



City of KAWARTHA LAKES POLICE SERVICE

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August 31, 2020

Information and Privacy Commissioner of Ontario
Attention: Chris Anzenberger, Analyst
2 Bloor Street East
Suite 1400
Toronto Ontario
M4W 1A8

RE: COVID-19 Risk Look-Up Web Portal Concerns

Dear Mr. Anzenberger:

We are pleased to address the concerns raised in your August 21, 2020 correspondence regarding the use of the *First Responders COVID-19 Risk Look-Up Tool Web Portal* (the portal). Also included in our response are Aboriginal Legal Services, the Black Legal Action Centre (BLAC), the Canadian Civil Liberties Association (CCLA) and the HIV and AIDS Legal Clinic Ontario (HALCO) who raised similar concerns in their August 17, 2020 letter.

As you are aware, access to the portal was authorized under Ontario Regulation 120/20. Establishing the portal was part of the Government of Ontario's effort to control and limit the spread of COVID-19 and, specifically, to enhance the safety of police and fire personnel who have continued to provide emergency services throughout the pandemic. Like many of the measures adopted in response to the COVID-19 pandemic, the use of the portal has generated debate on the delicate balance between individual freedoms and privacy concerns, versus what measures are required to ensure an effective response to the COVID-19 virus on a local, provincial and national level.

The City of Kawartha Lakes Police Service (CKLPS) and the CKL Police Services Board support the Government of Ontario decision to provide access to the portal for emergency service workers and we believe that the controls put in place helped achieve that balanced approach to an extraordinary health crisis. We also understand the concerns raised and that the citizens of Kawartha Lakes, and Ontario, want to be assured that these exceptional authorities were used only for their intended purpose.

Both the Ministry of the Solicitor General and the City of Kawartha Lakes Police Service, put control measures and safeguards in place to ensure proper use of the portal. We are attaching our April 14, 2020 Standing Order, governing use of the portal, for your reference. You will note that the Standing Order initially directed Communications staff to add COVID-19 health information in our Computer Aided Dispatch (CAD) system with an expiry date of 14 days from the date of entry. We can advise that, on April 20, 2020, we issued further direction that no results were to be recorded in CAD. Subsequently, any reference to an individual's COVID-19 status was removed from CAD. We have reviewed our CAD database and can confirm that there are currently no records relating to a query on

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the portal and an individual's COVID-19 status. Data from the portal was not extracted, stored or used in any other format or for any other purpose.

We have been asked to specifically address the 1,015 occasions that CKLPS staff accessed the portal and can offer the following. As noted in the Standing Order, staff were directed to query a specific person or address, through the portal, whenever a call for service was generated that required emergency service members to attend in person. During the time period that the portal was available (April 13 – July 22) CKLPS received 3,675 calls for police assistance that originated from a member of the public.

It is also important to note that the CKLPS Communications Center is a dual-purpose facility that also provides dispatch services for the City of Kawartha Lakes Fire Rescue Service. During that same period, an additional 728 fire related calls for service were handled through our Communications Center. We believe that the inclusion of Fire related calls, and the authorized use of the portal in those instances, in our overall numbers to be a significant factor in the perception that our use of the portal was unusually high.

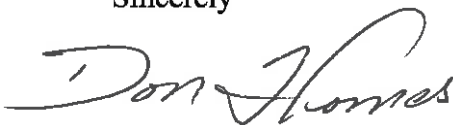
In relation to auditing usage of the portal, this has been a Provincial responsibility from the outset. We can advise that on June 11, 2020 every police agency in Ontario was notified that the Ministry of the Solicitor General had “instituted an audit logging function to track all user activity on the portal.” The June 11 All Chiefs Memo further stated that if concerns were detected with any queries of the portal, individual Chiefs of Police would be contacted directly. The City of Kawartha Lakes Police Service has not been notified of any issues surrounding our use of the portal.

In response to some of the other questions posed, we can offer the following:

- Access to the portal was limited to Communications staff (8 full-time and 5 part-time staff)
- Training and supervision on the use of the portal was provided by our Director of Information Services (DIS)
- The DIS monitored compliance with the Standing Order on an almost daily basis and provided regular updates to Communications staff as new information was disseminated by the Ministry
- We do not believe there was any unauthorized or inappropriate use of the portal.

In conclusion, we would like to thank all of the respective agencies for addressing these concerns. This is an important discussion and one which requires transparency and openness. The global COVID-19 pandemic has presented unique challenges to our public health system and all of our public systems. The *First Responders COVID-19 Risk Look-Up Tool Web Portal* was created to enhance the safety for police and fire personnel who have continued to keep Ontario safe during the pandemic. We strongly believe it was the right decision and that the portal was established in a manner that achieved its objective while simultaneously respecting the privacy rights of all Ontario citizens.

Sincerely



Don Thomas
CKLPSB Board Chair



Mark Mitchell
Chief of Police

cc – Christa Big Canoe, Legal Advocacy Director - Aboriginal Legal Services
Ruth Goba, Executive Director - Black Legal Action Centre
Abby Deshman, Director, Criminal Justice Program - Canadian Civil Liberties Association
Ryan Peck, Executive Director - HIV and Aids Legal Clinic Ontario
Rick Stubbings, Assistant Deputy Minister, Public Safety Division – Ministry of the Solicitor General
Jeff McGuire, President – Ontario Association of Chiefs of Police
Hon. Laurie Scott, Minister of Infrastructure and MPP for Haliburton – Kawartha Lakes – Brock
Chief Mark Pankhurst – Kawartha Lakes Fire Rescue Service