



Toronto Police Service

Clearview AI: Usage, Review & Analysis

Submitted By:
Detective Operations

Toronto Police Service – CONFIDENTIAL DOCUMENT

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Exemptions Applied:
NR

Executive Summary

This document serves as an overview of Clearview Artificial Intelligence (Clearview AI) technology, the utilization of Clearview AI by members of the Toronto Police Service, a review and analysis of this usage, and observations and recommendations moving forward.

Clearview Artificial Intelligence (Clearview AI) is a web based tool that acts as a search engine for publically available images on the internet. Clearview AI claims that their:

“Technology has helped law enforcement track down hundreds of at-large criminals, including pedophiles, terrorists and sex traffickers. It is also used to help exonerate the innocent and identify the victims of crimes, including child sex abuse and financial fraud.”¹

More than 600 law enforcement agencies in Europe, the United States and Canada used Clearview AI technology in 2019.²

In October of 2019 members from Sex Crimes – Child Exploitation Section (CES) attended a conference in the Netherlands where Clearview AI was showcased by the FBI and Homeland Security as an investigative tool. While in the Netherlands, CES members tested and utilized Clearview AI technology with respect to CES investigations.

Upon their return, CES members continued to use and evaluate Clearview AI to determine its value as an investigative tool. The Toronto Police Service has never purchased any Clearview AI licences, nor is there a Memorandum of Understanding between the TPS and Clearview AI Inc.

The initial Clearview AI evaluation phase was successful; various child exploitation investigations were advanced through the use of Clearview AI technology. As a result, CES showcased Clearview AI to additional specialized units during a case conference on December 11th, 2019. Investigators from Homicide, Financial Crimes, TDS and Intelligence Services (to name a few units) began accessing and uploading images into the application.

Within three and half months, 145 officers from the Toronto Police Service had either registered an account with Clearview AI, and/or uploaded an image(s) into the application. Of the 115 officers who conducted a search within Clearview AI (more than 2827 images were

¹ <https://clearview.ai/> (Retrieved 2020.03.09)

² <https://www.vox.com/recode/2020/2/11/21131991/clearview-ai-facial-recognition-database-law-enforcement> (Retrieved 2020.03.09)

uploaded), 81% of these officers were assigned to Detective Operations, while the remaining 19% were officers from the Field. The Top 3 Users Groups were from Sex Crimes, Homicide and Intelligence Services.

Of the 115 officers who uploaded an image into Clearview AI, 44% did so for an investigative purpose; 56% uploaded an image for testing/training purposes. None of the officers uploaded an image for a personal purpose.

Clearview AI technology was utilized in 89 different investigations, including homicides, attempted murders, robberies, sexual assault cases, child exploitation, human trafficking, gang-related investigations, firearms cases, frauds, drug cases and organized crime investigations.

Thirty percent (30%) of these investigations were substantiated and/or advanced through the use of Clearview AI technology. Two (2) cases are currently before the courts:

- [REDACTED]
- [REDACTED]

In total,

- 31% of all searches conducted in Clearview AI were to identify a suspect: 4 suspects were either identified, or their physical whereabouts was substantiated.
- 20% of all searches conducted in Clearview AI were to identify a victim: 12 victims were identified and/or rescued.
- 3% of all searches conducted in Clearview AI were to identify a witness: 2 witnesses were either identified, or their physical whereabouts was substantiated.

On February 5th, 2020 a directive was issued to all TPS members to cease and desist use of Clearview AI. On March 6th, 2020 the Office of the Chief issued a Routine Order prohibiting the use of any unapproved artificial intelligence, including Clearview AI.

A working-group was formed and tasked with analyzing the impact of Clearview AI on TPS investigations, assessing the value of Clearview AI as an investigative tool and considering best-practices moving forward with respect to the acquisition of technology.

This report contains a comprehensive analysis of Clearview AI use, and impact on TPS investigations. The report concludes with 8 Recommendations, that are intended to mitigate the risk associated to introducing new technology into the Toronto Police Service investigative process.

Clearview AI

What is Clearview AI?

Clearview Artificial Intelligence (Clearview AI) is a web based tool that functions as a search engine of publically available images that are extracted from the internet. Extracted images include non-private content from various social media sites, such as Facebook and Instagram. Clearview AI compiles the extracted images into a proprietary image database. Account holders up-load images into the lookup server, which are then compared to the proprietary database. In combination with the company's recognition technology, results are produced indicating the degree of similarity between images, and then provided back to the account holder. The platform can be used on a desktop computer, as well as an iPhone or Android cellphone via their mobile App.

Clearview AI Website

Clearview AI is marketed as complying with all levels of legislation and provides consumer confidence by claiming that private information is protected. The following statement of facts appears on the Clearview AI website:

*"It does not and cannot search any private or protected information, including in your private social media accounts. Clearview is an after-the-fact research tool. Clearview is not a surveillance system and is not built like one. When using Clearview, a user uploads an image and compares them to publically available images. Clearview results legally require follow-up investigation and confirmation. Clearview was designed and independently verified to comply with all federal, state and local laws (USA)."*³

Clearview AI Official Disclaimer

The following disclaimer is only available to registered Clearview AI account holders, and only upon request:

"Search Results established through Clearview AI and its related systems and technologies are indicative and not definitive. Clearview AI Inc. makes no guarantees as to the accuracy of its search-identification software. Law enforcement professionals MUST conduct further research in order to verify identifies or other data generated by the Clearview AI system. Clearview AI is neither designed nor intended to be used as a single-sourced system for establishing the identity

³ <https://clearview.ai/> (Retrieved 2020.03.01)

of an individual. Furthermore, Clearview AI is neither designed nor intended to be used as evidence in a court of law.”⁴

Who is this product available to?

Clearview AI technology available to the following industry clients:

- Government organizations engaging in law enforcement activities, such as a police department, federal agency, national agency, or state government department, or employed in anti-fraud or loss-prevention role by a financial institution or retailer.
- Users who are not law enforcement or security professionals may access and use the Services if the User obtains express, written consent from an authorized representative of Clearview in advance.
- Most users are geographically located in the United States.⁵

How are images stored in Clearview AI?

Clearview AI advises that the images that users upload to their system are private and never stored in their proprietary database. They ensure this by creating totally separate servers to house the images that are uploaded to their platform and separate folders for each user.

What does Clearview AI do with the images that are uploaded to their system?

Accordingly to Clearview AI the platform has two (2) servers:

1. A **lookup server** where probe images are saved, and
2. A **proprietary database server**, which houses images that have been scraped from publically available sources on the internet, along with data sourcing where those images were located.

Lookup Server: The images that a user uploads are stored on Clearview AI’s lookup server. The images do not get added to the proprietary database server and do not become part of the Clearview Face Library. The images remain on the lookup server until the user deletes their search, which will result in the image being removed permanently from the Clearview AI’s look-up server. Users have the option of leaving their probe images on the Look-up Server so that they can receive an alert should Clearview scrape a new publically available image that matches the probe image.

⁴ Jessica Medeiros Garrison (Clearview AI), 2019.10.29

⁵ https://staticfiles.clearview.ai/terms_of_service.html (Retrieved 2020.02.10)

Proprietary Database Server: Clearview AI claims that all images housed in their proprietary database server are obtained from open source websites only.

When users conduct a query they are provided with a series of images (potential matches) that are ranked in order of closeness (according to the software), as well as the source location on the internet where the resulting match was located. These search results are provided only to the requesting investigator. They are not shared with other Clearview AI users. Users must then conduct further investigation using other means to verify the search results.

Clearview AI claims that the company does not share images with third-parties. However, by accessing the Service, users agree and consent to the sharing of certain types of personal data with third-parties. Below is an excerpt from the Clearview AI Inc. Terms of Service:

6. Collection and Sharing of Data

1. By accessing and using the Service, Users affirmatively consent and allow CV to collect several types of information for our business operations, including:
 - At the time of account creation: name, rank/title, contact information and employer.
 - During usage of the Service: Usage details including IP address, browser information, location data, search history within the Services, and login history.
- b. By accessing and using the Service, Users agree and consent to the sharing of certain types of personal data with third parties. Specifically, users consent to:
 - Sharing their name, title, contact information and email messages to CV and CV employees with a third-party provider of customer relationship management tools
 - Sharing their name and email address with a third party provider of email tools
 - Such disclosure of personal data as may be required by laws and regulations⁶

Limitations of Clearview AI –Potential Causes for Reduced Accuracy

A number of factors will impact the accuracy of results, which can include the following:

- Low resolution probe images
- Image and video “noise” in probe images
- Poor lighting conditions in probe images
- High camera pitch angle probe images

Exemptions Applied:
NR

⁶ https://staticfiles.clearview.ai/terms_of_service.html (Retrieved 2020.02.10).

- Monitor screen artifacts in probe images
- Ancillary/background features on probe images
- Hat, glasses and other face-covering objects

Clearview and Court Proceedings

Clearview AI Inc. explicitly states that the company's role is to provide law enforcement with a tool for investigations. Clearview AI claims it is the responsibility of the investigator to confirm, through other investigative means, the results produced by Clearview AI. Simply stated, Clearview AI employees will not attend court to testify about how their proprietary system works and cannot verify the accuracy of their results.

Freedom of Information Requests & Clearview AI

Consultations have been held between the working group and internal Toronto Police Service stakeholders, including Legal Services and IAS – Freedom of Information. It has been suggested that under the Ontario Municipal Freedom of Information and Protection of Privacy Act, the following section applies to requests involving investigations utilizing search results from Clearview AI:

Law Enforcement

Section 8 (1), a head may refuse to disclose a record if the disclosure could reasonably be expected to,

- (a) interfere with a law enforcement matter,
- (c) reveal investigative techniques and procedures currently in use or likely to be used in law enforcement,
- (g) interfere with the gathering of or reveal law intelligence information respecting organizations or persons;

Refusal to confirm or deny existence of record

Section (3), a head may refuse to confirm or deny the existence of a record to which subsection (1) or (2) applies. R.S.O. 1990, C.M.56, Sec. 8(3)⁷

Canadian Law Enforcement & Clearview AI

Does Clearview AI have a Canadian presence?

The company does not operate in Canada, under any formal agreement or Memorandum of Understanding, but Clearview has end users in Canada.

⁷ <https://www.ontario.ca/law/statute/90m56>

Are any other Canadian Law Enforcement Agencies using Clearview AI?

Numerous municipal-level law enforcement agencies in British Columbia, Alberta, Ontario and Quebec have formally confirmed using Clearview AI technology in various investigations.⁸

The following Canadian law enforcement agencies have publically commented on their use of Clearview AI technology:

- Royal Canadian Mounted Police
- Vancouver Police Department
- Ontario Provincial Police

Exemptions Applied:
7(1), 9(1)(d), 12

Toronto Police Service & External Consultations

On January 30th, 2020 Detective Sergeant Paul Krawczyk and Detective Constable Amy Davey of the Toronto Police Service Sex Crimes Unit – Child Exploitation Section met with the Provincial Crown Coordinator of the Provincial Strategy to Combat Internet Crimes Against Children, from the Office of the Attorney General – Crown Criminal Law (720 Bay Street, Toronto). [REDACTED]

[REDACTED]

[REDACTED]

On Friday February 21st, 2020 Marianne Wright (Legal Services), Superintendent Pauline Gray and Detective Sergeant Paul Krawczyk (Detective Operations) met with members from the Ontario Privacy Commission. [REDACTED]

[REDACTED]

⁸ <https://www.thestar.com/news/canada/2020/03/01/opp-confirms-use-of-controversial-facial-recognition-tool-clearview-ai.html> (Retrieved 2020.03.06)

Superintendent Gray has additionally consulted with the U.S. Department of Homeland Security (DHS). [REDACTED]

Toronto Police Service & Internal Stakeholder Consultations

The following key internal stakeholders have been consulted with and engaged by members from Intelligence Services and Sex Crimes (working group) in discussions regarding Clearview AI:

- Legal Services
- Strategy Management
- Information Security – Risk Management
- Governance – Risk Management
- Information Technology Services

Exemptions Applied:
7(1), 9(1)(d), 12

Future discussions regarding the use of recognition technology would expand to involve the working group, the initial stakeholders and additional key stakeholders from the Toronto Police College and subunits under Information Technology Services and Finance & Business Management.

Toronto Police Service & Clearview AI Use

Timeline: from Background to Introduction & Use to Suspension

May 2019

Chief Saunders provides a report to the Police Services Board outlining the use of approved facial recognition technology that is being used to compare images of potential suspects captured on public or private cameras to the Service's internal database of approximately 1.5 million arrest photos.⁹ The report also confirms that a Request for Proposal (R.F.P.) was issued by the Service in 2017 and that grant funding through the Policing Effectiveness and Modernization (P.E.M.) was allotted towards the purchasing and implementation of the facial recognition System (F.R.S.), developed by NEC Corporation of America.¹⁰ The Service

⁹ <http://www.tpsb.ca/component/jdownloads/send/54-2019/613-may-30>, pages 279-282

¹⁰ <http://www.tpsb.ca/component/jdownloads/send/54-2019/613-may-30>, page 279

conducted a Privacy Impact Assessment for the technology in 2017, and the system is only used in criminal investigations, and the only officers with access to it are six (6) FBI-trained personnel. No other databases besides lawfully obtained arrest photos are used for comparison.¹¹

The Chief further updates the media near the end of May 2019 with respect to the Service's use of facial recognition technology. Since the system was purchased in March 2018 — at a cost \$451,718 plus annual maintenance and support fees — officers have conducted 2,591 facial recognition searches. The system was able to generate potential mugshot matches for about 60% of all searches and approximately 80% of those matches led to the identification of criminal offenders. Numerous investigations were successfully concluded due to the information provided to investigators, including four homicides, multiple sexual assaults, a large number of armed robberies and numerous shooting and gang related crimes.¹²

October 14th to 25th, 2019

Members of the Toronto Police Service were first introduced to Clearview AI during a Victim Identification Task Force meeting in the Netherlands, from October 14th to 25th, 2019.

Detective Constable Davey from the Child Exploitation Section of Sex Crimes was privy to a presentation during which time, U.S Homeland Security and the FBI showcased Clearview AI technology as an investigative tool that may assist in identifying exploited children on the internet. While working with the Task Force, D/C Davey utilized Clearview AI technology in regards to the actual TPS investigations (not case studies). Various child exploitation investigations were found to be advanced through the use of Clearview AI.

October 29th, 2019

A “free” trial of Clearview AI was made available to TPS - CES members shortly after D/C Davey returned from the Netherlands. ***It should be noted that the Service has never purchased any Clearview AI licences.*** After initially testing Clearview AI and having found the technology to advance various child exploitation investigations, on October 29th, 2019 D/C Davey notified Intelligence Services – C3 and provided background on the successful uses thus far. By October 31st, 2019 C3 members begin to use and evaluate Clearview AI. The official mission statement of C3 includes the following: “the coordinated cyber centre section of intelligence services is dedicated to providing on-line investigative support to all members of the Toronto Police Service by using innovative technology while guided by service governance, federal, provincial and municipal law.” It should be noted that the first officers to utilize the software are

¹¹ <https://www.thestar.com/news/gta/2019/05/28/toronto-police-chief-releases-report-on-use-of-facial-recognition-technology.html>

¹² <https://www.thestar.com/news/gta/2019/05/28/toronto-police-chief-releases-report-on-use-of-facial-recognition-technology.html>

considered advanced in on-line investigations (members from CES and Intelligence Services – C3).

Exemptions Applied:
7(1), 9(1)(d), 12

October 29th to 31st, 2019

Between October 29th and October 31st, 2019 further information is requested from Clearview AI Inc. Recognizing the potential value of the Clearview AI application, correspondence between TPS – CES and Clearview AI Inc. occurs and numerous documents, including an accuracy test, legal verification, testimonials and pricing options were forwarded to D/C Davey, which were then shared with Supervisors from CES [REDACTED]

December 4th & 5th, 2019

D/C Davey presents at the Provincial Strategy Conference on Internet Child Exploitation. Topics include the dark web and victim identification; Clearview AI is showcased to a group of investigators, as well as the organizers of the Conference. General feedback regarding Clearview AI as an investigative tool is positive.

Exemptions Applied:
NR

December 11th, 2019

D/C Davey is invited to showcase Clearview AI to investigators from Sex Crimes, Homicide and Financial Crimes at an internal case conference. Approximately 100 people are in attendance. TPS accounts registered with Clearview AI Inc. increase significantly after this conference.

Mid December 2019 to January 17th, 2020

Members from CES and C3 continue to use and evaluate Clearview AI. Feedback from various investigators assigned to Detective Operations who have utilized Clearview AI technology is positive: the third homicide of the year is advanced through the use of Clearview AI and an arrest is made.

January 30th, 2020

Media reports questioning the legality of Clearview AI's powerful facial-recognition software started to surface in Canadian media by mid-January 2020.

CES consults with Clearview AI and requests that all probe images that are uploaded to Clearview AI by any TPS account holder and the subsequent search results are purged within 24 hours of a query. Clearview AI verbally complies with this request.

D/S Krawczyk and D/C Davey meet with Crown Attorneys from the Provincial Strategy to Combat Internet Crimes against Children. [REDACTED]

[REDACTED]

February 4th, 2020

Deputy Ramer (Specialized Operations Command) and Command officers are advised of the use of Clearview AI technology at a Bi-Weekly management meeting.

February 5th, 2020

Chief Saunders is informed of the use of Clearview AI. The Office of the Chief issues an immediate Cease & Desist order to all current users of Clearview AI. Clearview AI Inc. is advised; the Toronto Police Service (CES) confirms with Clearview AI Inc. that TPS account holders will not be able to access previous search history or results if logging on again.

February 6th, 2020

An internal investigation begins. Results to be collated and analyzed. A report to Command commences.

February 7th, 2020

An initial series of emails are sent by the working group to members within the Service who utilized Clearview AI.

February 21st, 2020

Legal Counsel Marianne Wright, Superintendent Gray, D/S Krawczyk and D/C Davey meet with Legal Counsel Stephen McCammon of the Office of the Information and Privacy Commissioner of Ontario.

February 26th, 2020

Clearview AI Inc. releases a statement to the media stating that their system has been hacked and the company's entire client list has been stolen.¹³ In a statement, Clearview AI's attorney Tor Ekeland claims that the unspecified flaw has been patched and that the company's servers were never accessed.¹⁴

The Service becomes aware of 9 officers who accessed and/or loaded images into Clearview AI *post* February 5th. It is determined that there are no instances of willful non-compliance and/or officers advise they were unaware of the directive issued by Command.

March 6th, 2020

The Office of the Chief issues a Routine Order (2020.03.06-0189) prohibiting the use of any artificial intelligence, including Clearview AI. This direction does not apply to any processes that have already been approved by the Board and the Service. Professional Standards Unit shall be

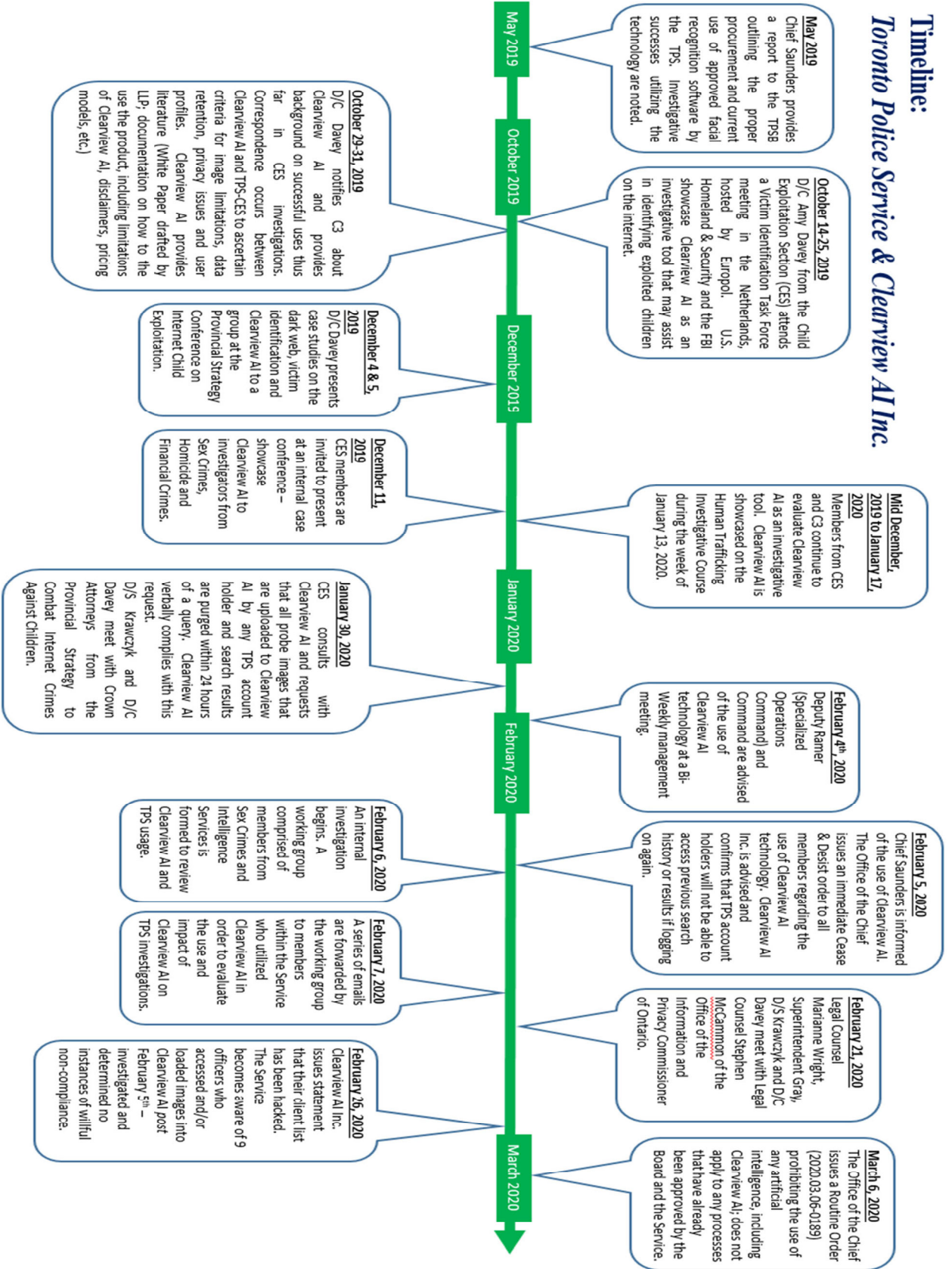
¹³ <https://www.cnn.com/2020/02/26/tech/clearview-ai-hack/index.html>

¹⁴ <https://www.cnn.com/2020/02/26/tech/clearview-ai-hack/index.html>

notified, and commence an immediate investigation of any incidents involving the use of any artificial intelligence, including Clearview AI.

Please refer to the following page for a pictorial representation of the timeline:

Timeline: Toronto Police Service & Clearview AI Inc.



Subsequently, a series of questions were developed to further ascertain how the product was used.

Series of Questions

After the first series of questions, it was evident that based on members' responses to the preliminary directive, coupled with the full list of officers from Clearview AI, a methodical and comprehensive survey would need to occur in order to best understand the impact of Clearview AI technology on the Service.

What followed was a systematic and methodical survey of users. A series of three (3) groups of questions were disseminated to TPS Clearview AI users:

Group #1

Sent February 16th 2020

1. How many times did the use of Clearview AI advance an investigation?
2. In the cases that were advanced, did you make notes?

Group #2

Sent February 21st, 2020

1. The type of Investigation in which Clearview AI was used? (i.e. sexual assault, homicide, frauds, robbery, gang-related, child exploitation, for intelligence purposes, etc.)
2. What type of images were uploaded to Clearview AI? (i.e. image provided by family member of missing person, open source image, child sexual abuse images, cropped, etc.)
3. a) How many of your searches were conducted in order to identify a suspect?
b) Of these, how many were substantiated/led to an arrest?
4. a) How many of your searches were conducted in order to identify a victim?
b) Of these, how many were substantiated/led to an arrest?
5. a) How many of your searches were conducted in order to identify a witness?
b) Of these, how many were substantiated/led to an arrest?
6. Did you screen capture the search results from Clearview AI?
7. How many cases were brought before the court based (at least in part) on evidence generated through use of Clearview AI?

Group #3

Sent March 1st, 2020

1. Were any of your searches conducted in Clearview AI done so for a personal purpose?

Sent March 2nd, 2020

2. Please provide details on how Clearview AI advanced your investigation? Or a substantive change in the investigation.
3. Were there any investigations involving a) arrests, &/or b) ITO's, where the information obtained using Clearview AI was a contributing factor?
4. Of the 20 officers who stated that Clearview AI advanced their investigations, 5 officers did not make notes. Can you please provide details as to why you did not make notes?
5. Notes from the remaining 15 officers (observed only).

Although somewhat similar in nature, inquiries were made by different stakeholders; therefore, in order to accurately reflect the intention of the requesting stakeholder, questions were drafted and approved before dissemination. It should also be noted that the pool of users decreased at every phase of the inquiry, due to the increasing focus of the questions and responses.

Methodology, Analysis & Findings

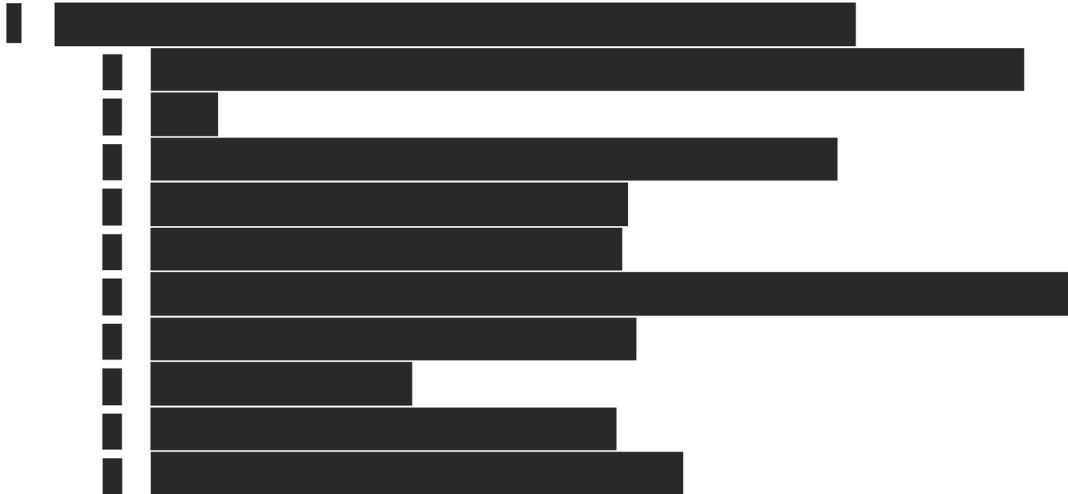
In order to maintain consistency and accountability the Investigative Analyst from Sex Crimes & Homicide was assigned the task of corresponding, collecting and analyzing all responses from TPS members who had an account with Clearview AI. The full collection of responses from members has been organized into excel spreadsheets according to the group of questions [REDACTED]. Based on the responses received from individual members and an analysis of these collective responses, the following results and findings are noted:

- As of February 7th, 2020 the list provided by Clearview AI Inc. to the Toronto Police Service indicated that 145 sworn members had created accounts within the Clearview AI application.
- Members created accounts using TPS email addresses in both name and badge formats (for example, John.Smith@torontopolice.on.ca and b12345@torontopolice.on.ca). It was determined that one (1) officer had created accounts using both email address options (a duplication). Therefore, the true number of TPS members with Clearview AI accounts was actually 144.
- 29 officers simply created accounts and did not initiate any further activity within the application. These officers were removed from the pool of members to undergo further questioning and/or analysis.
- A total of 2827 searches were conducted in Clearview AI by TPS officers.

Exemptions Applied:
NR

- 115 officers uploaded images into Clearview and conducted searches within the application.
- The following chart indicates the units that the 115 officers were assigned to at the time their Clearview AI accounts were created:
 - 81% of these officers (or 93 officers) were assigned to a unit under Detective Operations
 - The remaining 19% (or 22 officers) were assigned to units under Communities & Neighbourhoods Command or Priority Response Command (the field).
 - The Top 3 Highest User Groups were from:
 - Sex Crimes (35 officers or 30%)
 - Homicide (26 officers or 23%)
 - Intelligence Services (14 officers or 12%)

Assignment/Unit/Position	Count of Officer
D11 - Field Intelligence Officer	1
D14 - CIB	3
D22 - MCU	1
D23 - CIB	2
D23 - PRU	3
D31 - CRU	1
D33 - MCU	1
D41 - CRU	1
D41 - MCU	2
D51 - CIB	1
D51 - Family Violence	1
D51 - Field Intelligence Officer	1
D51 - MCU	1
D55 - CIB	2
D55 - PRU	1
Frauds	4
Hold-Up	3
Homicide	26
Intelligence Services	14
INV - Investigations	1
Organized Crime - G&G	1
PAR - Fugitive	1
Sex Crimes	35
SIS	1
TDS	7
Grand Total	115



- Of the 115 officers who uploaded an image(s) into Clearview AI, 51 members (or 44%) did so for an investigative purpose.
- The remaining 64 officers (or 56%) uploaded an image(s) for testing/training purposes.
- 100% of all officers questioned indicated that they did not utilize Clearview AI technology for a personal purpose (2 officers were unavailable – out of the country – and could not respond to this question).
- The 51 members who used Clearview AI technology for investigative purposes did so in regards to 84 different criminal investigations.
- The types of criminal investigations for which members utilized Clearview AI were:
 - Assault investigations
 - Attempted Murder
 - Break & Enters
 - Child Exploitation/Child Pornography investigations
 - Drug-related & Drug Trafficking investigations
 - Firearms-related investigations
 - Fraud-related offences
 - Gang-related investigations
 - Homicide investigations
 - Human Trafficking
 - Kidnappings
 - Missing Persons cases
 - Organized Crimes investigations
 - Robberies

Exemptions Applied:
8(1)(c)

Exemptions Applied:
8(1)(g)

- Sexual Assault investigations
- Suspicious Communications investigations
- Wanted Persons

[Redacted text block]

[Redacted text block]

Exemptions Applied:
8(1)(c)

Exemptions Applied:
8(1)(g)

[Redacted text block]

- Of the 84 investigations for which a search was conducted, 30% of these investigations were advanced through the use of Clearview AI (25 out of 84 investigations):
 - Approximately 888 searches were conducted in order to identify a suspect.

Exemptions Applied:
NR

[Redacted text block]

Exemptions Applied:
NR

- Approximately 558 searches were conducted in order to identify a victim.
 - 10 victims of child sexual abuse were identified
 - 1 victim of self-exploitation was identified
 - 1 victim of human trafficking

(Although Clearview AI technology advanced these investigations, all of these cases were ultimately determined to have occurred in other jurisdictions).
- Approximately 93 searches were conducted in order to identify a witness.
 - 1 search substantiated that a witness in a homicide investigation was overseas in Nigeria. As a result, an alert was placed on his Canadian Passport and his potential return to Toronto through Pearson Airport.
 - 1 witness was identified by TPS –CES investigators in regards to a child sexual abuse investigation; the file was turned over to the agency having jurisdiction.
- Therefore, of the total 2827 searches that were conducted in Clearview AI by TPS officers:
 - 31% were to identify a suspect
 - 20% were to identify a victim
 - 3% were to identify a witness
 - Indicating that approximately 54% of all searches were conducted for an investigative purpose.¹⁵
- INTERPOL Child Sexual Exploitation (ICSE): Clearview AI technology assisted in identifying 2 victims of child exploitation. Although arrests had already been made in these cases, the illegal material (series) has not been linked on the INTERPOL Child Sexual Exploitation (ICSE) database. Utilizing Clearview AI allowed the investigator to ensure that all of the illegal material was uploaded to ICSE and marked as identified.
- Screen captures were completed in 2 different investigations:
 - 1 Homicide investigation,

¹⁵ Disclaimer: 1 search = 1 image uploaded to Clearview AI (as per https://staticfiles.clearview.ai/terms_of_service.html :Retrieved 2020.02.10)

- 1 Child Exploitation investigation.
 Otherwise, as per Clearview AI, search results have been purged.

Exemptions Applied:
NR

- How many cases were brought before the court based (at least in part) on evidence generated through use of Clearview AI?
 - 2 cases have been brought before the Courts:

- [REDACTED]
 - [REDACTED]

[REDACTED]

- Of the 25 investigations that were advanced as a result of Clearview AI, a total of 20 officers were assigned to these cases. All of the 25 officers made notations regarding the use of Clearview AI in their investigations (therefore, a 100% compliance rate). These notes have been physically observed by members of the working group and/or the members' supervisor.

Conclusion

In conclusion, the Toronto Police Service has suspended all use of Clearview AI technology until such a time as a full investigation can be conducted into the company's policies and practices. A comprehensive analysis of members' use has yielded an extensive catalogue that will inform future investigative best-practices and procedures. Additionally, the analysis substantiates a low level of risk assumed thus far with respect to TPS criminal investigations and the use of Clearview AI technology. Lastly, initial consultative work with both the Office of the Attorney General and the Ontario Privacy Commission has established a benchmark from which to continue a productive working partnership.

The following Recommendations are submitted to corroborate and support the findings and conclusion of this report.

Observations & Recommendations

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Exemptions Applied:
7(1)

¹⁶ <http://thephix.prd.tps/Pages/home.aspx>

[REDACTED]

[REDACTED]

[REDACTED]

Exemptions Applied:
7(1)