Report to / Rapport au:

OTTAWA POLICE SERVICE BOARD
COMMISSION DE SERVICE DE POLICE D'OTTAWA

24 June 2024 / 24 juin 2024

Submitted by / Soumis par:
Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

Contact Person / Personne resource:
David Zackrias, Superintendent of Respect, Values, and Inclusion
ZackriasD@ottawapolice.ca

SUBJECT: 1O-YEAR TRAFFIC STOP RACE DATA COLLECTION REPORT

OBJET: RAPPORT SUR LA COLLECTE DE DONNÉES FONDÉES SUR LA RACE AUX CONTRÔLES ROUTIERS SUR 10 ANS

REPORT RECOMMENDATIONS

That the Ottawa Police Service Board receive this report for information.

RECOMMANDATIONS DU RAPPORT

Que la Commission de service de police d'Ottawa prenne connaissance du présent rapport à titre d'information.

BACKGROUND

As a result of an agreement between the Ontario Human Rights Commission (OHRC) and the Ottawa Police Service Board (Board) signed in April 2012, the Ottawa Police Service (OPS) undertook the largest race-based data collection project in Canadian policing. Called the Traffic Stop Race Data Collection Project (TSRDCP) and built on significant community–police engagement, the project required Ottawa Police officers to record their perception of the driver's race, by observation only, for traffic stops over a two-year period from June 2013 to June 2015.
Dr. Lorne Foster and Dr. Les Jacobs, both leaders in social research from a public policy and human rights perspective, were engaged to work with OPS and community partners to develop the methodology, analyze the data, and report on the findings.

The initial TSRDCP Report and data were released at a joint press conference with the researchers in October 2016. A total of 81,902 traffic stop records were examined for the correlational study – each record includes data fields on race, sex, age, the reason for the traffic stop, and the outcome of the traffic stop. The analysis determined that individuals perceived to be from Middle Eastern and Black identity groups had disproportionately high incidents of traffic stops in comparison to corresponding population data. Middle Eastern drivers were stopped 3.3 times more than what would be expected based on city population data for the identity group, and Black drivers were stopped 2.3 times more than would be expected based on corresponding city population data.

The OHRC and the researchers agreed that the completed project exceeded the original requirements set out in the 2012 Minutes of Settlement, and the tribunal adjudicator made no further orders in his final decision on the matter. OPS also went beyond implementing the recommendations of the initial TSRDCP Report, including undertaking an organizational diversity audit and making a leadership and operational decision to continue collecting race-based data for traffic stops. Moving beyond a project approach to an operational one recognized the lived experiences of impacted communities and the importance of race-based data collection as a human rights tool needed to continue identifying, monitoring, and addressing systemic racism.

The second TSRDCP Report, released in November 2019, included traffic stop data from June 2015 to June 2018 and examined a total of 96,436 recorded traffic stops. While there were some positive findings and modest declines in disproportionate rates since the first report, the disproportionalities continued. The Ottawa Police Service Diversity Audit was released at the same time, which included over 90 recommendations. OPS committed to moving from recommendations to meaningful action by consulting the community to develop the organization's first strategic EDI Action Plan (2020 – 2022) in partnership with the Community Equity Council (CEC). The plan, focused on human rights organizational change, was foundational in supporting OPS's approach to effectively actioning change in several crucial areas, including service delivery.

Available online at ottawapolice.ca/edi, the Ottawa Police Service's 2023-2025 Diversity, Respect, Inclusion, Values, Equity, and Engagement (DRIVE2) Strategy continues to support recommendations stemming from the TSRDCP reports and the Diversity Audit by focusing on over 30 action items, including the development of a race and identity-based strategy, launching a Use of Force Community Review Panel, reviewing the Racial Profiling Policy, delivering anti-racism training, and releasing the 10-Year TSRDP Report.

DISCUSSION

The purpose of this report is to:
1. Provide an overview of the 10-Year Traffic Stop Race-Based Data Collection Program Report prepared by Dr. Foster and Dr. Jacobs;
2. Introduce a new OPS geospatial mapping tool that complements the 10-Year TSRDCP Report with visual mapping of the data sets, including additional data fields and benchmarks to allow for greater analysis at the neighbourhood level.
3. Acknowledge the findings of the 10-Year TSRDCP Report with a commitment to action that contributes to the Service's existing DRIVE[2] Strategy and anti-racism work, aligning with the Board's new strategic direction and focus on human rights.

Overview

Dr. Lorne Foster and Dr. Les Jacobs have been instrumental to the TSRDCP since the project began in 2013. They have worked closely with the Ottawa Police Service and community partners to co-design the Traffic Stop Race-Based Collection Project long before race and identity-based data collection became a legislated requirement in Ontario. As recognized provincial and national experts, they authored the two previous reports and prepared the latest 10-Year TSRDCP Report (See Document #1).

There has now been the continuous collection of race-based data for traffic stops by the OPS for more than ten years, making it the longest and most comprehensive race-based data collection project by a police service in Canada. The TSRDCP project focuses on five data fields collected by officers for each traffic stop: the perceived race of the driver, the sex of the driver, the age of the driver, the reason for the stop, and the outcome of the stop. The analysis is limited to drivers residing in the City of Ottawa, with complete entries for all five data fields. Officers also record if they knew the race of the driver before the decision to stop the vehicle or not. As experienced by community leaders on ride-a-longs with officers, officers often cannot see the race of the driver before the decision to stop the vehicle for most traffic stops due to several factors, including time of day, weather, and distance.

The race data categories utilized in this project were developed through consultation with communities and stakeholder groups. The seven race categories—Indigenous, White, Black, East Asian/South East Asian, South Asian, Middle Eastern, and Other Racialized Minorities—correspond to Statistics Canada's visible minorities typology. These race data categories are also consistent with Ontario's Anti-Racism Data Standard established by the 2017 Anti-Racism Act.

This third TSRDCP report provides a comprehensive ten-year analysis of 284,721 traffic stops from June 27, 2013, to June 30, 2023. The analysis examines three key question areas.

Incidence of Traffic Stops

The researchers' main question for this area of analysis is: Are there disproportionately high incidences of traffic stops for drivers of different race groups compared to their respective driver populations in Ottawa? While the high disproportionalities showed moderate decreases for Black and Middle Eastern drivers in the second TSRDCP Report, that positive trend did not continue in the third report. For 2023 traffic stops, drivers perceived to be Middle Eastern were stopped 2.9 times more than would be expected when compared to corresponding population data, and drivers perceived to be Black were stopped 2.6 times more than would be expected based on corresponding population data. The 10-Year TSRDCP Report shows some notable patterns and findings compared with the first two TSRDCP reports.

Drivers perceived to be Black experienced a significant decline in traffic stops, benchmarked against the 2018 traffic stop data, followed by a steady increase to 2023, with disproportionalities exceeding the findings of the first 2013-2015 Report. While data for drivers perceived to be Middle Eastern was similar, it reflects lower traffic stop levels than 2013 to 2018 data. As the researchers point out in the study and Diagram 1, entitled Traffic Stops Benchmarked to Population, 2013-2023 by Race Group, the overall picture does not show progress in reducing racial disproportionalities over the ten-year period.

Diagram 1
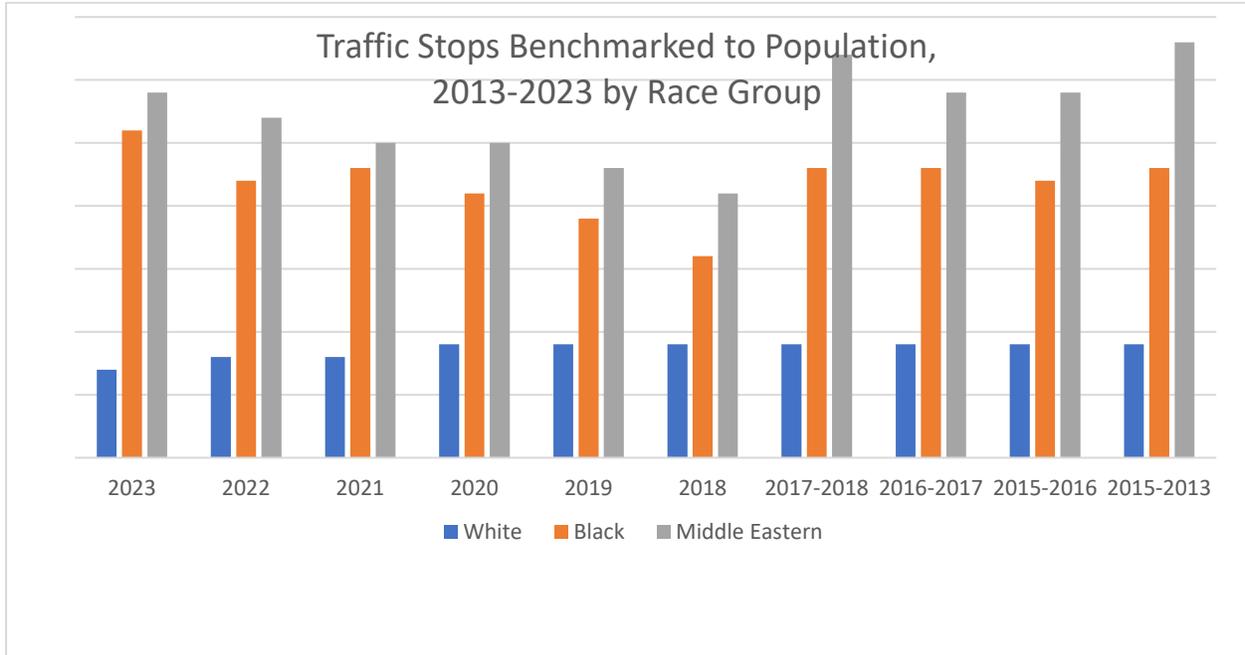
When examined by age sub-groups, there are some mixed results. Young male drivers aged 16-24 have experienced the highest levels of disproportionality; however, there is a clear pattern that there have been significant reductions in these disproportionalities since 2013. Drivers perceived to be Middle Eastern and Black in this age category are being stopped significantly less than they were ten years ago, but they are still being stopped more than would be expected based on corresponding city population data. The racial disproportionalities have been growing over the ten-year period for drivers perceived to be Black and Middle Eastern aged 25-54. Traffic stops of female drivers perceived to be Black or Middle Eastern in the 16-24 and 25-54 categories have almost completely disappeared over the last ten years.
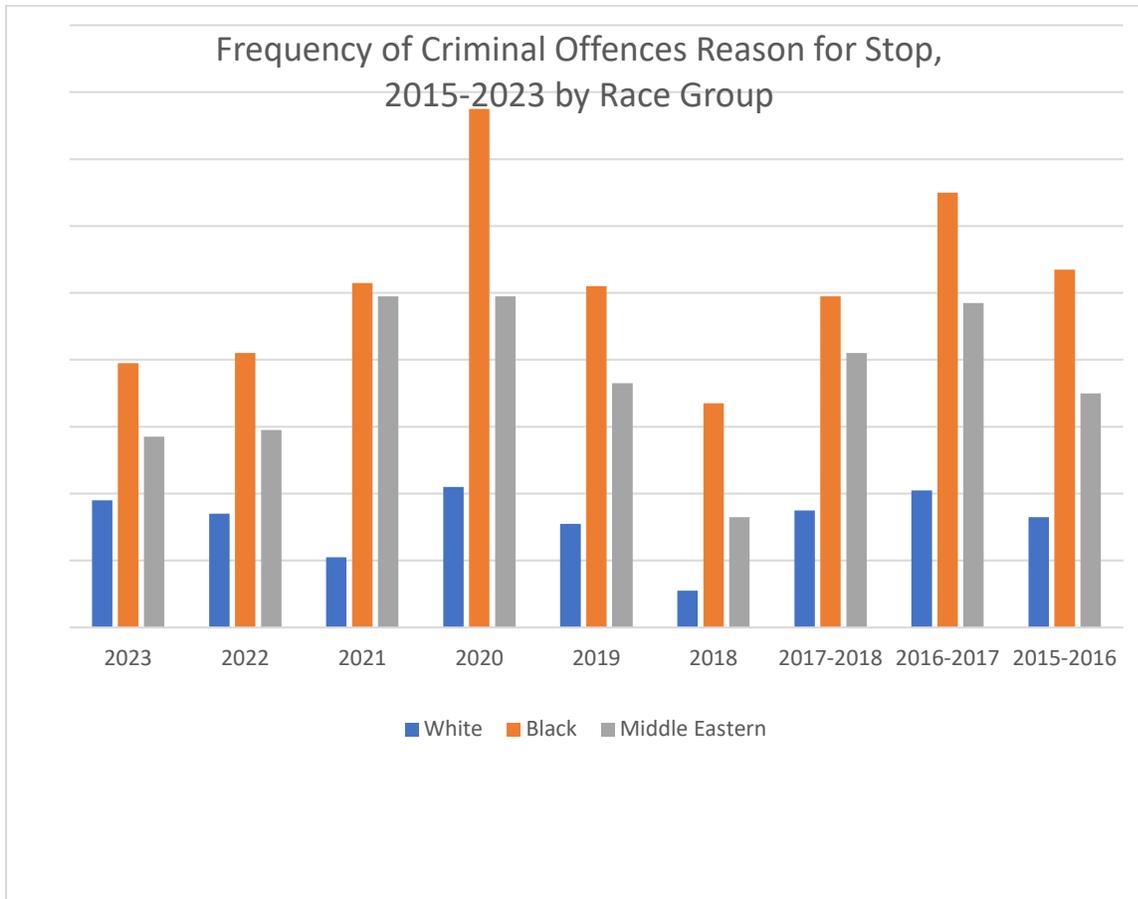
Reasons for Traffic Stops

The researchers also focused on analyzing the reasons for traffic stops to determine if racialized minority drivers experience disproportionately high incidents of specific reasons for traffic stops as compared with White drivers. Reasons for traffic stops include three major categories: criminal offences, provincial and municipal offences, and suspicious activity.

The 'Reasons for Stop' data shows that over 96% of traffic stops are for provincial offences and that, therefore, a very small number of traffic stop instances remain for criminal offences and suspicious activity. When looking for patterns in this data, the focus is on traffic stops of drivers perceived as White, Black, or Middle Eastern because there are large enough subsets of data to make reasonable inferences.

The researchers identified two notable patterns in the data sets that should be highlighted. DIAGRAM 5 below shows a much higher frequency of criminal offences being provided as the reason for stopping drivers perceived to be Black and Middle Eastern compared to drivers perceived to be White for the period from 2015-2023. In other words, when OPS officers stop a driver for criminal offences, it is much more likely that the driver is perceived to be Black or Middle Eastern than White.

Diagram 5

Frequency of Criminal Offences Reason for Stop, 2015-2023 by Race Group

■ White   ■ Black   ■ Middle Eastern

A similar pattern for suspicious activities as the reason for the traffic stop also exists, made visible in the Diagram below for the period from 2015-2023.

Diagram 6

Frequency of Suspicious Activity Reason for Stop, 2015-2023 by Race Group
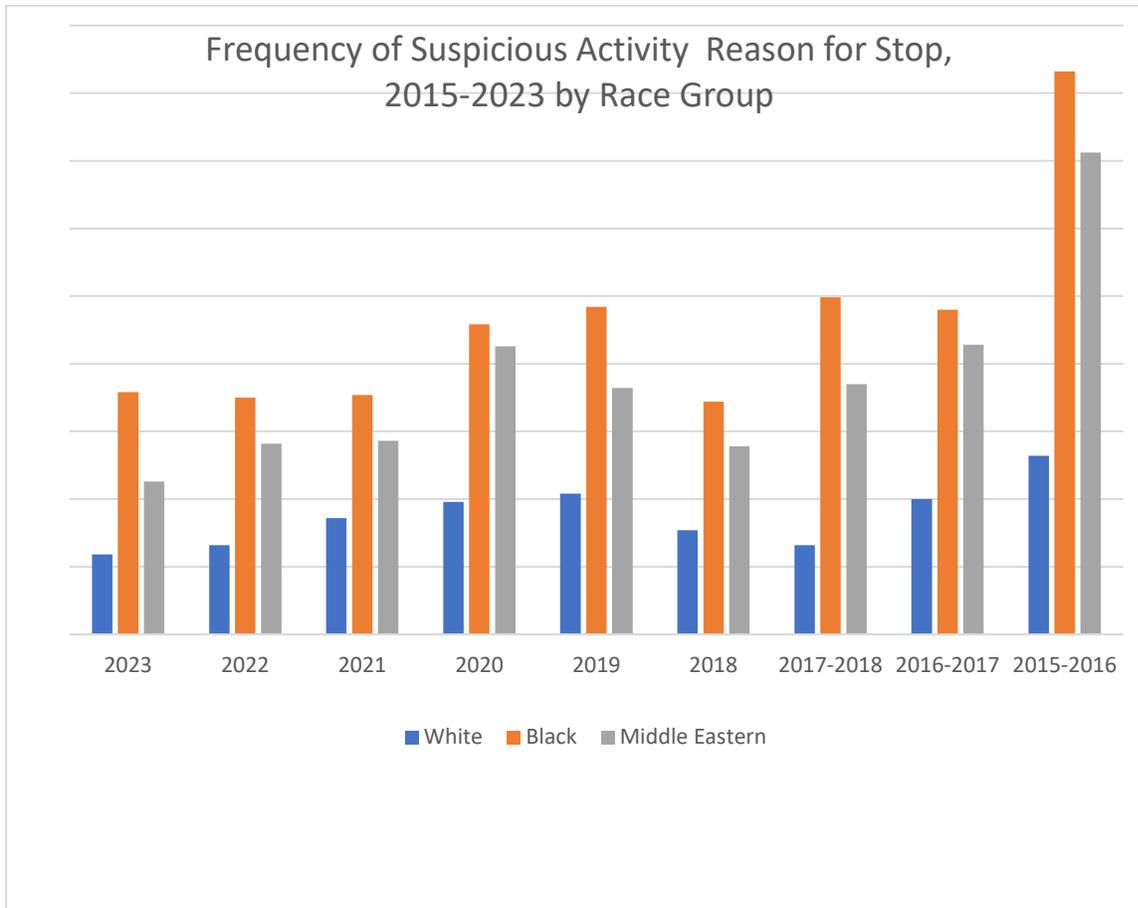
The consistent pattern over many years of much greater frequency of traffic stops of drivers perceived to be Black and Middle Eastern than drivers perceived to be White, for reasons of suspicious activity or criminal offences, raises basic questions about how racial profiling may be occurring in these traffic stops. These patterns will be linked to traffic stop outcomes later in the report.

Outcomes of Traffic Stops
For this section of the report, the researchers focused on the key question: Do racialized minority drivers experience disproportionately high incidences of specific outcomes for traffic stops when compared with White counterparts in Ottawa during the ten-year period from 2013-2023?
Outcomes of traffic stops include the following options.
- "Final (no action)" outcomes - Police officers did not give warnings or lay charges to the drivers after the traffic stops. No further action was taken by officers.
- "Warned" outcomes - Police officers gave verbal or written warnings to the drivers after the traffic stops.

- "Charged" outcomes - Police officers laid charges (such as speeding or distracted driving) to the drivers after the traffic stops.

With respect to traffic stops, being charged is considered more severe than being warned, which, in turn, is considered more severe than no action by police officers. The researchers' analysis of proportionalities is based on a comparison of the outcomes of traffic stops as experienced by drivers perceived to be from racialized minority population groups with drivers perceived to be White. The outcomes for drivers perceived to be White act as a benchmark to measure the extent of deviations of outcomes for drivers perceived to be from racialized minority population groups. When identifying patterns in ten years of data for reasons for traffic stops, DIAGRAM 5 and DIAGRAM 6 made visible the much higher frequency of suspicious activity and criminal offences traffic stops for drivers perceived to be Black or Middle Eastern.

The patterns can be linked to patterns in traffic stop outcomes for drivers perceived to be Black or Middle Eastern. There has been considerable variance each year in charges due to traffic stops. The overall surprising and consistent pattern in the TSRDCP data over the ten-year period from 2013-2023 is that drivers perceived to be White are the most likely to be charged, and drivers perceived to be Black are the least likely to be charged. DIAGRAM 7 below focuses on the charges rate for drivers perceived to be White, Black, or Middle Eastern.

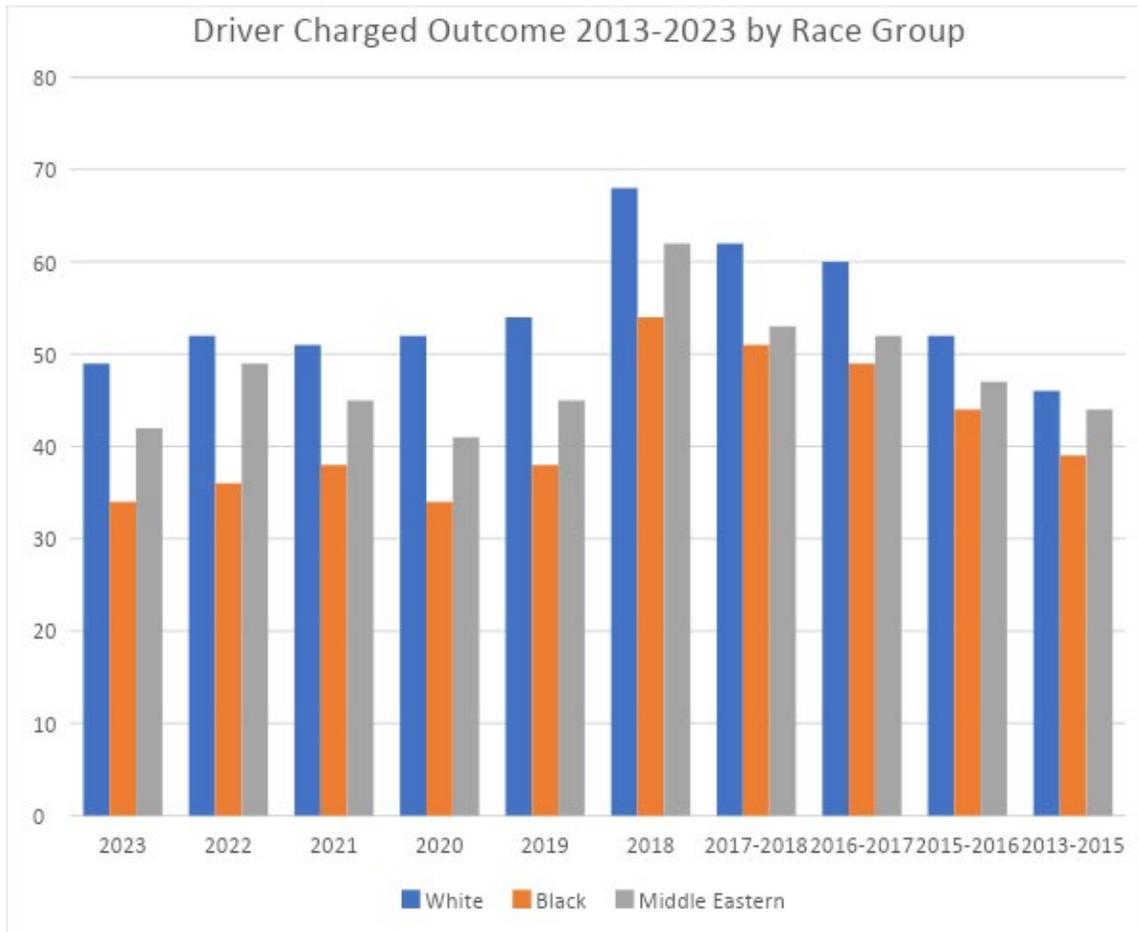Diagram 7

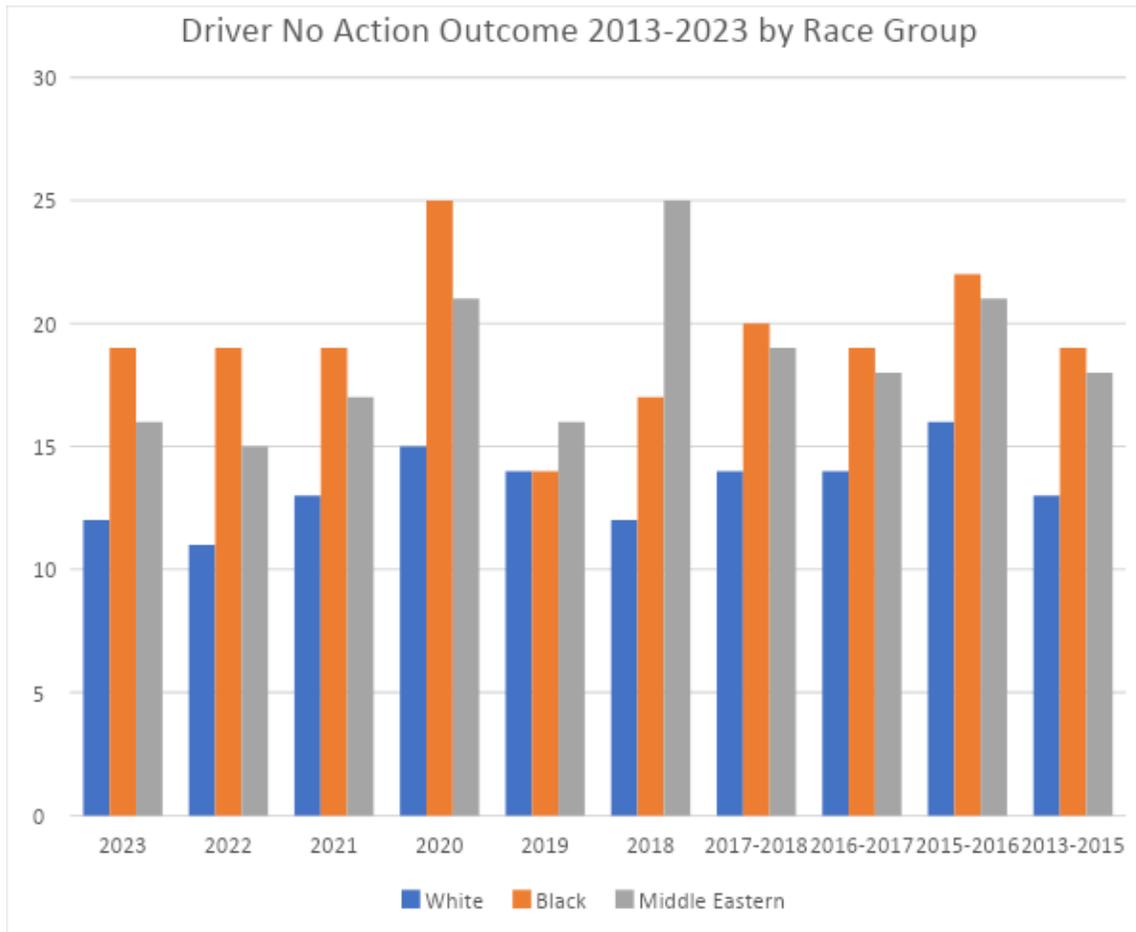Driver Charged Outcome 2013-2023 by Race Group

DIAGRAM 8 tells a similar story about 'no action' outcomes for drivers perceived to be Black, where consistently over the ten-year period drivers perceived to be Black were more likely to face 'no action' outcomes.

Diagram 8

Driver No Action Outcome 2013-2023 by Race Group

One possible explanation is that this is clear evidence that drivers perceived to be Black and Middle Eastern are treated fairly during traffic stops. Since individual officers have considerable discretion when choosing between charging and warning a driver during a traffic stop, officers might be said to treat drivers perceived to be White more harshly. In effect, from the perspective of measuring potential racial bias, drivers perceived to be Black may appear to have better outcomes than drivers perceived to be White.

The researchers suggest there is a more plausible explanation, supported by the patterns in the reasons for stop data noted in DIAGRAM 7 and DIAGRAM 8 above, which is that drivers perceived to be Black or Middle Eastern are more likely to be stopped for reasons of suspicious activity and criminal offences which may reflect racial bias. And when they are found to have done nothing wrong, they are released with 'no action'. Drivers perceived to be White appear not to be stopped because of potential racial bias, and so when they are stopped, they are more likely to be charged.

The researchers point out that this is a correlational study on the relationship between race, sex, age, and traffic stops in Ottawa. It does not directly address the issue of causality by explaining the relationships that underlie their reported racial disproportionalities. In the interest of fair and equitable policing needed for public trust, they urge the Ottawa Police Service to continue building on the foundational human rights work to date and take immediate action to reduce the disproportionalities noted.

New Geo-Spatial Mapping Tools for Traffic Stops

OPS is introducing a new geospatial mapping tool that complements the 10-Year TSRDCP Report with visual mapping of the data sets, including additional data fields and benchmarks to allow for greater analysis at the neighbourhood level. Police and community members have been asking for this greater level of detail to improve analysis and problem-solving of the traffic stop data. The first iteration will be available in time for the release of this report at the June Board meeting. It will include the traffic stop data and Census benchmarking at the neighbourhood level. The tool will continue to be improved upon with additional analysis fields and more benchmarks such as deployment patterns and collision points. This work will also be important for the next steps and action planning.

Acknowledgement and Commitment to Action

This ten-year report contains disappointing and difficult findings. As policing professionals, it is critical that we acknowledge the lived experiences of the communities we serve. We must continue developing partnerships for collective action so that we can confront bias and discrimination when we see it in our institutions, workplaces, and within ourselves.

As the researchers point out, OPS has done a lot of groundbreaking leadership work on our journey toward professional and equitable policing in partnership with the communities we serve. The Community Equity Council has been an important part of this journey, bringing foundational changes and improvements to policing. We are well positioned to build on our strengths and continue our work together for change.

TSRDCP Task Force to Lead 18-Month Action Plan:

Rather than have another set of recommendations to consider, the Ottawa Police Service is committed to immediate action. OPS collaborated with the researchers and members of the Community Equity Council to create an 18-month Task Force and Action Plan approach.

The Task Force and Action Plan will focus on working with police operations and district model teams to reduce the disproportionality in traffic stops by reviewing traffic stop

deployment, policy, and procedures and considering new research, outstanding past recommendations, the foundational work completed under the first EDI Action Plan, and the current action items underway in the OPS DRIVE2 Strategy 2023 - 2025.

The new district policing model is an opportunity to address the disproportionalities by closely examining our traffic stop deployment strategies, policies, and procedures, while focusing on enhancing community safety and building trust. We owe it to our officers and the communities we serve to continue addressing systemic issues in employment and in service delivery.

1. The OPS will assign resources to work with the Community Equity Council to launch a dedicated 18-month TSRDCP Task Force that is:
    a. Situated within the CEC committee model with police and community co-chairs, complete with a shared mandate and work plan;
    b. Comprised of police and community members with lived experience and expertise in several areas, including but not limited to traffic stop deployment and procedures, anti-racism, Race and Identity Based Data Collection (RIBD) strategy, data planning and analytics, and community engagement;
    c. Integrated into operations and the new district policing model with active participation from these two areas responsible for traffic stop strategy, decision-making, and operations;
    d. Focused on ensuring meaningful police and community engagement and regular communications; and,
    e. Required to provide regular updates through the DRIVE2 update reports to the Board with a final Task Force Report in Q1 2026.
2. The TSRDCP Task Force will focus on providing leadership advice, guidance, and support to the OPS in addressing the high disproportionalities in the traffic stop findings by:
    a. Immediately using an EDI lens and anti-racism approaches to review traffic stop deployment strategy with the project team responsible for implementing the new district policing model.
    b. Reviewing traffic stop policy, procedures, and training with relevant OPS sections and units within the first six months.
    c. Overseeing additional analysis of traffic stop data with geospatial mapping techniques and other research approaches.
    d. Advising on measures to improve RIBD compliance for traffic stops by reviewing quality assurance dashboards, monitoring techniques, training, and data

collection software and tools officers use to collect data while conducting traffic stops.

    e. Providing guidance and oversight to support the OPS in implementing past outstanding recommendations, including:

- Create neighbourhood pilot projects that use technology and artificial intelligence tools, such as body-worn cameras and in-car cameras;

- Experiment with new evidence-based research and best practice methods to develop new prescriptive procedures aimed at reducing discretion and the potential for bias in traffic stops; and

- Implement customer service-focused approaches for traffic stops that rely on a procedural justice framework focused on treating citizens with respect, transparency in police actions, ensuring space for citizens' voices during police encounters, and impartiality in decision-making.

    f. Contributing advice and feedback to existing and related anti-racism initiatives in the OPS DRIVE2 Strategy, including developing an organizational RIBD Strategy, Use of Force reports and new Use of Force Community Review Panel findings/reports, and the racial profiling policy review.

CONSULTATION

Since its launch in 2013, the Traffic Stop Race Data Collection initiative has been built with significant community consultation efforts at every stage, from the design of the data collection procedures to the methodology and analysis plan to the reporting and action planning.

It is critically important to continue involving the community in the next steps and the implementation of a new TSRDCP Task Force and Action Plan aimed at reducing the high disproportionalities in traffic stops by focusing on the traffic stop strategy and deployment. In addition to setting up a dedicated task force and action plan, a full engagement and communications plan will be launched.

Community members can get involved by visiting the Community Equity Council at opscommunityequitycouncil.com or contacting the Equity, Diversity, and Inclusion Unit at EDI@ottawapolice.ca.

FINANCIAL IMPLICATIONS

Not applicable.

SUPPORTING DOCUMENTATION

Document 1: 10-Year Traffic Stop Race Data Collection Report

CONCLUSION

The Ottawa Police Service is committed to using a multi-pronged approach to address discrimination. Race and identity-based data collection is a recognized human rights tool for identifying, monitoring, and addressing systemic racism issues.
OPS has been collecting race-based data for traffic stops for more than ten years, making it the longest and most comprehensive race-based data collection effort by a police service in Canada. Dr. Lorne Foster and Dr. Les Jacobs, leaders in social research from a public policy and human rights perspective, have worked closely with the Ottawa Police Service and local communities for over ten years to build knowledge and capacity for race and identity-based data collection in policing.
As the researchers point out, OPS has done a lot of groundbreaking leadership work on our journey toward professional and equitable policing in partnership with the communities we serve. The Community Equity Council has been an important part of this journey, bringing foundational changes and improvements to policing. We are well positioned to build on our strengths and continue our human rights work together for change.
The Ottawa Police Service acknowledges the difficult and disappointing findings in the 10-Year TSRDCP Report. We owe it to our officers and the communities we serve to take action to address these systemic issues. The 18-Month TSRDCP Task Force and Action Plan will focus on enhancing community safety and building trust by working with police operations and district model teams to reduce the disproportionality in traffic stops. Together, we will review traffic stop deployment, policy, and procedures and consider new research, outstanding past recommendations and the foundational work completed under the first EDI Action Plan. In addition, this task force and action plan will complement the current action items underway in the OPS DRIVE2 Strategy 2023 – 2025 that includes anti-racism training, reviewing our racial profiling policy, launching a Use of Force Community Review Panel, and creating an organizational race and identity-based data collection strategy to improve data collection, reporting, and action planning.
The Police Service is grateful to the Community Equity Council and various community partners for their important contributions to this ongoing anti-racism work and our continued journey towards equitable and professional policing.

Document 1

10-Year Traffic Stop Race Data Collection Report