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September 24, 2020

Ms. Abby Deshman,
Canadian Civil Liberties Association
900 - 90 Eglinton Avenue East
Toronto, ON M4P 2Y3

Re: London Police Service Use of the COVID-19 Database

Dear Ms. Deshman and colleagues of the Canadian Civil Liberties Association, the Black Legal Action Centre, the HIV/AIDS Legal Clinic Ontario and Aboriginal Legal Services,

Our Board replied initially on August 20, 2020, acknowledging receipt of your August 17, 2020 letter, advising that we take your concerns very seriously and were working with the Chief of Police to provide answers considering some of the details you requested are operational. We also provided you with Board policy which we created out of concerns we had regarding the adverse impact of Ont. Reg. 120/20: Order under subsection 7.02.2 (4) of the Emergency Management and Civil Protections Act, concerns which we also shared with the Minister of Health, Solicitor General and Premier in a letter dated June 18th, 2020 (a copy of which was shared with you August 20th).

At the September 17, 2020 meeting of the Board, we received from London Police Service (LPS) Administration detailed reporting related to LPS's use of the database. We are now in a position to respond more fully to your August 17th letter. The following will highlight for your interest the history of LPS's use of the provincial database related to COVID-19 information sharing and the current status of the data accessed.

- Database access was provided only to 48 LPS Communications Operators. It was mandated by the Ministry of the Solicitor General's Office that only employees directly involved in the receiving of calls for service and dispatching officers were to have access to the Portal. Portal access was not provided to LPS officers or any other members of the organization.

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- The Portal was made available by the Ministry of the Solicitor General April 13, 2020; however, LPS first accessed it April 23, 2020 following one week of clarifying roles, ensuring technical connection and training users for its use.
- LPS Administration is confident that database access was limited to authorized users, the 48 Communications Operators, as the Ministry provided individual secure access to those members only. A two-factor authentication is required to access any LPS computer and that restriction includes access to the Portal.
- LPS's procedure was created to assist the organization in providing the best available information to responding frontline officers in the face of the COVID-19 pandemic.
- Database inquiries were conducted for calls for service between April 23 and July 3, 2020. One call for service could result in more than one query to the database, and in many instances this was likely the case.
- Portal access was discontinued July 3, 2020 under the direction of LPS Chief, Steve Williams. The database was not accessed by LPS as of July 4, 2020.
- The Portal was later decommissioned by the Ministry of the Solicitor General.
- A total of 10,475 queries were made to the database by LPS between April 23 and July 3, 2020. To add important context to what has been referred to as higher than average use, London is the 6th largest municipality in Ontario and among the top 10 largest police services in the province with a higher call volume than many other police services. The queries correspond to the number of calls for service.
- 16 positive test results were returned during the time LPS used the Portal. In these 16 cases, data included the individual's name, address, date of birth and their positive COVID-19 test. In cases where the name queried did not involve an individual who had tested positive, a response of "there are no items to show in this view of the MOH Table list" was returned to the Communications Operator.
- Data was stored in the secure Computer Aided Dispatch (CAD) system.
- On September 11, 2020, all 16 records accessed by LPS were purged from the CAD system.
- The vendor of the CAD system, utilized by the LPS, provided instruction on how to search for, identify and permanently delete the records from that system. This process was undertaken by staff in LPS's Information and Technology Branch and post checks confirmed the information no longer exists.
- Following the September 17, 2020 Board meeting, LPS Administration responded to the Information and Privacy Commission (IPC)'s related questions posed to them.
- The remaining issue are the queries deemed potentially inappropriate by the Ministry of Solicitor General's office, six of which have been identified in London. The investigations into these incidents are ongoing. The IPC has advised that they are contemplating the process for addressing possible breaches, and to date, LPS hasn't yet received IPC direction. It should be noted however, upon initial review of the six cases of potentially inappropriate use of the database, it was found that the Communications Operators were initially receiving no data when completing queries based upon calls for service, and were unsure if it was

because the Portal was “down” or not functioning. It appears that Operators extended their search as a means of testing the Portal’s functionality. Due to the newness of this process and the inherent complexities of the Portal, which was launched by the Ministry of the Solicitor General in a time sensitive response to COVID-19, staff were concerned they were not receiving any information from the database with which to adequately inform and safeguard their front-line colleagues.

We trust this correspondence fully answers your questions. We remain committed to transparency and we appreciate the opportunity to thoroughly respond to your inquiries. Should you have further questions, please reach out to us at your convenience. Thank you for your concerns and the important work that you do.

A handwritten signature in black ink, appearing to read 'Javeed Sukhera', with a stylized flourish at the end.

Dr. Javeed Sukhera
Chair, London Police Services Board

Cc: Steve Williams, Chief, London Police Service