



2023 Street Check Review

February 16, 2023

Purpose

Alberta's *Provincial Guidelines for the Collection of Personal Information From a Member of the Public (2020)*, the *Collection of Information Voluntarily Provided by the Public Regulation (2021)*, and Lethbridge Police Service *Street Check Interactions and Collection of Information* policy all put forth requirements to review and report on police collection of personal information from members of the public on a quarterly and annual basis. In terms of our internal Lethbridge Police Service (LPS) procedures this is specific to information resulting from "street checks" as recorded and retained electronically by way of Street Check Reports in NICHE RMS. Each of the four quarterly reviews on this subject for 2023 have previously been submitted. This summary will constitute the annual report which by statutory and policy requirements is to be submitted to the Chief of Police for review. The *Collection of Information Voluntarily Provided by the Public Regulation* further requires that the Chief's annual report be sent to the Director of Law Enforcement by no later than March 31 in each given year.

A street check is defined as the attempted or actual collection, recording, and retention of personal information voluntarily provided by a member of the public obtained as a result of a non-detention, non-arrest interaction with a police officer. With that in mind I will provide the collected data from all 2023 street checks conducted by the Lethbridge Police Service.

Review Process:

- 1) An examination was conducted of existing LPS policy for process, reporting, and oversight/review of street checks.
- 2) An examination was conducted of the Alberta Justice and Solicitor General's 2020 Provincial Guidelines for the Collection of Personal Information from a Member of the Public and the annual reporting requirements therein.
- 3) An examination was conducted of the *Collection of Information Voluntarily Provided by the Public Regulation (2021)* for annual reporting requirements therein.
- 4) A review of all four 2023 quarterly street check reviews was conducted.

Overview:

In all of 2023 there were NO street check occurrences involving the collection of personal information voluntarily provided to police from any members of the public. Furthermore, there is no data to suggest any attempted street checks by police that were declined by any

members of the public.

I.T. and NICHE are still working to establish an electronic means of recording *attempted* street check interactions with members of the public. This is still in development but data to more easily indicate number and results of *attempted* street checks is currently still reliant on police officers' submission of Street Check Reports in instances when the interaction/information collection was declined. Members have been trained in this area and the need for submission of Street Check Reports with a narrative text indicating and identifying attempted checks has been communicated throughout the membership. None were submitted in 2023.

Observations:

The number of actual street checks in 2023 totalled zero (0). By comparison, in 2022 there were three street checks within two separate occurrences, in 2021 there were five street check interactions within two occurrences, and in 2020 there were 12 street check interactions within 9 occurrences. There continued to be some inaccurate reporting by officers who submitted Street Check Reports for occurrences which did not qualify as being a veritable street check. These were instances in which observations were made without any interaction between a member of the public and a police officer, or in which a member of the public had a legal obligation to provide their information to police (such as drivers in traffic stop occurrences). In 2023 there were a total of six (6) Street Check Reports submitted of which, as noted above, none were actual street checks. In 2022 there were 33 Street Check Reports submitted of which only two occurrences were actual street checks as defined by policy and provincial guidelines. The two occurrences involved police interaction and information collection from three individuals. In 2021 there were 57 Street Check Reports submitted of which only 5 were deemed to be actual street check occurrences.

Prior to 2023 there had been a substantive overhaul to the LPS Street Check policy and statutory reporting requirements as well as to the training provided to our members. The number of Street Check Reports and the number of inaccurately categorized reports has decreased significantly. Aiding in the mitigation of inaccurately categorized Street Check Reports is the very recent creation of a new, NICHE-based members information report. This new document allows officers to submit information based on observations or intelligence gained where there was no interaction with a member of the public. This information in years past has been submitted improperly via Street Check Report. Service-wide training and roll-out of this new Members Information Report begins February 21.

In the past year we have come into compliance with policy and legislation regarding the requirements for restricted access to Street Check Reports after five years have passed from the time of their collection/submission. This was achieved in the first half of 2023. All Street Check Reports that are five years old or older now have restricted access.

Last year's report indicated that we were lacking (albeit slightly) in compliance with the provincial reporting requirements specific to our NICHE capabilities for recording and reporting on verified voluntariness of information disclosure by the public and for recording and reporting on the number of *attempted* street checks. This task has taken significant time to accommodate from the I.T. section but was requested early in 2021. In the interim, officers have been instructed to indicate voluntariness of information disclosure in the text of their Street Check Report narratives. As there were no street checks in 2023, there was no voluntariness to measure. Additionally, officers have been trained to submit Street Check Reports even in instances where no information was gathered during an *attempted* street check. Follow-up training for officers is scheduled to take place through February, 2024.

There have been zero public complaints related to LPS officer attempts to collect information under the authority established by the Provincial Regulation.

There has been no access to any street check reports or information that after five years since their collection and documentation have been properly restricted.

Recommendations:

There are no recommendations currently.

Training will continue to be provided to all members on what constitutes a street check and how to report it properly. This will occur annually and/or as determined necessary based upon statutory or policy changes. It will include but not be limited to definitions, scope of officer authorities and responsibilities, detailed reporting requirements, and the importance of voluntariness. The next round of such training occurs over the last two weeks of February, 2024. Corrective feedback will continue to be provided following all quarterly reviews that indicate any deficiencies or inaccurate reporting categorization.



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