEVEN YEARS AGO, a Star investigation into race, policing and crime in Toronto was met with denials of racial bias. Today, police across the country readily acknowledge bias is a factor and the Toronto Police Service is setting an example for other services and institutions with its diversity policy. Yet, race still matters.

Today, using never-before-released data, the Star launches a series highlighting the Toronto police practice of documenting people in mostly non-criminal encounters. In an uneasy trade-off for safer streets, both “good” and “bad” end up in a growing database. Young black men, more than any other group, are most likely to be stopped and documented. Jim Rankin reports.
CARDED: Probing a racial disparity

Thirty-two-year-old Rehan Robinson is an elementary school teacher in Toronto. He estimates that since 2001, he has been stopped close to 50 times by police without being ticketed.

JO 9...9...9... Rehan Robinson begins the mental countdown. A police cruiser has pulled up beside his Acura, an officer has poked in the driver's side window, and the cruiser has dropped back in behind his car. 24 2

That since 2001, he has been stopped close to 50 times while driving in Toronto without being ticketed. On a few other occasions he was handed tickets, and he says he deserved them.

Before he was old enough to drive, beginning when he was 15, he would be stopped while on foot. Toronto police question hundreds of thousands of people, both walk-

themselves in the patrol zones, some of the city's most areas, the stopped with a hand signal showing him to stop.

INVESTIGATIVE TEAM:
David Bruton
Mairé Walsh
Andrew Bailey
Jim Rankin
Emily Ng
Polly Wickens
Brett Price
Michele Henry

Black and white: A difference in documentation
Police stop and document a higher proportion of black people than white people in every single one of the city's patrol zones, save one. In most areas, the proportion of black and white tickets is 10:1 or more.
Known to police
2012
Could every black kid in one area really be ‘known to police’?

JIM RANKIN AND PATTY WINSA
STAFF REPORTER

Toronto police stop, question and document hundreds of thousands of citizens each year. Most have done nothing wrong, yet their personal details end up in an ever-expanding database.

Young men in at-risk neighbourhoods, many of whom are non-white and law-abiding, are documented at much higher rates.

A Star analysis of Toronto police-stop data from 2008 to mid-2011 shows that the number of young black- and brown-skinned men documented in each of the city’s 72 patrol zones is greater than the actual number of young men of colour living in those areas.

This raises a provocative question: in certain areas of Toronto, has every black or brown young man been stopped, questioned and documented?

Toronto police Chief Bill Blair doesn’t believe so, and

Theresa Quick’s mother died of breast cancer at 52. So she did the only thing she thought she could do: get a mammogram.

Her family was in shock after she was diagnosed with the disease.

But when she died on January 20, her family was even more shocked.

The Toronto Police Services Board had approved a $3.5 million lawsuit settlement in 2014 at the same time that Quick, then 23, was dying of breast cancer.

Her family is now suing the board for allegedly covering up a pattern of corruption.

They say the province’s top police agency has a culture of corruption that has put the lives of citizens at risk.

Her family has filed a complaint with the Ontario Human Rights Commission.

They are calling for an independent review of the police board’s decision to settle the claim.

Her family is calling for the police board to be held accountable for its actions.

They say the settlement was a cover-up.

Her family is calling for the police board to be held accountable for its actions.

They say the settlement was a cover-up.
Known to police

Toronto officers stop, question and document hundreds of thousands each year. Young men of colour are ‘carded’ in numbers far above their population.

Black and white: A difference in documentation

Police stop and document a higher proportion of black people than white people in each of the city’s 72 patrol areas. On average, blacks are 3.2 times more likely to be documented than whites, but in predominantly white, more affluent neighbourhoods that likelihood increases.

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<td>31</td>
</tr>
<tr>
<td>5 to 10 times more likely</td>
<td>21</td>
</tr>
<tr>
<td>No data</td>
<td>1</td>
</tr>
</tbody>
</table>

Increased likelihood of being stopped and documented by police if you’re black, compared to white.

“Black and white: A difference in documentation.”

In a cramped office in the Weston-Mt. Dennis neighbourhood, this question is put to young men taking part in a program designed to keep them from the trouble that comes with guns, drugs and violence.

Do you think police have stopped, questioned and documented young men of colour in this neighbourhood?

Do you think police have stopped, questioned and documented young men of colour in this neighbourhood?

To a one, the young men agree that the is the case in their part of town, one of 23 designated by the city as priority districts, and one where there had been a spate of homicides.

“I am sure of it,” says Arnold Jeyanathan, 25, a case manager and employment counselor with Prevention Intervention Toronto, the federally funded pilot project operating in this office off the lobby of an apartment building. The project opened in the early days of March.

“At least once,” continues Jeyanathan, who grew up in Malvern, another of the city’s at-risk neighbourhoods, and has worked with PIRT since 2007.

“I find the data hugely problematic, regardless of what explanation is provided by the police service.”

Alick Muhumwarza, chair, Toronto Police Services Board.

Toronto police Chief Bill Blair dismisses the possibility that his officers, who are encouraged to stop, question and document citizens in all areas of the city as part of regular and targeted police work, may have documented all young black and brown men in certain areas.

“I can’t imagine that that’s true,” Blair said in an interview that stretched over two hours and included two deputy chiefs.

People come and go, he said, and citizens are documented in areas where they do not live, which indeed accounts for many of the carded out in certain neighbourhoods.

Blair pointed to internal police data that misunderstanding about access to

POLICING
Toronto officers stop, question and document hundreds of thousands each year. Young men of colour are ‘carded’ in numbers far above their population.

Black and white: A difference in documentation

Police stop and document a higher proportion of black people than white people in each of the city’s 72 patrol areas. On average, blacks are 3.2 times more likely to be documented than whites, but in predominantly white, more affluent neighbourhoods that likelihood increases.

Increased likelihood of being stopped and documented by police if you’re black, compared to white:

<table>
<thead>
<tr>
<th>LIKELIHOOD</th>
<th>NUMBER OF ZONES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to less than 2</td>
<td>6</td>
</tr>
<tr>
<td>2 to less than 3</td>
<td>24</td>
</tr>
<tr>
<td>3 to less than 5</td>
<td>31</td>
</tr>
<tr>
<td>5 to 10 times more likely</td>
<td>11</td>
</tr>
</tbody>
</table>

Mapped by police patrol zones; data from 2009 to 2010

CREDITS: HIDY NG, MAPPING ANALYSIS; ANDREW BAILEY, HIDY NG, JIM RANKIN, DATA ANALYSIS/TORONTO STAR SOURCE: Toronto Police Service; Statistics Canada TORONTO STAR GRAPHIC
Carding on the rise

After peaking in 2007 and declining in 2008, the number of contact cards filled out by Toronto police in mostly non-criminal encounters with citizens has steadily increased, adding more personal details to a massive police database that has no purging requirements. Areas with high levels of violent crime are more heavily carded in this way. These areas, typically, are neighbourhoods where there are lower incomes, fewer opportunities, more single-parent families — and more visible minorities.

MOST CARDED AREAS: 2010

Patrol zone 121, which includes the neighbourhood of Weston-Mt. Dennis, has seen a spate of homicides in the past few years and, unsurprisingly, is where police have filled out the most contact cards. The downtown patrol zone 523, which includes the Entertainment District, is also a place where police document many citizens.

CHANGES BY PATROL ZONE: 2008 TO 2010

Carding increased in 51 of the city's 72 patrol zones between 2008 and 2010. Areas in mid-Toronto and the west end saw the largest increases, while the northeast part of the city saw the largest decreases.
These stops contribute to black males’ alienation from Canadian society

Police documentation by skin colour

BLACK: Enough black people documented is 74% of the city’s black population
BROWN: Enough brown people documented is 39% of the city’s black population
WHITE: Enough white people documented is 30% of the city’s white population
OTHER: Enough other people documented is equal to 33% of the city’s other population

VIOLENT CRIME

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Violent Crime</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>8370</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>7500</td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>7100</td>
<td></td>
</tr>
</tbody>
</table>

8.3% of violent crimes but 30% of violent crimes were against blacks.

TOMORROW, PART 2: POLICE PATROL ZONE 12?
KNOWN TO POLICE, PART 2

A heavy police presence is a defining feature of life in Weston-Mt. Dennis. The body count is down, but tensions are high between youth and police

Patrol Zone

In this episode from the first season, drug dealer Azan doubles a bounty on the heads of rival Omar, a likewise yet deadly dealer, and his crew. It's street retribution for a rip-off that will, naturally, go unreported to the authorities. The boys and girls in the room, most in their early teens, were witnesses of what happened.

But this is a place where single-parent families struggle, unemployment is high and there is a general lack of opportunity. This is what kids see out their windows.

On Aug. 25, 2004, a four-year-old was shot in a housing complex next to 129 Humber, including a 19-year-old with a bullet in his chest. A 17-year-old with two bullets.

Building No. 8, the last structure standing of the former Kodak plant, is still an icon — for lost jobs and neighbourhood decline. The old CCM bicycle plant is gone too. The high-crime Weston-Mt. Dennis area is one of the city's 13 "priority" or at-risk neighbourhoods.
It's not all a doom-and-gloom story here

There were a lot of defensiveness wanting to get in the way, but Commissioner Adina Levitan made me feel comfortable. She said, "I know there's a lot of anxiety in the community right now, and we're working hard to address these concerns."

We talked about the need for more mental health resources in the community, and she assured me that the county was working on expanding these services. She also mentioned that the county had received funding for a new youth center that would provide a safe space for kids to hang out and get support.

Levitan also suggested that we reach out to some local activists and community leaders to get their input on how to best address these issues. She said, "We need to make sure that everyone's voice is heard and that we're doing everything we can to support our young people.

As we concluded our conversation, Levitan reminded me that we're all in this together and that we need to keep working towards a brighter future for our kids. She said, "It's not easy, but it's worth it for the sake of our community."

Looking around the neighborhood, I couldn't help but feel inspired by the resilience and strength of the community. It was a reminder that even in times of adversity, we can find a way to make things better.

The next day, I visited a local youth center where I met with some of the kids who had been attending the program. They were excited to share their stories and experiences, and it was clear that the center was making a real difference in their lives.

In conclusion, while there are certainly challenges facing our community, I'm encouraged by the efforts of leaders like Adina Levitan and the positive impact that programs like the youth center are having. I believe that with continued support and collaboration, we can create a brighter future for all our kids.
Known to police
2013
’Devastating. Unacceptable’

Toronto police board chair appalled by Star findings that show a stubborn rise in the number of citizens stopped and documented by our police officers — with black males heavily overrepresented

Despite years of growing criticism, Toronto police continue to disproportionately stop, question and document blacks — and to a lesser extent, people with "brown" skin — adding their personal details into a controversial database.

Proportionally, a new Star analysis of Toronto police data from 2008 to 2012 shows blacks here were stopped and documented to a higher degree than blacks who were stopped and frisked by New York City police under a policy there that has led to outrage, lawsuits and settlements.

The overall number of people of all colours documented by Toronto police also steadily rose in those five years, according to a Star analysis of contact card data.

Looking solely at young black male Toronto residents, aged 15 to 24, the Star found the number "carded" at least once between 2008 and 2012 — in the police database — had increased by 143 per cent. (The overall increase was 90 per cent.)

The increase is most noticeable in areas with the highest number of police stops, including the Jane and Finch area, a worst-off inner-city community with a population of 100,000, of which about 80 per cent are people of colour.

And while the overall number of stops has increased in the outlying suburban areas, the rate of Black carding has increased at a much faster rate.

The Star found that in the eastern suburbs, areas like Scarborough and Markham, the rate of Black carding increased by 208 per cent between 2008 and 2012, while the overall increase was 85 per cent. The Greenbelt and Etobicoke are other areas with a fast-rising rate of Black carding.

There is no question that the police in Toronto have a duty to maintain public order. We are also in an era of increased terrorism threats, a fact that has been cited as a reason for stepped-up stops and searches.

However, it is increasingly clear that the police, at least in this city, are more likely to stop and document blacks than other groups, and that they are more likely to do so in particular areas.
Carding on the rise again

Toronto police filled out almost 400,000 contact cards in 2012, a 23 per cent increase since 2008. The cards are filled out by officers who stop and document individuals in what are usually non-criminal encounters. Areas of the city with high levels of violent crime are more heavily policed in this way. These areas, typically, are neighborhoods where there are lower incomes, fewer opportunities, more single-parent families — and more visible minorities.

MOST CARDED AREA

In a period from Sept. 2011 — when the Toronto Police Service made changes in the policy, policy zones, and officers — to Dec. 2012, the highest number of contact cards were issued in the area surrounding the Gardiner Expressway, West Don Lands, and the Don Valley in the city's northwest quadrant. The analysis of new police data shows officers in 42 Division carded high rates.

FOR MORE INFORMATION ON CANADIAN CARDING AND CARDRACE: https://www.cardingwatch.ca

YOUNG, MALE AND CARDED

From 2008 to 2011, the number of young black males, aged 15 to 24, who were documented at least once in the police patrol zone where they lived exceeded the young black male population for all of Toronto. That same analysis shows lower counts for young brown and white men. For each group, every year of this period, the number of carded individuals far exceeded the number of people in the population. It is estimated that the number exceeded the area's total population estimates. A precise number is hard to know, but estimates and data suggest that hundreds of thousands of people annually become increasingly possible that all youth of a race, in certain parts of the city, could become part of a police contact card database.

Young males (15-24)

<table>
<thead>
<tr>
<th>Race</th>
<th>Carded by police in the patrol zone where they live</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>123%</td>
</tr>
<tr>
<td>Brown</td>
<td>56%</td>
</tr>
<tr>
<td>Other</td>
<td>11%</td>
</tr>
<tr>
<td>White</td>
<td>30%</td>
</tr>
</tbody>
</table>

All males

<table>
<thead>
<tr>
<th>Race</th>
<th>Carded by police in the patrol zone where they live</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>40%</td>
</tr>
<tr>
<td>Brown</td>
<td>20%</td>
</tr>
<tr>
<td>Other</td>
<td>5%</td>
</tr>
<tr>
<td>White</td>
<td>14%</td>
</tr>
</tbody>
</table>
‘It really infringes upon my safety’

CARDED from ON

And after numerous times of being stopped for no reason, you start to feel an infringement upon your rights, me living in a country that’s supposed to be free, democratic. I have the Charter of Rights. I’m supposed to be a free person.

You’re supposed to be enjoying liberties over other countries that hold people in detention, yet I can’t drive a car peacefully without the police pulling me over just because he feels like checking me out and to see if I have a criminal record, or if I’m breaching a probation or anything. We call that racial profiling, and whenever I say this to the cops I get rebutted.

Singh was running for the Green party in the 2011 federal election in the Scarborough–Rouge River riding when he was stopped while driving a friend’s car.

I was tried by police, the police officer zigzagged behind me for a while and toyed with me as I drove. Then I made a left turn and after I made the turn the lights came on and I was pulled over. And, immediately, I was very upset. I’d been working very hard for the community. I hadn’t broken any rules or done anything.

carded likelihood: black skin vs. white skin

Police are likelier to stop and document people with black skin than with white skin in every patrol zone across Toronto. The chances are highest in the Entertainment District, where the likelihood is 10 times higher.

compared, though he knew he didn’t have to.

Given the nature of the situation, given that I wasn’t in a position to leave, I surmised that information.

When I look at this information, I’m kind of amazed when I reflect upon the statements that are commonly issued by police officials like (Toronto Police Chief) Bill Blair.

He’s suggesting that there’s some sort of insurmountable link between contact carding and public safety. My response to Bill Blair is, I would ask him, what’s the connection between entering me in a database as being “clean shaven” on one hand, and the enhancement of public safety on the other hand?

It’s laughable to suggest that knowing I’m clean shaven is somehow going to enhance public safety, that making an erroneous assessment of my weight is somehow going to enhance public safety. I’m listed as 165 pounds. I’m actually 180. Perhaps I should be fattened.

And also there’s a notification about clicking, which of course is intrinsically transitory. So what’s the value of noting that I was wearing blue jeans and a black coat on that particular day?
Ex officer’s candid view of carding

Toronto police say stopping, questioning and documenting citizens is an invaluable investigative tool, but one disagrees

What follows is the frank perspective of a former Toronto police officer, who asked not to be identified out of concern of being seen as anti-police and how it might affect employment. The Star asked the former officer about the practice of stopping, questioning and documenting citizens in what are mostly non-criminal encounters. These are called street checks, 208s or contact cards.
“We’ll actually go out in the parks and whatever and we’ll look for guys who fit a certain description, who may not be wearing fancy clothes, and we'll harass them, like literally. And we call it shakedown.

“You have to, because at the end of the day it’s numbers.”
One cop, five years, 6,600 cards

Is an individual officer’s high rate of street checks of blacks a reason for police to be concerned?

JIM RANKIN AND PATTY WINSA
STAFF REPORTERS

ANDREW BAILEY AND HIDY NG
DATA ANALYSTS

During Officer #81499756’s time with the Toronto Anti-Violence Intervention Strategy unit, the first-class constable would, on a typical shift, stop, question and document about a dozen people in encounters that typically involved no arrest or charge.

As every other police officer in Toronto is expected to do, this officer filled out contact cards on the people he — and usually one or more partners — stopped.

Name, date of birth, location, physical description, the reason for the stop, which was most often “general investiga-

The Star’s new analysis of police carding practices began Saturday.
While there is no official work-to-rule campaign underway regarding carding, McCormack says "there's definitely a sense out there amongst my members that they don't want to be the one that's, quite frankly, on the cover of the Star."

Toronto Police Association president Mike McCormack, on dramatic drop in carding and criminal cases in Toronto, Toronto Star, March 8, 2014
CAUGHT ON VIDEO

How a police stop of four black youth shook a community

The teens thought they were exercising their rights. Then it all went very wrong

JIM RANKIN
STAFF REPORTER

Four teenaged men — three with braces in place to straighten smiles — drape their sprouting frames over chairs in a stuffy second-floor room overlooking a common area in the Neptune Dr. public housing complex, where a police encounter they had went dangerously wrong.

No, they agree, they will never again try to exercise their rights when confronted by police.

On Nov. 21, 2011, the teens — twin brothers, then 15, and two friends, aged 15 and 16 — were walking in the common area, on their way to an after-dinner Pathways to Education mentoring session.

The much-lauded program helps keep kids in at-risk neighbourhoods in school. The Neptune Dr. housing complex sits within the Lawrence Heights area, one of the city’s 13 designated priority neighbourhoods.

In an event that would quickly escalate to punches, a drawn gun, five backup cruisers and first-time arrests, an
> STAR INVESTIGATION

Police board clears new carding rules

Officers must now have public safety reason to stop and question people on the street

JIM RANKIN AND PATTY WINSA
STAFF REPORTERS

Toronto police, for the first time, have clear civilian direction from their board on how to carry out interactions with the public after the board passed its first carding policy Thursday night.

“We hope to reestablish the trust with communities,” said board member Marie Molinar.

Officers will now only be able to stop and document — “card” — an individual when there is a public safety purpose that includes investigating or preventing a specific offence, or series of occurrences, according to the tough new policy passed by the board.

Carding for “unspecified future investigations or because of an “unsupported suspicion” is banned and the interaction can’t be prolonged in the “hope of acquiring the reasonable suspicion to detain.”

The controversial practice can also no longer be used to meet performance quotas or raise an awareness of the police presence in the community.

“This policy is not carved in stone,” said board member Mike Del Grande, who said the board will come back in three months to assess how it’s working.

CARDING continued on A12

An Star investigation has revealed police are stopping and documenting those with black and brown skin at much higher rates.
Known to police
2014
Carding reaches historic low, data shows

Toronto police stopping fewer people but ‘disturbing’ racial pattern continues

JIM RANKIN AND PATTY WINSA
STAFF REPORTERS

ANDREW BAILEY AND HIDY NG
DATA ANALYSTS

Far fewer people were stopped, questioned and documented by Toronto police last year, but the proportion of those with black and brown skin increased, according to a Star analysis of contact card data. It’s a pattern some police watchers describe as “disturbing.”
Carding plummets

A Star analysis of Toronto police data shows carding dropped dramatically in July 2013, when the police board began requiring officers to hand out receipts to people who were carded. Arrests and charges were also down that year, the continuation of a decades-long decline in crime.

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cards</td>
<td>50</td>
<td>40</td>
</tr>
<tr>
<td>Arrests</td>
<td>50</td>
<td>40</td>
</tr>
<tr>
<td>Charges</td>
<td>50</td>
<td>40</td>
</tr>
</tbody>
</table>

SOURCE: Toronto Police Service  *No data past early November  TORONTO STAR GRAPHIC
Month by month

New data released by police this month show carding hit historic lows in June of this year when 1,130 people were carded.

**Number of Individuals Documented**

<table>
<thead>
<tr>
<th>Month</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>50,000</td>
<td>40,000</td>
<td>30,000</td>
</tr>
<tr>
<td>Feb</td>
<td>40,000</td>
<td>30,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Mar</td>
<td>30,000</td>
<td>20,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Apr</td>
<td>20,000</td>
<td>10,000</td>
<td>5,000</td>
</tr>
<tr>
<td>May</td>
<td>10,000</td>
<td>5,000</td>
<td>1,130</td>
</tr>
</tbody>
</table>

- **41,654** individuals carded in August after Danzig and Eaton Centre gun violence
- **9,165** people carded after police board institutes receipts for carding
- **1,130** carded after board creates new carding policy
- PACER report made public

SOURCE: Toronto Police Service

TORONTO STAR GRAPHIC
Likelihood of being stopped if you’re black increased halfway through 2013

GREATER LIKELIHOOD FOR.BlACKS OF BEING STOPPED:

- More than 1 to less than 2 times
- Two to less than 3 times greater
- 3 to less than 5 times greater
- More than 5
- No data

The likelihood of being carded by police was higher for black people than white people across the city from January to June of 2013. In one area, the chances were 11 times greater. These figures are the result of a Star analysis using police and census data.

From July through October, carding plummeted, but the likelihood of black people getting stopped compared to white people actually increased and was 17.3 times more likely in one area.

BLACKS UP TO 11 TIMES MORE LIKELY TO BE STOPPED IN SOME AREAS

BLACKS UP TO 17.3 TIMES MORE LIKELY TO BE STOPPED IN SOME AREAS

SOURCE: Toronto Police Service, Toronto Star analysis
Amid growing pressure, a dozen years after the Star began to probe racial bias in policing and exposed the disproportionate documentation of black males, Toronto’s police chief has ordered the practice halted — for now.

Singled out

Some of the Star’s investigative reporting on race and crime, including the above story from 2002.

BLAIR SUSPENDS CARDING

Feb. 19 that are in line with the board’s new community contacts policy — which passed in April and emphasizes citizen rights, including the right of an individual to refuse to open the door to police.

“I think the writing was on the wall.”

‘I think the writing was on the wall’

attention to the number of speakers at the December meeting who asked that the practice be stopped. ‘And obviously, I saw this coming…”

PATTY WINSA AND JIM RANKIN
STAFF REPORTERS

Toronto Police Chief Bill Blair has suspended the controversial practice of ‘carding’ after a December meeting of the board’s civilian service review panel. The move followed allegations that police officers had been carding people of colour even when they had not violated the law.

‘Devastating. Unacceptable’

When good people are swept up with the bad

Known to police

Police to hand out receipts for ‘carding’

AN INVESTIGATION INTO RACE AND CRIME

Telling numbers

The numbers are black and white: 80 per cent of those carded in 2011 were black, and 70 per cent of those carded in 2012 were black.

CARDED: Probing a racial disparity

Some of the Star’s investigative reporting on race and crime, including the above story from 2002.

STARR INVESTIGATION
New chief denied racial bias in cops’ secret carding report

Analysis in 2012 led by Mark Saunders reveals internal conflicts around controversial practice

Sloy, according to internal correspondence obtained by the Star, took issue with the section in Saunders’s report involving a police analysis of “whether or not” police racially profiled, based on its own carding data. In an email to Saunders, dated Nov. 13, 2012, Sloy says he sees a need for “significant” revisions. In explaining the context, police in a statement to the Star said Sloy saw the analysis as “superficial” and requiring “a more thorough consideration for the issue of racial profiling.”

Then Supt. Mark Saunders was the lead author of a 2012 report on carding never released to the public or police board.

‘Angry’ teachers ordered back to job

Wynne’s legislation to end strikes will increase tensions, union says

Forcing secondary teachers off the picket lines and back to their classrooms will only inflame the tense labour situation, unions warned as the provincial government introduced legislation to end strikes in three Ontario boards.

The move comes as talk of work-to-rule escalated and is expected to hit more high school campuses. The teachers’ union said the proposal is a “false and Islamophobic stereotype.”

Time to take a stand against carding, A13

CARDING continued on A10

JIM RANKIN AND PATTY WINSA
STAFF REPORTERS

Toronto police Chief Mark Saunders was the lead author on a secret internal 2012 analysis of carding data that found no evidence to support “notions or activities of racially biased” policing.

The report, part of a review of how officers interact with citizens, was never made public, and the civilian board that oversees police and chose Saunders as chief did not see it.

Since becoming chief, Saunders has defended carding as a valuable tool that helps reduce and solve violent crimes. Critics continue to question him and demand proof.

Saunders, then a superintendent, took on new roles following the completion of the report. Deputy Chief Peter Sloy assumed control of phase two of the review, and that phase became known as the Police and Community Engagement Review (PACER).
STAR GETS ACTION

TORY CALLS FOR END TO ‘TOXIC’ CARDING

Tory calls for end to ‘toxic’ carding

The issue...has eroded public trust to a level that is clearly unacceptable,’ mayor says of controversial police practice

The Star began its investigative series on police and carding in 2012.

BIOGRAPHY

Richard J. Diemman

The security force at the Ontario Legislature is taking initial steps toward arming some officers for the first time. The bill has been introduced into the legislature.

To begin with, up to 15 security personnel -- including Sergeant-at-Arms Donnie Clark -- are to be recruited to the Atlantic Police Academy in Prince Edward Island. The province of Ontario for the next six months to receive weeklong training in the use of guns.

The decision to establish an armed response unit was made by Speaker Dave Levie in March, in consultation with MPs from all three parties. The decision followed the attack on Parliament Hill last October.

Former Premier Dalton McGuinty appointed Michael Zanhak-Mihok, who was killed in a hail of bullets in the Old Court.

“We looked at the incident in Ottawa, and it was determined that this is the route we would go,” said Clark, a retired RCMP Inspector with specialized security training who is responsible for the 70-person security force at Queen’s Park.

Not since the early 1990s, when the OPP detachment at Queen’s Park closed and Legislative Security took over, have armed officers been assigned to the legislature. Clark said the goal is to have a unit of plainclothes and uniformed special constables as well trained as police officers while balancing the need to keep the legislative building a public place.

Although there is a sense of urgency to arm some officers, Clark said it is more important to get it right.

“It’s pretty obvious we take this extremely seriously... we are not making this into this,” he said.

Since last fall’s attack, RCMP in Ottawa have been assigned responsibility for overseeing security inside and outside Parliament, replacing a patchwork of House of Commons and Senate security forces — some of whom are armed.

Security continued as a hot topic.

STEVE RUSSELL/TORONTO STAR

Tory calls for end to ‘toxic’ carding

4781.00

TORONTO STAR

MONDAY, JUNE 8, 2015

WEATHER

HIGH 24 C | CLOUDY, SHOWERS | MAP 514
Peel chief refuses to suspend carding

Defies recommendation from police board, says street checks are vital for fighting crime

SAN GREWAL
URBAN AFFAIRS REPORTER

Peel police Chief Jennifer Evans has refused to suspend carding, ignoring her police board’s instruction to halt the controversial practice until further review.

“Street checks will continue in Peel,” Evans told the board moments after its members voted 4-3 to suspend the practice.

The board was advised that due to Police Act restrictions on its involvement with operational functions of the police, it could not force Evans to suspend street checks, also known as carding.

Instead, they “recommended” Evans suspend the practice. She promptly said no, stating that carding is an important tool to help solve and prevent crimes.

“Our directives are legally sound,” Evans told the board, while presenting a report on street checks and outlining changes the force is making to better educate officers and collect accurate data on carding. She said that the force’s street checks do not violate Charter of Rights protections against unfair detention and search and seizure.

But a half-dozen delegates to the board disagreed, describing how street checks in Mississauga and Peel are “deeply damaging black youth,” according to one speaker.

Anyone being carded can legally walk away from police.

CARDING continued on A20

‘STREET CHECKS WILL CONTINUE’

Peel police Chief Jennifer Evans, left, is rejecting calls from her police board, which includes Mississauga Mayor Bonnie Crombie, to suspend the controversial practice.

It’s déjà vu all over again in Peel. James, GT1
END OF THE ROAD FOR RANDOM STREET CHECKS

‘Monumental shift’ celebrated as Liberals vow ‘discriminatory’ stops will soon become illegal

SAN GREGAL, JOR RANKIN AND DIETY WONG

Random and arbitrary carding by police across Ontario will be Bagnal by the end of the year.

Yuri Napli, minister of community safety and correctional services, made the announcement during a debate Thursday where MPPs from across the province spoke out against carding.

At the time they were considering a private member’s motion from a New Democrat MPP to ban random and arbitrary carding, also known as street checks.

“It’s a historic day,” said Margaret Parkinson, executive director of the African-Canadian Legal Clinic, who watched the debate in the legislature.

“This is a monumental shift in our province,” said Parkinson, who has worked to end carding.

She repeated the theme when talking to the Star outside the legislature.

“We have been around for 25 years. We have been fighting on this issue since the day our doors opened in 1994.”

Earlier in the legislature, Napli moved quickly during the debate to address the motion from New Democrat MPP and deputy party leader Jagmeet Singh.

“We, as a government, stand opposed, Speaker, to any arbitrary, random stops by the police simply to collect information when there are no reasonable or reason to do so,” Napli said.

“We have heard from the community that street checks, by definition, are arbitrary as well as discriminatory and therefore cannot be justified: they must simply be ended. The province agrees that these types of stops must end.”

Asked later, outside the legislature, if Premier Kathleen Wynne, who was not at Thursday’s debate on the issue, supports the ban on carding and random street checks, Napli emphatically said, “What we’re doing is our government’s position under the leadership of the premier.”

“IT’S A HISTORIC DAY. WE HAVE BEEN FIGHTING ON THIS ISSUE SINCE THE DAY OUR DOORS OPENED . . . IN 1994.”

MARGARET PARKINSON

“THE MOTION WAS ABSOLUTELY NECESSARY GIVEN THE FACT THAT POLICE SERVICES, EVEN WHEN ASKED TO SUSPEND CARDING UNTIL THE PROVINCE PASSES ITS REGULATION, ARE REFUSING TO DO SO.”

HOWARD MOETZEN

“WE AS A GOVERNMENT STAND OPPOSED . . . TO ANY ARBITRARY, RANDOM STOPS BY THE POLICE SIMPLY TO COLLECT INFORMATION WHEN THERE ARE NO GROUNDS OR REASON TO DO SO.”

YASIR NAZIFI

“THAT’S AMAZING NEWS AND COULDN’T COME AT A BETTER TIME.”

KRAH SINGH

A 2012 Star investigative series, Known to Police, showed people of colour were more likely to be stopped and carded than white people.
RANDOM CARDING

THE END

Within months, police won’t be able to stop people for no reason and demand their information

WENDY GILLES, JIM RANKIN
AND PATTY WINSIA
STAFF REPORTERS

You will be told you have the right to walk away. You will be told the interaction is voluntary. You will be told that you do not have to give any information, and why you are being stopped and asked for it to begin with.

You will be provided with a written record of your interaction, given information about the officer, and informed about the police complaints system.

In a move hailed as historic—and overdue—the Ontario government is proposing a strict set of regulations banning all random and arbitrary police stops, and setting limits on how and when police can question and document citizens.

“The regulation makes it very clear that police officers cannot stop you to collect your personal information simply based on the way you look or the neighbourhood you live in,” Yasir Naqvi, Ontario’s minister of community safety and correctional services, announced at Queen’s Park on Wednesday.

“This is the first rights-based framework surrounding these police interactions in our history.”

Once passed, the regulations would ban random and arbitrary stops in early 2016. After that, Ontario police could stop, question and document members of the public only if they have a valid policing purpose, defined as “detecting or preventing crime or traffic safety violations.”

You can’t legislate police decency

Desmond Cole

Toronto’s police just can’t help themselves. They know we are paying unprecedented attention to their interactions with residents, but many police continue to bully rather than serve us. On Wednesday, the province released a set of regulations meant to restrict carding, the police practice of stopping civilians who are not suspected of a crime and documenting their information.

The Wynne government is finally acknowledging that residents’ stories of intimidation and surveillance are credible, and deserve a response. It’s a welcome, if long overdue, development. But new rules cannot, on their own, reverse a culture of suspicion and mistrust.
The man Toronto police won’t stop stopping

Dale James has had dozens of encounters with officers, but despite an agreement to leave him alone, he’s ‘still suffering the harassment’

JIM RANKIN
STAFF REPORTER

ANDREW BAILEY
DATA ANALYST

Dale James talks “slow and low” and, because of a childhood accident, he is partially blind in his left eye, which is milky white. On a hot day in June, he arrives late at his lawyer’s office and wears a Raptors cap and Tupac Shakur T-shirt, which hangs off his thin frame. He’s lost weight, and has cut down on his trips to see a therapist for treatment of depression, even though it’s getting worse, he says. It is a rare outing, he tells his lawyer, Osborne Barnwell.

After 16 years of being regularly stopped by police, for the past two months, James, 33, started staying home most days in a cramped apartment he shares with his mother, on Wilson Ave., near Bathurst St. “Either they’re going to get me in trouble,” he says of the police, “or they’re going to kill me. I’m just trying to avoid them. I can’t take it anymore.”

In his latest legal battle, James and his brother are suing Toronto police. In a statement of claim filed late last year, they seek $2.2 million in damages, alleging an assault on James, racial profiling, arbitrary detention and search of James outside their apartment. They further allege that police are “terrorizing” the entire family and have caused them mental distress.

JAMES continued on A8

Dale James, who has been stopped regularly by Toronto police for 16 years, is partially blind in one eye as a result of a childhood injury. He says police describe him as having a "stink eye" and make fun of the way he speaks.
Data shows blacks carded disproportionately

In a statement of defense, the two named officers and the police service deny all allegations, including the allegation of racial profiling.

There has already been one "substantial" settlement by Toronto police with James; the details of which can’t be disclosed, Harnew says. The settlement was the result of a 2003 lawsuit and a human rights complaint.

Despite the settlement, Harnew says a message for police to have his face booklet along and go to get a memo through.

Last year, Harnew and James visited a high-ranking officer in 37 Division. It’s the division in northwest Toronto to which many of the stops happen.

It was agreed, Harnew says, that James name would be dropped. Officers would know the history: "He’s still suffering the harassment," Harnew said.

Police spokesperson Meghan Gray told the Star that the "current practice" of recording names of carded individuals "is intended to provide more positive relationship with officers in 37 Division and also provide James with measures to seek notification and counseling assistance." Gray said in an email.

Gray, surprisingly, gave the Star a statement of claim filed by Mr. James, one of the officers involved.

The Star has reviewed all information requests to the police. He believes there are more than 20 more cards and says he is appealing to Ontario’s Information and Privacy Commissioner.

A Star analysis of contact card data from 2009 to 2012 shows James is among several officers who appear to violate him. More than what he has obtained in his personal requests for that period. The 37 Division, Gray said, is about police response in the area even for investigation.

Police say "all reasonable records" would have been provided to the Star that the service was unable to confirm the exact number of occurrences at 37 Division and respond in an email to the Star.

Repeated Star attempts to get a response from police were not successful. The service was unable to confirm the exact number of occurrences at 37 Division and respond in an email to the Star.

Repeated Star attempts to get a response from police were not successful.

Recent Star analysis of contact card data has shown blacks are more likely than whites to be documented in each of the city’s 70-plus police stations.

Citing — the capturing of personal details from non-criminal stops in a mass police database — an "invasive practice," the Star’s analysis shows blacks are carded disproportionately.

Among the 20,000 cards collected in Toronto in 2012, the Star has found over 2,000 cards with information for black men.

The Star identified the information for black men in carding data using court and other records that mentioned times of contact cards were issued to the police. The Star analyzed the data for 2012.

The Toronto Police Service confirmed a total of 6,600 contact details were from cards that identified blacks.

Speaking on behalf of the police association president, McCormick said in 2010 that“If we have any reason to suspect that a particular card is not accurate, an officer will take action.”

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Carding rules, rhetoric don’t match: groups

Coalition against controversial practice urges province to rewrite regulations and ‘get it right’

WENDY GILLIS AND JIM RANKIN
STAFF REPORTERS

Rights groups and influential Torontonians have banded together to urge the Ontario government to make what they say are crucial changes to new carding regulations unveiled this fall.

In a lengthy statement signed by two dozen groups and individuals — including the Canadian Civil Liberties Association, Ontario Human Rights Commission and the African Canadian Legal Clinic — the coalition says it applauds the sentiment behind the Ontario government’s draft carding rules, but calls for significant revisions.

When it comes to truly eliminating random and discriminatory police stops, the groups say, the regulations — currently under a 45-day public review — allow for too many exceptions, where police will not have to abide by strict rules intended to ensure officers stop, question and document members of the public only when they have legitimate reasons.

“You don’t write this kind of regulation every day.”

ALOK MUKHERJEE
FORMER CHAIR, TORONTO POLICE SERVICES BOARD

CARDING continued on A6
CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Search or seizure
   8. Everyone has the right to be secure against unreasonable search or seizure.

Detention or imprisonment
   9. Everyone has the right not to be arbitrarily detained or imprisoned.
When new carding rules apply

New rules apply if an officer asks you to identify yourself when they are:
- looking into suspicious activities
- gathering intelligence
- investigating general criminal activity in the community

New rules for street checks do not apply if the officer is:
- talking to a driver during a traffic stop
- arresting or detaining you
- executing a warrant
- investigating a specific crime
The rules and what they mean for you
As of January 1, 2017, if a police officer asks you for ID in a situation when the rules apply, they must:

• **have a reason**, which cannot be:
  ◦ based on race
  ◦ arbitrary (not meaningful)
  ◦ only because you are in a high-crime area
  ◦ because you refused to answer a question or walked away

• **tell you why** they want your identifying information

• **tell you that you can refuse** to give identifying information

• **offer you a receipt** – even if you refuse to share information – that includes:
  ◦ the officer’s name
  ◦ the officer’s badge number
  ◦ how to contact the **Office of the Independent Police Review Director**, which handles complaints about police in Ontario
  ◦ who to contact to access personal information about you that the police service has on file

• **keep detailed records** of their interaction with you – even if you refuse to share information

If a police officer does not follow these rules, it is a **Code of Conduct** violation under the **Police Services Act** and they may be disciplined.
Exceptions
In rare cases, if following the rules above could negatively affect an investigation, threaten public safety or force officers to reveal confidential information, police officers may not have to:

• tell you why they are asking for information – for example, the reason involves a tip from a confidential informant
• tell you that you have the right to refuse giving ID – for example, the officer suspects a car passenger may be a victim of human trafficking
• give you a receipt from the interaction – for example, the officer receives an urgent call for service and must quickly end the interaction

In these cases the officer must record their reason for not following the rule.
Is the regulation, as written, “absurd”?

1. (1) This Regulation applies with respect to an attempt by a police officer to collect identifying information about an individual from the individual, if that attempt is done for the purpose of,
   (a) inquiring into offences that have been or might be committed; …

   (2) Despite subsection (1), this Regulation does not apply with respect to an attempted collection made by a police officer for the purpose of investigating an offence the officer reasonably suspects has been or will be committed.

   *Reading these two sections together seems to say that the Regulation only applies to investigating offences that the officer does not reasonably suspect have been or will be committed. Don't the officers have enough to do investigating offences the officer reasonably suspects have been or will be committed?*
A ‘disturbing’ analysis of never-before-seen police statistics shows Black people are victims of force at disproportionately greater rates.

Sam Teke, a community leader, says “this reality has long been documented. These are not, in fact, new times.”

FRACTURED TRUST

WENDY GILLIS
CRIME REPORTER

A detailed analysis of never-before-seen police watchdog data has found Black people are “grossly overrepresented” in cases in which Toronto police have used force, especially when it comes to fatal shootings.

But while members of the city’s Black communities welcomed the extensive data analysis, released Monday by the Ontario Human Rights Commission (OHRC), many said the findings told a well-known story.

“This reality has long been documented. These are not, in fact, new times,” said Sam Teke, a community leader with the youth organization Success Beyond Limits, in the Jane and Finch neighbourhood. “The reality is that young people, their parents, their elders and residents face an increased amount of policing, and what many in the community would call over-policing.”

“This is an everyday experience. This is not new,” said Valerie Steele, a community activist and member of the Black Action Defence Committee.

In an interim report released on Human Rights Day, the OHRC revealed the initial findings of its inquiry into racial profiling and discrimination within the Toronto Police Service.

POLICE continued on A14

“This is an everyday experience. This is not new.”

VALERIE STEELE
COMMUNITY ACTIVIST
JUDGE’S REVIEW CONCLUDES:

It’s time to end carding in Ontario

‘Random, unfocused’ police checks have little value in fighting crime, report finds

JACQUES GALLANT
AND MAY WARNEN
STAFF REPORTERS

Random street checks, or carding, should be banned as there is little evidence to show the practice is useful in reducing crime, while it disproportionately affects racialized individuals, according to the results of an independent review released Monday.

The report was prepared by Court of Appeal Justice Michael Tulloch, who was tapped by the former Liberal government in 2017 to conduct a review of its new provincial regulation on carding – the stopping and documenting of citizens not suspected of a crime.

The regulation was aimed at prohibiting arbitrary stops – which Tulloch recommends should be explicitly stated in the regulation – and outlined the scenarios in which officers could stop an individual and request their information. The regulation also included new rules to govern those interactions, including a requirement that the officer tell the individual they don’t have to provide identifying information.

Aside from reviewing the regulation, Tulloch also focused on whether purely random stops – traditionally known as carding – gather information should ever be allowed. He found that they should not, while also noting that some critics have blamed recent spikes in gun violence on the new regulation and the restrictions placed on carding – a claim he said was not supported by the facts.

Many other jurisdictions, Tulloch said, have not reported an increase in criminal activity following a drop in carding practices. “There is little to no evidence that a random, unfocused collection of identifying information has benefits that outweigh the social cost of the practice,” he said.

“The data indicates that the better use of police resources is a more focused approach,” Tulloch wrote in his report.

“A widespread program of random street checks involves considerable time and effort for a police service, with little to no verifiable results on the level of crime or even arrests,” he said.

CARDING continued on A4

‘A hunch’ can’t be reason for police stops

Justice who wrote 300-page review of carding, street checks points to ‘the state we’re in’

JIM RANKIN
STAFF REPORTER

Five days after the New Year’s Eve ball drop of a 300-plus page review of carding and police street checks in Ontario, Justice Michael Tulloch and his team met with reporters and the public Friday to talk about its results and recommendations at a downtown Toronto hotel that is a brisk 10-minute walk away from the politics of Queen’s Park.

Unsaid by Tulloch himself, but noted by others, is that the report is now in the hands of the province, and what comes of it depends on political will and the Progressive Conservative government led by Premier Doug Ford.

“We have every confidence that they are going to move forward in good faith, that they will think the report through and be open to its recommendations,” said lawyer Jan Bruce, who wrote the report.

“The state we’re in is simply that we have no carding,” she said. "We have the做大做强 to do that.
“... the total cost in reporters, editors, photographers and lawyers was several million dollars. Was it worth it? You bet!"

— John Honderich, Chair of Torstar
jrankin@thestar.ca

Twitter: @jleerankin
416-869-4431