



The following *draft* Minutes of the special meeting of the Toronto Police Services Board held on April 28, 2003 are subject to adoption at its next regularly scheduled meeting.

MINUTES OF THE SPECIAL PUBLIC MEETING of the Toronto Police Services Board held on **APRIL 28, 2003** at 6:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Norman Gardner, Chairman
A. Milliken Heisey, Q.C., Member
Benson Lau, M.D., Member
Allan Leach, Member
Frances Nunziata, Councillor & Member

ALSO PRESENT:

Julian Fantino, Chief of Police
Albert Cohen, City of Toronto - Legal Services Division
Karlene Bennett, Acting Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE SPECIAL PUBLIC MEETING
OF THE TORONTO POLICE SERVICES BOARD HELD ON APRIL 28, 2003**

**#P126. REPORT: AN INDEPENDENT REVIEW OF THE TORONTO STAR
ANALYSIS OF THE CRIMINAL INFORMATION PROCESSING SYSTEM
("CIPS") DATA PROVIDED BY THE TORONTO POLICE SERVICE**

The Board was in receipt of the following report APRIL 08, 2003 from Julian Fantino, Chief of Police:

Subject: REPORT: *INDEPENDENT REVIEW OF THE TORONTO STAR ANALYSIS OF
CRIMINAL INFORMATION PROCESSING SYSTEM (CIPS) DATA PROVIDED
BY THE TORONTO POLICE SERVICE (TPS)*

Recommendation:

It is recommended that: the Board receive the following report and that a copy be provided to the Board/Service Race Relations Joint Working Group.

Background:

At its meeting of February 20, 2003, the Board received a report from me entitled, "Toronto Police Service Report: Policing a World Within A City: The Race Relations Initiatives of the Toronto Police Service", which was in response to the Board's Motions that I provide a report on all race relations initiatives the Service has developed since 1989 in the areas of community outreach, recruiting, diversity and anti-racism training, current policies and procedures, bias in policing and minority recruitment and hiring. (Board Minutes P283/02 and P33/03 refer).

At that time, I requested that the Board receive a formal presentation by Professor Edward B. Harvey, PhD, from the University of Toronto, and Mr. Alan Gold, on the results of an independent review conducted on the Toronto Star analysis of the police crime (Criminal Information Processing System "CIPS") data that was provided to the Toronto Star through a Freedom of Information request.

The Board received the foregoing reports and approved the following Motions:

That the report on the results to the independent review conducted by Professor Harvey and Mr. Gold be received and referred to the Board/Service Race Relations Joint Working Group for information; and

That the Board schedule an opportunity for members of the public to present deputations on the results of the independent review conducted by Professor Harvey and Mr. Gold prior to the Board/Service Race Relations Joint Working Group developing its recommendations.

I have been advised that the Board has scheduled a Special Public Meeting to be held Monday, April 28, 2003, commencing at 6:30 p.m. for members of the public to present deputations on the results of the independent review conducted by Professor Harvey and Mr. Gold. I am providing the Board with copies of Professor Harvey's complete report

A copy of the Executive Summary of Professor Harvey's report is appended to this Minute for information. A copy of the complete report prepared by Professor Harvey is on file in the Board office.

The following persons were in attendance and made deputations to the Board:

- **Mr. Julian Falconer, Falconer Charney Macklin ***
- **Ms. Zanana Akande, Urban Alliance on Race Relations**
- **Mr. Sidney Knowles ***
- **Mr. A. Alan Borovoy, Canadian Civil Liberties Association ***
- **Mr. Simon Shaw**
- **Mr. Tim Danson, Danson, Recht, Voudouris ***
- **Mr. David Mitchell, Association of Black Law Enforcers ***
- **Ms. Angela Wilson**

***written submission also provided; copies are on file in the Board office.**

Written submissions were also provided by the following; copies are on file in the Board office:

- **S/Inspector Jim Dicks, President, Senior Officers' Organization**
- **Councillor Sherene Shaw, City of Toronto**
- **Mr. Vance Latchford, Latchford Associates**

Chief Julian Fantino and Mr. Alan D. Gold were in attendance and provided the Board with a response to some of the comments made by the deputants.

The Board approved the following Motion:

THAT the foregoing report from Chief Fantino; the deputations; and written submissions be received and referred to the Board/Service Race Relations Joint Working Group for consideration in developing their recommendations.

**AN INDEPENDENT REVIEW OF THE TORONTO STAR ANALYSIS
OF CRIMINAL INFORMATION PROCESSING SYSTEM (CIPS) DATA
PROVIDED BY THE TORONTO POLICE SERVICE (TPS)**

**Edward B. Harvey, PhD
University of Toronto**

with the assistance of

**Richard Liu, B.A. (Hons)
University of Toronto**

March 2003

1. EXECUTIVE SUMMARY

On May 31, 2002, under a Freedom of Information request, The Toronto Star obtained data, for the period late 1996 to early 2002, from the Criminal Information Processing System (CIPS) which is used by the Toronto Police Service (TPS). The Toronto Star's analysis of these data provided the basis for a series of articles, commencing October 19, 2002, in which the newspaper alleged that the TPS engages in racial profiling -- specifically, the targeting of Blacks. I was asked by Chief Julian Fantino to carry out an independent review of The Toronto Star analysis. In order to carry out this task, I was given the same CIPS data as that which was provided to The Toronto Star. This document constitutes the full report of my independent review.

The independent review was driven by three objectives:

- To conduct an independent analysis of the CIPS data supplied to The Toronto Star by the TPS.
- To identify questions and concerns related to The Toronto Star's use and analysis of the CIPS data and to assess the conclusions they arrived at based on this analysis (in particular, the allegation that the TPS is engaged in "racial profiling" targeted on Blacks).
- To present alternative analyses and conclusions based on this independent review and analysis.

The independent review identified various problems in the approach taken by The Toronto Star, including:

- Inadequate recognition and acknowledgement of the fact that the CIPS database was never designed to be a research database and has certain inherent limitations when used for such purposes. CIPS was designed as an administrative tool to assist TPS officers in the conduct of their duties. It is not and was never intended to be a research database.
- It is important to understand that CIPS is only a sample -- and not a scientific sample -- of the millions of contacts the TPS had with the public over the 1996-2002 timeframe. For example, CIPS is a very limited source of information relating to traffic offences (which includes non-moving offences).
- The Toronto Star describes the CIPS as "...a massive police database recording more than 480,000 incidents in which an individual was arrested, or ticketed, for an offence dating back to 1996. It included almost 800,000 criminal and other charges." (The Toronto Star, October 19, 2002, section A1). This conveys the impression that CIPS is a comprehensive and definitive database. In fact, as I document in this report, the CIPS database contains many instances of incomplete and/or inaccurate data.

- It is also important to note that the CIPS sub-populations on which The Toronto Star bases its analyses are much smaller than the numbers referred to above. For example, The Toronto Star's analysis of out of sight (non-moving) offences is based on 4,696 cases; the analysis of simple possession of drugs is based on 10,401 cases; as for "possession of cocaine" (a sub-set of "simple possession of drugs"), The Toronto Star does not at any point in its articles provide a sub-population number. (In my independent review I found the "possession of cocaine" sub-population number to be 2,535.)
- The Toronto Star did not carry out an adequate clean-up of the CIPS data. Incomplete and/or incorrect data can bias the outcomes of statistical analysis. This independent review is based on a systematic and rigorous clean-up of the CIPS data. The steps involved in this clean-up are documented in the report.
- The Toronto Star provided few details on the key assumptions and procedures they used in their analysis. For example, it proved impossible to determine their definition of "violent crime". In the absence of such transparency, scientific replication of an analysis and its stated results is rendered difficult. All of the procedures used in this independent review are transparent and documented to facilitate replication of the analysis and its results by anyone who may wish to do so.
- There are instances of methodological inconsistency in The Toronto Star's analysis of CIPS data. For example, the newspaper focuses on single offences in the case of out of sight (non-moving) offences, simple possession of drugs, and possession of cocaine and then switches, without explanation, to multiple offenders in the case of "violent crime".
- The Toronto Star makes overly simple use of demographic baseline data in its analysis. Given the substantial socio-demographic variation among the Divisions in the TPS jurisdiction, detailed analysis at the Division level is essential. This has been done in the independent review.

Before commencing the independent review analysis, a multi-step clean-up of the CIPS data was carried out. These steps included:

- Removal of incomplete and incorrect data from the Arrests File and Charges File.
- Reconciliation of the Arrests File and Charges File data to ensure consistency.
- In a further step to maximize consistency, persons with multiple charges were screened out of the CIPS database.
- The fundamental purpose of the independent review data clean-up was to eliminate incorrect and incomplete data that could bias statistical outcomes and interpretations while preserving as much of the data as possible.

Using the cleaned-up data, the independent review carried out its own review and analysis of The Toronto Star's analysis of "out of sight" (non-moving) offences, simple drug possession (DRUGSPOSSESS) and possession of cocaine (Offence Rule ID #993 and #580).

As noted above, it was not possible to determine The Toronto Star's definition of violent crime.

The independent review analysis was conducted for 5 offence categories:

- (1) "out of sight"(non-moving);
- (2) simple possession of drugs (DRUGSPOSSESS);
- (3) possession of cocaine (Offence Rule ID #993 and #580);
- (4) prostitution;
- (5) impaired.

Highlights of the independent review analysis include the following:

- The independent review results do not provide evidence of systemic racial profiling being practiced by the Toronto Police Service. The picture is considerably more mixed and complex than The Toronto Star suggests.
- The results suggest that different groups are involved in different types of crime.
- In the areas of “out of sight” (Non-Moving) offences, simple drug possession (Drugspose) and Possession of Cocaine (Offence Rule ID #993 and #580), Blacks are over-represented in the offender population relative to their numbers in the total population of each Division analysed.
- In other offence areas (see analysis of prostitution and impaired), a pattern of White over-representation is more likely to apply.
- In the case of possession of cocaine, release-at-scene (Form 9) rates are 74.3% for Whites and 74.0% for Blacks when using the cleaned-up database and controlling for: (1) CPIC; (2) MANIX; (3) BAIL; (4) PROBATION; (5) PREVIOUS CONVICTION; TAP PAROLE; (7) WARRANT.
- The “All Other” skin colour group in CIPS is comprised of visible racial minorities. Although numerically significant (29.2% of the Toronto population), the group has lower offender rates than Blacks and Whites across a wide range of offences.
- The results also suggest that patterns vary from Division to Division in the TPS jurisdiction. This is not surprising given the considerable sociodemographic variability among Divisions.

In summation, this independent review has conducted a consistent and transparent analysis of the CIPS data. The results of this analysis do not support allegations by The Toronto Star that the Toronto Police Service is engaged in racial profiling. Likewise, the data do not support the underlying implication that the Toronto Police Service is engaged in systemic racial profiling.

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#P127. ADJOURNMENT

Norman Gardner
Chairman