

DISCLOSURE CHECKLIST:

Preliminary Questions:

Was a police officer involved in your case? If so, there should be police officer notes.

Was there a second officer involved when you were pulled over, even if this individual was in the background? If so, you are entitled to his name and badge number.

Are there any witnesses? If so, you are entitled to their full names and last known contact information. Witness information is especially pertinent in a careless driving case.

Was a police vehicle involved in your case? If so, you are entitled to a DVD containing video from the dashcam depicting the alleged offence and your interactions with the officer after you were pulled over.

Is this a speeding case? If so, you are entitled to several pieces of information regarding the speed-measuring device used and the user manual. You are also entitled to access to the user manual.

General Questions Regarding Your Disclosure Package:

Are there any blank pages suggesting one or more pages in the disclosure package have been left out?

Are there any deficiencies in the photocopying? Are any photocopied pages cut off, incomplete, illegible, skewed, etc.?

Is there any documentation in the package which seems out of place or was provided to you in error?

Are there any documents which refer to the existence of other documents which have not yet been provided to you?

Officer's Notes:

Do the notes disclosed definitely apply to your case?

Are the notes handwritten or typed?

If the notes are handwritten, are they legible?

If any notes are illegible, have translations of those notes been provided to you?

Do the notes contain any acronyms, abbreviations, codes or uncommon police jargon?

Have those acronyms been translated to you in plain English?

Do the notes seem complete?

Is it possible that a preceding page or subsequent page in the notes has been left out?

Were the police notes photocopied properly? Are any photocopied pages cut off, incomplete, illegible, skewed, etc.?

Have any blank pages or additional pages in the notes been provided which seem out of place?

Did the officer draft notes on the Certificate of Offence itself? Sometimes an officer will write notes on a Certificate of Offence.

Certificate of Offence:

Were you provided with a date-stamped copy of the Certificate of Offence proving it was filed within 7 days?

Video Evidence:

What type of police vehicle was involved in pulling you over?

Have you been provided with a DVD prepared by the Toronto Police Service?

Do you have the technology to play the DVD?

Do you have access to a computer that can play the DVD?

If you were not able to play the DVD, what efforts did you undertake to try to play it?

Were you provided with any instructions on how to play the DVD?

Were you provided with any information on who to contact to play the DVD?

If you were able to play the DVD, did the video depict everything relevant in your estimation?

Did the video depict your alleged driving offence?

Did the video depict your dealings with the officer afterwards?

Do you have your own recording of the event on your own dash cam, cell phone, etc.?

Is there anything you recorded that suggests that the Toronto Police Service didn't provide you with a complete video?

When you played the DVD, was there any audio that could be heard?

Was the audio muffled or cut off at any point?

Speeding Ticket:

Documentation and Information You Are Entitled to Receive

The speed-measuring device's test logs (if they exist)

Notations describing before- and after-testing of the speed-measuring device

Particulars of the speed-measuring device, including serial number, make, model and year of manufacture

Particulars of the user manual, including its title, date, version and name of the author

The protocol about how to arrange a meeting with the Toronto Prosecutors' Office to review the manual

Additional Documents You May Receive

The full user manual

Excerpts from the manual describing testing procedures

The officer's training record or certificate of qualification specific to the speed-measuring device

Calibration and repair history for the speed-measuring device

Information regarding the last speed violation written before the offence

Software records

Information on the settings the device was in at the time of the offence

McNeil Report:

Did you locate any report online about your officer suggesting that he was the subject of a criminal charge or disciplinary proceedings?

If so, did you write the Toronto Prosecutors' Office notifying them of the information you found?

Have you received a McNeil Report from the prosecution?