

Police adopt don't ask, don't tell policy

James Cowan, The National Post (Thursday February 16, 2006)

The Toronto Police Services Board yesterday unanimously endorsed a "don't ask, don't tell" policy that will restrict an officer's ability to ask victims and witnesses about their immigration status.

The policy will ensure that illegal and undocumented immigrants are not afraid to report crimes, Mayor David Miller said.

"What the police board said today is that we're going to stand for public safety for every Torontonian," he said.

Councillor Joe Mihevc, chairman of the city's community services committee, said there are as many as 80,000 undocumented immigrants living in Toronto.

Police Chief Bill Blair said he supported the board's decision but said officers will still be required to report illegal immigrants to Citizenship and Immigration Canada if they learn the individuals' status without asking.

"Police officers have a statutory obligation to report information should they become aware of it," Chief Blair said. "So I'm not going to instruct my officers to ignore their obligations and break the law."

The new policy also does not completely forbid officers from inquiring about immigration status but requires they have "bona fide" reasons to ask.

Andrea Gunraj, a representative of Metropolitan Action Committee of Violence Against Women and Children (METRAC), said allowing officers any amount of leeway undermines the policy.

"To be truly effective, there can be no exceptions to the rule, no bona fide reasons to sidestep the policy," she said.

But Chief Blair said it is appropriate to allow officers "to exercise their discretion appropriately."

Ms. Gunraj says many illegal immigrants endure domestic abuse rather than contact police.

"They worry that if they call for help, they will be the ones who will end up getting punished when police officers ask them about their status, that they might be detained for indeterminate periods away from their children and dependants under the real threat of deportation," Ms. Gunraj said.

More than 50 U.S. cities and states have adopted policies that either restrict officials asking about immigration status or prevent them from reporting illegal immigrants.

The Toronto District School Board has its own policy, which ensures that children living in Canada illegally receive equitable treatment.

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