



TORONTO POLICE SERVICES BOARD

DESTRUCTION OF ADULT FINGERPRINTS, PHOTOGRAPHS AND RECORDS OF DISPOSITION

DATE APPROVED	September 20, 2007	Minute No: P297/07
DATE(S) AMENDED	November 15, 2010	Minute No: P292/10
DATE REVIEWED	November 15, 2010	Minute No: P292/10
REPORTING REQUIREMENT		
LEGISLATION	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, s. 31(1)(c).	
DERIVATION		

It is the policy of the Toronto Police Services Board that the Chief of Police will develop processes that incorporate the following criteria for the destruction of adult fingerprints, photographs and records of disposition:

1. Upon written request, destroy adult fingerprints, photographs and records of dispositions associated with non-conviction disposition(s)¹ after the expiration of all applicable appeal processes, or, in the case of a stay of proceedings, after a period of one year unless:
 - a. the individual's records on file contain an alleged offence(s) listed as a primary designated offence or secondary designated offence as defined in section 487.04 of the *Criminal Code*, R.S.C., 1985, c. C-46, as amended; or
 - b. there are compelling reasons in the public interest to refuse destruction.
2. In applying criteria 1(a) and 1(b) as listed above, give consideration to mitigating factors;
3. Establish a process of review for those cases in which destruction has been refused by the Service; and
4. Where destruction has been approved by the Service, make a recommendation to the Royal Canadian Mounted Police for the destruction of records in its possession associated with the individual's non-conviction disposition(s).

¹ Non-conviction dispositions are defined as:

- (a) Charges are withdrawn (dismissed, quashed, stayed)
- (b) A finding of *not guilty* by a court
- (c) A stay of proceedings
- (d) A finding of *not criminally responsible* by a court
- (e) An acquittal
- (f) Peace bond entered into
