

4.4/68

General Issues Committee of Hamilton City Council,

In the interests of transparency, I submit this correspondence for the official record. I believe discussion of civic issues is best done in public.

This letter is to add to the discussion of how to achieve a noble goal - increasing public transparency by the City through the release of police activity data.

I need to clarify that my correspondence on this matter reflects only my own personal position and not that of Open Hamilton, a citizen group that I'm actively involved with. Open Hamilton has not had an opportunity to discuss this matter.

Councillor Farr is moving a motion today that has been titled "Public Access On-Line Crime Mapping Service".

I support the intent of the motion and thank Councillor Farr for leading to the push to open public safety data to enable citizens to benefit from increased knowledge.

The City should work with the Hamilton Police Service to make public safety data available as open data. The Halton project is not open data.

The company that Halton is using is able to offer a low-cost to municipalities because the map is not the product, the citizen is the product.

Every "free" or "low-cost" website has costs to operate. Facebook is free because the user is the product - Facebook is selling users to advertisers with targeted advertising. Gmail is free, again, the user is the product.

A crime map is marketing gold because the user will often focus upon their own neighbourhood - having information about the exact neighbourhood or home address of a potential customer is invaluable to marketers.

Using Facebook is optional. Using Gmail is a convenience, one can pay for an email account that does not including advertised based upon the content of your correspondence. There is a trade in convenience to using those services.

I use both services fully aware that the goals of these services is not to serve me, it is to serve advertisers.

The goal of municipal services is to provide a service to citizens who fund them by taxes.

The company that Halton is using states on their website they collect data about users (citizens) "to identify and develop products and services that may be of interest to you and we may send

you information about special offers, products, services, programs, promotions, surveys, publications, invitations or other opportunities from ourselves or our Partners that may be of interest to certain demographic groups."<sup>1</sup>

The company's privacy policy also states users (citizens) consent to allow the use of their information "to combine with or enhance information provided by third parties for marketing purposes"<sup>2</sup>

Privatizing public information can result in the private company controlling Hamilton's public safety data, depriving citizens and others from being able to inform themselves or others.

Such privatization of information would be counter to the intent of the motion.

The private company holding Halton's data has required another company to sign contractual agreements, as a settlement in a lawsuit against the use of public safety data, forbidding the other party from using public safety data they have control over and from requesting public safety data from governments directly that have privatized public information with this company.<sup>3</sup>

The ownership of public data should remain with the City or HPS. Noted Canadian Open Data expert David Eaves stated the following in response to Public Engine Services launching legal action against another user of public data in 2010:

"Many vendors know that if they control the data, they control you. They've got you locked into to buying their software and possible even locked in to buying their consulting services. More importantly, they now have a monopoly over what the public can learn about services and information their tax dollars paid to deliver and collect. No government would ever allow the New York Times or the Globe and Mail to become the exclusive distributor of government information. And yet, everyday, governments sign contracts with software vendors that effectively does just this but with something more basic than information, the raw data. Frightening enough stuff for governments. Still more frightening for us citizens."<sup>4</sup>

There are numerous examples of the benefits of municipal governments providing open public safety directly. I hope to have the opportunity to present on the benefits of open public data at the February 20th GIC meeting, and to provide examples of public safety data visualization that results, at no cost to the City, at that time.

In summary:

- I support the intent of the motion;
- I thank Councillor Farr for leading on this initiative and Council for supporting;
- I wish Council to ensure that any release of crime data is done by the City or HPS as open data and not exclusively given to a third-party
- - That the City or Council provide a mapping solution that protects the privacy of users

and that does not involve tracking citizen use of the map for profit-making marketing purposes.

- 1) Section 6(k) of Public Engine Services Privacy Policy - <https://www.crimereports.com/legal/privacy>
- 2) Section 2 of Public Engine Services Privacy Policy
- 3) How public is public data? With Public Engines v. ReportSee, new access standards could emerge, Nieman Foundation for Journalism at Harvard, Feb 21, 2011 - <http://www.niemanlab.org/2011/02/how-public-is-public-data-with-public-engines-v-reportsee-new-access-standards-could-emerge/>
- 4) Does your Government (and thus you) actually own its data?, David Eaves, Sept 21, 2010 - <http://eaves.ca/2010/09/21/does-your-government-and-thus-you-actually-own-its-data/>

