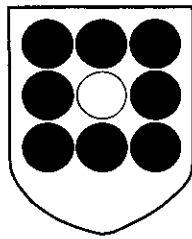


# CANADIAN CIVIL LIBERTIES ASSOCIATION

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# ASSOCIATION CANADIENNE DES LIBERTES CIVILES

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June 4, 2010

By Fax

William J.S. Elliott, Commissioner  
RCMP National Headquarters  
Headquarters Building  
1200 Vanier Parkway  
Ottawa ON K1A 0R2  
Fax: 613-993-0260

Chief William Blair  
Toronto Police Service  
40 College Street  
Toronto, ON M5G 2J1

Fax: 416-808-8002

Dear Commissioner Elliott and Chief Blair:

I am writing on behalf of the Canadian Civil Liberties Association to request further information regarding the outer security fence that was announced last week.

From the information released to the media, we understand that there are two security fences being constructed: an inner fence that will surround the Convention Centre and delegates' hotels (the "Red Zone"), and an outer fence that will cover a larger portion of the downtown core (the "Yellow Zone"). Individuals who live and work within the Yellow Zone have been given the opportunity to apply for a Registration Card. Beginning on June 25<sup>th</sup>, and possibly earlier if security requirements dictate, members of the public who have not received a Registration Card or who do not live or work in the area but require access into the security perimeter will have to present a piece of photo identification and clearly articulate a specific purpose and destination to be allowed through.

From our inquiries to the Integrated Security Unit's media line, we also understand that individuals' names will be searched against an unknown number of databases, and there will likely be a list of specified individuals that are to be denied entry. If individuals decline to articulate the purpose of their desire to enter the area, they will be denied entry. The articulated purpose for entry must be necessary for "normal" life such as work or residence. The desire to peacefully protest closer to the convention centre will not be a sufficient purpose to allow an individual to gain access. There will also be

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A. ALAN BOROVY



search protocols upon entry, but the nature, extent and purpose of the searches was not elaborated upon, other than stating that the searches would be as minimally intrusive as possible given all the circumstances.

We would appreciate confirmation of the above information, and also have a number of outstanding questions. Although we understand that this is a sensitive area, we are very concerned about the implications of operation like this for individuals who are now required to agree to significant intrusions into their personal privacy in order to access public space. Any more information or detail that you can provide on any of the following points would be greatly appreciated.

#### 1. Requirement to show photo identification

- What databases are individuals being screened against?
- If there is a specific list of individuals who will be automatically denied entry, will this list be made public, what are the criteria being used to place individuals on this list, and are there any oversight and/or review mechanisms in place?
- Who will be denied entry based on their identity? For example, will individuals with a non-violent criminal record be denied entry? Could non-conviction disposition records, such as arrests or withdrawn charges, result in a denial of entry?
- Is there different protocol regarding individuals who are not able to present Canadian identification?

#### 2. Requirement to state specific purpose

- We have been informed that the 'purpose' must be related to 'normal' activities, such as individuals who live and work in the specified area. Individuals with other purposes, including those who wish to engage in peaceful expression, will be denied entry. Is this accurate?
- If an individual who lives and/or works within the secured area wishes to peacefully express dissent within the Yellow Zone, will this person be permitted entry, and will this be a permitted activity in this area?

#### 3. Search powers

- Is it correct to state that the sole purpose of any search upon entry to the outer security perimeter is a search for safety purposes? If this is not accurate, what are the other purposes of this search?
- What items will be prohibited and/or confiscated upon entry?
- Will the public be made aware of prohibited items prior to the search?
- Will individuals be given the option of leaving without being searched if they refuse consent?
- Once within the Yellow Zone, will normal *Charter* protections against unreasonable search and seizure be respected, or are the police of the view that there is a diminished expectation of privacy within the Yellow Zone?

4. Information sharing and data retention concerns
  - Who will have access to the information provided upon entry to the Yellow Zone?
  - Will the information provided be shared with other governmental agencies not involved in summit security, such as Citizenship and Immigration Canada, or CBSA?
  - Is the information individuals provide upon entry to the Yellow Zone being retained, and if so for how long, who will have access, and for what purpose?
  
5. Other
  - Will individuals be screened and/or searched upon exit from the Yellow Zone?
  - Is there any written protocol regarding who will be refused access to the Yellow Zone?
  - Do police officers retain discretion to refuse a person access to the Yellow Zone, even if the searches and questioning do not give any objective cause for concern?

Thank you in advance for any help you can provide in addressing these concerns. Because of the short time frame involved, we respectfully request a response by Wednesday, June 9, 2010.

Regards,



Abby Deshman  
Project Director

Cc:

Meaghan Gray, Public Affairs, Communications & Community Relations G8-G20  
Planning Team Toronto Police Service ([Meaghan.Gray@torontopolice.on.ca](mailto:Meaghan.Gray@torontopolice.on.ca))  
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