

# NOT OUR FRIENDS

## THE OTTAWA POLICE'S LONG HISTORY OF VIOLENCE AND RACISM

BY THE PUNCH UP COLLECTIVE

OTTAWA POLICE HAVE A HISTORY OF VIOLENCE AND RACISM, INEFFECTIVE OVERSIGHT, REPORTS THAT GO NOWHERE, AND BLOATED BUDGETS. TAKING ALL TOGETHER, THIS CLEARLY INDICATES THAT AS AN INSTITUTION, THE OTTAWA POLICE SERVICE IS ROTTEN TO THE CORE.



The morning of Sunday, July 24, 2016, was a relatively cool one for Ottawa. At the Bridgehead coffee shop on Wellington Street, patrons were sipping lattes — perhaps winding down after early morning yoga classes or making brunch plans. In the midst of this, Bridgehead staff called 9-1-1 and reported that a man had been touching women without their consent.

When police arrived, Ottawa resident Abdraham Abdi, a Somali-Canadian man, left the coffee shop and was pursued by Constable Dave Weir. Abdi was intercepted outside of the apartment building where he lived, and Weir attempted to arrest him. Constable Daniel Montsion arrived a short time later and immediately attacked Abdi.

According to eye-witness accounts, Abdi was “pepper-sprayed, beaten with a baton and punched as officers arrested him. Some pleaded with officers to stop and tried to alert them that Abdi was mentally ill.” At the time of Abdi’s beating, Constable Montsion was wearing so-called “assault gloves” designed with a thick carbon layer to mimic the effect of brass knuckles. Abdi was taken to hospital where he was pronounced dead the following afternoon.

Abdi did not need to die that day. His death was the result of a series of decisions and actions that directly implicate not only the individual cops involved, but also the Ottawa police as a whole. As horrific as this incident was, it is not an isolated instance but part of an ongoing history of police violence in Ottawa. Just last month on January 31, the Ottawa police shot and killed Greg Ritchie, an Indigenous man, the most recent instance in this history.

In this article, we take a careful look at the Ottawa Police Service (OPS). Drawing on public records, media accounts, and independent investigations, we examine a history of violence and racism, ineffective oversight, reports that go nowhere, and bloated budgets. Taking all of this together clearly indicates that the OPS, as an institution, is rotten to the core.

### HISTORY OF POLICE VIOLENCE

There is a long history of police violence in Ottawa. Sadly, there is an equally long history of the OPS rarely being held accountable in any significant way, even in those instances where officers are found guilty.

In order to reveal the pattern, we compiled a 30-year timeline of OPS violence, which ran in last month’s *Leveler* (Jan/Feb 2019). In this piece, we highlight some significant incidents. While by no means comprehensive, we hope it provides context for examining police violence in the present moment.

### KILLED BY COPS

Police violence takes many forms; death is one of the best-documented. In the last three decades alone, more than half a dozen people have died at the hands of the Ottawa police. Here are a only a few.

On September 26, 1991, Vincent Gardner, a Jamaican immigrant, was shot by Constable John Monette during a botched drug raid on a home on Gould Street. Constable Monette claimed he mistook a guitar for a gun. Gardner died two months later, having never left the hospital. No drugs were found at the scene, and Constable Monette was cleared of all charges.

Marc Valin died on March 25, 1994, while in custody at the Ottawa-Carleton Detention Centre. He had told several people he hadn’t felt well since his arrest and beating by the Ottawa police in late February that year.

On March 20, 1995, Wayne Johnson, a Black man, died after being pepper sprayed and chased by police into the Rideau River. Police claimed they were unable to assist him or find his body. Friends of Johnson found his body five days later, just a few meters from where he was last seen.

Terry Norris, an Indigenous man, died after being pepper sprayed by Ottawa Police at a gas station in July 1995.

On July 16, 1995, Troy Emmerson was shot and killed by Constable Dan Delaney outside his apartment following a three hour stand-off, during which Emmerson refused to drop a gun he was aiming at his own head.

Charles Cooper, a white man, died after being shot in the chest with a “less lethal” metal bean bag while inside his apartment on February 24, 1997. At the time of the shooting, Cooper was self-harming with a knife.

### CAUGHT ON VIDEO

Numerous incidents of non-lethal police violence have been documented in video recordings. In July 2005, Constable Martin Cardinal pled guilty to assault after slamming a handcuffed woman’s head against his police cruiser multiple times. The incident was caught on film.

Cardinal was originally found guilty in 2003 but appealed, changing his plea to guilty the day before his new trial was set to begin. The court sentenced Cardinal to 75 days of community service. A separate Ontario Police Act hearing ruled he should be reinstated minus eight days of pay.

Cardinal remains an active duty officer, having achieved the rank of Sergeant. The most recent public servant salary list indicates he earned \$126,646 in 2017.

On September 2, 2008, Sergeant Steve Desjourdy violently assaulted a woman in her cell at the Ottawa Police station. The *Ottawa Citizen* summarized what took place:

Desjourdy watched the jailed prisoner from a closed-circuit television monitor and when she took her shirt off and tied it to the cell bars he expressed concern that she was going to hurt herself. He grabbed a Taser and approached the cell. (...)

Desjourdy threatened to use the Taser on the woman if she didn’t calm down. So she obeyed, and the topless female prisoner knelt, with her back facing the locked cell door.

She was half naked, behind the bars and on her knees.

Desjourdy then entered the cell and proceeded to kick the kneeling woman in the back, knocking her into the cell’s stainless steel toilet. He kicked her a second time, then took a position on the cell’s bunk with his Taser at the ready while a female officer came in and stripped off the rest of the woman’s clothes.

At this point, the female prisoner grabbed at Desjourdy’s leg — that’s when he Tasered her, twice.

Desjourdy pled guilty, was demoted to Constable for 90 days, and then reinstated to his position as Sergeant. Incredibly, just days later, on September 28, 2008, Desjourdy and four other officers were involved in assaulting another woman, Stacy Bonds, in the cellblock of the Ottawa Police Station. The violent incident was caught on film.

On September 28, 2008, Bonds, a Black woman, was stopped and questioned by police while walking downtown. As the *Ottawa Citizen* described:

She said she was simply walking home from an after-hours party when police stopped her on Rideau Street. They asked her name, ran it, and came up with nothing and told her she was free to go. But she turned back and asked why she was stopped. “They wouldn’t even give me their names,” she recalled.

And when she questioned them, they arrested her on a charge of public intoxication.

The police chief at the time told the *Citizen* that his officers have no authority to arrest citizens for public intoxication unless they pose a risk.

After police arrested Bonds, they took her to the police station, where she was kicked twice by Special Constable Melanie Morris. A group of male officers then pinned Bonds to the floor with a riot shield while Sergeant Desjourdy used scissors to cut off her shirt and bra. Bonds was then left half-naked in her cell for three hours.

In addition to the initial public intoxication charge, police also charged Bonds with assault for kicking an officer during the incident in the cellblock.

In the ensuing court case, Justice Richard Lajoie threw out the charges against Bonds, stating:

I was appalled by the fact that a strip search was undertaken by Constable Morris in the presence of, and with the assistance of at least three male officers....

There is no reason whatsoever that Constable Morris undertook that search without another female officer present, and with no male officers present in the room.

There is no reasonable explanation for the Sergeant Desjourdy to have cut Ms. Bonds’ shirt and bra off, and there is no reason, apart from vengeance and malice to have left Ms. Bonds in the cell for a period of three hours and 15 minutes half naked and having soiled her pants.... That is an indignity towards a human being and should be denounced....

And with the sheer number of appalling behaviours which I have noted, it is quite clear that the only possible outcome ... is one of a stay of proceedings ... it would be a great travesty to permit these proceedings to go on. And I certainly would not want to be party to such an action.

Six years later, after various court proceedings and an internal investigation by the OPS, Sergeant Desjourdy was docked 20 days pay for “discreditable conduct.” No other officers were charged or disciplined in any way for their involvement in the assault on Bonds, including Special Constable Morris who has been involved in other incidents of police violence.

Sergeant Desjourdy remains an active duty officer with the OPS, earning \$124,230 in 2017.

Bonds was not the only woman violently assaulted by Ottawa cops in 2008. Roxanne Carr was arrested at her home in August 2008. Police in two squad cars came in response to a call from Carr’s boyfriend, from whom she was renting space and who wanted her to leave. Constable Michael Adlard ordered Carr to vacate the property, but she refused. She was then thrown to the ground and handcuffed, breaking two bones in her wrist in the process. The arrest occurred less than eight minutes after the arrival of the police.

Carr was then taken to the Ottawa Police station, where she was dragged through the cellblock, had her arms tied behind her back with a belt, and then was stripped and left partially naked in her cell for eight hours. Footage of Carr’s ordeal was eventually made public in 2011 despite OPS attempts to block its release.

Last year, Carr was awarded \$255,000 in damages for her wrongful arrest and imprisonment. Carr’s lawsuit named eight police officers, including Sergeant Desjourdy and Special Constable Morris. To date, none of the officers named have been disciplined or reprimanded in any way for their involvement.

The original arresting officer, Adlard, remains a Constable, earning \$162,457 in 2017.

### SEXUAL VIOLENCE, HARASSMENT, AND ASSAULT

Several Ottawa police officers have been charged with sexual assault and sexual violence, both on and off-duty. Some recent cases that have made it into the news have highlighted this.

After being suspended by the OPS in June 2018, Constable Eric Post was arrested by officers from the Ottawa Police Sexual Assault Child Abuse section on September 18, 2018. Post was originally charged with 21 separate criminal acts against seven women, including sexual assault, assault, possession of a dangerous weapon, forcible entry and confinement, harassment, uttering threats, and intimidation by threat of violence.

Ottawa police eventually laid an additional eleven charges against Post, bringing the total to 32. Post was released on bail in October 2018, awaiting trial.

Just days after Post’s arrest, Ontario’s Special Investigations Unit charged a second officer, Sergeant Aasim Ansari, with sexually assaulting a woman while on duty. According to reporting on the incident, the assault occurred at Larga Baffin, an Ottawa residence for Inuit medical patients.

Sergeant Ansari was reassigned to administrative duties during the investigation, but remains a police officer, earning \$140,366 in 2017.

In January 2018, reports began emerging about Constable Carl Keenan, who was suspended with pay from the OPS in December 2017 following his arrest for assaulting a woman while off-duty. The OPS began their own internal investigation about Keenan’s conduct.

As a result, according to CBC News:

Sources close to the investigation tell CBC that at least two female officers came forward to the section with sexual harassment complaints against Keenan.

The officers allege the harassment occurred while they were being trained at west division several years ago. Keenan was a patrol officer at the time and was assigned to be their coach officer.

Before new police recruits can respond to calls on their own, they must spend 500 hours on patrol under the supervision of a coach officer.

Keenan remains suspended with pay, pending an outcome to his trial and the OPS investigation. He earned \$109,891.21 in 2017.

### INVESTIGATIONS OF POLICE VIOLENCE AND RACISM

This track record of violence and abuse of power may have gone relatively unpunished, but it has not gone unnoticed.

Sex workers in Ottawa have regularly discussed OPS misconduct. In particular, Prostitutes of Ottawa/Gatineau Work, Educate, and Resist (POWER) has documented pervasive police abuse of sex workers.

In a 2010 report, they noted that a significant number of sex workers they interviewed identified the Ottawa police as the main challenge they face. According to POWER, the most common ways this comes up in sex workers’ lives are through police harassment, physical violence, sexual assault, theft and destruction of property, and “outing” sex workers to friends, family members, and employers.

In addition, racialized people in Ottawa have consistently called out racist treatment and violence from the cops.

To take one recent example, more than 300 people participated in an Anti-Black Racism Forum in August 2016 at Ottawa City Hall. In a report coming out of the forum, community organizer Chelby Marie Daigle summarized that “participants expressed major concerns with policing. These concerns include a lack of trust in police, re-

sulting from over-policing, public denial of racism, and lack of disciplinary actions against officers who exhibit racism or discrimination.”

Sadly, these concerns are nothing new. They have come up repeatedly in investigations, reports, and studies on the OPS — and Ontario and Canadian policing more generally — over the last decade.

Probably the most well known study of the OPS is the Traffic Stop Race Data Collection Project (TS-RDCP). What is less known is that this study had its origin in a fight against police racism.

In 2005, Chad Aiken, a Black man, was pulled over by Ottawa police while driving his mother’s Mercedes. Aiken subsequently filed a complaint with the Ontario Human Rights Commission. Aiken’s complaint led to a 2012 settlement in which the OPS agreed to what became the TS-RDCP.

The settlement required the OPS to hold a series of community consultations and, over a two-year period, collect race-related data every time a police officer stopped someone in a motor vehicle. A York University research team collated and analyzed this data from 2013-2015 and published the report in 2016.

The TS-RDCP report confirmed what many racialized people in Ottawa already know: cops stop drivers perceived as Middle Eastern or Black at much higher rates than anyone else. Racialized people are also much more likely than white people to be stopped for reasons related to “criminal offenses” and “suspicious activities.”

During the period of the study, police stopped Middle Eastern drivers 3.3 times more and Black drivers 2.3 times more than we would expect, based on their respective shares of the city’s population.

What the TS-RDCP exposed is just the tip of the iceberg of racist policing practices in Ottawa. Aiken and the African Canadian Legal Clinic pointed this out before the project began.

As researcher Sulaimon Giwa noted:

The OPS and the study’s research team have chosen to define racial profiling in a rather narrow way, as: “patterns showing disproportionately more traffic stops for individuals of one racial group over another.” Although evidence exists in support of racial disparity in traffic stops, this is by no means the only place where this phenomenon materializes. Police racial profiling also occurs in airports and near places of worship. Pedestrians are often stopped. Defining the concept in this restrictive manner gives the public the erroneous impression that racial profiling is essentially about traffic stops. In this way, the police can deflect attention away from the broad effects of police racism, as to obscure its systemic nature.

One outcome of this systemic racism is consistent patterns in who the police kill. This too is something that has been repeatedly documented.

In a 2016 report, published a month before the killing of Abdraham Abdi, the Ombudsman of Ontario raised critical questions about the de-escalation methods used by police, offering numerous examples of people experiencing mental health crises who were killed by cops.

In a Canada-wide investigation in 2017, the CBC concluded that at least 70 per cent of people killed by cops since 2000 “struggled with mental health issues or substance abuse or both.”

And in a 2017 report, the United Nations Working Group of Experts on People of African Descent expressed concerns “about excessive use of force and police-involved deaths, especially when responding to cases involving vulnerable people of African descent, such as those who are mentally ill or otherwise in crisis.”

Writing in the aftermath of Abdi’s death, the Justice for Abdraham Abdi Coalition was blunt about the patterns:

When an unarmed person is killed by the police, serious questions require concrete answers. The deaths of Sammy Yatim, Andrew Loku and Abdraham Abdi, during interactions with police lead one to question, among other things, whether race is indeed a catalyst for fatal encounters with law enforcement. The three men had a few things in common; they were all racialized men who had a history of living with mental health issues.

State-sanctioned death is only one of the effects of policing in Ottawa. As researcher Robyn Maynard notes, “racism in Canadian policing does not begin and end with violent encounters and loss of life. Racially biased policing occurs within a broader continuum of injustices from police stops to arrests.”

So although it’s rarely documented in official investigations or news articles, racialized people in Ottawa experience “less than lethal” harassment and violence from the OPS every day.

### ATTEMPTS AT POLICE OVERSIGHT AND REFORM

Many people think that solutions can be found in reforming the OPS or bringing in additional oversight. Unfortunately, existing oversight and attempted reforms to the OPS appear to have done little to change their patterns of racism and violence.

In a 2008 report, the Ombudsman of Ontario called into question the credibility and effectiveness of the Special Investigations Unit (SIU), the civilian agency responsible for investigating the police in circumstances of serious injury, sexual assault, or death in Ontario.

“When it encounters overt resistance from police officials,” he observed, “the SIU pursues a low-key diplomatic approach that flies under the public radar. If disagreement cannot be resolved, the SIU more often than not simply accepts defeat.”

In 2017, the CBC used access to information requests to review all of the records of SIU investigations into the actions of the OPS during the preceding decade. They discovered that the SIU only publicized 45 out of 144 cases between 2007 and 2017 — and that a majority of the investigations resulted in no charges against officers.

In a 2016 report, the Justice for Abdraham Abdi Coalition generated a series of recommendations on the comprehensive reform of the SIU and overall police oversight in Ontario. Following this, they offered their support for strengthened police oversight provisions in Bill 175, the Safer Ontario Act, which passed in March 2018.

Tellingly, one of the first acts of the Ford government was to suspend implementation of this legislation, suggesting that it “undermines confidence in the police.”

The recent changes to the Ottawa Community and Police Action Committee (COMPAC) provide another instructive example. From 2000-2017, the COMPAC served as a “a community-police advisory and coordinating body” with the task to “nurture and develop a partnership between racialized, Indigenous and diverse communities and the police.”

COMPAC then went through a “restructuring” process and re-emerged in the fall of 2018 as the Community Equity Council (CEC), with the revised mandate to “collaborate with the Ottawa Police Service to work more effectively with Indigenous, racialized, and faith based communities in Ottawa.”

The report that gave shape to the CEC supposedly drew on a community survey. However, of the 1,000 email addresses provided by the Diversity and Race Relations office of the OPS, only 96 people responded (19 of whom were OPS members).

This is not a rigorous consultative process: it was skewed from the beginning by a survey sample provided by the OPS, not to mention the low

response rate. Also, no explanation is given for the shift from “diverse communities” to “faith based communities.” We suspect that this is supposed to be code for “Muslims” rather than to mark the OPS’s commitment to liaising well with area Catholics and Buddhists.

Because the CEC is so new, it is hard to predict what it will accomplish. However, it certainly does not represent a robust cross-section of the communities most affected by policing in Ottawa. Looking at previous attempts, it seems unlikely that this iteration of the OPS’s attempt to respond to racism will fare any better than previous attempts.

In the rare cases of formal investigations of police wrongdoing, cops are quick to close ranks and support their own. In the case of Abdi’s death, reportedly 1,200 wristbands expressing support for Constable Montsion were purchased, with officers wearing the blue-and-black bracelets while on duty.

Ottawa Police Association president Matt Skof, now facing his own legal troubles, said about this wristband campaign: “This has nothing to do with race. This is not a public campaign. It’s a member-driven initiative, an internal initiative for expressing support for a fellow colleague, in a very difficult profession going through a very difficult time.”

It is not unusual for police to publicly and while in uniform express their support for an officer charged with misconduct. For instance, in 2018, Quebec police refused to remove patches worn with their uniforms expressing support for officers disciplined for their behaviour towards Indigenous women in Northern Quebec.

Leading up to Montsion’s trial, the wristbands seem to have resurfaced in Ottawa.

These overt responses to charges of racism in OPS may arise out of white officers’ refusal to believe that racism is part of policing in Ottawa. In fact, a recent report on “diversity” initiatives in the force shows overwhelmingly that a white majority of OPS officers believe there is “reverse discrimination” against white officers.

When police can’t hide or sideline their critics — and particularly when people start to organize collectively to challenge the police — there are calls for more studies, investigative commissions, or community consultations. This leads to a frustrating cycle of endless reports and recommendations without any meaningful action.

The fact is, the OPS has been exhaustively studied. There are more than enough reports to validate what many people already know: the OPS is a racist and violent institution in our city in need of much more than reform or oversight.

### RESOURCING THE POLICE

Despite the mounting evidence that the OPS is in fact a perpetrator of violence and harm, the City of Ottawa continues to fund them to the hilt without question.

In 2018, the OPS accounted for 9.5 per cent of the City’s overall expenditures. While the budget grows every year, both the OPS and the City of Ottawa consistently issue calls for even more money to go towards policing.

In 2017, the vice-Chair of the civilian board responsible for overseeing OPS characterized the OPS plan to meet the City’s 2018 policing budget targets as “a great deal of smoke and mirrors,” because it relied on borrowing funding from reserve funds. In 2018, the police received \$8.5 million more than in 2017.

The 2019 City budget has been recently tabled with a recommended tax increase of three per cent. City Councillor Diane Deans, the incoming chair of the OPS Board, went on record to say, “My gut is to ask them to delete the recommendation to direct the police services board to build the budget at three per cent.” Her suggestion is to “Let (police) tell us what they think they need and then we can look at what the money is.”

Why would the police force need a continuous-

ly expanding budget?

Part of the answer is salaries for cops. The OPS employs 1,079 people who are each paid more than \$100,000 per year — including a number who are on administrative leave pending the outcome of inquiries into their actions.

There are 1,983 people employed by the OPS, meaning that more than half are on the Ontario Sunshine List. The Ottawa Police recently tabled a proposed 2019 budget with an \$18 million increase, which brings its operating budget to \$350 million, 82 per cent of which goes to paying cop salaries.

To satisfy this increase, city council is discussing taking a sizeable chunk out of the city’s reserve fund.

Additionally, when police are charged, the OPS does not pay the legal costs. Instead, the City of Ottawa — meaning all of us — are on the hook.

The municipality recently took Roxanne Carr’s lawyer to court to dispute his legal fees, because the City blew its budget line for costs associated with defending Ottawa police by 21 per cent.

In other words, wrongdoing by cops is paid for at the expense of other city services. And this is all part of a broader context of increasing public resources going towards the infrastructure of punishment, notably a plan to build a new, larger local jail, which has sparked rigorous community opposition.

### BEYOND POLICING

There are signs of public frustration with Ottawa cops. In October 2016, VICE News publicized a report from the Chief of the OPS that indicated that complaints about Ottawa police officers increased by 133 per cent during the third quarter of 2016, from July to September.

This uptick in complaints happened during the same period when Constable Montsion killed Abdi and Sergeant Chris Hrnchiar posted racist comments on social media about the death of Inuit artist Annie Pootoogook. Tellingly, after VICE asked the OPS about the report, it was quickly removed from a city website.

More recently, the OPS released an internal report that suggests that “community fear and mistrust of police” is growing in Ottawa, particularly — but not exclusively — in racialized communities.

In our view, increasing complaints, growing mistrust, and police defensiveness are hopeful signs. They signal that sustained efforts to call the OPS to account — like those of the Justice for Abdraham Abdi Coalition — are having far-reaching effects in our city. More people are seeing the OPS for what it is — a harmful, unaccountable institution that pretends to keep us safe.

The trial of Constable Montsion offers an important opportunity to consider what the OPS actually stands for. We hope the trial provides some sense of accountability and closure for the Abdi family, but ultimately, we don’t believe that meaningful justice can be found within the criminal justice system.

Of course, there should be immediate reforms to how Ottawa cops behave towards racialized and Indigenous people — as well as to how they respond to disabled people and people experiencing mental health challenges. But looking back on the last two decades of attempted reforms through commissions and consultations, it’s clear that we need something beyond police reform if we want to have truly safe communities.

The 2018 OPS gross operating budget was \$330 million. Imagine what could be accomplished if we redirected those resources to frontline support services, affordable housing, safe consumption sites, childcare, increased social assistance, and other infrastructure for a genuinely healthy city. What could we create?

We follow the No On Prison Expansion proposition that what we really need is to build communities, not jails — to build communities, not community policing.