



# Black Legal Action Centre

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## VIA EMAIL

Mayor Jamie McGarvey  
President  
Association of Municipalities Ontario  
[amopresident@amo.on.ca](mailto:amopresident@amo.on.ca)

Chief Jeff McGuire  
Executive Director  
Ontario Association of Chiefs of Police  
[JeffMcGuire@oacp.ca](mailto:JeffMcGuire@oacp.ca)

April 7, 2020

Dear Mayor McGarvey and Chief McGuire:

### **Re: *Emergency Management and Civil Protection Act***

The Black Legal Action Centre (BLAC) is a not-for-profit corporation, mandated to combat individual and systemic anti-Black racism in Ontario, by providing legal services to Black Ontarians.

As you are aware, on March 17, 2020, the Government of Ontario declared a state of emergency under the [Emergency Management and Civil Protection Act](#)<sup>1</sup> (EMCPA) in response to the COVID-19 pandemic. This legislation gives the province authority to make orders related to a number of services and behaviours in the province, including travel, the closure of public spaces and the closure of workplaces deemed to be non-essential. In particular, police and other provincial offences officers, have the authority to stop and question those they believe to be in violation of emergency measures.

BLAC calls on provincial and municipal governments to be proactive during this challenging time and commit to ensuring that the emergency measures are not misused and/or applied in a discriminatory manner. We strongly urge all levels of government to ensure that any measures taken are in accordance with Canada's international human rights obligations and domestic human rights law.

While we at BLAC understand and support the need for emergency measures, particularly given the unprecedented nature of COVID-19, BLAC is deeply concerned about the *potential* for some of the measures to result in the **further criminalization of racialized and marginalized people, specifically Black people**. We note that those

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<sup>1</sup> R.S.O. 1990, c. E.9.



traveling to and from work to provide essential services, the homeless and those who are precariously housed are especially vulnerable.

We are also very concerned about the retention and use of this data *post-crisis* and the impact that may have on our community. In this regard, BLAC also endorses the recommendations made by the Canadian Civil Liberties Association (CCLA) related to the development of data-collection guidelines, and the storage and destruction of such data, when the emergency order is no longer in effect.<sup>2</sup>

Thank you for your consideration of this matter.

Sincerely,

**The Black Legal Action Centre**

Per:

A handwritten signature in blue ink, appearing to read "Ruth Goba", is written over a light blue horizontal line.

Ruth Goba  
Executive Director

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<sup>2</sup> Canadian Civil Liberties Association: <https://ccla.org/coronavirus-update-letter-to-cacpolice/>