

Report to / Rapport au:

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

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Submitted by / Soumis par:

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SUBJECT: HUMAN RIGHTS AND RACIAL PROFILING POLICY ANNUAL REPORT

**OBJET: RAPPORT ANNUEL SUR LA POLITIQUE RELATIVE AUX DROITS DE
LA PERSONNE ET AU 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

This 2019 Annual Report for the Human Rights and Racial Profiling Policy is an opportunity to highlight significant work that was carried out with stakeholders last year – setting us up for major action and progress that we are already seeing results for in 2020.

This foundational 2019 work contributed to building the OPS EDI Action Plan 2020-2022 that the Ottawa Police Services Board (Board) approved on February 24, 2020.

And this month OPS launched the new Respect, Values and Inclusion Directorate.

New Respect, Values, and Inclusion (RVI) Directorate: The RVI Directorate addresses the major concerns raised by both OPS members and Ottawa

community members for a more progressive and inclusive police service and is a significant investment in advancing the Ottawa Police Services Board's strategic priorities.

The OPS Executive Command began planning the implementation of the RVI directorate in late 2019 to help improve in the areas of workplace harassment, discrimination, human rights issues, ethics, diversity and inclusion. The new directorate will build on the existing work of both the Respectful Workplace Program and the Equity, Diversity and Inclusion (EDI) project. Under the RVI directorate, the newly formed REV Section will work to support professional, ethical, values-based behaviour in the OPS, and the new EDI section will support the Ottawa Police with proactive and responsive strategies to better serve our communities.

REPORTING RECOMMENDATION

It is recommended that future annual reports for this policy and the OPS Equitable Work Environment Policy (also presented this month) be included within the OPS EDI Action Plan annual reporting requirement to align related policies, streamline resources and reporting, and avoid duplication.

DISCUSSION

This annual report is an opportunity to report on 2019 action items that contribute to 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 organizational requirements;
- Training initiatives that address human rights issues, such as understanding and preventing racial profiling and gender discrimination;
- Projects and programs that demonstrate ongoing commitment and partnership work; and
- Ongoing community engagement and outreach efforts that focus on building capacity, relationships, and public trust.

1. Policies and Procedures

Approved by the Ottawa Police Services Board (Board) in 2013, the Human Rights and Racial Profiling Policy (CR-16) provides high level direction and closely mirrors the OPS operational Racial Profiling Policy that was approved in 2011. This has ensured

compatible language, consistent definition, and prohibition of racial profiling, and implementation and reporting requirements.

These policies have been instrumental in guiding the police service and entrenching the importance of this ongoing work.

With the assistance of Dr. Shaheen Azmi of the Ontario Human Rights Commission (OHRC) and author and professor David Tanovich, the OPS launched the first comprehensive anti-racial profiling policy in policing in 2011. The policy acts as an organizational guide and includes definitions, practices, procedures, and prohibitions against racial profiling. It sets out our commitment and standards to ensure professional bias-neutral policing – reaching many areas of the organization such as training, public engagement and stakeholder relations, and major projects.

The policy continues to be well received and regarded by subject matter experts as a leading best practice example. The policy has been integrated into other related OPS training including bias-awareness, fair and impartial policing (FIP) training, and regulated interaction training.

In addition to the OPS Racial Profiling Policy that the Board's CR-16 Policy is modeled upon, the Service has a number of other related operational policies and procedures that together support the policy including: Respectful Workplace, Regulated Interactions, Human Rights/Race Relations, and a new Equitable Work Environment policy that was approved as part of the Gender Audit Project (changes were also made to the promotions and transfers policies).

Given the amount of time that has passed since the creation of these policies, a number of recommendations will be made to the Board's Policy and Governance committee later this year in order to update the OPS and Board policies. Updates will be needed based on a number of new policy, initiatives, reports, and consultation efforts, including:

- Recent OPS reports including the OPS Diversity Audit and Traffic Stop Race Data Collection findings received in November 2019;
- New provincial legislation including regulated interactions and provincial data standards for the identification and monitoring of systemic racism from the province's Anti-Racism Directorate;
- Recently released policy from the Ontario Human Rights Commission, Racial Profiling in Law Enforcement Policy (2019); and
- Reports and inputs from local partners including Community Equity Council, Equity Ottawa, and United for All.

Training Requirements

Since the introduction of the “Racially Biased Policing” e-learning training module in 2011, OPS members now receive significant mandatory training that supports the training requirement of this policy.

The 2019 Diversity Audit examined the list of OPS training below and made some recommendations in their November 2019 report that the Police Service must work on in partnership with stakeholders in the new multi-year OPS EDI Action Plan 2020-2022, which also has an annual reporting requirement.

a. Authentic Inclusion Training (2019):

This new mandatory training was developed in partnership with the Intercultural Learning Centre, Global Affairs Canada. The full day interactive training session was provided to all managers and supervisors in 2019 and covered ethical leadership and EDI principles, human rights and equitable work environment policies and procedures including a focus on accommodation, as well as practical training on the Gender Based Analysis Plus known as the GBA+ model.

b. Bias-Awareness and Gender Based Analysis Plus (GBA+) Training (2018)

Completed as part of the OPS Gender Project, Bias-Awareness training was implemented in 2017 and focused on priority areas of transfers and promotions. A two-day GBA+ training session for managers was delivered by Global Affairs Canada. The interactive session provided managers with a practical approach and tools to apply GBA+ to projects, programs, and decision-making that considers gender and intersectionality of diverse perspectives (race, age, ability, etc.).

c. Regulated Interactions (Introduced 2016-2017)

The implementation of Ontario Regulation 58/16 “Collection of Identifying Information in Certain Circumstances – Prohibition and Duties” required substantial training in order for officers to conduct regulated interactions (formerly called street checks).

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 regulation requirements as well as a focus on:

- 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.

The legislation outlines retraining requirements for police members every three years.

d. Fair and Impartial Policing Program Training (2016)

The Fair and Impartial Policing (FIP) training was introduced in 2016 and delivered to all sworn officers and Communications Centre members. Research tells us that even well intentioned people manifest biases that can impact their perceptions and behavior. FIP uses science-based research to understand human bias and develops tools to recognize conscious and implicit biases to implement controlled (unbiased) behavioural responses. This training leads to more effective policing by equipping officers with information, understanding, and practical tools they can use when recognizing and dealing with issues of bias.

e. Accessibilities for Ontarians with Disabilities Act (AODA): 2014

Mandatory AODA training was implemented to meet legislative compliance. Police members must complete multiple e-learning modules on AODA.

f. Canadian Centre for Diversity and Inclusion (CCDI): Employer Partner Since 2014

OPS became an Employer Partner of the CCDI in 2014. As an Employer of Partner, OPS employees have access to a number of benefits including monthly newsletters, professional development and training opportunities such as free webinars, annual conferences, seasonal workshops/events, resources, and research.

An important partner and resource to OPS, CCDI is a national non-profit organization that provides innovative and proven strategies, research, tools, and educational supports to leaders, professionals, and employees in organizations across Canada with the goal to help improve overall inclusivity of the Canadian Workforce.

g. Traffic Stop Race Data Collection Project: Race Based Data Collection (Began in 2013)

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.” 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 compliance of race based data collection.

h. Racially Biased Policing: E-Learning Module (Introduced in 2011)

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).

Through examples and exercises as well as relevant case law decisions, this e-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.

Introduced in 2011, the learning objectives of this mandatory training 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.

i. Diversity and Race Relations – New Recruit Training

In partnership with community partners, the Diversity and Race Relations Section delivers human rights based training to new recruits through an interactive day long session in a community environment that is focused on experiential learning techniques and dialogue with speakers from diverse communities.

j. Respectful Workplace Policy and Training (Introduced in 2009)

Police members began receiving mandatory respectful workplace training in 2009. The mandatory half day session is delivered in an interactive classroom setting.

2. Major Projects and Initiatives

In pursuit of bias-neutral policing and building trust, OPS has a long history of working in partnership with the community to address racial profiling and other human rights concerns OPS recognizes that this is a long-term commitment and that ongoing collaborative action is needed to make lasting impact.

A significant amount of foundational EDI and human rights work was carried out with stakeholders this year, which contributed to building the new OPS EDI Action Plan 2020-2022.

Some of the 2019 highlights of how the OPS implements the community-police engagement policy requirements is highlighted in this section.

a. Community Development and Diversity and Race Relations – Partnerships and Collective Action

- New Recruit Training: Diversity and race relations training and awareness sessions were completed with all new recruits – featuring community speakers and interactive presentations.
- Annual Diversity Celebration: The Annual Diversity Celebration was held again in June to recognize Multiculturalism Day in Canada. It is a day dedicated to learning more about the contributions of various communities make to Canadian society and celebrate Canada’s richness and diversity. This year’s OPS event coincided with Welcome Ottawa Week and featured cultural entertainment and presenters as well as official swearing-in ceremony for a group of new Canadians.
- Interfaith Session – A session with police, community and interfaith leaders was held to help build interfaith relationships across the city and focus improving responses to hate crimes.
- United for All: OPS is a member of United for All – a new multi-agency led coalition focused on addressing hate and hate speech in the city that was launched in the fall of 2019. Chief Sloy was at the initial meeting and is one of many city leaders on the table of champions that leads this new initiative.
- Equity Ottawa: Equity Ottawa is made of up of local organizations leading equity work in Ottawa from across the city including participation of several OPS members. In 2019, Equity Ottawa and partners build an equity action plan of best practices and key activities that organization can use in guiding equity work across the city.
- New Community Equity Council (CEC): The CEC was launched in late 2018 with the Board, and it has had a very productive 2019 focused on building relationship between the police service and various communities including – racialized groups, indigenous communities, and faith based groups. CEC met bi-monthly and developed several committees focused on Communications and Trending Issues, Indigenous relations, Anti-Racism, and Recruiting to name a few. The council and the committees worked to build relationships, contribute towards equitable policing, hold

several listening circles in the community, and made a significant contribution to the OPS EDI Action Plan.

- Annual Human Rights Learning Forum: In recognition of Human Rights Day, the 5th Annual Human Rights Learning Forum was held on December 4th. Attended by approximately 200 people, representing a great cross section of police and community members and organizations, the half day forum was an opportunity to learn about the findings of the Traffic Stop Race Data and Diversity Audit reports and focus on developing a new action plan for Equity, Diversity, and Inclusion (EDI) with assigned resources, responsibilities, and accountabilities.

b. Traffic Stop Race Data Collection – Report II (November 2019)

Race Based Data Collection is here to stay. It is no longer a project or part of a settlement agreement. More than seven years later, it has become operational and a way of doing business.

Race based data collection is recognized as an important tool to address concerns about racial profiling and to build trust with communities. There have also been a number of new provincial regulations and standards requiring race data collection since this project originally began in 2012. And OPS has been recognized for leading this work – even in the Ontario Human Rights Commission’s recently released Racial Profiling Policy Guidelines for Law Enforcement.

The learning from the first study with respect to traffic deployment and over policing concerns was invaluable and led to improvements in our service delivery including with traffic enforcement and the new neighbourhood resource teams focused on engagement, outreach, and joint problem solving with communities.

The second TSRDCP report and data was released by the York Research Team on November 20, 2019 and presented to the Board on November and is available online. While it does show some progress, there are still significant concerns to be addressed. There are unacceptable impacts for the most affected communities and our officers because it prevents effective community policing, intelligence gathering, and erodes trust.

We will continue to show leadership and collect race based data, and more importantly, we will continue to work together to act on the findings and improve service to communities. This will impact the way we do policing in neighbourhoods. Our new neighbourhood resource teams area already showing signs of success. In addition to

continuing to implement best practices research, we are going to work with the Community Equity Council to create a task force and undertake a pilot that will work with police and community members to create real change.

This continuation of this collaborative work is already outlined as part of the OPS EDI Action Plan as a 2020 priority action item.

c. Diversity Audit (Report Released November 2019)

The need for a diversity audit came from a few sources – namely the first TSRDCP Report (recommendation #1) and from the Coalition for the Justice for Abdirahman who made a public request for a diversity audit to the Police Services Board in 2017.

A diversity audit scope of requirements was crafted based on community and police inputs, funding was located, and then the request for proposals was posted via the City of Ottawa procurement process. In May 2018, Graybridge Malkam was hired as the diversity audit specialist following a competitive selection process – with involvement from police, community, and Board members during the hiring/selection process and throughout the project.

The comprehensive diversity audit builds on the OPS Workforce Census that was conducted in December 2017, uses Global Diversity and Inclusion Benchmarks for benchmark measurements, and includes quantitative and qualitative methods to examine and review organizational culture and key areas of the organization.

Presented the Board on November 25, 2019, the Diversity Audit Report (add link) highlights many strengths and areas of progress as well as a number of weaknesses and gaps that need to be addressed in key audit areas like leadership and performance, workforce diversity, policies, service delivery and community engagement, and several areas of human resources.

The audit team noted that they saw progress in many areas even in this last year of the audit, and we must build momentum where there is early signs of progress. There are a large number of recommendations (97) including a few key recommendations that the audit team identifies as critically important for “signaling commitment, creating a foundation for change, and generating momentum at this pivotal time.”

OPS made a committed to work with police and community members as well as other stakeholders, including the Community Equity Council, to ensure the list of recommendations are reviewed, prioritized and implemented for meaningful change and progress. The recommendations will be added to the EDI Action plan for tracking and monitoring.

d. OPS EDI ACTION PLAN 2020-2022 (Tabled Jan. 2020; Approved Feb. 2020)

The Equity, Diversity, and Inclusion Action Plan 2020-2022 is a major deliverable of the Ottawa Police Services Board's Strategic Plan in the priority area to make "Meaningful Progress on Equity, Diversity and Inclusion (EDI). In recent years, there have been a number of independent reports and recommendations as well as significant input from police and community members through many different formats including: meetings, focus groups, surveys, and forums.

Following the release of the two latest independent reports last November, the second Traffic Stop Race Data Collection Report and the Diversity Audit, OPS made a firm commitment to make meaningful and measureable progress and move from reports and recommendations to greater action.

At our fifth Annual Human Rights Learning Forum on December 4th, 2019, OPS made a commitment to community and police members that we would continue our leadership and partnership work on EDI and release a strategic action plan in January 2020. OPS delivered on that commitment by tabling and presenting the Draft EDI Action Plan 2020-2022 at the January 27th, 2020 Board meeting. It was subsequently approved by the Board at the February 24, 2020 meeting. It is available at ottawapolice.ca/EDI

The three-year organizational plan focuses on creating meaningful and measurable progress and building a culture that embraces equity, diversity, and inclusion. It has:

- Focused activities and defined deliverables;
- Target outcomes and benchmark measures;
- Regular updates and progress reporting;
- Culture change and engagement actions;
- Multi-Stakeholder approach – development, implementation, and monitoring; and
- Five Key focus areas of work represented by a "house image": Leadership and Accountability, Community and Service Delivery, Diverse Workforce – All Levels, EDI Competent Members, Member Support and Inclusion.

The short and user-friendly action plan, and this year's priorities, were built on many different sources including the recently released reports and significant inputs from both police and community members who contributed to the many meetings, interviews, forums and surveys over the last two years. We also worked closely with the Community Equity Council (CEC) and its working committees to design the plan and set priorities.

Priority action items for 2020 include:

1. Create EDI Office to enhance EDI efforts and coordination across OPS. This new section was stood up as part of the new Respect, Values and Inclusion Directorate that was launched this month.
2. Provide EDI Coaching and Mentoring to equip our leaders with culture change and EDI tools.
3. Develop EDI Lens Toolkit to improve our decision-making and internal and external systems – including updates to the transfer, promotions, and developmental rotation processes.
4. Reintroduce Hate Crime Unit to improve response and support to impacted communities.
5. Update Outreach Recruitment and Background Check Processes to remove unintended barriers and increase competitive applications.
6. Develop New Training Plans for human rights, anti-racism, indigenous awareness, and mental health to address gaps and provide intercultural learning opportunities.
7. Enhance Member Wellness supports and inclusion efforts - accommodations, early intervention, and formalizing Employee Resource Groups (ERGs).
8. Improve Complaint Resolution Process for members and supervisors – including a special project aimed at addressing sexual violence and harassment in the workplace.
9. Enhance Community Policing including expansion of Neighbourhood Resource Teams.
10. Continue Anti-Racial Profiling efforts on addressing over and under policing concerns using a multi-stakeholder approach to policy, procedures, and accountability measures.

This is an evergreen list, we are adding Workplace Violence and Sexual Harassment as we have now completed action item number 1 – create EDI Office.

All 2020 actions items include assignment, completion dates, draft outcomes and measurement tools. There will be collaboration with stakeholders, regular progress reports and dialogue with the Senior Leadership Team and the Community Equity Council, as well as an annual report to the Police Services Board. Subsequent annual action planning will include an assessment of the current year action items, budget planning, and prioritization exercises with internal and external stakeholders.

CONSULTATION

Human Rights and EDI work to date is built on significant consultation with key internal and external stakeholders, and that will continue with the development, implementation, and monitoring of the EDI Action Plan.

CONCLUSION

The OPS has been a national leader in this important work and shows much courage in Canadian policing, as we continue to address barriers and make advancements.

As reported in this annual report, a significant amount of foundational work was completed in 2019 that contributed to the development of the OPS EDI Action Plan. .

The EDI Action Plan will be our road map for the next few years to build on the great work that has already been done – placing us at the forefront of professional and equitable policing.

Together we'll move from reports and recommendations to greater action – making more meaningful and measurable progress on EDI by focusing on culture change, removing barriers, and improving systems. It's about creating a police service that our community and members deserve.