

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

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Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

Contact Person / Personne ressource:

Director David Snoddy

SnoddyD@ottawapolice.ca

**SUBJECT: HUMAN RIGHTS AND RACIAL PROFILING POLICY: ANNUAL
REPORT**

**OBJET: RAPPORT ANNUEL SUR LES DROITS DE LA PERSONNE ET LE
PROFILAGE RACIAL**

REPORT RECOMMENDATIONS

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

RECOMMANDATIONS DU RAPPORT

**Que la Commission de services policiers d'Ottawa prenne connaissance du
présent rapport à titre d'information.**

BACKGROUND

The Ottawa Police Service (OPS) is committed to working in partnership with the community to address racial profiling concerns to ensure a professional and bias-neutral police service. Policy is an important part of this work.

The Ottawa Police Services Board Human Rights and Racial Profiling Policy (CR-16) was approved by the Board in 2013. It provides high level direction and closely resembles the more detailed OPS operational Racial Profiling Policy that was approved in 2011 as well as the OPS Human Rights policy. This has ensured compatible language, definition of racial profiling, and implementation and reporting requirements.

These policies have been instrumental in guiding the service and entrenching the importance of our ongoing work towards bias-neutral policing.

DISCUSSION

This report provides a first and interim report on the implementation of the policy requirements of the Human Rights and Racial Profiling Policy (CR-16) including:

- Policies and procedures that include definitions, prohibitions, and complaint process;
- Projects and programs that demonstrate ongoing commitment and partnership work;
- Training programs and new initiatives that address human rights issues, as well as understanding and preventing racial profiling; and,
- Ongoing community engagement and outreach efforts through awareness raising programs, events, and forums that move this work forward and build community trust.

A more fulsome review along with meaningful community-police consultation efforts will be required in 2017 to ensure alignment with other major related projects currently underway.

1. Operational Policies and Procedures

With the assistance of the Dr. Shaheen Azmi of the Ontario Human Rights Commission and Professor David Tanovich from the Windsor University (author of the book *Racial Profiling in Canada*), the first comprehensive anti-racial profiling policy in policing was launched by the OPS in 2011. It continues to be regarded by researchers and subject matter experts as one of the best anti-racial profiling policies in North America.

The policy, which was presented at the Ontario Human Rights Commission's Racial Profiling Dialogue in February 2016, includes definitions, practices, procedures, prohibitions against racial profiling, as well as training and engagement requirements.

It acts as a guide and sets out our commitment and standards to ensuring professional bias-neutral policing influencing many areas of the organization such as training, public engagement, and major projects.

The OPS has a number of other related operational policies and procedures that support the Human Rights and Racial Profiling Policy including Respectful Workplace, Regulated Interactions, and Human Rights/Race Relations. As already stated by the

Board in 2013, the CR-16 Policy was modeled on the OPS Racial Profiling Policy and had also reviewed the Service's Human Rights/Race Relations Policy.

2. Training Requirements

Through the leadership of the Professional Development Centre, significant training is provided to OPS members that supports the training requirements.

a. Racially Biased Policing

Developed by the Toronto Police Service with subject matter expertise from the Ontario Human Rights Commission and the Ontario Police College, *Racially Biased Policing* is a one hour e-learning module available to police services on the Canadian Police Knowledge Network (CPKN). In 2011, the training became mandatory for all officers of Ottawa Police Service, and it is also available to civilian members through their CPKN access.

Through examples and exercises as well as recent case law decisions, this course assists officers to develop critical thinking skills about their actions when engaged in their duties and take reasonable steps to avoid racially biased policing. Learning objectives include understanding:

- The definition of race and where the concept originated;
- The difference between racial and criminal profiling; and
- How decisions can be affected by biases that we may not even know we have.

b. Traffic Stop Race Data Collection Project : Race Based Data Collection

Since June 27, 2013, all Ottawa Police officers who perform traffic stops have been required to complete the mandatory CPKN e-learning course entitled "Traffic Stop Race Data Collection Project". The training module provides instruction to officers for the process of race based data collection during traffic stops including how and what data to collect, perception of race, and citizen engagement. Additional training resources and videos are also available to officers and supervisors to support the race based data collection. Because the racial profiling project has organizational wide impact, the training is also available to other police members via their CPKN accounts.

c. Fair and Impartial Policing Program

The Fair and Impartial Policing Program (FIP) is another investment towards our commitment to professional bias-neutral policing.

Developed by Dr. Lori Fridell and being implemented across the United States and recently in some Canadian cities, the fair and impartial policing perspective reflects a modern way of thinking about the issue of bias. Research tells us that even well-intentioned people manifest biases that can impact their perceptions and behaviour. FIP uses science-based research to understand human bias and develop tools to mitigate its effects.

This training builds on, and helps better equip officers with information, understanding and practical tools they can use when recognizing and dealing with issues of bias. Participants in the training will understand:

- That everyone, even well-intentioned people, have biases;
- How implicit (or unconscious) biases impact what we do;
- That fair and impartial policing leads to effective policing; and
- How to use tools to help recognize conscious and implicit biases, and implement “controlled” (unbiased) behavioural responses.

Equipping officers with this training not only augments member safety, but enhances communication between the public and contributes to greater public confidence and trust. That cooperation, in turn, leads to better intelligence and overall cooperation with the community we serve.

FIP is being delivered by the Professional Development Centre throughout 2016 to officers and Communications Centre members. Senior officers also received a full training and information session. In addition, a joint full day session was held with members of the Executive and the Police Services Board earlier this year.

Regulated Interactions – Training Roll-out, Fall 2016

The implementation of the new Ontario Regulation 58/16 “Collection of Identifying Information in Certain Circumstances – Prohibition and Duties” requires significant training in order for officers to conduct “regulated interactions” (formerly called street checks) that must be completed by January 1, 2017.

The mandatory eight hour training developed by the Ontario Police College and a roundtable of provincial subject matter experts includes online and in-class training that focuses on the new regulation requirements as well as:

- The right of a person not to provide information to the police;
- The right of a person to discontinue an interaction with an officer;
- Bias awareness, discrimination and racism and how to avoid them when providing police services;

- How a person may access information about themselves held by this service under the Municipal Freedom of Information and Protection of Privacy Act; and,
- The initiation of interactions with members of the public.

Two Ottawa Police members recently completed the two-day master training delivered at the Ontario Police College and will be responsible for training instructors to deliver the training to our police officers by January 1, 2017. In addition, the master trainers will be training instructors for three other nearby police services.

3. Major Projects and Initiatives

The OPS has a long history of working in partnership with the community to address racial profiling concerns. These are some recent highlights of how the OPS implements the community engagement policy requirements on a regular basis.

a. Racial Profiling Policy Dialogue – February 16 – 18, 2016

In partnership with York University Centre for Human Rights, York University School of Public Policy and Administration, and York University Institute for Social Research, the Ontario Human Rights Commission held a three day policy dialogue on racial profiling with over 70 experts, researchers, policy makers and practitioners from across Ontario. The goal was to provide a forum for dialogue and debate that will generate relevant research and feedback, to inform the OHRC's development of a policy on preventing discrimination based on racial profiling.

The OPS was well represented with four attendees, and the service was profiled in a number of presentations on community engagement and partnership efforts through Diversity and Race Relations and the organization's Partnership in Action framework, the largest race data collection study of its kind in Canadian policing – Traffic Stop Race Data Collection Project, and the service's Racial Profiling Policy. We are awaiting the forum's report for opportunities to enhance our policies, procedures, training and community engagement strategies.

b. Street Checks Review Project

In pursuit of our ongoing bias-neutral work, it was important to build on the extensive community-police dialogue over the last four years with the Traffic Stop Race Data Collection Project.

The Ministry of Community Safety and Correctional Services conducted province-wide consultation efforts to develop the new regulations for street checks, which will be called regulated interactions on January 1st, 2017 when the new regulation

comes into full effect. As outlined in earlier reports to the Board, the OPS carried out an engagement plan in order to make a local submission to the province. Ongoing updates and engagement opportunities will continue to be provided during the implementation phase.

c. Diversity and Race Relations

As per operational policies and their mandate, the Diversity and Race Relations Section continues to provide subject matter expertise, advice, and training throughout the service and community while coordinating key programs and committees such as the community-police action committee known as COMPAC – which was formed over 15 years ago to build relationships between police and racialized communities. Some recent section activities include:

- Diversity and race relations training and awareness to all new recruits – featuring community speakers and interactive presentations.
- Human rights training to various sections within the service including the Communications Centre.
- In December 2015, the section collaborated with the OPS GLBT Liaison Committee and COMPAC to host the first ever Human Rights Learning Forum that was well attended by over 180 people. The second annual Human Rights Learning Forum is scheduled to take place on Thursday, December 8, 2016 from 9am to 4pm.

d. Outreach Liaison Team

Following the death of Mr. Abdi which is still under investigation with the SIU, an Outreach Liaison Team was created to bolster the strategic community engagement and partnership efforts of the Community Development sections.

The mandate of the six person team is to increase community engagement with the racialized and broader diverse communities to create meaningful dialogue and continue building trust and confidence in the police service by:

- Providing responsive outreach to impacted communities that promotes dialogue, awareness and understanding; and
- Working with communities, agencies and police members to identify concerns, engagement activities, partnership opportunities, and possible solutions.

Based upon input and feedback, organization-wide operational issues have been identified and will be added to the action plan for response.

e. Traffic Stop Race Data Collection Project

Underway since 2012, OPS has been committed to an extensive community-police engagement process throughout the Traffic Stop Race Data Collection Project. This has included collaborative partnership work with the project's community-police advisory committee and through COMPAC's three year business plan. It has helped shape the direction of the project and has created important dialogue about racial profiling.

Following the release of the report and data last month, community-police engagement will continue to play a critical role over the next six months to ensure that we understand the report and create a multi-year plan that goes beyond just action planning the report's recommendations. This work will put us at the forefront of ensuring professional and bias-neutral policing.

Here is an overview of the six month engagement plan that will result in a multi-year action plan towards bias-neutral policing:

1. Public Release of Report & Data (October 24 – November 24, 2016)
 - Press Conference and Ottawa Police Services Board Meeting: October 24th
 - Distribution of report to partners, agencies and organizations across Ottawa
 - Officer and community member outreach meetings and presentations
 - Updates and planning with Community Police Advisory Committee (CPAC) and COMPAC.
2. Session with York Research Team (November 24, 2016)
 - Information session and panel discussion – understanding the report and moving forward with the recommendations together.
3. Ottawa Police Information Session(s) in partnership with Ottawa Police Association (November 2016 – January 2017)
4. Call for Applications – Creation of Committee (December 2016)
5. Researchers Academic Forum (January 2017)
 - Session to discuss and assess the study from an academic perspective.
6. Partnership in Action Session – Bias-Neutral Policing (Save the Date: February 28, 2017)
 - Public session in partnership with Police Services Board, COMPAC, and CPAC.
7. Creation of Multi-Year Action Plan (Q2 2017)

CONSULTATION

Included above.

FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSION

The Board's Policy CR-16 combined with the Service's operational policies and procedures continues to be an important part of a multi-pronged approach to addressing racial profiling and ensuring a bias-neutral police service.

In terms of next steps, a more fulsome review will be required in 2017 to ensure alignment and inclusion of other related projects currently underway:

- Related OPS policy and procedures in development and/or being reviewed (examples: regulated interactions, racial profiling and human rights);
- Results of major racial profiling projects and other bias-neutral policing initiatives that have the potential to impact policies (for example, report and recommendations from the Traffic Stop Race Data Collection Project released on Oct.24th);
- OPS Gender Audit project being presented to the board this month;and
- The development of a multi-year action plan that aligns with the equity, diversity and inclusion lens in the current business plan and ensures professional and bias-neutral policing.

In addition, the review will build on the significant community-police engagement efforts of recent projects such as Traffic Stop Race Data Collection Project, Street Checks Review Project, and the Outreach Liaison Team to include meaningful consultation with subject matter experts to develop appropriate qualitative and quantitative policy review and measurement tools.