



COMMUNITY BASED ORGANIZATIONS CALL FOR POLICE ACCOUNTABILITY AND THE REALLOCATION OF RESOURCES



September 2020

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Introduction

Community based organizations in Winnipeg have come together to affirm our support for the Black Lives Matter Movement. We are adding our voices to growing calls from Black and Indigenous leaders for meaningful action to address police violence and systemic racism. Racial profiling and the disproportionate use of deadly force against Black and Indigenous community members have been compounded by the lack of community resources to address poverty, addictions, and mental health issues. Acknowledgements of systemic racism by government leaders and the Royal Canadian Mounted Police (RCMP) as well as the stated commitment to bias-free policing by the Winnipeg Police Service (WPS) must be accompanied by immediate and concrete actions to address long standing community concerns about police accountability and the allocation of resources. These actions must be undertaken through collaborative engagement with Black and Indigenous led organizations and the communities they represent.

Community Experiences of Systemic Racism are Corroborated by Data

Widespread mistrust of the police within Black and Indigenous communities is the result of day to day encounters and knowledge that the police are more likely to use deadly force against members of these communities. Black youth who had developed a positive regard for the police through programs in schools and community organizations report that these outreach efforts gave them a false sense of security. They were unprepared for the close surveillance, suspicion, and violent interactions they experienced when they later encountered police officers in their neighbourhoods. Black youth workers from an inner-city organization in Winnipeg describe being stopped for no apparent reason on multiple occasions by the WPS after their evening shifts. Their white colleagues have not encountered this type of surveillance. Attempts to report these incidents hit a dead end when the WPS indicated they had no record of these encounters. When stops are not entered into the system by the police officers themselves, there is no record.

Accounts by community members are corroborated by the data documenting hyper-surveillance, overincarceration, and the disproportionate use of violence against Indigenous and Black community members. The United Nations Working Group of Experts on People of African Descent found “clear evidence that racial profiling is endemic in the strategies and practices used by law enforcement” and raised the alarm about the disproportionate impact of ‘carding’ or street checks on Black community members.ⁱ The National Inquiry into Missing and Murdered Indigenous Women and Girls noted that “urban Indigenous people were disproportionately harassed and profiled by police and the justice system.”ⁱⁱ

Data compiled by the CBC showed that over the past 20 years Black and Indigenous community members across Canada were much more likely to be killed in encounters with police.ⁱⁱⁱ In Manitoba Indigenous persons were 6.6 times more likely to be killed in police encounters and Black community members were 4.5 times more likely to be killed in police encounters when

compared to the white population.^{iv} Over the past two years the CBC found that 6 of the 9 people killed in encounters with the police in Manitoba were of Indigenous descent.^v While this type of independent research has revealed disturbing trends, there is a lack of comprehensive data on the policing of Indigenous and Black community members. There is an urgent need for police to collect and disclose race-based data on fatalities, serious injury, and interactions with community members. Comprehensive publicly available disaggregated data is essential to building our understanding of systemic racism within police forces and the effectiveness of measures to address these issues.

Nowhere to Turn

Community organizations report an alarming rise in volatile situations involving community members in distress. Based on previous negative experiences with the WPS and the RCMP, community workers are often reluctant to reach out to police to assist in managing difficult situations. They are not confident that community members will be treated with compassion and respect. They are also legitimately concerned that calling the police may lead to an escalation that results in the injury or death of community members at the hands of police. Winnipeg does not have a crisis unit that is sufficiently resourced to respond rapidly when organizations require assistance with de-escalation or to connect community members in distress to appropriate resources.

Accountability and Community Trust

There is a need for more robust mechanisms to ensure effective civilian oversight and investigations of police misconduct. Community members and legal experts continue to express skepticism with respect to the operation of police boards, commissions, and investigation units.^{vi} They lack credibility due to concerns over their autonomy, impartiality, and composition as well as limitations to their mandates and authority. The involvement of police forces in conducting security checks on members of civilian oversight boards raises the potential of a conflict of interest. Community members do not have opportunities for meaningful input into setting police budgets and policies due to the lack of open and transparent consultation processes. Furthermore, police boards lack decision making authority to exercise real influence over police budgets and policies. The involvement of former police officers in assessing and investigating complaints of police misconduct undermines trust in the independence and impartiality of these investigative units. Complaints about the misconduct by off-duty police officers or interactions that do not result in serious bodily harm are dismissed because they fall outside the mandate of oversight bodies. Many community members have given up on securing justice due to long delays and very low probability of complaints about police misconduct going forward. In 2018, 100% of the 102 complaints filed with the Manitoba Law Enforcement Review Agency were completed by being dismissed, abandoned or withdrawn.^{vii}

Aligning the Allocation of Resources with Community Priorities

It is widely recognized that broader systemic issues such as poverty, addictions, and mental health contribute to the disproportionate involvement of Black and Indigenous community members with the justice system. Profiles of poverty compiled by the Social Planning Council of Winnipeg highlight the impact of poverty and systemic discrimination on Indigenous Peoples and immigrants in Winnipeg.^{viii} However, municipalities and other levels of government have failed to invest the resources required to address these root causes. Growing police budgets stand in sharp contrast to the lack of investment in community-based efforts to address systemic issues such as poverty, racism, addictions, and mental health. An analysis conducted by CTV News showed that the City of Winnipeg is spending the highest percentage of the municipal budget on the police service when compared to other large Canadian cities.^{ix} The WPS budget accounts for over one quarter of the City of Winnipeg's net operating budget. The WPS budget has continued to increase while community-based organizations have experienced cuts to funding for the provision of essential services. Securing stable core funding has been an ongoing struggle for decades. Most community based organizations rely primarily on precarious project-based funding and donations to support community building efforts. All levels of successive governments have failed to invest in the social service sector to the degree that they have policing and incarceration. The social inequity that too many continue to experience has been the result. The COVID-19 crisis has highlighted the need for service delivery to the most vulnerable community members at the same time when many organizations have experienced cuts to funding and a reduction in donations.

Authentic Community Engagement

Recent events have highlighted the broken trust between police forces and many Black and Indigenous community members. There is growing cynicism that previous engagement efforts by the police and political leaders were more of a public relations exercise than a genuine invitation for the impacted communities to provide information and recommendations that would result in substantive changes to practices, policies, and legislation. Many community members were unaware of the recent review of the Manitoba's Police Services Act. Thus there is a lack of confidence that proposed changes will reflect community concerns. Authentic community engagement requires broad based consultations with members of impacted communities as well as a commitment to work in collaboration with representatives from Black and Indigenous led community to co-create and monitor strategies to address community concerns.

Recommendations

A growing consensus to reduce police budgets has emerged out of calls to defund and abolish the police by the members of the Black Lives Matter movement and other groups. We support their recommendations to redirect resources from police budgets to community building initiatives. We also call on all levels of government to add to this investment by substantially increasing funding for poverty reduction and strategies to promote inclusion and address systemic racism. **Implementing long overdue measures to address systemic racism within police services must not be used as rationale to resist reductions or to make the case for increases to police budgets.** Implementation of measures such as body cameras or enhanced police training should be accomplished through a reallocation of internal resources and not through additional funding from municipal, provincial or federal governments.

Police forces and all levels of government should:

- reduce funding to policing at least 10% for the next fiscal year and redirect the funds to:
 - o community building initiatives, and
 - o mental health and addictions care experts trained in nonviolent crisis intervention and de-escalation;
- immediately end the practice of carding, street checks, racial profiling, and the use of facial recognition technology;
- collect race-based data on all police interactions with community members and publicly report disaggregated data on an annual basis;
- immediately end the presence of police units in public schools, colleges, and universities;
- create effective policies and ensure the training of all police officers on the duty to report if they witness misconduct, believe there has been misconduct or become aware of allegations of misconduct by another member;
- provide effective whistleblower protection and a substantive, transparent and accountable process through civilian oversight bodies;
- record all police interactions by implementing the use of body cameras, paid for from resources within existing police budgets;
- as part of a broad anti-racism strategy, expand the delivery of anti-racism training to police forces in collaboration with Black and Indigenous led community organizations;
- work with community leaders and legal experts to overhaul civilian oversight and police investigation bodies.

The Winnipeg Police Service should:

- immediately ban the use of knee-holds and chokeholds as a reasonable response in any situation;
- reverse the trend toward increasing militarization and incorporate best practices in community policing from police services in other jurisdictions; and
- work with Black and Indigenous led community organizations to identify and incorporate changes to standard operating procedures to ensure the equitable treatment of all community members and enhanced police accountability.

The City of Winnipeg should:

- establish a representative community led Task Force to co-create policies to address long standing concerns about police accountability, violence, and systemic discrimination against Indigenous and Black communities;
- increase investments in community building programs by reinstating the funding to community programs that was cut in the 2020-2024 budget process as well as the more recent cuts that were made in response to COVID-19;
- establish clear targets and timelines for the measures identified in the Newcomer Welcome and Inclusion Policy and provide adequate funding to meet the targets; and
- work with anti-poverty organizations to establish targets and timelines for the city's poverty reduction strategy and provide adequate funding to meet the targets.

The government of Manitoba should:

- authentically engage with the broader community on the review of the Police Services Act by presenting the initial report in draft form followed by open and transparent consultations with impacted communities before the report is finalized;
- increase investments in poverty reduction and community building strategies; and
- expand access to justice for individuals and communities experiencing systemic racism by increasing the funding for organizations such as the Legal Help Centre, Legal Aid, and the Public Interest Law Centre.

The government of Canada should:

- fulfill the 2019 election promise to strengthen and double the funding for [Building a Foundation for Change: Canada's Anti-Racism Strategy](#) so concerns with the justice system and anti-Black racism can be substantially addressed; and
- initiate comprehensive reform of policing and justice systems in Canada, to address systemic racism. This should include a shift away from the overreliance on incarceration.
- repeal mandatory minimum penalties and replace them with culturally and community based approaches that better address the conditions that lead to crime.
- implement Restorative Justice as the default system to resolving legal conflicts, based on its roots in Canadian Indigenous culture as well as in many other cultures worldwide, particularly those who become racialized upon arrival in Canada.

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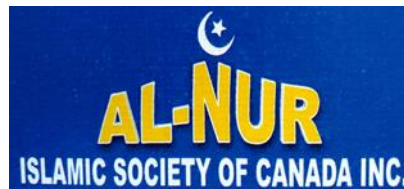
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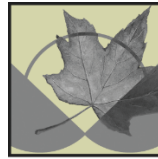
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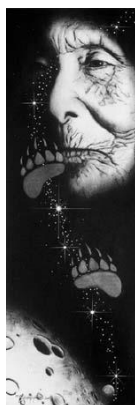
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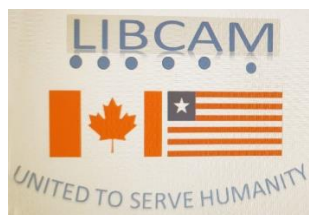
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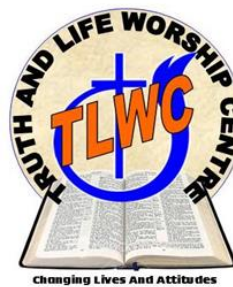
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