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## OIPRD Releases Report on OPP Practices for DNA Canvasses

July 12, 2016

TORONTO – The Independent Police Review Director today called on the Ontario Provincial Police (OPP) and other police services in Ontario to adopt a policy to govern how DNA canvasses are conducted.

His systemic review report, *Casting the Net: A Review of Ontario Provincial Police Practices for DNA Canvasses*, released today, includes a Model Policy on DNA Canvassing, together with additional recommendations designed to promote effective, bias-free policing and enhance police-community relations, particularly with those who are vulnerable.

In 2013 the OPP investigated a sexual assault of a woman who was attacked in rural Elgin County. When she reported the assault to police, she described her attacker as a black migrant worker and provided a physical description. In the Elgin County OPP investigation that followed, police requested DNA samples from virtually every local migrant worker of colour regardless of their physical characteristics. The perpetrator was ultimately apprehended after he refused to provide police with a DNA sample. He pleaded guilty and was sentenced to seven years in prison. Nevertheless, questions were raised by public interest organizations and individuals about how the investigation had been conducted. These important questions prompted the Director to conduct a systemic review of the OPP's practices for DNA canvasses.

“While I am satisfied that the OPP investigation was not motivated by racial prejudice, the nature and scope of the DNA canvass was overly broad and certainly had an impact on the migrant workers’ sense of vulnerability, lack of security and fairness. A more focused DNA canvass could have reduced concerns about racial profiling. The model policy I am proposing can help ensure that future DNA canvasses do not result in concerns similar to those identified in this report.”

– Gerry McNeilly, Independent Police Review Director

The Director also found that the Elgin County OPP investigation:

- Failed to recognize the vulnerabilities of the targeted migrant worker community and how those vulnerabilities were relevant to whether the consents obtained were truly informed and voluntary
- Failed to adequately take measures to ensure that decisions by workers not to provide DNA samples remained confidential, particularly from their employer
- Failed to take steps to explain the destruction process to individuals asked to provide DNA samples

In conducting this review, the OIPRD examined the public complaint that was filed and interviewed officers involved in the investigation as well as civilian witnesses, including migrant workers. The agency reviewed officers' notes, statements and reports, meeting minutes, recordings of interviews, completed consent forms and questionnaires, forensic evidence, OPP policies, procedures and practices and training materials as well as relevant jurisprudence and literature from inside and outside Canada. The OIPRD requested and received submissions from stakeholders and members of the public. It also conducted a roundtable to obtain feedback from a number of stakeholders on a model policy.

Read the [Executive Summary](#) and the full [Report](#) on our website.

## **OIPRD FACTS**

- The OIPRD receives, manages and oversees all public complaints about Ontario's municipal, regional and provincial police.
- The OIPRD is an independent, neutral arm's length agency of the Ontario Ministry of the Attorney General.
- The Police Services Act gives the Independent Police Review Director the power to examine and review issues of a systemic nature that may give rise to public complaints. The purpose of a systemic review is to determine whether systemic failings have occurred and to identify issues to be addressed in order to make recommendations to enhance public confidence in policing.