

C-5

JOE CLARK

joeclark@joeclark.org

2013.09.24

Re: TTC Board refuses to acknowledge damning finding from Toronto Ombudsman

As I explained to the Board in person last summer, for years Wheel-Trans spied on its passengers.

It ran a snitch line and, in quasi-totalitarian style, solicited tips from informants. It used surveillance cameras originally and ostensibly installed solely for safety and security to covertly record the actions of passengers deemed by random third parties to be somehow not disabled enough to ride Wheel-Trans. Those passengers were subjected to a grilling with the intent of booting them off the service.

The Board acted self-righteous, flustered, and offended by the facts, my terminology (especially "spying"), and my tone. I told the Board, especially Commissioner Parker, to stop being disingenuous and stop pretending not to understand what its own department is doing.

On 2013.07.10, the Toronto Ombudsman released her report, which came about due to my complaint. The Ombudsman found that the Wheel-Trans spy program was *much worse* than even I knew about, with essentially no documentation; terminology that actually is offensive ("Questionable Rider Program"); no explanation to passengers of how TTC and its contract conspired behind their backs; and no information that decisions could be appealed. This surveillance program had a 70% success rate in 2012: 54 out of 75 riders were booted off the service. No doubt that pleased the angry managers behind this abomination, who had grown so incensed that some cripple somewhere might get a free ride that they set up their own private Stasi.

To his credit (many things he does are creditable), Andy Byford suspended the program. That was a good start.

The Board must do two things to avoid a human-rights complaint and a class-action lawsuit, both of which TTC would expend hundreds of thousands of dollars fighting only to lose or settle both. (TTC did all that when it fought David Lepofsky over stop announcements *twice* – and lost *twice*.) It must order the entire organization to permanently disband the program and never to resurrect anything remotely similar. It must unconditionally reinstate, *without further interviews or assessments*, all passengers removed from the Wheel-Trans rolls under this pernicious and disgraceful program.

But to do that, you'd have to accept that the Ombudsman published her report and things were even worse than I told you they were. You'd have to acknowledge reality. You need to do that right away, because my friends and I *will* file complaints otherwise and we *will* win.