

From: [Kojo Damphey](#)
To: [Stevenson, Kirsten](#)
Subject: Correspondence to The Hamilton Police Service Board - Sept 3rd, 2020
Date: Thursday, August 20, 2020 10:01:11 AM
Attachments: [HamiltonPoliceAccessToCOVIDdata_HCCI.docx](#)
Importance: High

Dear Kirsten Stevenson,

Please find attached a letter of correspondence in regards to Hamilton Police having access to the personal and private health data of residents. A response will be highly appreciated.

Thank you.

Kojo Damphey
Interim Executive Director
[Hamilton Centre for Civic Inclusion](#)
T: 905 297 4694 x 202 | E: kdamphey@hcci.ca,
423 King Street East,
Hamilton, ON
L8N 1C5
Website: www.hcci.ca

[SUPPORT HCCI WITH A DONATION](#)

Twitter: [@Hcc1!](#)
LinkedIn: <https://www.linkedin.com/company/hamilton-centre-for-civic-inclusion>
Facebook: <https://www.facebook.com/HCCIHamilton/>

Dear Solicitor General Sylvia Jones,

CC: MPPs in Hamilton, Mayor of Hamilton, City Councillors, & Hamilton Public Health

Hamilton Police accessing COVID database during State of Emergency

The Hamilton Centre for Civic Inclusion is deeply concerned about a news story in The Hamilton Spectator (August 19th, 2020) titled “Hamilton Police accessed database with COVID health information more than 10,000 times.”¹

In the article it states that the Hamilton police accessed COVID testing results 10,293 times between April 17th and July 20th, 2020. This database contained names, addresses and birth dates of Ontarians who tested positive for COVID-19. On April 2nd, 2020 the Hamilton Centre for Civic Inclusion sent a letter to you about the State of Emergency and how Police departments during this time are likely to engage in over surveillance of residents of Hamilton and Ontario.

The repetitive behaviour of Police departments engaging in secret surveillance is not new as evident in a 1995 report of the Commission on systemic racism in the Ontario criminal justice system, where Toronto police in 1993 conducted secret surveillance of prominent Black community organizations and leaders.² This continued behavior should be of concern to the Province, Hamilton City Council, and the Hamilton Police Board.

Former Ontario privacy commissioner Ann Cavoukian stated that Police across the Province should not have access to this personal and private health data. In response to the news article Jackie Penman, spokesperson from Hamilton Police said the database was used to “protect the health and well-being of our officers and the community.” The current privacy commissioner, Patricia Kosseim has concerns about the “indiscriminate” use by the Hamilton Police.

This behaviour and lack of accountability to the residents of Hamilton is concerning. We would like to ask the following questions to ensure the private information of residents are not used by Hamilton Police in any other capacity.

- Solicitor General will the residents of Hamilton whose personal and private data are known to Hamilton Police be notified?
- Solicitor General will the residents of Hamilton receive the Privacy Commissioner’s report regarding why and how many times Hamilton Police accessed database and for what reasons?
- Solicitor General did the Hamilton Police download, keep, and use resident’s personal and private data in non-health activity?
- Mayor of Hamilton, did the Hamilton police service board know that Hamilton Police had access to this database?
- Mayor of Hamilton, does the Hamilton Police have access to any other database managed by Public Health Hamilton?
- Mayor of Hamilton, did Public Health Hamilton know about Hamilton Police accessing this data, if so what was done to let residents know?
- Chief of Police how would accessing this data ensure the well-being of Hamilton Police Officers?
- Chief of Police how would accessing this data ensure the well-being of the community?
- Solicitor General & Chief of Police, what privacy laws allow for the collection of such data?

¹ <https://www.thespec.com/news/hamilton-region/2020/08/19/hamilton-police-accessed-database-with-covid-health-information-more-than-10000-times.html>

² <http://govdocs.ourontario.ca/node/7558>



We look forward to receiving correspondence from you regarding the above questions in order to let the public and residents whose data was accessed by Hamilton Police know what to expect.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kojo Dampitey".

Kojo Dampitey
Executive Director
Hamilton Centre for Civic Inclusion